

OFFICE OF LAND COMMISSIONER FOR BAVARIA
PROPERTY DIVISION, OEA
CULTURAL PROPERTY BRANCH
COLLECTING POINT, MUNICH
10 Arcisstrasse

3 April 1951

R E C E I P T

The following art objects, borrowed from Central Collecting Point Munich, on
have been received by the Central Collecting Point,
10 Arcisstrasse, from Capt. Hickey, LCB. The paintings
were lent to Clarence H. Bolds on 19.1.48 (5 objects),
and to the American Consulate General on 9.3.48 (1 object):

Man.No. 1648	"View of Dresden Zwingergraben" by Belotto
" " 8582	"Frauenchiess" by Wilh. v. Trübner
" " 11069	"Winterlandscape with Smithy" by Heinr. Bürkel
" " 11383	"Winterlandscape at the Smithy" by Heinr. Bürkel
" " 11819	"Forest with Pond and Deers" by Karl Blechen
-	"Kakteen in Blüte" by Fritz Gartner *)

S. Lane Faison Jr.

S. LANE FAISON Jr.
Property Officer
HICOG (OLA)
Collecting Point
Munich

*) This painting was loaned to the American Consulate General by Administration "Exhibition Haus der deutschen Kunst".

RG 260
Entry OM6US-^{Ardelia}Hall
File ^{Collection}
Box 269

DECLASSIFIED
Authority NND 775057
By TV NARA-DA: 2299

REPRODUCED AT THE NATIONAL ARCHIVES

114829

OFFICE OF LAND COMMISSIONER FOR BAVARIA
PROPERTY DIVISION, OEA
CULTURAL PROPERTY BRANCH
COLLECTING POINT, MUNICH
10 Arcisstrasse

3 April 1951

R E C E I P T

The following art objects ~~received from the~~ ^{loaned by Admin. "Exhibition}
~~Collecting Point Munich, on~~ ^{Barrow's from Central} ~~House d. deutschen Kunst" on 9.3.48~~
have been received by the Central Collecting Point,
10 Arcisstrasse: ~~From US Consulate General, Dr. Hugh Burrows,~~
Vice Consul:

"Kaktusen in Blüte" by Fritz Gartner

S. Lane Faison Jr.

S. LANE FAISON Jr.
Property Officer
HICOG (OEA)
Collecting Point
Munich

RG 260
Entry OMGUS- *Ardelia Hall*
File Collection
Box 269

DECLASSIFIED
Authority NND 775057
By IV NARA Date 9/29/99

REPRODUCED AT THE NATIONAL ARCHIVES

114830

PROPERTY DIVISION, OEA
CULTURAL PROPERTY BRANCH
COLLECTING POINT, MUNICH
10 Arcisstrasse

April 9, 1951

Major Gavin
7728 Claims Team
28 Ludwigstrasse
Munich

Dear Major Gavin:

This is to notify you, as per our telephone conversation today, that the painting "Kakteen in Blüte", by Fritz Gärtner, which has been on loan at the US Consulate General since 9 March 1948, has been returned to the Collecting Point, and that it is now available for collection by the son of the painter, who requested it some time ago. Herr Nutfried Gärtner was so notified today, as per the attached copy.

Another painting by Gärtner, lent to the Provost Marshal, MMP, on 12 March 1947, appears to have been lost. The title of this picture is "Jungbäuerin", and it has a Haus der deutschen Kunst Number E 2042.

Another picture in the same category and likewise lost, is A. Schorling "Am Wildbach", Munich Number 28469, Haus der deutschen Kunst Number E 936. This and the Gärtner are the only two pictures of a group of ten originally lent to the Provost Marshal (Lt. Col. J.J. Fogarty) on 12 March 47. Six of these pictures were returned to Central Collecting Point on 7 March 1951 by the Provost Marshal, Lt. Col. Ryan, and two others are also accounted for.

Sincerely,

cc to Miss Böhm

1 Incl.

S. LANE FAISON, JR.
HICOG, PROP. DIV. OEA
COLLECTING POINT MUNICH

RG 260
Entry, OMGUS-Ardelia
File Hall
Collection
Box 269

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Authority MND 775057
By TV NARA-Date: 9/20/99

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114831

Retained Copy

OFFICE OF THE UNITED STATES HIGH COMMISSIONER FOR GERMANY
APO 757-A, Frankfurt
Office of Economic Affairs

December 22, 1950.

Cultural Property Branch,
Central Collecting Point Munich,
APO 407-A, Munich, Germany.

Attention: Mr. S. Lane Faison

After establishment of the Trusteeship of the Minister President of Bavaria, on August 3, 1948, various U.S. individuals and installations received on loan from the Trusteeship certain art objects, a special list of which is hereby attached.

Since certain objects fall within the so-called "Austrian Complex", now in liquidation, it is essential that these be returned to the Trusteeship without delay.

You are hereby instructed and authorized to arrange immediately for the return of these objects to the Trusteeship of Bavaria.

Please report to this office when the foregoing has been accomplished.

Very truly yours,

William G. Daniels
William G. Daniels
Chief
Property Division

Enclosure:

Special list.

RG 260
Entry OMGUS-Hall *Arabella*
File Collection
Box 269

DECLASSIFIED
Authority NND 775057
By TV NARA Date 8/20/99

REPRODUCED AT THE NATIONAL ARCHIVES

114832

Brown's has
list for
check-up

SPECIAL LIST

Covering Loans of Art Objects
made by Trusteeship Bavaria to US Individuals and Installations

To: American Consulate General
Munich, 28 Ludwigstrasse

Custody Bayerische Staatsgemalde-
sammlungen

<u>NO.</u>	<u>DESCRIPTION</u>	<u>EXIT</u>
43481	Insel Vasser in Norwegen by Kraas	15.4.48
29217	Vierwaldstattersee bei Isenburg by W. Seippel	15.4.48
29681	Tulpen by M. Ressel	15.4.48
29677	Thuringen by W. Seippel	15.4.48
43479	Pettau an der Drau by L. Kasimir	15.4.48
29216	Die Tatra by W. Seippel	15.4.48

Loaned by Administration "Exhibition Haus
der deutschen Kunst"

-	Aus der Danziger Niederung by Joseph Burger	9.3.48
-	Kakteen in Blüte by Fritz Gärtner *)	9.3.48
-	Vorfrühling by Mich. Kiefer	9.3.48
-	Paar aus Dachau by F. X. Wölflé	9.3.48

*) Return urgently requested as claimed by owner

RG 260
Entry OMGUS-Hall Ardelia
File Collection
Box 269

DECLASSIFIED
Authority NND 775057
By TV NARA Date 2019

REPRODUCED AT THE NATIONAL ARCHIVES

114833

To: American Consulate General
Munich, 28 Ludwigstrasse

On loan out of the Minister-
President Komplex

NO.:

7756

DESCRIPTION

Herrenportrait
German, about 1850

EXLT

9.8.49

RG 260
Entry OMGUS-^{Ardella}Hall
File Collection
Box 269

DECLASSIFIED
Authority NND 775057
By TV NARA Date 9/29/99

REPRODUCED AT THE NATIONAL ARCHIVES

114834

SPECIAL LIST

ART OBJECTS ON LOAN

To: Haus der Kunst
Officer's Mess

Custody Bayerische Staatsgemälde-
sammlungen

<u>NO.</u>	<u>DESCRIPTION</u>	<u>EXIT</u>
28486	Bildnis by Jul. Engelhardt oil on canvas	15.7.47 Stores
<u>Signed for by Club Officer Capt. Gaylori</u>		
7786	1 Verture 17th cent. (Landscape with birds), 2.45 x 3 m	8.7.49
7791	Tapestry Brussels (1740), Dancing Peasants, 3.80 x 2.93 m	8.7.49 <i>Belie Room</i>

RG 260
Entry OMGUS- *Ardelia*
File *Hall*
Box *Collection*
Box 269

DECLASSIFIED
Authority NND 775057
By *LJ* MARA Date *2099*

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114835

SPECIAL LIST

ART OBJECTS ON LOAN

To: Mr. Clarence M. Boldt
(Inquire Mr. Shuster OLCB)

On loan out of the Minister-
President Komplex

<u>NO.</u>	<u>DESCRIPTION</u>	<u>EXIT</u>
A 13148	Küste mit Fischerbooten by Hoguet	21.10.49
A 12094	Isar bei Lenggries by Halberg-Kraus	21.10.49
46367	Arm-chair, pure gold upholstery	21.10.49
46371	Arm-chair, pure gold upholstery	21.10.49
46372	1 yellow sofa, bipartite	21.10.49

RG 260
Entry OMGUS-^{Ardelia}Hall
File Collection
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By TV NARA Date 2/29/99

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SPECIAL LIST

ART OBJECTS ON LOAN

On loan out of the Minister-
President Komplex

To: Mrs. Doris Shuster,
Wife of Dr. Shuster, OLOB

<u>No.</u>	<u>DESCRIPTION</u>	<u>DATE</u>
28772	Teegeschirr by Nissl	4.8.50
A 12786	Feldblumenstraus by Vaeltl	4.8.50
A 13462	Stickendes Mädchen by Bertrand	4.8.50
A 13506	Paar in bauerlicher Tracht by Mann	4.8.50
A 13457	Aprilmachmittag by Gruner	4.8.50
35744	Italienische Landschaft by Ziegler	4.8.50
40070	Osternorgen by Stitger	4.8.50
A 12294	Klaskuhner by Wagner	20.9.50
A 12779	Canale Grande, Venedig by Leopold	20.9.50
A 11820	Landschaft by Rahn	20.9.50
19538	Maria mit Kind German, 18th century	(Prop. of Bav. State Gallery) 20.9.50

RG 260
Entry OMGUS-^{Ardelia}Hall
File Collection
Box 269

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By JV NARA Date 2/29/99

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114837

SPECIAL LIST
ART OBJECTS ON LOAN

CONSULTED
LT. COL. RYAN
PROV. MARSHALL

SEE NOTATIONS
ON LIST I

To: Lt. Col. J. J. Fogarty,
Munich, 28 Ludwigstrasse
(Inquire Provost Marshal
Office OLCB)

Quatody Bayerische Staatsgemalde-
sammlungen

<u>NO.</u>	<u>DESCRIPTION</u>	<u>EXIT</u>
41127 probably identical with 26743 of List II (Identifying Nos. on reverse of painting)	Bibsee by E. Compton	12.3.47

Loaned by Administration "Exhibition Haus
der deutschen Kunst"

<u>NO.</u>	<u>DESCRIPTION</u>	<u>EXIT</u>
-	Jungbäuerin by Fritz Gärtner *)	12.3.47
-	Ein neuer Tag beginnt by Obst	12.3.47
-	Der Laubenfischer by A. Stagura	12.3.47 ✓
-	Segelschulschiff Niebe by A. Bock	12.3.47 ✓
-	Am Wildbach A. Schorling	12.3.47
-	Herbstsonne in Städtöringen by Otto Bloss	12.3.47

LOCATED AT
LT. RYCHLY USN.

LOCATED AT
LT. RYCHLY U.S.N.

HAUSMEISTER
HEIM -
THROUGH BUTTONS

*) Return urgently requested
as claimed by owner.

RG 260
Entry OMCUS - Ardelia Hall
File Collection
Box 269

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Authority NND 775057
By TJ NARA Date 9/29/99

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SPECIAL LIST

ART OBJECTS ON LOAN

On loan out of the Minister-
President Komplex

To: Mr. David L. Hogan,
Institut für Amerikanistik,
Munich, Ludwigstrasse 17

<u>NO.</u>	<u>DESCRIPTION</u>	<u>EXIT</u>
A 13483	Blumenstilleben by Stahl	4.11.49
-	Modern rug, 3.00 meter x 5.60 meter	4.11.49
-	Red Velour Runner 1.35 x 4.40 m	7.11.49

RG 260
Entry OMGUS-Hall
File Ardelia
Collection
Box 269

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By TJ NARA Date 9/29/99

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SPECIAL LIST

ART OBJECTS ON LOAN

On loan out of the Minister-
President Komplex

To: Dr. Charles D. Winning,
Education and Cultural
Relation Branch, OLCB

<u>NO.</u>	<u>DESCRIPTION</u>	<u>DATE</u>
A 12051	Landschaft by Robert Knaus	26.8.49
26839	Seerosen by Hans Richter	26.8.49
-	1 chair with red upholstered seat and back	26.8.49

RG 260
Entry OMGUS-Ardelia
File Hall
Collection
Box 269

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Authority NND 775057
By JV NARA Date 9/29/99

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114840

SPECIAL LIST

ART OBJECTS ON LOAN

On loan out of the Minister-
President Komplex

To: Lt. Col. Edward J. Burns,
Chaplain, Munich Military Post

<u>NO.</u>	<u>DESCRIPTION</u>	<u>EXLT</u>
6678	Modern rug, 3.97 meter x 3.00 meter	17.5.50
-	2 Benches, modern	17.5.50

Loan of the above was arranged by Mr. Munsing, who
signed a receipt on behalf of Lt. Col. E. J. Burns.

RG 260
Entry OMGUS-^{Ardelia}Hall
File Collection
Box 269

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By TJ NARA Date 2/29/99

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114841

SPECIAL LIST

ART OBJECTS ON LOAN

On loan out of the Minister-
President Komplex

To: Mr. Stephen P. Munsing,
Amerikahaus Munich

<u>NO.</u>	<u>DESCRIPTION</u>	<u>EXIT</u>
15825	1 Rug (7 meter x 5.10 meter)	20.10.49

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File Collection
Box 269

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By TJ NARA Date 2019

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114842

SPECIAL LIST

ITEMS ON LOAN

To: Dr. Harold J. Clem.
Fol. Affairs, OLCB,
Room 259, Tel 6757

<u>NO.</u>	<u>DESCRIPTION</u>	<u>EXIT</u>
-	2 large rugs	30.8.46
-	1 small rug	30.8.46
-	1 bookcase (furniture)	30.8.46
-	2 chairs (furniture)	30.8.46
-	1 floor lamp	30.8.46
-	1 couch red with flower pattern	18.4.47

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Entry OMGUS-^{Ardelia}Hall
File Collection
Box 269

DECLASSIFIED
Authority NND 775057
By LV NARA Date 2099

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114843

SPECIAL LIST

ART OBJECTS ON LOAN

To: Mr. MacCormack
Munich, 5 Alois Wohlmuthstr.

Custody Bayerische Staatensammlungen

<u>NO.</u>	<u>DESCRIPTION</u>	<u>EXIT</u>
28203	Landschaft mit Reitern *) <i>G. GEORG LABRECHT</i>	8.7.48

*) return of painting urgently requested
by owner. (*WIDOW OF PAINTER*)

+ 1 PAINTING "HINTERLANDSCAPE"
by R. HUBER
RECVS. FR. MR. TAYLOR

RG 260
Entry *Ardelia*
OMGUS-Hall
File *Collection*
Box 269

DECLASSIFIED
Authority *NND 775057*
By *TV* NARA Date *8/20/99*

REPRODUCED AT THE NATIONAL ARCHIVES

114844

TO
 Dir.
 D/Dir. Neg.
 D/Dir. Adm.
 D/Dir. Op.
 Exec.
 Asst. Exec.

MAD
FBS

FOR IMMEDIATE RELEASE.

TO ALL CONCERNED

BERLIN, 24 MAY 1947:--Immediate steps are being taken to restore to the Netherlands Government, their original owner, six valuable paintings which were purchased in good faith by the Office of Military Government for Germany (U.S.) from a German firm of interior decorators, and which are hanging in offices on the second floor of the Director's Building. Colonel John H. Allen, chief of the OMGUS restitution branch, announced today.

Mr. Richard F. Howard, head of the Monuments, Fine Arts and Archives Section, said that on the 8th of August 1945, military Government commissioned the firm of Gebrueder Horn, in Berlin, to decorate the offices on the second floor of the Director's Building where the Military Governor and his advisers have their offices.

In carrying out this commission, Gebrueder Horn acquired the paintings from the Roemerbad Hotel, Badenweiler, Baden, in the French Zone, and sold them to OMGUS. The paintings and their Reichsmark price included:

Purchased by OMGUS 8 August 1945

Bilders: Landscape	RM 14,200
Bossono: Waterfall	RM 10,500
Canaletto (school): Grand Canal	RM 22,500
Salvator Rosa: Two Mounted Riders, Battling (two paintings)	RM 9,600

Purchased by OMGUS 13 October 1945

Van Dyck (school): Portrait of a Woman	RM 9,600
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A painting of Damschroeder, subject unknown, was also sold to OMGUS for RM 22,600 at this time but was destroyed in a fire which took place in the Gebrueder Horn warehouse in Fasanenstrasse.

All of the paintings named above are now subject of restitution claims made by the Netherlands Government, as it has been learned that these pictures were originally acquired in Holland and brought into Germany during the period of the German occupation. These paintings are therefore restitutable to the Netherlands according to Military Government Regulations Title 18-10 and Title 18-106.

The paintings claimed by the Netherlands are the following:

Van Dyck: Portrait of a Woman	Netherlands Claim No. 18728 dated 12 March 1947
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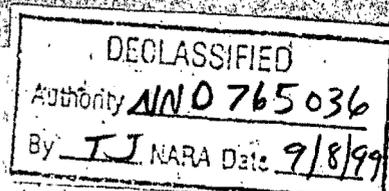
The painting was acquired originally from J. Kalb, Rokin 70, Amsterdam, Holland.

W. Bilders: Landscape	Netherlands Claim No. 18685 dated 3 March 1947
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The painting was acquired originally from D. Lockroy, Dieren, Netherlands.

Salvator Rosa: Two Mounted Riders, Battling	Netherlands Claim No. 18686 dated 3 March 1947
---	--

The paintings were acquired originally from B. Lockroy, Dieren, Netherlands.



RG 260
 Economics
 Division
 Box 115

Mr. Howard said that he has recommended that the claimed paintings be transferred to the custody of Monuments, Fine Arts and Archives Section, to be restituted to Holland, and that Gobrecht Horn be requested to repay the purchase price to Military Government.

DISTRIBUTION "A"

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Authority AND 765036
By TJ NARA Date 9/8/99

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Economics
Division
Box 115

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R E S T R I C T E D

DE 84, OMGUS, 11 Apr 47

INFORMATION SECTION (CONTINUED)

CHARGES FOR THE USE OF SPECIAL SERVICE FACILITIES: -

Effective 10 April 1947 charges will be made for the use of the following Special Service facilities and activities with prices as indicated:

Potsdam and Berlin Tours	\$.20 per person
Golf Course	\$.40 per 18 holes
Boating Facilities	
Kayaks and Canoes	\$.10 per person per hour
Motor Boats	\$.30 per person per hour
Sailboats	\$.10 per person per hour

A minimum charge will be made for certain motorboats and sailboats to insure maximum use of larger craft. These minimum prices will be posted at dispatch points. Payment will be made by use of coupons which will be available in \$1.00 books at the following places:

Golf Course - Wannsee
Anchor Service Club (formerly American Yacht Club) 3 Koenigstr., Wannsee
Robert Street Boat House (formerly OMGUS Boat Club) 8 Robertstr., "
Crown Prince Red Cross Club, 146 Kronprinzenallee, Dahlem
Special Service Information Office, Onkel Tom's Arcade.

The opening of the Golf Course and of the Boating Facilities will be later announced when weather and lake conditions permit.

LITTLE THEATER MEETING AND DINNER: -

Harnack House, 15 April. Phone in your reservation to Little Theater, 4442, not later than 1700 hours, Monday, 14 April if you wish to attend the dinner. Dinner 1830 hours, meeting 2000 hours.

WOMEN'S CLUB NEWS: -

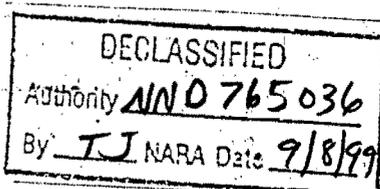
Square dancing will be held Sunday night, 13 April, at 2000 hours for all enthusiasts. At Harnack House in Submarine Room. 25¢ ea.

Choral Singing Group will meet at Harnack House at 1100 hours on Monday, 14 April. All interested are encouraged to come and join in this group. For further information, telephone Mrs. Swisher, 76-0910.

Tennis beginners and experts, and the people in between are invited to the Berliner Hockey Club to start out the Spring season, on 15 April, at 1100 hours. Mrs. Concaon, 76-5359.

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R E S T R I C T E D



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Economics
Division
Box 115

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R E S T R I C T E D

DB 84, OMGUS, 11 Apr 47

INFORMATION SECTION (CONTINUED)

554 ART WORKS,

Some by world famous artists, will be won by Allied personnel when the drawing for them is held on 5 May. What are your chances? How many raffle tickets have you purchased? The money obtained from the raffle will be given for German art scholarships. The art works to be won are on exhibition at Galerie Meyer Heydenreich, 20 Teltower Damm, Zehlendorf (bus "D"). Tickets for the raffle may be obtained at Special Services Ticket Office in Onkel Tom's Arcade, or from members of the Women's Club.

SOUVENIRS: -

Arrangements are being made to sell souvenir pieces of the special crockery used in the ACA mess to any persons interested. Disciplinary action will be taken against individuals apprehended acquiring this crockery informally.

WANTED: - To purchase pair of ladies brown pumps, size 5 1/2 A. Must be new. To trade table-model Brandt radio in good condition for smaller model, prefer German make. Telephone 45037, evenings 84-5225.

FOR SALE: - Light blue pure wool angora three quarter length coat, size 18 or 20. Telephone 44937.

DISTRIBUTION: G / H
plus 950 BC

- 8 -

R E S T R I C T E D

41

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Authority AIN 0765036
By TJ NARA Date 9/8/99

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Economics
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Box 115

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114848

25 Sept 47

2802

OMGUS, Restitution Branch, MFASA Section, Mr. H. S. Leonard

OMGUS, AFG 742, Econ. Div., Rest. Branch, MFASA Section, Mr. H. Lehmann-Haupt

SUBMITTED HERewith IS SEMI DASH MONTHLY MONUMENTS FINE ARTS AND ARCHIVES REPORT FOR THE PERIOD TWO EIGHT AUGUST TO ONE FOUR SEPTEMBER PD FIRST RESTITUTION PD ON TEN SEPTEMBER TWO ITEMS OF CULTURAL VALUE WERE RESTITUTED TO AUSTRIA PD THESE CONSISTED OF PARTS OF TWO SEVENTEENTH CENTURY CUPBOARDS BELONGING TO THE ALFONS ROTHSCHILD COLLECTION VIENNA PD ON TEN SEPTEMBER ONE ONE THREE ITEMS CONSISTING LARGELY OF PAINTINGS WHICH HAD BEEN SENT TO MUNICH BY AUSTRIAN ARTISTS IN ONE NINE FOUR FOUR FOR A HAUS DER KUNST EXHIBITION CMA WERE RETURNED TO THE AUSTRIAN GOVERNMENT PD FIFTY ITEMS OF CULTURAL VALUE CMA SUSPECTED OR KNOWN TO HAVE BEEN REMOVED FROM FORMER GERMAN OCCUPIED COUNTRIES CMA WERE CONFISCATED FROM PRESENT HOLDERS IN BAVARIA AND BROUGHT TO THE MUNICH CENTRAL COLLECTING POINT FOR SCREENING PD AMONG THESE WERE TWENTY THREE ITEMS CMA CONSISTING LARGELY OF SILVERWARE AND GLASSWARE LOOTED FROM THE GORRING TRAIN NEAR BERCHTESGADEN ON MAY ONE NINE FOUR FIVE CMA AND RECOVERED BY MFASA OFFICERS PD FIFTY DASH SEVEN ITEMS OF CULTURAL VALUE WERE REMOVED FROM VARIOUS PLACES IN BAVARIA TO THE MUNICH CENTRAL COLLECTING POINT ON THE BASIS OF NINE GERMAN DECLARATIONS OF PROPERTY ACQUIRED IN FORMER GERMAN OCCUPIED COUNTRIES PD SECOND INVESTIGATION OF CLAIMS PD NEW CASES RECEIVED DURING PERIOD DASH TWO SIX PD CASES COMPLETED DURING PERIOD DASH THREE PD CASES PENDING AS OF ONE FOUR SEPTEMBER DASH SEVEN SEVEN THREE PD THIRD EVACUATION OF REPOSITORIES PD NINE FREIGHT CAR LOADS OF ARCHIVAL AND LIBRARY MATERIAL CMA ONE HUNDRED AND FIFTY THOUSAND ITEMS CMA BELONGING TO THE REICHSFINANZ-

RG 260
 Entry OMGUS-Hall
 File Ardetia
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 Box 374

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114849

TWX to OMGBS, Recon. Div. MFAAA Section, ATTN: Mr. Lehmann-
Haupt (continued)

MINISTERIUM GMA BERLIN GMA WERE EVACUATED FROM THE VESTS MARIENBERG
WÜRZBURG TO THE OFFENBACH ARCHIVAL DEPOT ON ONE SEPTEMBER PD
URTH MISCELLANEOUS PD ON EIGHT SEPTEMBER THE MAINFRANKISCHES MUSEUM
OF WÜRZBURG REPORTED IN THE VESTS MARIENBERG WÜRZBURG PD DURING THE WAR
THIS MUSEUM SUFFERED THE LOSS OF ITS OLD BUILDING AND FIFTY PERCENT OF
ITS HOLDINGS PD THE INSTITUTION IS ONE OF THE MOST FAMOUS OF PROVINCIAL
MUSEUMS IN GERMANY AND OUTSTANDING FOR ITS COLLECTION OF MEDIEVAL ART PD
ON THREE SEPTEMBER THE MUNICH CENTRAL COLLECTING POINT RECEIVED A VALUABLE
SEVENTEENTH CENTURY GOVLLIN TAPESTRY AND A PORTRAIT OF MADAME DE BRAND GMA
ITEMS WHICH HAD BEEN STOLEN BY AN AMERICAN SOLDIER FROM THE HERMITAGE IN
BAYREUTH AND CARRIED TO THE UNITED STATES IN ONE NINE FOUR SIX PD THE RETURN
OF THE PROPERTY TO GERMANY RESULTED FROM AN INVESTIGATION INITIATED IN THE
HONGKONG THEATRE AND BROUGHT TO A SUCCESSFUL CONCLUSION BY CID AGENTS
IN NEW YORK PD THE PROPERTY WILL BE TURNED OVER TO THE BAVARIAN ADMINISTRA-
TION OF CASTLES GARDENS AND LAKES GMA THE GERMAN AGENCY WHICH IS ENTRUSTED
WITH THE ADMINISTRATION OF THE HERMITAGE AT BAYREUTH PD PARIS CITE MUSE
GEORGE SACHS BASH ROOM DASH BASH TWO THREE ONE SEVEN ZERO ZERO SEPTEMBER
ONE NINE FOUR SEVEN END

MULLER

OMGB

Restitution Br. MFAAA Section, Mr. H. S. Leonard

Dep. Dir.

T. B. BLOCKER, Lt. Col. PA Recon. Div.

RG 260
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114850

~~XXXXXXXXXXXXXXXXXXXX~~ A valuable Gobelin tapestry of the 17th century, "Spring", one of a set representing the four seasons, was stolen by an American soldier from the Hermitage in Bayreuth on 17th April 1946 together with a portrait of Madame de Brand. These two works of art went to the United States with the soldier when he was redeployed. An investigation was started in the European theater and was brought to a successful conclusion by agents of the CID in New York. The soldier, now a civilian, was located and it was discovered that the tapestry had been sold at auction for four hundred dollars to an antique dealer. The dealer gave the tapestry to the CID immediately upon being informed that it had been stolen in Europe. In quick succession the auction house refunded the money paid by the dealer. The last information received by this office was that the CID had written the Attorney General requesting an opinion as to whether the ex-soldier was under the jurisdiction of courts martial or civilian courts. In the meantime this office was informed that these two items had been returned to Hq. EUCOM and were then turned over to this office for proper disposition. It is intended to have these returned by a high ranking officer to Dr. Esterer, Director of the Schlosser und Garten Verwaltung, the German agency entrusted with the administration of the Hermitage.

RG 260
Entry: OMGUS-*Ardelia*
File *Hall*
Collection
Box 374

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By *TV* NARA Date *2099*

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114851

ZIMMER

30 Sept. 1947

Alleged US black-market traffic in valuable paintings

Mr. Leonard

1. Egon Maria Zimmer, Haus Wolfegg, Unterstein b. Berchtesgaden, was asked to report to this office to give proof of the origin of an alleged van Dyck which he had offered for sale. The origin of the picture was established as German, besides, the painting was no van Dyck.

2. What gives this routine case some importance is the fact that Zimmer, among others, offered the painting to one Peter Gerloff in Berchtesgaden after he had told him that his brother who works for CIC and the Vermögensverwaltung for LK Muhlendorf, was a buyer of art for Americans. His American clients are said to be interested only in high-priced pieces, such as Rubens, van Dyck, etc. The Muhlendorf Gerloff who is known to the undersigned, seems to think that such transactions are perfectly legitimate. The father of the Gerloff brothers confirmed this to Zimmer.

3. Should this information be passed on to CID ?

EDGAR BREITENBACH
US CIVILIAN
MFASA Officer

RG	260
Entry	Ardenia Hall
File	OMGUS
Box	432

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By: SZ NARA Date: 10-19-99

114852

R E S T R I C T E D

9th June, 1947.

ALCO/P(47)67

ALLIED COMMISSION FOR AUSTRIA

ALLIED COUNCIL

LOCATING OF PROPERTY LOOTED FROM UNITED
NATIONS' TERRITORY

Report by the Executive Committee

PROBLEM

1. Examination of the question of granting permission for locating property in Austria looted by the Germans from United Nations' Territory.

DISCUSSION

2. In the Executive Committee, on 6th June 1947, no agreement was reached on the basis of the following resolution which had been submitted by the British, French and U.S. Members of the R. D. & R. Directorate, but was not acceptable to the Soviet Member :

" The Executive Committee recommends to the Allied Council that permission be granted to the representatives of the Elements occupying Austria and to the representatives of the Restitution Missions of the United Nations which were in occupation by the enemy to visit each zone of occupation in Austria in accordance with the procedure laid down by each Commander-in-Chief in his Zone, in order to facilitate the location and restitution of property looted by the enemy from the territories of the United Nations. "

Eventually, at the request of the French Member, it was agreed to place the matter before the Allied Council.

RESOLUTIONS

3. The Executive Committee submit the two following Resolutions to the Allied Council as a basis for discussion :

- (a) Original Resolution, as amended by the Soviet Member at the Executive Committee Meeting, and objected to by the U.S. Member :

R E S O L U T I O N

The Allied Council grants permission to the representatives of the Restitution Missions of the United Nations whose territory was occupied by Germany to visit each zone of occupation in Austria in accordance with the procedure laid down by each Commander-in-Chief in his Zone, in order to facilitate the location and restitution of property looted by the enemy from the territories of the United Nations.

- 1 -

R E S T R I C T E D

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RESTRICTED

- (b) Alternative Resolution. This was proposed by the French Member in an effort to bridge the gap between the U.S. and Soviet views, but proved acceptable to neither of these Elements :

RESOLUTION

The Allied Council agrees to grant permission to the representatives of Restitution Missions of the United Nations, any of whose territories have been occupied by the enemy, to visit each zone of occupation in Austria in accordance with the procedure laid down, or to be laid down, by each Commander-in-Chief in his Zone, in order to facilitate the location and restitution of property looted by Germany from the territories of the United Nations.

- 2 -

RESTRICTED

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LIST OF UNITS AND INSTALLATIONS IN AREA I, SALZBURG

The following is a list of units and installations in Area I, Salzburg. Numbers preceding designation of units or installations signify the General Staff Section having primary interest in the inspection. Those marked * are the responsibility of USACA Section.

UNITS

SALZBURG

- 1 7794 Hq Co
- 3 Trp E, 4th Constab
- 3 Co F, 16th Inf
- 4 Det I, 25 Reg Gp
- 4 45 Fin Disb Sec
- 4 Det C, 52 Ord Gp (Comp)
- 4 Co A, 63 Sig Opr Bn (-)
- 1 206 APU (F)
- 2 Sub-Det, 430 CIC
- 4 Det 518, QM Refrig Co
- 4 523 Engr Serv Bn, Hq & Hq Det
- 3 524 MP Bn, Co C (-)
- 4 582 Engr Util Co
- 4 592 Engr Serv Co
- 4 1200 Lbr Supv Co
- 4 7721 Claims Off Team
- 1 7733 WAC Det
- * 7753 Mil Govt Det
- 1 7763 War Crimes Inves Team
- 2 85 OB Team
- 2 86 OB Team
- 2 216 PI Team
- 2 283 IPW Team
- 2 284 IPW Team
- 2 285 IPW Team
- 2 286 IPW Team
- 2 505 IPW Team
- 2 506 IPW Team
- 2 518 IPW Team
- 2 520 IPW Team
- 2 Det A, 7769 MIS/A
- * ISE, Unit #1, (Det, Hq USFA)
- 1 Stars & Stripes (Det, Hq Co USFA)
- 3 Hq Flt Sec, USFA
- * USACA Fin Div
- 1 Special Service Supply and Special Service (Salzburg)
- 2 Air Interrogation Unit (USFA)
- 4 Film & Equip Exch Det, 63 Sig Opr Bn

CAMP TRUSCOTT

- 3 C Trp, 4 Constab Sq
- 3 Hq & Hq Co, Med Det, 16 Inf
- 3 Co E, 16 Inf
- 3 Co G, 16 Inf
- 3 Co H, 16 Inf
- 3 Hq & Hq Co, 2 Bn, 16 Inf
- 4 Serv Co, 16 Inf
- 4 91 Dental Pros Det
- 4 2d Hosp Unit, 57 Fld Hosp
- 4 288 Med Mess Det
- 3 505th MP Bn (-Hq Det)
- 3 7832 Sta Compl Unit

114855

RG 260/USACA
Entry 119 Property Control Branch
File General Correspondence Files
Box 2

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By AF NARA Date 11-18-99
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List of Units and Installations in Area I, Salzburg

(Continued)

ST GILGEN

- 2 Sub-Det, 430 CIC
- 3 E Trp, 4 Constab Sq (Det)

HALLEIN

- 2 Sub-Det, 430 CIC

INSTALLATIONS

SALZBURG

- 1 American Red Cross
- 1 KZCA Radio Station
- 1 Sp Sv Snack Bar
- 1 Hotel Pitter (EM)
- 1 EM Club - Fort Jay
- 1 Flamingo Club - EM
- 1 Bristol Hotel - (Off)
- 1 Oesterreichischer Hof Hotel (Off)
- 1 Munchnerhof Hotel (Off)
- 1 PX, Basic
- 1 Tonkino Theater
- 4 Bergheim Cold Storage
- 1 LSAC MP Hq
- 3 Dependents School
- 4 Det C, 52 Ord Gp (Comp)
- 1 SB WC Inclosure
- 4 CI III Dump
- 4 CEM No. 11
- 4 CEM No. 17
- 4 CEM No. 10
- 4 CEM No. 67
- 4 CI I Dump
- 4 CI II and IV Dump
- 4 Klessheim Area

CAMP TRUSCOTT

- 1 EM Club
- 1 PX
- 4 Commissary
- 1 Snack Bar
- 1 Post Gym
- 4 Fire Station
- 1 Post MP Station
- 1 Post Stockade
- 1 EUCOM Mot Pic Sv (Ex C)

ST GILGEN

- 1 EM Rest Center

MONDSEE

- 1 Officers Rest Center

114856

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Entry 119 Property Control Branch
File General Correspondence Files
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By AT NARA Date 11-18-99

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UNIT

Hungarian file

file
me (46)

Hungarian claim No. 480

The property mentioned was already located by C.I.C. before we knew about it (was taken under control) later the Austrians again took typewriters etc. which I had returned. Shaw and Balcke knew about it. We could not prove anything as I imagine. Schatzl had his finger in it. - That refers to the ^{1st} looting.

[Signature]

114857

RG 260
Entry USFA-US ACA
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Box 99

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By SR NARA Date 10-5-99

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6444/49/V-Sch

Vienna 9 March 1949

Subject : Personnel of U.S. Occupation Forces
unlawfully take possession of Hungarian
property at Prambachkirchen.

To : C H I E F,
R D & R Division,
USFA, USACA Section,
V I E N N A I X.,
Allianz Bldg.

1. We beg to bring to your attention enclosed report by the secretary of the community Prambachkirchen, Leopold G R U B M A I R, by which is stated that personnel of the U.S. Occupation Forces in Austria, without being entitled to it have been taking out items from cases that had been evacuated and present the property of Hungarian citizens. We therefore request your Headquarters to examine the matter and take stringent measures against the offenders in order to secure the Hungarian property and refund it to the lawful Hungarian owners.

2. We further beg to inform you that same report will be made to the Criminal Investigation Department of the Austrian Police-Forces in LINZ.


Dr. Ladislaus Varvasovszky
Chief of Mission

Enclosures :

RG 260
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Box 99

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Authority NND 795010
By SR NARA Date 10-5-99

114858

T R A N S L A T I O N

Community PRAMBACHKIRCHEN
 Administrative district:
 Grieskirchen, Upper Austria

Prambachkirchen 4 March 1948

Subject : Leopold Gruber,
 Secretary of the
 Community Prambachkirchen

R E P O R T :

=====

On 16 May 1947 I was appointed administrator of the Hungarian property under serial Nr.: 04.8036 Gr. In the beginning of May 1947 when I had not been appointed administrator yet and the property was still located at DACHSBERG, there arrived members of the U.S. Military Forces in company of Mr. Schatzl a criminal inspector at Linz and removed from the Hungarian cases deposited there : Typewriters, one microscope and various other items. As I was in no way responsible for the Hungarian property, I felt no obligation to investigate or prevent that action. In May 1945 the entire Hungarian property located in Prambachkirchen was sent to DACHSBERG and remained there for 2 years as a sealed deposit. In May 1947 the Hungarian property of which I had been administrator was removed to MAIRING Nr.: 10 and MAIRING Nr.: 6. During the time while I had been administrator, once there arrived an American soldier accompanied by the criminal inspector Schatzl/ in service of the property control/ and took out of the cases 2 accessories for brakes. According to statements made by MAYOR Mr. Joseph Steiner at Mairing nr. 10 it happened, that during my absence, I think it was in August 1947, two members of the U.S. army, who according to their conduct had to be taken for organs of the U.S. Military Government, appeared in the depot and took from the cases various spare parts of motor cars. Having learned about this event only a few days ago, I have not given any report on that matter to the Property Control.

Signed : Leopold Grubmair,
 Secretary of the Community
 Prambachkirchen,

Round rubber stamp of the
 Community Prambachkirchen,
 Administrative district:
 Grieskirchen Upper Austria.

For the accuracy :

signed : Josef STEINER ,
 MAYOR of the Community
 PRAMBACHKIRCHEN

RG 260
 Entry USFA-US ACA
 File Rep. + Rest.
 Box 99

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 Authority NND 785010
 By SR NARA Date 10-5-99

114859

AN

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RFB/JHA/fb

Berlin, Germany

8 July 1947

MEMORANDUM

SUBJECT: Looting and Black Market Activity in Cultural Materials by Russian Personnel

TO : Major General F. A. Keating
Deputy Military Governor

1. As reported by Mrs. Travis, wife of Chief of Library of Congress Mission, to the Deputy Military Governor this morning, a German, Dr. Bahler (?) has offered for sale important manuscripts and autographs, to the extent of 60 cases, which he claims to have on consignment from the Russian major in charge of cultural affairs for Halle a/Saal. He also says he can procure important paintings in any quantity. He asks RM 15,000 for the samples already displayed, and RM 10,000,000 for the entire lot. The samples appear to have come from the former Prussian Privy State Archives or the Brandenburg-Prussian House Archives.

2. These archives were mostly stored in mines at Schonsbeck and Stassfurt not far from Halle.

3. MFA & A and WDSU have considerable information in their files concerning the careless handling and removals by the Russian authorities of archival material stored in these mines. Most of the information was furnished by or through former employees of the former Prussian Privy State Archives.

4. MFA & A also has detailed information concerning removals by Russian authorities between the dates of 6 December 1945 and 1 May 1946 of almost 750,000 objects from the former Prussian State Museums in Berlin, and the statements made by various Russian officers and officials to heads of departments at that time.

5. Attention is invited to the Weekly Intelligence Report No. 54 of 24 May 1947, page 38, which gives the Soviet Legal Adviser's excuses for violation of the Hague Convention of 1907 No. IV, Article 56, which prohibits pillaging and defining cultural objects as in a class with private

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MEMO SECTION FILES

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BOX 24

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property. Attention is also invited to other but less definite statements by Russian officials concerning "war booty", "reparations", and to their "Trophy Commission", which operated in the early days of their occupation.

6. The attitude of the United States and other nations is expressed in opinions from the Legal Division that such removals are in violation of the Hague Convention and other precepts of international law.

7. There are two problems involved;

a. Whether to authorize the use of money to acquire the objects offered, thus saving them from possible loss, destruction or scattering, and perhaps gaining more specific evidence of Russian activity of this sort.

b. Whether pressure of quadripartite negotiation and/or public opinion can or should be brought to bear upon the Soviet Authorities.

JOHN H. ALLEN
Colonel GSC
Chief, Restitution Branch

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Authority: WDD/15 119
By: TD NARA Date: 9/29/99

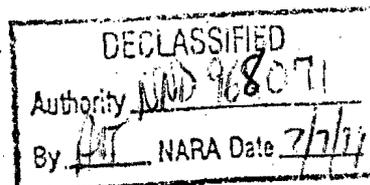
RG
Entry: *Roberts*
File: *USSR Compensation*
Box: *24*

114861

OFFICE OF STRATEGIC SERVICES

In October, 1943, the Office of Strategic Services issued, for the use of the American Commission, a "Report on Looting and Damaging of Art Works in Europe". This was followed in December, 1943, by a Bulletin on "German Publicity on Measures for the Protection of Art in Italy". These publications inaugurated a close collaboration between the American Commission and the Office of Strategic Services. Data on German Art and Library personnel collected by the Office of Strategic Services was forwarded to the American Council of Learned Societies Committee in New York and to the Vaucher Commission in London for coordination with their files.

In March, 1944, the Secretary of the Commission, in a letter to Major General William J. Donovan, Director of the Office of Strategic Services, requested the further assistance of that organization in the collection of information on the looting and removal of art objects by the enemy, on damage to such objects, on protective measures taken by the Allies and by the Axis, on enemy art personnel, and on the activities of dealers in art objects in every occupied area. Material of this nature has been supplied from time to time by the Office of Strategic Services to the Commission, and through it, to the American Council of Learned Societies Committee in New York.



114862

In November, 1944, the Office of Strategic Services established a special Art Looting Investigation Unit. This Unit provided the Commission with access to intelligence information which was of primary interest, and, with the use of specialized personnel, actively engaged in independent investigations of art looting in Europe.

The chief mission of the OSS Art Looting Investigation Unit was "to collect and disseminate such information bearing on the looting, confiscation, and transfer by the enemy of art properties in Europe, and on individuals or organizations involved in such operations and transactions, as will be of direct aid to the United States agencies empowered to effect restitution of such properties and prosecution of war criminals."

To operate this Unit, the Office of Strategic Services assigned six members of the United States armed forces, qualified by their civilian experience in art museums and universities, together with civilian analysts and clerical personnel. Headquarters was established in Washington and an Operations Office was opened in London in December, 1944. In the early months of 1945, operations were initiated on the Continent.

Members of the Unit felt that if restitution of art objects was to be effective, it would be of primary importance to investigate first the devious methods used by the enemy in making extensive acquisitions, and to determine where and how the enemy had hidden or preserved these valuable tangible assets. The investigation of these problems was undertaken in France, Spain, Italy, Holland, Switzerland and Germany.

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By <u>AWT</u> NARA Date <u>7/7/77</u>

114863

During the months before May 8, 1945, considerable evidence was furnished the Commission concerning a large number of works of art missing from the German-occupied countries. Locations of secret deposits of art objects in Germany were reported, evidence of art hidden by the enemy in neutral countries was uncovered, information concerning enemy personnel involved in art acquisitions was collected, and details of the methods used were explored. As a result of independent investigations, interrogations of enemy personnel, and the examination of documents, the general pattern of art looting by the enemy began to emerge.

By V-E Day, the Art Looting Investigation Unit had amassed records on several thousand individuals concerned directly or indirectly with art acquisition by the enemy, and such detailed information on German art repositories had been passed on to G-5, SHAEF, for action. It had also prepared a "target list" of key enemy personnel concerned with art looting to be captured and held for interrogation in Germany.

Of this list, the majority was captured, and from June to October, 1945, members of the Art Looting Investigation Unit interrogated the captured personnel at a special Detention Center in Austria.

As a result of these interrogations, and earlier investigations in other European areas, as well as from inspection of large numbers of captured enemy documents, the Art Looting Investigation Unit was able to issue a series of four Consolidated Interrogation Reports:

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By <u>AST</u> NARA Date <u>7/7/77</u>

114864

1. Activity of the Einsatzstab Rosenberg in France
2. The Goering Collection
3. German Methods of Acquisition
4. Linz Hitler's Museum and Library

Detailed Interrogation Reports were also written on fifteen of the leading enemy personnel connected with art looting:

1. Heinrich HOEFMANN, Hitler's personal photographer, and art advisor.
2. Ernst HUCHNER, German museum director, and art advisor to Hitler.
3. Robert SCHOLZ, Director, Office for Pictorial Art in the Rosenberg organization.
4. Gustav NOBELTIZ, German art dealer, chiefly active in Paris.
5. Gunther SCHEIDLANSKY, member of Einsatzstab Rosenberg, Paris.
6. Bruno LOESE, Deputy Director of Einsatzstab Rosenberg, Paris.
7. Gisela LIMMERER, Goering's personal secretary.
8. Kajetan MUEHLMANN, in charge of "safeguarding" of art in Holland and Poland.
9. Walter Andreas HOFER, Director of Goering's collection, and his chief art advisor.
10. Karl KRESS, photographer attached to Einsatzstab Rosenberg, Paris.
11. Walter BOHNHORN, Munich art dealer active in occupied countries.
12. Hermann VOSS, Director of the Dresden Art Gallery and of Hitler's museum at Linz.
13. Karl HANSENSTOCK, Berlin art dealer active in all occupied countries.

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14. Walter BORGHERS, important member of Einsatzstab Rosenberg, Paris.
15. Rose BAUER, secretary to Kajetan Muchlmann.

These reports revealed the general pattern of the methods used by the enemy, set forth the details of many of the actual transactions, and made clear the Nazi ideology responsible for this looting. Copies of the reports were used in the trials at Nuremberg of Goering and Alfred Rosenberg. They were also of considerable assistance to the Allied restitution authorities in Germany.

The Art Looting Investigation Unit, through its London office, worked closely with Allied Commissions concerned with art looting, and was regarded as the central depository for all Allied information on enemy looting gained through intelligence channels. Several investigations were made in close collaboration with members of the British Element, Control Council for Germany. The French and Dutch also contributed information at their disposal concerning enemy personnel engaged in art looting, and the Art Looting Investigation Unit's London office was regarded by them as a "Cultural War Room".

The Washington office of the Art Looting Investigation Unit served not only as headquarters, but also maintained close liaison with the Commission. It also coordinated its information with other agencies having parallel interests, such as the State Department; War Department, Civil Affairs Division; Treasury Department, Division of Foreign Funds Control and Customs; Foreign Economic Administration; War Crimes Commission, and other government and private agencies.

62 x 09
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It was through the efforts of such organizations as the Art Looting Investigation Unit of the Office of Strategic Services that the entire German art looting organization, a highly developed and effective machine, was exposed, its leading members arrested, and information furnished which will assist restitution authorities in discovering and effecting the return of a large percentage of the works of art looted by the Nazis throughout Europe in World War II.

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114867

APPENDIX 2

On December 8, 1942, Chief Justice Harlan F. Stone, an Ex-officio Chairman of the National Gallery of Art, proposed to President Franklin D. Roosevelt the establishment of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in Europe.¹ In the acknowledgment, drafted in the Department of State,² President Roosevelt approved³ "the creation of an organization functioning under the auspices of the government ... to aid in salvaging and returning to the lawful owners of such objects which have been appropriated by the Axis powers ... with whose objectives I am confident there will be almost unanimous agreement."

The basic inter-allied agreement on restitution was the Inter-Allied Declaration against Acts of Dispossession Committed in Territories under Enemy Occupation or Control of January 5, 1943. In the "Note on the Meaning, Scope and Application ..." it is specifically stated that the warning will apply "to the stealing or forced purchase of works of art."

-
1. Letter from the Chief Justice to the President, dated December 8, 1942.
 2. Letter from the Secretary of State to the President, dated December 24, 1942.
 3. Letter from the President to the Chief Justice, dated December 28, 1942.

Box 20

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The SHAEF Handbook for Military Government in Germany prior to Defeat or Surrender (December, 1944), Chapter XVI, "Monuments, Fine Arts, and Archives," paragraph 1186 (a) states:

"It is the policy of the Supreme Commander to take measures to facilitate the eventual restitution of works of art and objects of scientific or historical importance which may have been looted from United Nation's Governments or nationals. Military Government legislation forbids sale, movement, concealment or destruction of any work of art or object of scientific or historical importance."

Law No. 52 drafted by SHAEF, amended by SHAEF, 3 April 1945, and USFHEP, 14 July 1945, directed the blocking and control of any property (Article II, e, d.)

"which is a work of art or cultural material of value or importance regardless of the ownership or control thereof."

The SHAEF directive of 20 May 1945 on the Protection of Repositories of works of art and Archives in Germany, paragraph 4, anticipates.

"It is expected that only those categories of property defined under Law 52 will be taken in control by M. G. ..."

JCS 1067, April 1945, "Directive to Commander in Chief of U. S. Forces of Occupation regarding the Military Government of Germany, Part III, 48, c, (3), likewise impounded and blocked

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By <u>[initials]</u> NARA Date <u>7/7/77</u>

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"Works of art or cultural material of value or importance regardless of the ownership thereof."

CORC/P(45)185(LINDR/P(45)14 Revise), Coordinating Committee of the Allied Control Authority, "Interim Restitution Deliveries (Cultural Objects)" with appended forms for (1) "Inventory Property Card - Art," (2) the "Request Card" for use of claimant governments in filing claims, and (3) "Receipts," 6 December 1945, accepted by the Coordinating Committee at its twenty-sixth meeting on 12 December 1945, set forth working procedures for external restitution of cultural property.

It was the basis of United States Military Government Regulation, Title 18 - Monuments, Fine Arts and Archives:

"18-102 Restitution. Restitution of looted cultural materials to the nations of origin will be effected as rapidly as suitable arrangements can be made (see Title 19 MGR for procedure for restitution for modern commercial books, records, and archives.) Cultural objects which have been the subject of an act of dispossession by the enemy and which were located in a liberated territory and removed by the Germans subsequent to the date of the commencement of the German occupation of that territory will be restituted against receipt (see MGR 18-651 /"Receipt for Cultural Objects" DEOR/P (45)14 Revise/ to the government of the territory from which removed."

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Lot 620-4
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By <u>AT</u> NARA Date <u>7/7/77</u>

11487

Title 18, Change No. 1, 12 February 1947, Part I, Policy and Organization.

"Section A, Definitions and Organization.

"18-106. Restitution. Identifiable looted works of art and cultural materials will be restituted to the governments of the countries from which they were taken. "Loot" refers to objects which have been the subject of an act of dispossession by the enemy and which were in existence and located in an occupied territory and removed by the Germans subsequent to the date of commencement of the German occupation of that territory (see MGR Title 19).

"Section B. Objectives.

"18-110. Restitution. To restitute identifiable looted works of art and cultural materials to the governments of the countries from which they were taken."

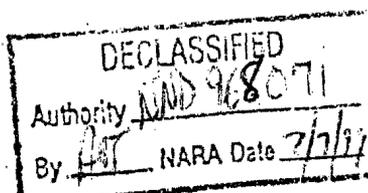
Part 4. Protection and Control of Cultural Materials.

"Section C. Collecting Points and Depots.

"18.445.3 Clearly identified looted cultural materials will be released on the authority of COMUS to the authorized representative of claimant nation against receipt (see MGR 180550). (Text unchanged in Change No. 2, October 4, 1948.)

COARC/P(46)143(DRDR/P(46)33), Coordinating Committee of the Allied Control Authority, Quadrupartite Procedures for Restitution, 17 April 1946, Part I. General Provisions.

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Box 23



114871

"2. Property subject to Restitution.

Restitution will apply to all property covered by the term "Restitution" adopted by the Control Council on 21 January 1946 (CONL/P(46)3 Revise) and in accordance with the interpretation of this text agreed upon by the Reparations, Deliveries and Restitution Directorate on 8 March 1946 (DRDR/P(46) 14 Revise). Both documents are attached hereto as Appendices A and B respectively.

"Appendix A to CORC/P(46)143 (CONL/P(46)3 Revise), Allied Control Authority, Control Council, "Definition of the Term "Restitution."

"1. The question of restitution of property removed by the Germans from Allied countries must be examined, in all cases, in light of the Declaration of January 5, 1943.

"2. Restitution will be limited in the first instance, to identifiable goods which existed at the time of occupation of the country concerned ...

"5. The Control Council will deal on all questions of restitution with the Government of the country from which such objects were looted."

Appendix "B" to CORC/P(46)143 DRDR/P(46) 14 Revise). Allied Control Authority. Coordinating Committee. "Interpretation of Article 2 of the Definition of the Term Restitution."

"1. In consideration of paragraph 2 of CONL/P(46)3 Revise, it appears that where an article has been removed by force at any time during the occupation of a country, and is

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identifiable, the right of its recovery is an absolute one. The word "force" covers duress which may occur with or without violence. In this concept are also included looting, theft, larceny and other forms of dispossession whether they were carried out by an order of the German authorities, or by officials of the German civil or military administration, even when there was no order of the German authorities, or by individuals.

"Also included are requisitions carried out as a result of duress, such as requisitions or orders or regulations of the military or occupation authorities."

Extension of Restitution to Austria and Satellite Countries.

In WARK 99226, March 4, 1946, a SWNCC directive extended restitution from Germany and Austria to Italy, Hungary, Rumania and Finland and from Germany to Austria. "Items subject to Restitution" include

"2 (a). Works of art and cultural works of either religious, artistic, documentary, scholastic or historic value including as well as recognized works of art such objects as rare musical instruments, books, manuscripts, scientific documents of a historic or cultural nature and all objects usually found in museums, collections, libraries and historic archives (see Title 18-101 for Definition of "cultural Objects.")

"3. Property mentioned in subparagraph 2a above shall be restored to the government of the country from which it was taken or acquired in any way, whether through commercial transactions or otherwise, upon submission of satisfactory proof of its identifiability by the claimant government, provided acquisition occurred during the respective periods of occupation detailed in subparagraph 4b below...

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"4. b. The property in question was taken from Italy during the period of 3 September 1943 to 15 May 1945; from Hungary during the period 20 January 1945 to 15 May 1945; from Austria during the period 12 March 1936 to 15 May 1945; from ~~Rom~~ Rumania during the period 12 September 1944 to 15 May 1945; and from Finland during the period 19 September 1944 to 15 May 1945.

"Restitution to refugees rather than claimant governments was made possibly thru the amendment of WARX 99226 in WARX 91471, June 15, 1946, by the following addition to paragraph 6:

"Household goods, valuables, art objects and other personal property owned and removed from a country by refugees who left that country for religious or racial reasons and who choose not to return to that country, will not be subject to restitution."

JCS 1779, July 11, 1947, "Directive to the Commander in Chief of United States Forces of Occupation ~~is~~ regarding the Military Government of Germany." (Superseding JCS 1067/6 and its amendments).

"17. Restitution.

a. You will proceed, consistent with agreements on restitution reached in the Control Council to restore such identifiable property other than gold and transport essential to minimum German economy, to the government of the country from which it was taken ..."

However, claims for restitution of fine arts and archives had been excepted from the above requirement concerning property necessary for the minimum German economy, in view of their minor impact on German economy. (Department of State circular airgram, dated September 13, 1946.)

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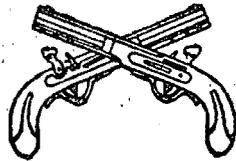
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REPORT

OF

THE MILITARY POLICE BOARD



No.67

STUDY ON
MILITARY POLICE CUSTOMS UNITS

CAMP GORDON

GEORGIA

20 APRIL 1950

Incl #15

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STUDY ON
MILITARY POLICE CUSTOMS UNITS

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- I. Authority and References
- II. Purpose of Study
- III. Introductory Information
- IV. Discussion
- V. Conclusions
- VI. Recommendations

Appendix A - Letter of Authority and Incl. 1 thereto,
Report on 7751 Military Police Customs Unit,
HUCOM, 7 November 1949, with 13 tabs

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STUDY ON

MILITARY POLICE CUSTOMS UNITS

I. AUTHORITY AND REFERENCES

1. AUTHORITY. Letter, Office of The Provost Marshal General, file EMGNP OAO, 9 January 1950, Subject: Report on 7751st Military Police Customs Unit, European Command, to the President, The Military Police Board. (Appendix A).

2. REFERENCES. Report on 7751 Military Police Customs Unit, European Command, dated 7 November 1949. (Inclosure to Appendix A. Tabs to inclosure with original copy only).

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II. PURPOSE OF STUDY

3. To make recommendations regarding inclusion of necessary doctrine on Military Police Customs Units in military police publications in the event staff supervision of this activity is made a responsibility of The Provost Marshal General.

4. To make recommendations regarding the inclusion of doctrine on Military Police Customs Units in the curricula of The Military Police School in conjunction with the training of replacements for the European Command.

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III. INTRODUCTORY INFORMATION

5. Letter, Office of The Provost Marshal General, file PMMP OHO, 9 January 1959, forwarded "Report on 7751st Military Police Customs Unit, European Command", 7 November 1949, and requested that:

a. The Military Police Board examine the organization of the Military Police Customs Unit proposed by European Command with a view to inclusion of necessary doctrine in military police publications in the event staff supervision of this activity is made the responsibility of The Provost Marshal General.

b. The study be made available to the Military Police School for study in conjunction with the training of replacements for the European Command.

6. The Report on the 7751 Military Police Customs Unit resulted from a request made by The Provost Marshal General to the Commanding Officer of that unit, during an inspection on 15 July 1949, for the submission of organizational and functional data, including supporting charts.

7. The report covers organizational and operational data from date of activation 21 March 1949 to 7 November 1949 and includes a statement that it should be supplemented by one or more additional reports reflecting subsequent operational experience.

8. An economic survey conducted in 1948-49 by U. S. Military Government Agencies disclosed that various commodities were being moved across the international boundaries of Germany in violation of Military

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Government laws and regulations. This practice resulted in an appreciable loss to the German economy because of the lack of effective export and import controls. In seeking a solution to the problem, it was recognized that the tightening of licensing procedures would not suffice unless control measures at the border were made more effective.

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IV. DISCUSSION

9. By direction of The Office of Military Government for Germany (U. S.), the U. S. Customs Group, Bipartite Control Office, was established in March 1949 with responsibility for formulating policies, directives, and procedures, including the recommendation of appropriate legislation to provide effective export and import controls.

10. Concurrently, the 7751st Military Police Customs Unit was activated, pursuant to directives of The Office of Military Government for Germany (U. S.), Hq. European Command and Hq. Frankfurt Military Post, with the mission of:

- a. Enforcement of Military Government and European Command customs laws and regulations.
- b. Incidental observation of German enforcement of German customs laws and regulations.
- c. Reporting deficiencies involving German enforcement of German customs laws and regulations.

11. Military personnel initially assigned to the organization were drawn from units in the theater, under criteria established by the Provost Marshal, European Command, and did not come solely from military police units.

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12. A course of instruction was conducted at the European Command Intelligence School in customs control, initially of six days duration but later extended to two weeks. The course is based upon practical experience gained since activation of the unit. It is stated that instructional material should be revised prior to the beginning of each course because of frequent changes in policy necessitating modification of operational procedures and techniques. The course is considered adequate.

13. Replacements kept in reserve in other units pending vacancies in the organization are drawn from graduates of the course of instruction.

14. Circular No. 68, Hq. European Command, 1949, provides that:

a. Occupation personnel entering or leaving the U. S. Area of control, Germany, through frontier control points, are subject to customs inspection by competent German authorities under the supervision of personnel of the customs unit.

b. Personnel of the customs unit assigned to duty at frontier control points have exclusive authority to detain or arrest any member of the occupation forces who:

- (1) Avoids, or attempts to avoid, customs inspection.
- (2) Fails to make a declaration required by law or who is suspected of making a false declaration.
- (3) Conceals or attempts to conceal any property or goods from customs inspection.

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(h) Enters, leaves, or attempts to enter or leave, the U. S. area of control, Germany, illegally.

15. The investigation of violations of Military Government and European Command customs laws and regulations by occupation personnel is a function of Criminal Investigation personnel and these cases are referred to the nearest Military Police Criminal Investigation Detachment.

16. Due to the rapidly changing overall policy with regard to the occupation mission and the anticipated formation of the Western German Government, it has been considered unwise to establish a standing operating procedure for field operations of the organization. Frequent changes in policy necessitate modification of operational procedures and techniques.

17. It is the opinion of the faculty of The Military Police School, concurred in by the Military Police Board, that the operation of customs units is a special operation which may or may not be conducted by Military Police. Further, that no standing operating procedure or doctrine is feasible at this time due to changing conditions and localized requirements. The opinion is also expressed that the policies and doctrine presently included in The Military Police School curricula on the subject are adequate. Since only a comparatively few graduates might be assigned to customs duty, it is not considered advisable to include specific detailed instructions on the subject in the present courses.

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18. Customs control is not a normal function of police forces but of a specialized agency. The Bureau of Customs of the United States is a specialized agency of the U. S. Treasury Department and not an agency of government police forces.

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V. CONCLUSIONS

19. It is concluded that:

a. Customs control is not solely a military police or provost marshal function, but could be exercised by other service or tactical units.

b. No doctrine or standing operating procedure has as yet been established by the Customs Unit, European Command.

c. The assignment of initial and replacement personnel from units at large, under established criteria, has proven satisfactory.

d. The course of instruction in customs control at the European Command Intelligence School has proven adequate for the training of both initial and replacement personnel.

e. Frequent changes in policy, necessitating modification of operational procedures and techniques, preclude adoption of doctrine for inclusion in publications or in the course of instruction at The Military Police School.

f. The fact that students attending the Military Police School are not earmarked for a specific overseas assignment makes it inadvisable to include a special course of instruction for replacements for the European Command.

g. Unless, and until, staff supervision of customs units is made the responsibility of The Provost Marshal General, no firm action should be taken toward the establishment or inclusion of doctrine on this activity in military police publications or in instruction at The Military Police School.

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VI. RECOMMENDATIONS

20. It is recommended:

a. That no action be taken toward adaption of doctrine on the organization and operations of customs units.

b. That doctrine on the organization and operations of customs units not be included in military police publications.

c. That doctrine on the organization and operations of customs units not be included in the course of instruction at The Military Police School.

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APPENDIX A

LETTER OF AUTHORITY AND INCLOSURE

(Tabs to inclosure with original copy only)

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DEPARTMENT OF THE ARMY
OFFICE OF THE PROVOST MARSHAL GENERAL
WASHINGTON 25, D. C.

MIDMP 010

9 Jan 1950

SUBJECT: Report on 7751st Military Police Custon Unit,
European Command

TO: The President
The Military Police Board
Camp Gordon, Georgia

1. Report of Lt. Colonel McDonald Rigney, GMP, to the Provost Marshal, European Command, dated 7 November 1949, on the 7751st Military Police Custon Unit is attached as an inclosure for information and study.

2. It is requested that The Military Police Board examine the organization proposed by European Command with a view to analugion of necessary doctrine in military police publications. In the event the staff supervision of this activity is made the responsibility of The Provost Marshal General.

3. It is requested that this study be made available to The Military Police School for study in conjunction with the training of replacements for the European Command.

1 Incl
a/s

/s/

E. P. PARKER
Major General, USA
The Provost Marshal General

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HEADQUARTERS

7751 MILITARY POLICE CUSTOMS UNIT, USARMC
APO 757 US ARMY

7 November 1949

SUBJECT: Report on 7751 Military Police Customs Unit

TO : Provost Marshal
United States Army, Europe
APO 403, U. S. Army

1. Major General Edwin P. Parker, Provost Marshal General, Department of the Army, inspected units of the headquarters section of this organization in Frankfurt, Germany, 15 July 1949. Upon learning its mission, he evidenced considerable interest recognizing that the organization was unique and probably without precedent in the history of the United States Army. Upon completing his inspection, he requested that the office of the Provost Marshal General, Department of the Army, be furnished organizational and functional data pertaining to the organization including supporting charts. The information presented herein is predicated on this request, and covers operations since activation of the organization including certain background information considered of pertinent interest. This report should be supplemented by one or more additional reports reflecting subsequent operational experience.

2. BACKGROUND: An economic survey by Military Government agencies conducted during the latter part of 1948 and early 1949 disclosed that the German economy was losing approximately \$200,000,000 annually because of the lack of effective export and import controls. Commodities including precision tools and industrial machinery of German origin, destined principally for Iron Curtain countries, were being moved across the international boundaries of Germany in volume in violation of Military Government laws and regulations. Coffee, cigarettes, chocolates and other commodities in demand in Germany, were being imported without payment of import and other taxes. These activities were made possible by the weakness of some German customs and border control personnel to accept bribes and other gratuities for the free passage of these commodities across the German border. The fact that some members of the Occupation Forces who were exempt from German customs inspection were involved in these illegal activities accentuated the problem. In seeking a solution to the overall problem, it was recognized that the tightening of licensing procedures would not provide a solution unless control measures at the border were made effective. This organization was established for the latter purpose. Concurrently, there was established the U. S. Customs Group, Bipartite Central Office. This agency was responsible for formulating policies, directives and procedures including the recommending of appropriate legislation necessary to provide effective export and import controls.

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3. CONTROL MEASURES: Military Government Law No. 17 and EUCOM Circular No. 68, 25 April 1949, were promulgated coincident with the activation of this organization. These documents served to place members of the U. S. and Allied Occupation Forces when crossing the German border. Provision was further made in these documents that members of this organization would be assigned to duty at all official frontier crossing points. Twenty-two such points were designated. These extended from Schirking on the German-Czech border to Griesen on the German-Austrian border and included two water points in the Bremen Enclave and air control points on air fields located at Bremen, Frankfurt, Stuttgart and Munich.

4. ACTIVATION: The organization was activated by General Order No. 11, Headquarters, Frankfurt Military Post, 21 March 1949, pursuant to Cable 60-1956 HCCOT, Headquarters, EUCOM, 18 March 1949. Military personnel allocation and allocation of organic equipment were established by T/D 503-1362, Headquarters, EUCOM, 21 March 1949, and T/A 1362, Headquarters, EUCOM, 19 March 1949, respectively.

5. MISSION: The mission of this organization is defined as:

- a. Enforcement of Military Government and EUCOM Customs laws and regulations.
- b. Incidental observation of German enforcement of German Customs laws and regulations.
- c. Reporting of deficiencies involving German enforcement of German Customs laws and regulations.

6. ORGANIZATION: The Unit Headquarters was established in Frankfurt, this being the approximate center of the area in which personnel of the organization were to operate. Headquarters of the Air, Highway and Rail Sections were established in Munich as the bulk of these operations was in the Bavarian area. Headquarters of the Water Section was established in Bremerhaven. One Investigations Unit was assigned to Frankfurt and one to Munich. The Officer in Charge of each Section was made responsible directly to the Unit Headquarters in Frankfurt. Personnel were assigned on the basis of four (4) enlisted men to each control point with necessary operations personnel assigned to the headquarters of each of the sections. All personnel were attached to the military installation nearest their respective points of duty for all purposes except operational control. It was found that excessive travel was involved in some instances between the installation to which personnel were attached and place of duty. This was corrected by utilizing requisitioned housing located closer to the point of duty which was made available by Military Government.

7. PERSONNEL. Military personnel initially assigned to the organization were drawn from units in this theater under criteria established by the Provost Marshal, European Command. Individuals selected were required to successfully undergo a six day course of instruction in customs control at the European Command Intelligence School. Those failing this instruction were returned to the units from which they were selected.

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Approximately 20% of those selected were found not qualified by failure to complete the instruction or by subsequent examination. Replacements have been drawn from a reserve of graduates of the school kept in other units, notably the 7747 MP Railway Security Group, pending vacancies in this organization. A two weeks course of instruction has been established at the European Command Intelligence School. Instructional material is based largely upon practical experience gained since activation of the organization. Personnel of two classes who have taken this instruction report that it is definitely superior to the instruction given during the six day course. Instructional material which should stress the practical side of the operation, should be revised prior to the beginning of each new class. This is necessary because of frequent changes in policy necessitating modification of operational procedures and techniques.

8. SUPPLIES AND EQUIPMENT: The organization was initially attached to the Frankfurt Military Post for supply (T/A 1362). Initial supply requirements were drawn through this installation and issued to using agencies by the Supply Officer of this organization either at Munich or Frankfurt. The Administrative Officer of the organization is also the Supply Officer. T/A equipment is issued to regional commanders on memorandum receipt.

9. ADMINISTRATION: It was originally planned that the organization be administered completely by the organization headquarters in Frankfurt. This was found impracticable however, because of the large area in which personnel operate. To accommodate this situation personnel were attached to the installation nearest their respective points of duty for all purposes except operational control which in this instance includes promotions, reductions, transfers and assignments. Housing and subsistence are provided by the installation to which personnel are attached except in those cases where requisitioned housing closer to points of duty and provided by Military Government, is utilized. In the latter case billet type messes are operated. Rations are drawn from the installation to which personnel are attached except at those points where the personnel concerned are authorized a \$2.25 per day station allowance. In this case, rations are purchased at the nearest commissary. The German house custodian with other German help improvised and compensated by the personnel concerned through their own means, have been utilized as cooks in these messes. Request has been submitted for the allocation of cooks for these messes. The use of requisitioned housing as mentioned herein, is desirable as a means of avoiding excessive travel. Moreover, experience has demonstrated that housing personnel in separate billets is a definite and favorable morale factor. Continuing close supervision necessary to avoid abuses and disciplinary problems involving personnel housed separately, is considered essential however.

10. POLICY: The basic policy under which personnel of the organization function is defined in Military Government Law Number 17 and EUCM Circular Number 63, 25 April 1949, both of which are now in the process of revision. This policy is implemented by other EUCM directives, Military Government laws and MICOG legislation. Owing to the rapidly changing overall policy with regard to the occupation mission and the anticipated formation of the Western German Government, it has been considered unwise to establish an SOP for field operations of the organization. Copies of

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pertinent directives, laws and legislation which have been provided each control point for reference purposes, have proven reasonably adequate in the absence of an SOP since pertinent subjects are covered thoroughly by instruction at the ECIS.

11. The US Customs Group, SICG, (paragraph 2), responsible under Military Government for formulating policy directives, is in the process of phasing out as HICOG supplants the Military Government organization. It is expected that future policies governing exports and imports will be promulgated by the German Government, will be supervised by the Finance Division of the Office of Economic Affairs, HICOG. It is further anticipated that general operational procedures governing the activities of this organization will emanate from this agency. In this connection, it appears fortunate that Lt Colonel Small who succeeds the undersigned as Commanding Officer of the organization and possibly influence in some measure new policies which are to be established by HICOG.

12. FUNCTIONAL PLAN: The original functional plan of the organization provided that it would function on a sectional basis, i.e., air, highway, rail and water, (paragraph 6). This was thought desirable as it would permit specialized functional procedures based on the type transport concerned. Experience demonstrated, however, that this type organization was not necessary to effectively accomplish the mission and that it was undesirable since it was unwieldy. The sectional organization was accordingly eliminated and a sub-headquarters responsible directly to the unit headquarters in Frankfurt, was established in Munich. The officer in charge of this sub-headquarters was made responsible for all activities in his area irrespective of whether air, highway, rail or water. Concurrently, activities in the Bremen Enclave were consolidated under one officer who was made responsible directly to the unit headquarters in Frankfurt. This functional plan was later modified when the US area of control, Germany, less the US Sector of Berlin, was divided into three regions, each with a regional headquarters located respectively in Bremerhaven, Frankfurt and Munich. Each region commander was made responsible directly to the unit headquarters in Frankfurt for all activities in his region. This plan has proven satisfactory. It is not anticipated that further major changes in the functional organization will be found necessary.

13. MORALE: The organization began operations with a very keen esprit de corps and individual enthusiasm. This was reflected by the sharpness and enthusiasm displayed by both officers and enlisted men. Efforts to maintain this attitude has received continuing attention by the Commanding Officer and other officers of the organization. With individual members of the organization serving at isolated border crossing points away from the check-mates provided by the normal military environment, and subject to offers of bribes and other gratuities, the matter of esprit de corps is considered most important. During a recent inspection of personnel serving in the Garadisch and Berchtesgaden area, it was noted that the enthusiasm mentioned herein has not deteriorated. It must be said in passing that the undersigned has not had the pleasure of observing greater enthusiasm and sharpness among any single group of men.

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Fortunately, this condition extends from the individual at the isolated border control point up to the junior individual employed in the headquarters of the organization in Frankfurt.

14. COMPLAINTS: The number of complaints received by this office regarding actions of personnel on duty at control points have been negligible and of a minor nature. This is considered remarkable considering the responsibilities of the individual at the control point including the fact that in the main he must make his own decisions and "follow through". From date of activation the organization has had only one case involving disciplinary action and two (2) cases of venereal disease.

15. COMMENDATIONS: Favorable comments from members of the occupation forces including outright praise in some instances, have been numerous. American businessmen and tourists likewise have been free in their praise regarding the attitude and sharpness displayed by personnel of the organization. The EUCOM Inspector General, upon completing the recent annual inspection of the organization rated it "Excellent" with the additional comment that the mission was being accomplished in a meritorious manner.

16. PROBLEMS: a. Housing, too distant from point of duty: This has been remedied with one exception (Furth-im-Bald) by utilizing requisitioned housing made available by Military Government.

b. Clothing: The problem of drawing clothing is in the process of solution and will be completely remedied once the revised system of furnishing clothing to enlisted men has been fully established.

c. Communications: Isolated points of duty rendered communications initially unsatisfactory. This has been largely remedied by maximum utilization of established courier service and improvements made in the telephone net.

d. Transportation: The thirty-three (33) vehicles initially allocated were inadequate. Seven additional vehicles which were subsequently allocated, provided necessary transportation. However, excessive loss of vehicle service because of shortage of essential repair parts still creates transportation problems which requires that vehicles be moved from one location to another to cover shortages as vehicles go out of service.

e. Personnel: In general, personnel assigned to the organization have performed very satisfactorily. However, former CID personnel including officers, assigned to the unit for investigative purposes, have experienced considerable difficulty in modifying their modus operandi to meet the requirements of this organization. Direct responsibility for supervising this personnel was finally withdrawn from investigation officers and placed in the hands of the regional commander. Improvement has been noted since this action, particularly in the Frankfurt Region.

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17. CONCLUSIONS: The organization, with the exception of investigations personnel, is performing its mission in a satisfactory manner.

18. RECOMMENDATIONS: a. That effort be made to secure expeditious approval of recommended T/D and T/A.

b. That one field grade officer (Major) be made available to supervise operations in the Munich area.

c. That two officers preferably young officers with investigative background, be made available to supervise the two investigations teams.

d. That means be provided under which individuals unsuited for duty with the organization can be promptly reassigned. This is considered important because of the mission of the unit and its vulnerability to criticism both official and public.

1 incl:

Orders & Charts

MCDONALD RIGDON
Lt Colonel OMP

136

Confidential

January 30, 1947

TO : Mr. Baker
Mr. Surrey
Mr. Robinson

FROM: Mr. Stimson

SUBJECT: Restitution of Looted Cultural Property Seeking
Safehaven in the United States.

The Government of the United States is internationally committed to maintain existing measures so far as they are applicable and to take such further measures as are feasible to discover, apprehend and retribute cultural objects looted or illegally seized by Axis governments or personnel or by other persons including members of the armed forces of the United Nations and found in the United States or seeking to be imported into, exported from, or shipped in transit through the United States. The instruments and evidences of this international commitment are as follows:

(a) International law especially as declared in Article 3 of Hague Convention IV of 1907 and Articles 28, 47, and 56 of the regulations attached thereto relating to the laws and customs of war on land, prohibiting pillage or seizure of cultural property whether publicly or privately owned and making states responsible for compensation for violations of these provisions by their officials or personnel.

(b) Allied declarations of policy against forced transfers in territories occupied by the Axis:

(1) Declaration of January 3, 1943

(2) Bretton Woods Resolution VI

(3) Resolution XIX of the Inter-American Conference on Problems of War and Peace, Mexico City, February-March, 1945.

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- (c) The agreement on quadripartite procedures for restitution adopted April 17, 1946 by the Coordinating Committee of the Allied Control Authority for Germany. (CORC/P(46)143)
- (d) The provisions of Military Government Law No.52 and Title 18 of Military Government Regulations relating to monuments, fine arts and archives adopted by United States authorities in the United States zone of occupation in Germany, and the extensive recovery and restitution activities of United States agencies under these laws and regulations.
- (e) The joint approach by the United States, Great Britain and France under the tripartite agreement reached at Paris on July 8, 1946 requesting the governments of the liberated countries to compile lists of cultural objects still missing after restitution has been made from Germany and Austria, and requesting the governments of the neutral countries to adopt special measures of customs control and publicity designed to discover and facilitate restitution of the listed objects.

The rescinding on June 30, 1946 of Treasury Decision 51072 would appear to have been contrary to the international commitments of the United States Government outlined above, unless existing measures are adequate for control, or unless additional measures can be adopted in the near future.

It is view of the Department that a legal basis for action against persons who knowingly import or handle looted property valued at \$5,000 or more exists in Sections 3 and 4 of the National Stolen Property Act, approved

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May 22, 1934, Public Law No. 246, 48 Stat. 794. The Department further believes that a legal basis for seizing looted property sought to be imported in violation of the Stolen Property Act exists in Section 1593b of Title 19 of the United States Code. The Department has prepared a SWNCC paper on this basis proposing a procedure for finding, seizing and restituting looted cultural objects which have already entered the United States. (Secret SWNCC 322, 9 August 1946, pages 1 to 6 inclusive. "Return of Looted Objects of Art to Countries of Origin".) *was approved by informal action of the State-Dept.* This paper ~~is being considered by SWNCC.~~ It remains to work out an equally definite procedure for customs control to replace the procedure formerly existing under T.D. 51072.

It has been proposed that a licensing and clearance system to replace T.D. 51072 be established by Treasury Decision or Executive Order pursuant to Sections 3a, 5b and 16 of the Trading with the Enemy Act and under the National Stolen Property Act and Article 56 of the Hague Rules of Land Warfare. Other proposals look to a formal international convention or an act of Congress.

In the meantime, however, a practical procedure should be worked out based on existing United States treaties, laws and regulations, which would provide for customs surveillance, seizure, and restitution of looted cultural objects, and which would be adequate to meet the international commitments of the United States and to take care of the official requests now being received from the governments of the liberated countries in response to the initiative of the Department.

The concluding paragraphs of this memorandum outline a procedure for circularizing the collectors of customs with lists and descriptions of missing cultural objects,

Approved by Informal Action of the State-Dept.
 Approved by Informal Action of the State-Dept.

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the sequestration of objects suspected of seeking entry, exit, or intransit shipment in violation of the Hague rules of land warfare, Sections 3 and 4 of the National Stolen Property Act, and Section 1593b of Title 19 of the United States Code. Photographs would be used, and experts from art museums in the vicinity of the customs offices called upon for advice in identifying objects suspected by the collectors. Seized objects would be forfeited by the Treasury Department to the Department of State under Section 1618 of Title 19 of the U.S. Code for restitution to the government of the country of origin in accordance with SWNMC 322. Appropriate cases would be reported to the Department of Justice for action against individuals.

In addition publicity would be given to the lists, descriptions and photographs of missing cultural objects received from the liberated governments. The cooperation of art museums, dealers, and specialized personnel would be enlisted to assist in the recovery and restitution of the objects.

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114898

CONFERENCE ON CUSTOMS CONTROL AND RESTITUTION OF LOOTED
CULTURAL OBJECTS SEEKING ENTRY INTO THE UNITED STATES

DRAFT AGENDA

*Export from, and in transit
shipment thru,*

1. The nature and importance of the problem
2. The legal basis for action
 - a. Present situation
 - b. Proposed emergency action:

Issuance of a Treasury Decision or Executive Order under Sections 3a, 5b and 16 of the Trading with the Enemy Act.
 - c. Consideration of desirability of preparatory work for establishing a permanent legal basis for restitution of looted or stolen cultural objects in peace and war. (1) Act of Congress (2) International Convention
3. The type of control to be established by Executive Order or Regulation, and the agencies to administer the same:
 - a. A central federal agency:

Bureau of Customs, Treasury - ~~Department of State~~
Foreign Funds Control, Treasury
Office of Economic Security Policy, State
Office of International Information and Cultural Affairs, State
 - b. All imports, exports, and intransit shipments of cultural objects to be placed in customs custody and, if held more than ten days, transferred to public museums for proper storage pending release or restitution.
 - c. Applications for release from customs custody to be submitted to and acted on promptly by the central agency. This action in most cases could be merely review and necessary correspondence to insure that the form had been properly filled out, and all information called for supplied as far as possible. Customs officials to be notified of consent to release by telephone or telegraph at the request and expense of the applicant. Suspicious cases to be held pending investigation. In the case of imports all objects not suspected of being loot should be released promptly for entry into the country on condition the consignee or importer agree to notify the central agency promptly of any transfer of title, change of location, or intention to re-export. Application forms with full information and photograph to be kept in a permanent central file for continuous study and possible future seizure and restitution by the Government of the United States or by the Government of the country to which the object is exported.

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EX-107 NARA Date 6/10/99
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CONFERENCE ON CUSTOMS CONTROL AND RESTITUTION OF LOOTED CULTURAL OBJECTS SEEKING ENTRY INTO THE UNITED STATES

- d. The central agency to receive and file notices of intent to import from U. S. consuls abroad with full information and photograph.
- e. The central agency to receive and file search requests from Governments of foreign countries, especially the liberated countries, on forms giving full information and photographs.
- f. The central agency to keep the files, do research, pass on applications for release from customs custody, request customs to seize and forfeit to the U. S. Government, cultural objects proven to be loot, with provision for appeal to the courts.
- g. The central agency to receive title to looted objects from the Bureau of Customs under U. S. Code 1618, Treasury Regulations 618 and make restitution of the objects to the Government of the country from which looted. The expense of transportation to be born by government of the country to which restitution is made.
- h. The central agency may establish an expert advisory committee composed of highly qualified art experts and museum officials in all parts of the United States, especially including persons who served as MFASA officers and Looted Art Investigation personnel during the war, to serve without pay. Members of the Advisory Committee may be engaged occasionally for particular investigations on a per diem basis.
- i. The central agency to maintain liaison with the Bureau of Customs, Treasury Department and to collaborate with the Bureau in drafting suitable circular instructions to the collectors of customs for circulation as Treasury instructions or regulations.
- j. The central agency to maintain liaison with intelligence agencies (if necessary, through the Division of Foreign Activity Correlation, Department of State).
- k. The central agency to maintain liaison with the Treasury and Justice Departments in connection with cases arising in administration of the Executive Order and supply information which will assist in prosecutions for violation of the licensing order.

*under Section 3a,
5 b and 16 of the
Trading with the
Enemy Act*

the /

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DATE 6/10/99

114900

DEPARTMENT OF STATE

Memorandum of Conversation

DATE: Feb. 12, 1948

SUBJECT: Dept. of Justice assistance in recovery of looted art

PARTICIPANTS: Telephone Conversation with MR. JULIAN SIMPSON, DIAL 197, EXT. 698.
Department of Justice, Criminal Division

COPIES TO:

Mr. Simpson prosecutes customs cases if they are brought to court.

I called to ask him if the FBI might assist in the recovery of looted works of art.

He said that the FBI PUBLICITY gives out publicity on stolen property

It might also be worth while to get a writer for TRUE DETECTIVE STORY MAGAZINES to write about missing objects, picking out notorious losses. They are read by many more people than one might think. (It would arouse interest, perhaps, of men that have to do the job of investigating and GI's who might know of looting that went on.) Stories must be slanted in the right way.)

As for CONTROL BY CUSTOMS, he said that the objects imported should be declared and identified, so that FALSE DECLARATION CAN BE USED AS A BASIS OF ACTION OF FORFEITURE.

He said that he would ask in FBI about what they could do and call me back. He did so, and said he had talked with a friend, Charley Appel, who was a handwriting expert. And he said that the FBI maintains a list in the National Stolen Property Index, sent to police. Missing art could be placed on this list. It would be used constantly by dealers. Would apply to objects worth more than \$5,000. Dept. of State list of missing objects could be circulated and sold to dealers interested for 10 or 25 cents.

Suggested I get in touch with Mr. Rosen, Branch 571 in FBI. Did so.

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By NARA Date 6/10/99

114901

DEPARTMENT OF STATE

Memorandum of Conversation

DATE: February 12, 1948

SUBJECT: FBI ASSISTANCE IN RECOVERY OF LOOTED ART

PARTICIPANTS: Telephone Conversation with MR. A. ROSEN, FBI, DIAL 172, EXT. 571
on Feb. 12, 1948

Telephone Conversation with MR. Mc CABE, Assistant to Mr. Rosen
(on another extension ?) Feb. 20, 1948

COPIES TO:

*** 1-1408

Mr. Rosen said that if an art object was found to be in USA, the FBI could assist.

Transportation of stolen art would violate interstate commerce.

List of missing art objects could be placed in "NATIONAL STOLEN PROPERTY INDEX"

Local police can help.

On February 20th, 1948 called Mr. Rosen again and talked with Mr. Mc Cabe, Assistant to Mr. Rosen, and he said that the FBI would place 1457 Psalter in Nat. Stolen Prop. Index and would probably be willing to undertake an investigation of this and other cases. They should be sent to FBI in separate letters as they would come up for separate consideration.

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By JTP NARA Date 6/10/99

114902

DEPARTMENT OF STATE

Memorandum of Conversation

DATE: Feb. 22, 1948

SUBJECT: T. D. for importations of art: Mr. Stephens suggestion on "Trade Marks".

PARTICIPANTS: Telephone conversation with Mr. Stephens.

COPIES TO:

FORM 1-1493

Called Mr. Stephens to ask him about his recommendation that missing art could be treated in same manner as Trade Marks.

He said that in accordance with Section 526 of the Tariff Act which prohibits the use of American Trade Marks. If a copy of certification of registration of said Trade Mark is filed with the Secretary of Treasury The Treasury has regulations setting forth that they will accept a facsimile of the Trade Mark which is placed on file with the Sect. of Treasury and sent to ports of entry.

Photographs of missing loot could be treated in the same manner.

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114903

Office Memorandum • UNITED STATES GOVERNMENT

DATE: Dec. 18, 1947

TO : ADO - Mr. A. R. Hall
FROM : A-S - Mr. *C. E. Conger*, Executive Officer
SUBJECT :

The attached letter from Major General Richards, Budget Officer of the Army, dated 12 December, but received here 17 December, is referred to ADO for information and such action as may be necessary.

It refers to a letter signed by Mr. Wisner on November 17 drafted by you.

AS:CEConger:jmr

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By: JTC NARA Date 6/10/99

114904

WAR DEPARTMENT
OFFICE OF THE BUDGET OFFICER
WASHINGTON 25, D. C.



12 December 1947

Mr. Frank G. Wisner
Deputy to Assistant Secretary
for Occupied Areas
Department of State
Washington, 25, D. C.

My dear Mr. Wisner:

Your letter (refer ADO) of 17 November 1947 to General Daniel Noce has been received in the Department of the Army and referred to this office for reply.

In accordance with SWNCC 322, the Department of the Army agrees to reimburse the Department of State for the necessary costs of returning cultural objects which were acquired by individuals while serving in the Army or under Army jurisdiction and later surrendered by them.

It is requested, however, that the Department of State clear any such proposed packing and shipping of articles, for which it contemplates reimbursement from the Department of the Army, with the Office, Chief of Transportation, Department of the Army, prior to the actual accomplishment of the work to assure that funds are available and that budgetary provisions are made to care for the subsequent reimbursement.

Sincerely yours,

GEORGE J. RICHARDS
Major General, GSC
Budget Officer for the Department of the Army

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114905

Implementation of Tripartite Agreement and SWNGC 322

Tripartite Agreement:

1. Receipt of lists of missing objects. Correspondence with participating countries or American Embassies transmitting lists and conferences with embassy officials.
2. Index of missing objects with photographs.
3. Circulation of lists and photographs (at least the important customs and museums) in the U. S. to Bureau of Customs and Museums, etc. *To U.S. Consul & Museums*
 - a) Lists should be alphabetically arranged and mimeographed, photographs reproduced.
 - b) Mailing list to be compiled; the Bureau of Customs might furnish the list of customs offices that are to receive lists, so that only one mailing list will be needed.
4. Publicizing of missing objects with photographs in press and art magazines.
5. Receipt of reports of looted objects, from customs, museums, etc.
6. Request for detention of suspected objects.
7. Identification of the objects detained with the cooperation of art authorities in American museums.
8. Request for seizure by the U. S. Government (Treasury Dept.)
9. Arrangements for custody of objects held. (By Smithsonian or other museum)
10. Arrangements by State for return by Smithsonian or other museum to embassy in Washington, of country of origin or to War Dept. for transshipment to occupied countries.

SWNGC 322

1. Receipt of information on suspected objects by State
2. Request for investigation by Bureau of Customs of all cases of suspected objects. *Treasury Dept*

3. Index

*Treasury circular
instruction
assist in*

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114906

3. Index file of objects detained -- with all data, correspondence, transfers, etc., listed.
4. Circulation of Customs offices, museums, dealers, etc., asking for further cooperation in providing Department of State with information. Same mailing list as used in Tripartite Agreement.
5. Receipt of reports from Customs on objects under investigation.
6. Identification of the objects detained, with the cooperation of art authorities in museums.
7. Request for surrender of object to customs or a museum; seizure by Treasury Department if necessary.
8. Shipment and custody of objects at central collecting point in Washington (Smithsonian Institution, including National Museum and National Gallery (for paintings)).
9. Arrangements for return to embassies in Washington (of country of origin) or to the War Department for transshipment to American zones.

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By: JAP NARA Date 6/6/99

114907

Memorandum of Conversation

DATE: October 15, 1946

SUBJECT: Conference on Customs Control of Importation and
Restitution of Cultural Objects in the United States.

PARTICIPANTS: Miss Hall, ADO, State
Mr. Stimson, ES, State

COPIES TO:

*** 1-1498

I stated that Mr. Karasik desired the conference as soon as possible. I pointed out that in the absence of customs control, looted objects were probably entering the country unchecked and uninvestigated.

Miss Hall stated that she favored holding the conference this week. The sooner the better. On her trip last week to confer with museum ^{officials,} she learned further reasons for reestablishing customs controls as soon as possible.

I reported on the legal basis. Miss Hall agreed that the Trading with the Enemy Act would probably serve as a legal basis until an Act of Congress could be passed. She expressed the opinion that Congress would act favorably on a bill submitted to it by State. She mentioned Senator Thomas of Utah.

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DATE 6/10/99 BY JBT

114908

Miss Hall agreed with my suggestion that a central agency receive applications and reports, do research, keep permanent files, and pass on applications for release from customs custody. Miss Hall mentioned the desirability of liaison with customs officials. I commented favorably on her suggestion that museums be asked to take actual physical custody and care of cultural objects held in customs custody. She stated that museums are continually performing similar services for private persons.

Miss Hall suggested that the museum officials who served as ~~MPAA~~ ^{Monuments, Fine Arts and Archives} officers and in the OSS Art Looting Investigation Unit during the war be utilized. They have valuable background knowledge and experience, which would be of great assistance to the central agency in its investigations and in accomplishing the surrender and restitution of looted or stolen cultural objects. I suggested that they be invited to membership on an advisory committee. Miss Hall suggested that in addition they be utilized occasionally on a per diem basis in particular investigations.

Miss Hall agreed with me that ADO in OIC is the proper agency to maintain the files, perform the licensing functions, and operate as the central agency for guiding and coordinating the restitution policy and administration of the United States.

Miss Hall stated that she would ask Mr. Bowles to suggest the names of Department of Justice representatives to invite to the conference and to phone me this afternoon.

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By JTP NARA Date 6/10/99

114909

In reply refer to
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My dear Mr. Hoover:

Reference is made to your letter of May 23, addressed to Mr. Rubin, enclosing a copy of a letter addressed to Mr. Schmidt recommending that TD 51672 be rescinded.

Relevant facts are: that the Roberts Commission will terminate on June 30, that the Department of State lacks appropriations or personnel for clearing a mass of applications for release from Customs custody, that no Axis-owned or looted art objects have been discovered from the operation of the controls, and that the volume of legitimate imports of art objects is increasing.

The Department believes that some less burdensome but veritable system of surveillance to prevent or discover any possible instances of Axis-owned or looted art objects being brought into the country or passing through the country during a period of years in the future should be set up. The Department is instituting visa controls to prevent the entry into the country of collaborationist art personnel regarding whom there is definite evidence of dealing in looted art. These visa controls should serve to supplement the customs controls proposed herein.

The Department welcomes the offer of Mr. Rains of the Treasury Department to circulate to all customs officials copies of the lists of missing art objects which the Department proposes to request of the

governments

Mr. Lambert Moore,
Assistant Secretary,
The American Commission for the Protection
and Salvage of Artistic and Historic Monuments in War Areas,
National Gallery of Art,
Washington, D. C.

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BY AJP NARA Date 6/10/99

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governments of the liberated countries. The governments of Great Britain and France have agreed to join the United States in making the requests for such lists. However, it will be a month or so before the first provisional lists begin to arrive, and revised lists would probably continue to arrive for several years thereafter.

It might be suggested that a modification of the TD 51072 system of customs control and clearance be instituted by a Treasury or Customs Bureau instruction to all collectors of customs to place in Customs custody any art objects presented for entrance or exit from the United States or for intransit shipments through the United States regarding which all evidence of claims or allegations that the objects are Axis-owned or looted have been made available to the collectors, or which are included in currently active lists of missing art objects supplied to the Department of State by foreign governments and circulating to the collectors. As lists of missing art objects are received, they will be circulated to all customs officials. Notification of each instance of the placing of art objects in customs custody will be made to the Department of State which would start procedures for the restitution of the objects. Objects found to be Axis-owned would be reported to the Alien Property Custodian for possible vesting action. Applications for release from customs custody should be routed to the Division of Economic Security Controls, Department of State, for investigation and clearance.

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It is believed that the two measures described above will be of great assistance in preventing the importation of Axis-owned or looted art into the United States and in the restitution of the latter to the rightful owner. Achievement of both these objectives would aid the Safehaven program by preventing or assisting in tracing transfers of Axis funds.

objects
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assisting in tracing

Sincerely yours,
For the Acting Secretary of State:

George W. Baker,
Assistant Chief,
Division of Economic Security Controls.

ES: RH Stimson: PKF

6/27/46

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By NARA Date 6/19/99

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Stinson

In reply refer to
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My dear Mr. O'Flaherty:

Reference is made to your memorandum of June 25, 1948 (your no. 96846) enclosing the application on Form PFC-168 by Dr. Leopold Hoenig, citizen of Czechoslovakia, for the release from customs custody of the painting by Peter Breughel The Elder entitled "Yawning Man". (Entry No. 336581, New York, February 1948.)

In a telephone conversation on June 27 with an officer of this Division, Mr. Lamont Moore, Assistant Secretary of The American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, stated that his suspicion in this case is based on the statement by Dr. Hoenig that he purchased the painting in Czechoslovakia in April 1938, i.e., about a month after German troops entered Austria. Mr. Moore has supplied the American Legation at Bern with a statement of the facts, and the case is being investigated. Mr. Moore stated that he had written to the Treasury Department advising the release of this painting and all others from customs custody, on the grounds that P.D.51072 has been received and that the Roberts Commission is going out of existence.

The names related to this case have been checked against the Department's files and no evidence has been found which would justify an inference of illegal acquisition. However, the Department will keep a record of the case in its active file and await the results of the investigation in Bern.

As you may know, the Department has sent a letter to Mr. Orvis Schmidt proposing a system of customs control and clearance based on lists of missing art objects which

the

Mr. E. W. O'Flaherty,
Special Assistant to the Director,
Foreign Funds Control,
Treasury Department,
Washington, D. C.

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BY *AT* NARA Date 6/6/99

114912

RECORDED IN THE NATIONAL ARCHIVES

the governments of the United States, Great Britain and France are requesting from the governments of the liberated countries. It is hoped that such a system of customs control and clearance will be put in operation and fill the gap resulting from the rescinding of T.D.51072, and, the termination of the Roberts Commission. As the lists of missing art objects come in, it might be desirable to check them against your files of applications on Form PFC-168. For example, if Breughel's "Yawning Man" should be included in one of the lists of missing art objects, Dr. Hoenig's application would be of considerable value in pursuing the case.

The report transmitted with your memorandum is returned herewith.

Sincerely yours,

George W. Baker
Assistant Chief
Division of Economic Security Controls

Enclosure:

Treasury Department
Form PFC 168.

RHStimson:
RS/GWBaker;bfo

8-18-46

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lot 62D-4

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By: JPA Date 6/6/99

Office Memorandum • UNITED STATES GOVERNMENT

DATE: June 27, 1946.

TO :

FROM :

SUBJECT :

Mr. Samuel Moore

Letter from O'Flaherty, Treasury
June 25, 1946application for release from customs
clearance by Sr. Hoening
for "Hawking Man" by
Peter Breughel, The Elder.

Mr. Moore stated that he
had written to Treasury
releasing this painting and
all others from customs custody.
He has also requested the
Legation in Bern to
investigate the matter.
Should
The grounds for suspicion

(over)

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PHS. Put in list of suspected art objects reported.

were that the date of purchase
in Czechoslovakia, April 1938,
was after German troops
had entered Austria on
March 11, 1938, and the union
of Austria with Germany on March 13,
1938. (It was not until October 1,
1938 that German troops entered
the Sudetenland, Czechoslovakia)

Mrs. Moore stated that if
investigation in Washington or
Bern disclosed that the
painting is loot, the Treasury
records can be used in finding
it and accomplishing restitution.
The names of the parties on Form
FFE-168 provide information
useful in prosecution, any
false statement on the form gives
a basis for prosecution.

Reply to Liberty along above
lines. Case will be watched.

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By: [initials] NARA Date 6/10/99

114915

REPRODUCED AT THE NATIONAL ARCHIVES

Leopold HOENIG (Maine)

BERNSTEIN (NYC)

Mrs. Marianne Maier

Karlovy Vary, Czecho-
slovakia)

Rensie Watch Co.

Miss Crooks found nothing
against these names
in our files.

TDS June 27, 46.

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By JLP HARA Date 6/10/99

114916

96844

JUN 25 1946

To: Mr. George W. Baker,
Assistant Chief,
Division of Economic Security Controls,
Department of State.

From: E. W. O'Flaherty,
Special Assistant to the Director.

Reference is made to a telephone conversation between you and Mr. McHugh of this Office concerning the importation of an oil painting by Dr. Leopold Hoenig, c/o H. Z. Bernstein Co., Inc., 38 Pearl Street, New York, N. Y., who is a Doctor of Medicine and a citizen of Czechoslovakia.

As you may know, applications for the release of art objects imported from foreign countries are filed with the Treasury Department and it is our policy to obtain the recommendation of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas before approving the release of any such art objects. In connection with the painting of Dr. Hoenig we referred the application to the Commission, who recommended that an investigation through appropriate channels be made prior to taking any action on the application. We are, therefore, referring to you Form FFC-168, which has been completed by Dr. Hoenig and which contains the pertinent information with respect to this painting. It will be appreciated if the State Department will make an investigation of this matter through the Mission in Switzerland and recommend what action should be taken on the application. Please return the enclosed form when it has served your purposes.

(Signed) E. W. O'Flaherty

Enclosure

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By ADP NARA Date 6/10/99

114917

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CONFIDENTIAL

Mr. W. R. Johnson
Commissioner of Customs
Treasury Department
Washington 25, D. C.

Sir:

~~Attached find a memorandum entitled "Restitution of Looted Cultural Property Seeking Safehaven in the United States."~~

It is the view of the Department of State that the Government of the United States is internationally committed to maintain existing measures so far as they are applicable and to take such further measures as are feasible to discover, apprehend, and retribute cultural objects looted or illegally seized by Axis governments or personnel or by other persons including members of the armed forces of the United Nations and found in the United States or seeking to be imported into, exported from, or shipped in transit through the United States. ~~The instruments and evidences of this international~~ commitment are outlined in the attached memorandum, and the Department is prepared to present if desired a fuller exposition and documentation of them.

Treasury Decision 51072, effective June 8, 1944 set up regulations under sections 3(a) and 5(b) of the Trading with the Enemy Act and provided a system of customs control and clearance on release from customs custody of art objects imported after March 12, 1938. The Department of State believes that this Treasury Decision, and Section 16 of the Trading with the Enemy Act, in conjunction with

Sections

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BY JTP

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sections 1593d and 1618 of Title 19 of the United States Code provided an adequate legal basis for customs surveillance, seizure, and restitution of Axis-owned or looted cultural objects seeking entry into the United States. The placing of art objects in customs custody and the expert clearance of applications for release provided an adequate system of administration for surveillance and seizure, although the procedure for forfeiture and restitution had not been worked out.

On the recommendation of the Roberts Commission T.D. 51072 was repealed as of June 30, 1946. The Roberts Commission itself terminated on the same date, and the Foreign Funds Control which received applications for release from customs custody is in process of liquidation. It is possible that sections 3(a), 5(b), and 16 of the Trading with the Enemy Act would be available for activation by Executive order only during the existence of a legal state of war which will end with the conclusion of peace treaties with Germany and Japan.

The rescinding of Treasury Decision 51072 would appear to have been contrary to the international commitments of the United States referred to in paragraph one above, unless other existing measures are adequate for control, or unless additional measures can be adopted in the near future.

It has been proposed that a licensing and clearance system be established by Treasury Decision or Executive Order, and that a more comprehensive and permanent legal basis for such action be sought by means of a formal international convention and an act of Congress. These measures would require considerable time to bring into operation, and involve the finding or creation of an agency

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agency to administer the licensing provisions.

~~In the meantime, however, There is an urgent need for some measure of surveillance, and a workable method for seizure and restitution to give the best possible compliance with the international commitments referred to. The absence of controls has probably encouraged the possessors of looted art objects abroad to bring or ship them to the United States as offering a rich and complacent market for stolen goods. Art objects looted by United States personnel and brought into the country are beginning to be offered for sale to museums. Moreover, The Government of the United States reached an agreement at Paris on July 8, 1946 with the Governments of Great Britain and France for a joint approach by ^{representatives of the three governments} ~~them~~ requesting the governments of the liberated countries to compile lists of cultural objects still missing after restitution has been made from Germany and Austria, and requesting the governments of the neutral countries to adopt special measures of customs control and publicity designed to discover and facilitate restitution of the~~

Insert ϕ

The Government of France ~~has~~ ^{including ~~copies~~ over 500} has submitted a 52 page list ~~of~~ ^{of} cultural objects reported as seized by the enemy and not ~~yet~~ returned up to the end of the year 1946. ~~The French~~
 Both the French and Polish governments ~~States~~ express their intention of submitting supplementary lists, as additional missing objects are ~~submitted to them~~ reported to them or as additional photographs or information become available.

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By ~~AP~~ NARA Date 6/10/99
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provisions constituting this basis may be listed briefly as follows: Article 3 of Hague Convention IV of 1907 and Articles 28, 47, and 56 of the regulations attached thereto relating to the laws and customs of war on land, the rules of international law declared therein, and paragraph 318 of the "Rules of Land Warfare" promulgated by the United States War Department in its Basic Field Manual; Sections 3 and 4 of the National Stolen Property Act, approved May 22, 1934, Public Law No. 246, 48 Stat. L. 794; and sections 1593b and 1618 of Title 19 of the United States Code.

International law, especially as declared in Article 3 of Hague Convention IV of 1907 and Articles 28, 47, and 56 of the regulations attached thereto relating to the laws and customs of war on land, prohibits looting or pillage and the seizure of cultural property whether publicly or privately owned, and places a responsibility upon states to make compensation for violations of these provisions by their officials or personnel. That these treaty provisions or the rules of international law declared therein are applicable to World War II was established by the verdict of the International Military Tribunal at Nuremberg on the indictment against Alfred Rosenberg which found against him that "He directed that the Hague rules of land warfare were not applicable in the occupied eastern territories". (The New York Times, October 2, 1946, p. 22, col. 8). The United States ratified Hague Convention IV of 1907 on November 27, 1909. The Constitution of the United States in Article VI, Clause 2 provides that all treaties made or which shall be made under the authority of the United States are part of the supreme law of the land and the judges in every State shall be bound thereby. Moreover, the Supreme Court

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Court has held notably in The Case of the ^ULysitania, 251 Fed. 715, that international law is part of the law of the United States. It would appear to follow that the looting, pillage, or seizure of cultural objects by United States officials or personnel during war on land or in territory occupied by the United States is a violation of United States law. The persons guilty of such violations are subject to apprehension and punishment and the objects so looted or pillaged or seized are subject to seizure by the United States Government for purposes of restitution wherever they are found under its jurisdiction. There is no doubt that action can be taken by the War Department against members of the armed forces who violate paragraph 318 of the "Rules of Land Warfare" promulgated in the Basic Field Manual.

It is the view of the Department that a legal basis for action against persons who knowingly import or handle looted property valued at \$5,000.00 or more exists in Sections 3 and 4 of the National Stolen Property Act. The Department further believes that a legal basis for seizing looted property sought to be imported in violation of the Stolen Property Act exists in Section 1593b of Title 19 of the United States Code. It is believed that these provisions of United States law apply to cultural objects passing in the interstate or foreign commerce of the United States if they were pillaged or seized by officials, military personnel or nationals either of the United States, of any other United Nation, or of an enemy country. In all these cases, the property is stolen property, since its looting, seizure, or removal was either a violation of the international law rules of land warfare declared in the Hague Convention IV and regulations of 1907 or in violation of national laws of the various countries.

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The Department suggests that looted cultural objects seized by the Treasury Department under the above provisions of law be forfeited to the Department of State under Section 1618 of Title 19 of the United States Code for return by the Department to the government of the country of origin to be restituted by that government to the individual owners or their estates or heirs in accordance with the national law and procedure.

The Department of State has prepared a SWNCC paper proposing a procedure for finding, seizing, and restituting looted cultural objects which have entered the United States (~~Secret~~ SWNCC 322, 9 August 1946, pages 1-6, incl. "Return of Looted Objects of Art to Countries of Origin"). This paper was approved by informal action of the State-War-Navy Coordinating Committee on January 28, 1947. ~~It remains to arrive at an inter-departmental agreement providing an equally definite procedure of customs control to replace the procedure formerly existing under T.D. 31072, and to set up an interim procedure for handling the search requests received from the liberated governments in response to the joint approach under the tripartite agreement of July 8, 1946.~~

The concluding paragraphs of the attached memorandum set forth, under item 9, a "Procedure suggested for interim customs surveillance regarding the lists of missing cultural objects submitted by the governments of the liberated countries". This provides for circularizing the collectors of customs with lists and descriptions of missing cultural objects, the sequestration of objects suspected of seeking entry, exit, or intransit shipment in violation of the Hague rules of land warfare, Sections 3 and 4 of the National Stolen Property Act, and Section 1593b of Title 19

~~The following procedure is suggested~~ of

~~When lists~~

*Insert copy
pp. 9-11 of
memo of
Jan 27*

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of the United States Code. Photographs would be used, and experts from art museums in the vicinity of the customs offices called upon for advice in identifying objects suspected by the collectors. Seized objects would be forfeited by the Treasury Department to the Department of State under Section 1618 of Title 19 of the U.S. Code for restitution to the government of the country of origin in accordance with SWNOC 322. Appropriate cases would be reported to the Department of Justice for action against individuals.

In addition publicity would be given to the lists, descriptions, and photographs of missing cultural objects received from the liberated governments. The cooperation of art museums, dealers, and specialized personnel would be enlisted to assist in the recovery and restitution of the objects.

If the Bureau of Customs, ~~the Treasury Department,~~ and ~~the Department of Justice~~ approve the procedure outlined above, the Department of State is prepared to ~~cooperate~~ *cooperate* in drafting instructions to the collectors and to ~~submit the first special list received from Poland~~ *circulating the lists received from* of missing cultural objects *the governments of the liberated countries.*
Very truly yours,

~~Enclosure~~

~~Mr. Robinson~~
Thorp

Le/E
GA ESP ADO FC EUR A-H A-T
GA, BC, BE, CE, NQE, WE
ADO in OIC, A-H, FC, LE

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114924

October 14, 1946

The Problem Of United States Customs Control Of The Importation, Exportation, And Intransit Shipment Of Looted Or Axis-owned Cultural Objects.

1. With the rescinding last June of Treasury Decision 51072, all customs control over the importation into the United States of looted or Axis-owned art objects came to an end. Since last June there has been and there is now no way of preventing such importation. There is, moreover, no systematic way of learning the facts regarding the importation of looted cultural objects. Once looted art objects enter the country through regular channels, there is no legal means of seizing them and making restitution of them to their rightful owners. Enemy owned cultural objects found in the United States could be vested by the Alien Property Custodian, although apparently this is not being done and the process of restituting vested property might be difficult.

While the T.D. 51072 was in force, applications for release from customs custody could presumably be refused if the Roberts Commission found that the objects were Axis-owned or looted. Axis-owned objects presumably could have been vested by the Alien Property Custodian. Mr. Russell of the Bureau of Customs states that there are no precedents clearly establishing that looted objects seeking legal entry could be seized by customs officials or by the Commission. No occasion for such seizures occurred during the life of T.D. 51072, and no such seizures apparently have been made by custom officials. Legal justification for such seizure can, in my opinion be found in sections 3(a), 5(b) and 16 of the Trading with the Enemy Act. Further justification might be sought in the War Powers Act or in international law, treaties, United States laws and regulations. The Bureau of Customs contends that in the absence of an order issued pursuant to the Trading with the Enemy Act, no such legal authority exists. The Bureau will surrender objects in its custody only to consignees presenting an endorsed bill of lading or carriers of certificate designating them as the consignees. If another claimant, say the owner from whom the property was looted, can present a court decree granting or validating his claim, the Bureau will honor such decree and release the merchandise to the person designated therein as owner or consignee.

Customs officials have taken control of a number of looted art objects which were attempted to be brought into the country in violation of T.D. 51072 and other customs laws and regulations. These it is willing to forfeit to the United States Government, and transfer to the Department of State for restitution to the rightful owners as soon as a program for meeting the costs of transportation has been worked out, and when the Department is prepared to receive and retribute the objects to the Governments of the countries from which they were looted.

2. Miss Hall in ADO, Department of State has proposed the reissuance of T.D. 51072. Since the legal authority for this Treasury Decision rested upon Sections 3(a), 5(b) and 16 of the Trading with the Enemy Act, it seems probable that a new Treasury decision along similar lines would have the same legal basis. This means that it would terminate upon the conclusion of peace with Germany

and

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and Japan, or at least when these countries no longer have enemy status so that the Trading with the Enemy Act would not apply to them. This might be for a sufficiently long time to permit the negotiation of an international convention or the passage of an Act of Congress to provide a permanent solution of the problem.

3. Mr. Frank Russell of the Bureau of Customs suggested in a telephone conversation with me on October 7, that the Foreign Funds Control be requested to issue a general order requiring the licensing of cultural objects seeking entry into the country. This would probably be similar to the system under T.D. 51072. It would probably be subject to the same criticisms by the art dealers as placing a burden on their business operations. It may be that in the interest of maintaining a high moral position and avoiding all suspicion of receiving stolen property into the country the Government of the United States should override these objections. Since this Government is requesting the liberated and neutral governments of Europe to adopt control measures, it should be willing to do so itself.

Mr. Russell's proposal might be subject to the limited legal interpretation of the Trading with the Enemy Act advanced by him that objects seeking legal entry can not be seized for violation of the customs laws and regulations. Other legal authority therefore must be found. In my opinion such authority exists in Section 3(a), 3(b) and 16 of the Trading with the Enemy Act and would be activated by an order resembling TD 51072. Objects looted and exported by collaborationist personnel, could be interpreted as indirect trading with the enemy, if the objects were looted during enemy occupation of the country. Articles seeking entry without complying with the licensing and customs formalities could be seized and restituted. Even if, in certain instances, seizure were not possible, a licensing system would serve a useful purpose since the facts supplied by the licensing form might lead to the detection of the entry of looted objects and permit assistance to the rightful owners in taking legal action for their recovery. Moreover, the existence of the licensing system would tend to prevent looted objects from seeking entry into the country.

4. The operation of a new TD or licensing system would require the existence of an agency with funds and personnel sufficient to receive and review applications for release from Customs Custody. Mr. Rains states that the Foreign Funds Control is a temporary agency, that is going out of existence shortly, and that it is not willing to accept this responsibility. It is suggested that ABC in OIE in the Department of State as the successor of the Roberts Commission, and a permanent cultural relations office is the logical agency for exercising this function.

5. Despatch No. 709 dated September 6, 1946 from the American Embassy in Warsaw, Poland (File No. 606.515/9-646) submitted a book of approximately 250 pages (in the English translation) entitled Cultural Losses of Poland: Index of Polish Cultural Losses During the German Occupation 1939-1944. Edited by Charles Estreicher, London, 1944. This is the first partial list of missing cultural objects to be received from the Governments of the liberated countries under the tripartite approach pursuant to the agreement of Paris of July 8, 1946.

It is obvious that material in this form can not be circulated to the

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collectors of customs as suggested in my proposal set forth in the letter from Mr. Karasik to Mr. Schmidt. Some central government agency having expert art personnel would be required to review such material and compile mimeographed lists for use by the collectors of customs. It would seem desirable to adopt forms similar to those used for restitution claims in Germany and Austria which would provide full information regarding, and photographs of the missing cultural objects for use by the claimant liberated Governments. The processing and filing of these dossiers, could be better handled by the central agency proposed above, which might be ADO or OIC in the Department of State, than by the numerous collectors of customs scattered all over the country. This consideration favors the establishment of a licensing or release application clearance system similar to that provided under TD 51072, rather than my proposal for the circulation of lists to the collectors of customs as set forth in Mr. Karasik's letter to Mr. Schmidt. The comprehensive information supplied on the application for release from customs custody could then be compared with the comprehensive data supplied on the general application for restitution submitted by the liberated government.

6. It is suggested that a study be made of the legal basis in international law, treaties, and in U.S. laws, regulations, and court decisions for prohibiting the importation of looted cultural or other objects, and for seizing and restituting these objects to check the position of the Bureau of Customs that no legal basis therefore exists in the United States at present. The following outline for such a study is suggested:

What existing legal basis is there for seizure by U.S. Customs Officials and forfeiture to the U. S. Government of cultural objects looted or stolen abroad for restitution to the the Government of the country from which stolen.

a. International Law.

b. Treaties and Agreements.

- (1) Hague Rules of Land Warfare Art. 56.
- (2) Pan American Convention signed April 15, 1935.
- (3) International Conventions for the protection of scientific, artistic and religious property.
- (4) Treaty with Canada on Stolen Property. (Objects seized by Customs for attempted smuggling are released to the Canadian Government if the objects are proven to have been stolen in Canada.) This is the only treaty of its kind to which the United States is a party.

c. U. S. Laws.

- (1) The Trading with the Enemy Act, Section 3(a), 5(b), and 16.
- (2) Stolen Property Act.
- (3) Customs Laws.
- (4) Customs Regulations.
- (5) Treasury Decisions.
- (6) Court Opinions.
- (7) The War Powers Act.

d.

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with all other
copies of
this report
to be
destroyed
when
the
original
is
destroyed

d. U. S. Laws for Germany, Austria, and Japan.

- (1) AEC Law No. 52.
- (2) ACC Law No. 5.

e. Laws and decrees of European Governments seizing looted cultural objects (Freeze).

Can any of the laws and decrees included under 4 and 5 above be applied by United States Courts and by United States customs officials?

Court decisions have held that international law is a part of the law of the United States and is applied by Federal Courts in relevant cases. The German looting in occupied territory was in violation of the international law rules of land warfare as declared in Article 56 of the Hague Convention of 1907. It is inconceivable that customs officials have no legal authority to seize objects suspected of being or identified as lost or stolen property pending judicial determination of its legal owners.

7. In case no such legal authority exists, it is suggested that a bill be drafted for submission to Congress to provide a permanent legal basis for the seizure and restitution of looted or stolen property.

8. In the interest of a comprehensive and permanent solution of the problem it is suggested that a draft international convention providing for the discovery and restitution of looted or stolen cultural property be prepared in ADO of OIC and submitted to UNESCO for consideration at an international conference or in the Assembly of the United Nations.

Ralph H. Stinson

RS:RStinson:pkf
10/11/46

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114928

To: Mr. Baker

copy to Miss Hall. ADO.

DRAFT

Mr. Surey
Mr. Robin

From: Mr. Stimson

TELEPHONE CONVERSATION WITH MR. FRANK RUSSELL,
BUREAU OF CUSTOMS, TREASURY DEPARTMENT - Ext. 495
by Mr. Ralph Stimson, ES

July 18, 1946

Mr. Russell stated that the Treasury Department (Bureau of Customs) had made 3 or 4 seizures or sequestrations of looted cultural objects seeking entry into the United States. The objects are being kept under customs control pursuant to the Geneva Convention, (and Hague Convention?), War Department Regulations and Treasury Regulations, in various ports of entry, including New York, Chicago, and St. Louis, because of the possession by the collectors of customs ^{of evidence} that the objects are loot. In several instances, the responsible parties have admitted the looting. In one instance, the objects were looted from a European Museum by U.S. soldiers. Some of the objects have been held by the Customs authorities for eight months.

The Treasury Department has informed Mr. Huntington Cairns and the Roberts Commission of the above facts and requested instructions for disposing of the objects. The Treasury Department has offered to seize the objects pursuant to the Geneva (and Hague Conventions ?) Convention, War Department Regulations and Customs Regulations and turn them over to the responsible agency charged with making restitution to the rightful owners; but no response has been received.

I explained

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I explained that the Roberts Commission was going out of existence, that its functions are being transferred to OIC in the Department of State and that ES is interested from the Security angle. I mentioned the primary responsibility of the War Department for making restitution of art objects found in Germany and Austria. I pointed out, however, that the draft agreement on restitution and replacement had not yet been approved by the AC^A Germany or by the four powers represented thereon. ~~Consequently,~~ No international agency or procedure had been set up to accomplish restitution, especially of objects found outside Germany and Austria. ~~Consequently,~~ No agency had been set up in the United States to receive the art objects held by the customs authorities and to transport, transfer or reconstitute them to their countries of origin and rightful owners.

I stated that there was some evidence that these matters might be settled in the not too distant future.

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(T. D. 51072)

TITLE 19--CUSTOMS DUTIES

CHAPTER I--BUREAU OF CUSTOMS

Part 52--Regulations under Trading with the enemy Act

Regulations under sections 3(a) and 5(b) of the Trading with the enemy Act, as amended, relative to the release of art objects from customs custody which have been imported after March 12, 1938.

TREASURY DEPARTMENT, June 8, 1944

TO COLLECTORS OF CUSTOMS AND OTHERS CONCERNED:

The following regulations are prescribed under the authority of sections 3(a) and 5(b) of the Trading with the enemy Act, as amended, with respect to the release of art objects from customs custody:

(1) Sec. 52.12 Prohibitions against Release of Imported Art Objects.

No art object hereafter imported from any foreign country, except one which constitutes a part of the United Kingdom, the British Dominions, or British Colonies, and no art object which is now in customs custody which was imported after March 12, 1938 from any foreign country except one which constitutes a part of the United Kingdom, the British Dominions, or British Colonies, shall be released from customs custody, whether for consumption or exportation, or shall be sold or forfeited under the customs laws and regulations, unless such release, sale, or forfeiture has been licensed or otherwise authorized by the Secretary of the Treasury.

(2) Sec. 52.13 Requirements for Release of Art Objects.

(a) Persons seeking release of any such art object from customs custody for consumption or exportation shall file an application on Form TFE-1 in duplicate in the manner prescribed in section 130.3 of the Regulations issued under Executive Order No. 8389, as amended. Form FFC 168 must be filled out and attached to the application.

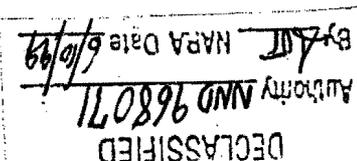
(b) With respect to art objects in customs custody which are subject to sale or forfeiture under the customs laws and regulations, the Collector of Customs concerned shall file a report in duplicate on Form FFC 168 with Foreign Funds Control, Treasury Department, Unit 244, Washington, D. C.

(3) Sec. 52.14 Definition of "Art Object". As used herein, the term "art object" shall include any of the following, if there is reasonable cause to believe that the article or lot of articles included in one importation, export shipment, or sale lot (i) is worth \$5,000 or more, or (ii) is of artistic, historic, or scholarly interest irrespective of monetary value:

- (a) paintings in oil, mineral, water, or other colors, tempera, pastels, drawings and sketches in pen, ink, pencil, or water colors, engravings, woodcuts, prints, lithographs, miniatures;

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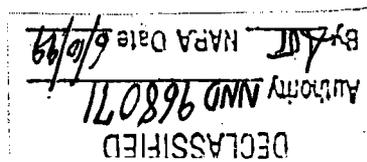
- (b) statuary, sculptures;
- (c) chinaware, glassware, pottery, porcelain;
- (d) rugs, tapestries, laces, and other textiles;
- (e) jewelry, metalwork;
- (f) books, manuscripts, archival materials and records;
- (g) furniture;
- (h) curios.

The provisions hereof shall be effective on and after June 8, 1944.

(Signed) Herbert E. Gaston
Acting Secretary of the Treasury

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114932

SEP 17 1946

In reply refer to
AEC

My dear Mr. Johnson:

The Department acknowledges receipt of your letter of September 9, 1946 (reference number 741.04) in which you inquire about the transfer of functions from the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas to the Department of State and the return of objects of art now being retained by the Bureau of Customs.

On July 1 the continuing functions of the Roberts Commission were assumed by the Office of International Information and Cultural Affairs and the Acting Director of the Office of Economic Security Policy has referred your letter to me.

For the past two months this Division has had under review the entire problem of the importation and recovery of looted works of art in the United States as this is a government obligation under the Hague Convention of 1907. In consultation with the Treasury Department and upon re-examination of the legal grounds for seizure, it is expected that this urgent problem may be settled in the very near future.

Plans are already under consideration by the State-Navy Coordinating Committee for the issuance of a policy

which

Mr. W. R. Johnson,
Commissioner of Customs,
Treasury Department,
Bureau of Customs,
Washington, D. C.

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which foresees the return of the objects which are being detained by the United States Bureau of Customs and by several museums. You will be informed of these decisions immediately upon approval by the State-War-Navy Coordinating Committee. In the meantime the Department would appreciate your retaining such objects as are in your custody.

From the correspondence and reports which are contained in the files of the Roberts Commission and which have been transferred to the Department of State, this Division has learned of the excellent work which the officers of the Bureau of Customs have done in enforcing the customs regulation T.D. 51072. The Department of State will need to ask your continued cooperation, with a lively appreciation of the services of your Bureau.

Sincerely yours,

Henry P. Leverich
Acting Chief, Division of Occupied Areas,
Office of International Information
and Cultural Affairs.

ADO: HJKellermann: mjk
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By AUC NARA Date 6/6/99

114934

Objects Imported by Members of the Services Reported to the Department of

State to Date

<u>Objects:</u>	<u>Name of Importer:</u>	<u>Detained by:</u>	<u>To be Returned to:</u>
949 coins (from a German museum)	Mr. Fred Cooper, Edna, Kansas (War)	Bureau of Customs, Chicago, Ill.	OMGUS (Germany)
13th Century Manuscript & other articles (from museum in Arnsbach, Germany)	Mr. Joseph Bodnar, Jr., 164 E. 122nd St., New York, N.Y. (War)	Parke-Bernet Galleries, Inc., New York, N.Y., (Detained by Bureau of Customs, New York, N.Y.)	OMGUS (Germany)
Collection of Chinese Ceramics and Bronzes	Lt. Desjardin (Navy)	Bureau of Customs, New York, N.Y.	Portion of objects only to be returned, Chinese Embassy, Washington, D.C.
Painting by Lucas Cranach, (from Munich Collecting Point?)	G.I. Student in Brooklyn College (War)	Bureau of Customs, New York, N.Y.	OMGUS (Germany)
Miniatures, drawings, and mss. (from Berlin State Library)	Donald Whitney (War)	Bureau of Customs, Detroit, Michigan	OMGUS (Germany)
Pejarch's "de Africa" mss. (from Trieste Library)	G.I. in Union City, N.J. (War)	Bureau of Customs, New York, N.Y.	AMG (Allied Military Government), Trieste
Ivory Diptych (from Cassel Museum)	Brother of Howard F. Travis (War)	Bureau of Customs, Los Angeles, Cal.	OMGUS (GERMANY)
Dutch painting by Joest Cornelius Broochaloot-1631	Lt. John R. Hutchinson, USNR (Navy)	Mr. Shanney, New York Historical Society. (Detained by Bureau of Customs, New York, N.Y.)	OMGUS (Germany)
Foreign Documents (one folder, twelve dossiers, French)	Name unknown, (found at Fort Dix, N.J.) (State)	National Gallery of Art	OMGUS (Germany)

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 SECTION
 DEPARTMENT OF STATE
 WASHINGTON, D.C.

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<u>Object:</u>	<u>Name of Importer:</u>	<u>Detained by:</u>	<u>To be Returned to:</u>
Italian Documents	Name unknown (State)	National Gallery of Art	Italian Embassy, Washington
6 Woodcuts (from Heidelberg Univer- sity)	Captain M.E. Tescuro (War)	National Gallery of Art	ONGUS (Germany)
Dürer engraving from Nuremberg Museum	M. Richard Scha- bach (War)	National Gallery of Art	ONGUS (Germany)
Interior of Ant- werp Cathedral by Pieter Heeffs-1661	Name unknown (State)	The John Herron Art Institute, Indianapolis, Ind.	ONGUS (Germany)
2 oil paintings, 1 pastel (from Bologna area)	Brother of Mrs. Earl Shamp, 17 Shangri-La Drive, Norfolk, Va. (State)	Norfolk Museum of Arts and Sciences, Norfolk, Va.	Italian Embassy, Washington
Collection of Japanese knives, (11 Tsuba & 17 Kosuka)	Acquired by unknown soldier in Yokohama (State)	Mrs J.G. Lee, Phila- delphia Museum of Art, Philadelphia, Pa.	SCAP (Tokyo)

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Transfer of Above Objects to be Arranged

1. To War Department, Washington, for transshipment to:
OMGUS, Germany Coins (no. 1 on above list)
 Mss. (no. 2)
 Cranach painting (no. 4)
 Miniatures and Mss. (no. 5)
 Ivory diptych (no. 7)
 Dutch painting (no. 8)
 Documents (no. 9)
 Woodcuts (no. 11)
 Engraving (no. 12)
 Dutch painting (no. 13)
2. To War Department, Washington, for:
 AMG, Trieste Mss. (no. 6)
3. To War Department, Washington, for:
 SCAP, Japan Swords and sword fittings (no. 15)
4. To Chinese Embassy, Washington:
 Ceramics and bronzes (no. 3)
5. To Italian Embassy, Washington:
 Documents (no. 10)
 Two paintings and one pastel (no. 14)

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TREASURY DEPARTMENT
Bureau of Customs
Washington, D.C.

SEP 3 1947
September 9, 1946

The Director
Office of Economic Security Policy
Department of State
Washington, 25, D. C.

Sir:

During the latter part of 1945, the supervising customs agent at New York detained from Joseph Bodnar Jr., a thirteenth century manuscript and other "art objects," as defined by T. D. 51072, which had been taken from a museum in Amorbach, Germany, when it was being looted by members of the armed forces, and apparently imported into the United States contrary to law. Subsequently, an agreement was reached between this Bureau and The American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, commonly referred to as The Roberts Commission, under which "art objects" when imported contrary to law would be seized by customs officers under section 593 (b) of the Tariff Act of 1930 (U.S.C. title 19, sec. 1593 (b)), a petition would be filed by The Roberts Commission as an interested party under section 618 of the same act (U.S.C., title 19, sec. 1618), for remission of the accrued forfeiture, the petition would be given favorable consideration, and the property would be released to the petitioner which would arrange for restoration through appropriate channels.

(1) After the date of the agreement, an investigation by the supervising customs agent at New York, N. Y., disclosed that an oil painting of a village winter scene with many figures, said to be the work of the Dutch painter, Joost Cornelis Droochsloot, and dated 1631, had been imported from Germany by Lieutenant John R. Hutchison, U. S. N. R., apparently without import requirements having been met. The painting was left for safekeeping in the custody of Mr. Shanney in the building of the New York Historical Society. Also, (2) 949 coins were detained by the supervising customs agent at Chicago from Fred Cooper, whose friends had taken them from a museum in Germany.

The Roberts Commission was unable to complete arrangements for the return of the articles to the country from which taken before it expired on or about July 1, 1946, with the result that the property is still under detention without formal seizure thereof having been made.

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I have been informed that the functions of The Roberts Commission have been transferred to your office and if my information is correct I shall appreciate it if you will let me know at your earliest convenience whether you are interested in the detained articles, whether the procedure previously worked out for their seizure and release has your approval, and what arrangements you have found it possible to make looking to their restoration to the country of origin.

Very truly yours,

/s/ W. R. Johnson
Commissioner of Customs

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By [signature] NARA Date 6/10/99

114939

Objects Imported by members of the Services Reported to the American Commission to date - 30 April, 1946

Objects	Name of Importer	Present Location	Point of Return
12 Dutch painting by Joost Cornelius Droochsloot-1631	Lt. John R. Hutchinson, USNR	c/o Mr. Shanney New York Historical Society	OMGUS (Bremen Military Government (Brit.))
21 Foreign Documents (1 folder; 12 dossiers - French)	Name unknown (found at Fort Dix, N.J.)	National Gallery of Art	OMGUS (Berlin)
3 "Interior of Antwerp Cathedral" by Pieter Neefs-1661	Name unknown	The John Herron Art Institute, Indianapolis, Ind.	OMGUS (Berlin)
4 949 coins (from a German museum)	Mr. Fred Cooper Edna, Kansas	Supervising Customs Agent, Chicago	OMGUS (Berlin)
BC 13th century manuscript & other articles (from museum in Armorbach, Germany) - other objects	Mr. Joseph Bodnar, Jr. 164 E. 122nd St. New York City	Parke-Bernet Galleries, Inc. New York City	OMGUS (Berlin)
15 Collection of Japanese knives (11 Tsuba & 17 Kozuka)	Acquired by unknown soldier in Yokohama	Miss. J. G. Lee, Philadelphia Museum of Art	SCAP (Tokyo)
Returned 2 bronze panels (from Benevento)	Mr. Huseby Walker Art Center	Walker Art Center Minneapolis	American Embassy (Rome)
7 2 oil paintings; 1 pastel (from Bologna area)	Brother (name unknown) of: Mrs. Earl Shamp, 17 Shangri-La Dr. Norfolk, Va.	Norfolk Museum of Arts and Sciences, Norfolk, Va.	American Embassy (Rome)
8 Italian documents	Name unknown	National Gallery of Art	American Embassy (Rome)
9 6 woodcuts (from Heidelberg University)	Capt. M.R. Tsouras	National Gallery of Art	OMGUS (Western Military Government)

Handwritten notes and signatures at the bottom of the table, including names like 'A. P. ...' and 'Washington'.

RGS9 Box 1
Lot 62D-4

DECLASSIFIED
Authority NND 968071
BY AD NARA Date 6/19/99

114940

Department of State

Objects Imported by Members of the Services Reported to the American Commission

to Date - 30 April 1946

<u>Objects</u>	<u>Name of Importer</u>	<u>Obtained by</u>	<u>To be Returned to</u>
949 coins (from a German museum)	Mr. Fred Cooper, Edna, Kansas (War)	Bureau of Customs, Chicago	ONGUS (Germany)
13th Century Manuscript & other articles (from museum in Armerbach, Germany)	Mr. Joseph Bodnar, Jr., 164 E. 122nd St., New York, N.Y. (War)	Parke-Bornet Galleries, Inc., New York City, (Detained by Bureau of Customs, New York, N.Y.)	ONGUS (Germany)
Collection of Chinese Ceramics and Bronzes	Lt. Desjardin (Navy)	Bureau of Customs, New York, N.Y.	Portion of objects only to be returned, Chinese Embassy, Washington, D.C.
Painting by Lucas Cranach, (from Munich Collecting Point?)	G.I. Student in Brooklyn College (War)	Bureau of Customs, New York, N.Y.	ONGUS (Germany)
Miniatures, drawings, and mss. (from Berlin State Library)	^{Whitney} Donald Whiting (War)	Bureau of Customs, Detroit, Michigan	ONGUS (Germany)
Petarch's "de Africa" mss. (from Trieste Library)	G.I. in Union City, N.J. (War)	Bureau of Customs, New York, N.Y.	AMO (Allied Military Government), Trieste
Ivory Diptych (from Gassel Museum)	Brother of Howard F. Travis (War)	Bureau of Customs, Los Angeles, Cal.	ONGUS (Germany)
Dutch painting by Joest Cornelius Droehsloot-1631	Lt. John R. Hutchinson, USNR (Navy)	Mr. Shanney, New York Historical Society, (Detained by Bureau of Customs, New York, N.Y.)	ONGUS (Germany)
Foreign Documents (one folder, twelve dossiers, French)	Name unknown, (found at Fort Dix, N.J.) (State)	National Gallery of Art	ONGUS (Germany)

RG59 Box 1

Lot 62D-4

Authority AND 968071
NARA Date 6/10/99
DECLASSIFIED

114941

<u>Objects:</u>	<u>Name of Importer:</u>	<u>Retained by:</u>	<u>To be Returned to:</u>
Italian Documents	Name unknown (State)	National Gallery of Art	Italian Embassy, Washington
6 Woodcuts (from Heidelberg University)	Captain M.E. Taucros (War)	National Gallery of Art	ONGUS (Germany)
Dürer engraving from Nuremberg Museum	F. Richard Schaeckel Name unknown (War)	National Gallery of Art	ONGUS (Germany)
Interior of Antwerp Cathedral by Pieter Neefs-1661	Name unknown (State)	The John Herren Art Institute, Indianapolis, Ind.	ONGUS (Germany)
2 oil paintings, 1 pastel (from Bologna area)	Brother of Mrs. Earl Shamp, 17 Shangri-La Drive, Norfolk, Va. (State)	Norfolk Museum of Arts and Sciences, Norfolk, Va.	Italian Embassy, Washington, D.C.
Collection of Japanese knives (11 Tsuba & 17 Kozuka)	Acquired by unknown soldier in Yokohama (State)	Miss J.C. Lee, Philadelphia Museum of Art, Philadelphia, Pa.	SOAP (Tokyo)

RG59 Box 1

Lot 62D-4

6/10/99
 BY: JDP NARA Date
 Authority AND 968071
 DECLASSIFIED

114942

OFFICE OF THE REGISTRAR

January 26, 1949

Objects Imported by Members of the Services and Reported
to the Department of State, Received at National Gallery
of Art to Date

Objects	Name of Importer	Received from:	For Return to
Box (unopened) said to contain 949 coins (from German Museum)	Mr. Fred Cooper, Edna, Kansas	Bureau of Customs, Chicago, Ill.	OMGUS (Germany)
Painting of Melancthon by Cranach (from Munich Collecting point?)	Mr. Paul Helberg 742 E. 3rd St., Brooklyn 18, N. Y.	Bureau of Customs, New York, N. Y.	OMGUS (Germany)
Painting by J. C. Droochsloot with stamp of Bremen Kunsthalle on back	Lt. John R. Hutchinson, USNR	Bureau of Customs, New York, N. Y.	OMGUS (Germany)
14th Century Mss. (Psalter), 6 daggers iron-bound leather chest with triple lock, red leather dispatch case of Napoleon I, Chinese shadow puppets, 13th Cen. leather case containing documents (from Leather Museum in Offenbach, Germany)	Mr. Joseph Bodnar, Jr., 164 E. 122nd St. New York, N. Y.	Bureau of Customs, N. Y. C.	OMGUS (Germany)
thiopian ms., 15 Indian miniatures and drawings, prints after Raphael, notes (from Berlin State Library)	Mr. Donald Whitney, 9632 Narden St., Detroit, Mich.	Bureau of Customs, Detroit, Mich.	OMGUS (Germany)
Ms. (English Parchment)	Unknown Source	Columbus Public Library, Columbus, Ohio	British Embassy, Washington, D. C.

OLD OCCUPIED AREAS DIVISION
(ADD)

FEB 1-1949

DEPARTMENT OF STATE

RG59 Box 1
Lot 62 D-4

DECLASSIFIED
Authority NND 968071
By JTP NARA Date 6/10/99

114943

Objects	Name of Importer	Received from:	For Return to:
Ivory Diptych (from Cassel Museum)	Brother of Howard F. Travis	Bureau of Customs, Los Angeles, Calif.	OMGUS (Germany)
Jewelled Ren- aissance figurine of man and monkey		Bureau of Customs, Los Angeles, California	
Dürer engraving, Mr. E. Richard Scha- <u>Knicht, Death and</u> <u>the Devil from</u> the Nuremberg Museum	bach, 175-E. 79th St., N. Y. C.	Mr. Schabach	OMGUS (Germany)
Foreign Documents (one folder, twelve dossiers, French) Not in Custody of Registrar. Turned over to Mr. Cairns)	Name unknown (found at Fort Dix, N. J.)	Maj. Gen. Edward F. Witsell, Acting the Adjutant Gen., the Adjutant General's Office, Washington, D. C.	OMGUS (Germany)
French "Book of Hours" with book- plate "Bibliotheca Suchtelen"	Nick Yeatrakas	Bureau of Customs, San Francisco, California	

RG59 Box 1
Lot 62D-4

Authority NND 968071
DECLASSIFIED
6/10/99
NARA Date 6/10/99

114944

OBJECTS OF ART DISPERSED IN WORLD WAR II RETURNED TO AMERICAN ZONE
OF GERMANY AS COUNTRY OF ORIGIN.

CASE I:

- 1) Box containing 948 coins.

Reported to be from a museum in Germany.

- 2) 14th century MS. (Psalter) one clasp missing, 6 daggers with sheaths, iron-bound leather box with triple lock, leather box containing documents from Leather Museum in Offenbach, Germany, red leather despatch case of Napoleon I, Chinese puppets.

Reported to be from a museum in Anorbach, Germany. Anorbach however, may be confused with Offenbach.

- 3) Painting by J. C. Drechsloot, "Village Scene in Winter", dated 1631. (Received rolled and in poor condition.)

Stamp of Bremen Kunsthalle on back.

- 4) Painting by Lucas Cranach, "Portrait of Melancthon".

Reported to be from the Fuhrerbau, Munich.

- 5) Ethiopian MS. and case; 15 Indian miniatures and drawings prints after Raphael.

Mark of Berlin State Library. Reported from a salt mine near the town of Hershfeld or Herfeld, Germany, now in the Russian Zone.

- 6) 14th century ivory diptych, "Passion of Christ".

From Kassel Museum, Germany. Published by Raymond Koechlin, Les ivoires gothiques Francais (Paris, 1924), no. 794.

No information as to where it was found.

- 7) Jewelled Renaissance figurine of man and monkey.

Believed to come from Museum at Angsburg or the Grunes Gewolbe at Dresden.

Reported to have been found in August 1945, in building near the Koenigs Platz, Munich.

- 8) Durer engraving, "Knight, Death, and the Devil".

Stamps on back "Hertel'sche Stiftung; Eigenthen (?) d. Stadt Nurnberg".

Purchased in Germany (place not given) with photographic reproductions.

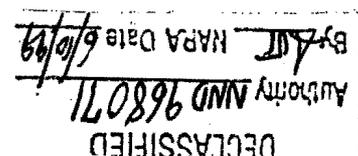
- 9) French, "Book of Hours".

Book plate "Bibliotheca Suchtelen".

Reported to have been found on March 9th or 10th, 1945 in Remagen, in a wrecked building, that looked like an empty store.

RGS9 Box 1

lot 62D-4



114945

CASE II: FIVE TAPESTRIES:

- 1) Ovid Series, c. 1580. Eurydice killed by a serpent. The names of Orpheus and Eurydice woven near figures. (Small patches on lower right corner, upper corners and on middle right border. "Badly soiled").
- 2) Ovid Series, c. 1580. The Story of Adonis. The names Adonis, Mirrhae and Lucina woven near the figures. Fringe on right and left edge worn. Patch on lower right corner and upper corners. Tear below the panel with DAS X PUNCH OVIDII. Slight tear in lower border. Badly soiled.
- 3) Ovid Series, c. 1580. The Story of Adonis. The names Venus, Adonis, Adanus woven near figures. One large patch lower left hand border just above corner- over a very small hole. One small patch on upper border. Badly soiled.
- 4) Ovid Series, c. 1580. The Stag of Cyparissus. The names of Cyparissus, Apollo, etc. woven near the figures. Five patches at top corners and along upper edge. 1" tear in middle of bottom border in seam of blue edge. Badly soiled.
- 5) Landscape with figures, c. 1700. Edge turned under on right and left side. Bottom faced with canvas. Top edge faced with canvas on one side. Two holes in foreground (grass) and other holes in garment coarsely darned with darker, badly matched wools. Cleaner than the other four tapestries.

The loss of these five tapestries, four from the Bavarian National Museum and one from the Kunsthistorisches Museum, Vienna from a repository in Zellsee near Wessobrunn, between May 2 and 6, 1945 was reported by the Bavarian National Museum to the Monuments, Fine Arts, and Archives Section of the COMOB in a memorandum, dated May 18, 1948.

The four tapestries of the Ovid series are published in Heinrich Gobel, Wandteppiche, Part III, vol. 2, "Die germanischen und slavischen Lander," (Berlin, 1934) pp. 12-13, plates 12a and 12b.

RG59 Box 1

lot 62-D-4

DECLASSIFIED
 AUTHORITY NND 968071
 DATE 6/10/99

114946

COPY

(DESCRIPTION OF SERVICES REQUESTED)

Contract with the Security Storage Company
1140 15th Street, N. W. (DI 4040) for the
packing of the following works of art at the
National Gallery of Art in one case for
overseas shipment: Request packing to be done
by Mr. John Metz. Arrangements to be made
with Mr. Richards, Registrar, National Gallery
of Art, New York.

1. 948 coins.
2. 14th century Psalter
6 daggers with sheaths
8 MSS on parchment
1 despatch case - Napoleon I
Chinese shadow puppets
2 Medieval iron-bound leather boxes.
3. Painting by Lucas Cranach.
4. 15 Mughal and Rajput Miniatures
Ethiopic MS and case; portfolio of prints
after Raphael.
5. 14th century ivory diptych.
6. Painting by Droochsloot - 1631.
7. Durer engravings.
8. 15th century Breviary.

Copy of DS/12

A 17745

A carbon was
sent to Mr. Richards
so that he
would know
of items to
include
in shipment

RGS9 Box 1

Lot 62D-4

DECLASSIFIED
Authority NND 968071
By AUC NARA Date 6/10/99

114947

THE AMERICAN COMMISSION FOR THE
 PROTECTION AND SALVAGE OF ART
 AND HISTORIC MONUMENTS IN WAR AREAS

58 Dealers
 64 Museums
 122 Total

LIST OF DEALERS AND MUSEUMS TO WHOM ENCLOSED MEMORANDUM
 CONCERNING ART OBJECTS OF QUESTIONABLE ORIGIN HAS BEEN SENT

Dealers handling European Works of Art.

- 1 American-British Art Center, 44 W. 56th St., N.Y. (19)
- 2 Bignou Gallery, 32 East 57th St., N.Y. (22)
- 3 Brandt Gallery, 15 E. 57th St., N.Y. (22)
- 4 Buchholz Gallery, 32 E. 57th St., N.Y. (22)
- 5 Durand-Ruel, Inc., 12 E. 57th St., N.Y. (22)
- 6 Durlacher Bros. Inc., 11 E. 57th St., N.Y. (22)
- 7 Ferargil Gallery, 63 E. 57th St., N.Y. (22)
- 8 French & Co., 210 E. 57th St., N.Y. (22)
- 9 Kleeman Gallery, 65 E. 57th St., N.Y. (22)
- 10 Knoedler Gallery, Inc., 14 E. 57th St., N.Y. (22)
- 11 Kraushaar Gallery, 32 E. 57th St., N.Y. (22)
- 12 Lillienfeld Gallery, 21 E. 57th St., N.Y. (22)
- 13 Macbeth Gallery, 11 E. 57th St., N.Y. (22)
- 14 Pierre Matisse, Inc., 41 E. 57th St., N.Y. (22)
- 15 Milch Gallery, 108 W. 57th St., N.Y. (19)
- 16 Midtown Gallery, 605 Madison Ave., N.Y.
- 17 Newhouse Gallery, 15 E. 57th St., N.Y. (22)
- 18 O'Connor Gallery, 640 Madison Ave., N.Y. (22)
- 19 Old Print Shop, 150 Lexington Ave., N.Y. (16)
- 20 Passedoit Gallery, 121 E. 57th St., N.Y. (22)
- 21 Perls Gallery, 32 E. 58th St., N.Y. (22)
- 22 Frank K. M. Rehn, Inc., 683 5th Ave., N.Y. (22)
- 23 Paul Rosenberg Gallery, 16 E. 57th St., N.Y. P. R. and Co. (22)
- 24 Schaefer Gallery, Inc., 52 E. 58th St., N.Y. (22)
- 25 Tannhauser Gallery, 165 E. 52nd St., N.Y. (J. K. Tannhauser)
- 26 Weyhe Gallery, 794 Lexington Ave., N.Y. (21)
- 27 Wildenstein Gallery, 19 E. 64th St., N.Y. + Co. Inc.
- 28 Howard Young Gallery, 1 E. 57th St., N.Y.
- 29 Nierendorf Gallery, 53 E. 57th St., N.Y. 22
- 30 The Kende Gallery at Gimbel Bros., 33rd and Broadway, N.Y. (1)
- 31 Valentine Gallery, 55 E. 57th St., N.Y. of Modern Art
- 32 Jacob Hirsch, 30 W. 54th St., N.Y. (19)
- 33 E. & A. Silberman Gallery, 32 E. 57th St., N.Y. (22)
- 34 Schultheis Gallery, 15 Maiden Lane, N.Y.
- 35 S. Hartveld Gallery, 21 E. 57th St., N.Y. (22)
- 36 Stendahl Art Galleries, 7055 Hillside Ave., Hollywood 28
- 37 Julius Lowy, Inc., 52 E. 57th St., N.Y.
- 38 Niveau Gallery, 63 E. 57th, N.Y. (22) 57th
- 39 Parke-Bernet Galleries, Inc., 30 E. 47th
- 40 Julian Levy Gallery, 42 E. 57th St., N.Y. (22)
- 41 Downtown Gallery, 32 E. 51st St., N.Y. (22)
- 42 S.F. Aram, 71 E. 57th, N.Y. (22)
- 43 Schneider-Gabriel Galleries, 69 E. 57th St., N.Y.
- 44 Duveen Bros., Inc., 720 5th Ave., N.Y. (19)
- 45 Acquavella Gallery, 38 E. 57th St., N.Y. (22)
- 46 Paul Hineman Gallery, 11 E. 80th St., N.Y.
- 47 Julius Weitzner, Inc., 36 E. 57th St., N.Y. (22)

none
renewed
Nov 11-49

(Rehn)
none
Schaeffer

RG59 Box 1
 60-62 D-4

DECLASSIFIED
 Authority NND 968071
 BY JMT
 Date 6/10/89

114948

Drawings prepared by the Office of Development and Planning
 CONCERNING THE OFFICE OF DEVELOPMENT AND PLANNING

58

- 47 John Levy Galleries, Inc., 11 E. 57th St., N.Y.
- 48 Carroll Carstairs, 11 E. 57th St., N.Y. (22)
- 50 Jacques Seligmann, 5 E. 57th St., N.Y. (22)
- 51 Arnold Rey Seligmann & Co., 11 E. 52nd St., N.Y. (22)
- 52 Joseph Brummer Gallery, 110 E. 58th St., N.Y. (22)
- 53 Dikran A. Kelekian, Inc. 20 E. 57th St., N.Y.
- 54 Gimbel Bros. Art Department, 33rd & Broadway
- 55 Hammer Galleries, 682 5th Ave., N.Y.
- 56 Doll and Richards, Inc. 140 Newbury St., Boston, Mass.
- 57 Robert C. Vose Gallery, 559 Boylston St., Boston, Mass.
- Museums 58 White Gallery - 1520 Conn. Ave., N.W., Wash., D.C.
- 1. ~~Free~~
- 2 Metropolitan Museum of Art, 5th Ave. at 82nd St., N.Y. (28)
- 3 Whitney Museum, 10 W. 8th St., N.Y. (1) of American Art
- 4 Brooklyn Museum, Eastern Parkway, Brooklyn, N.Y. (1) + Washington Ave.
- 5 American Museum of Natural History, 79th St. at Central Park West. (24)
- 6 Museum of the City of New York, 5th Ave. at 104th St. (29)
- 7 Museum of Modern Art, 11 W. 53rd St. N.Y. (19)
- 8 N.Y. Historical Society, 170 Central Park West, N.Y. (77th St.) (24)
- 9 Riverside Museum, 310 Riverside Drive at 103rd St. (25)
- 10 Albany Institute of History and Art, Albany, N.Y. (6) 125 Washington Ave.
- 11 Addison Gallery, Phillips Academy, Andover, Mass.
- 12 Walters Art Gallery, Baltimore, Md. - 608 N. Charles St. (1)
- 13 Baltimore Museum of Art, Baltimore, Md.
- 14 Cranbrook Gallery, Bloomfield Hills, Mich. (Modern Museum of Cranbrook Acad. of Art)
- 15 ~~Doll and Richards, Inc., Newbury St., Boston, Mass.~~
- 16 ~~Institute of Modern Art, Newbury St., Boston, Mass. (16) Contemporary~~
- 17 ~~Museum of Fine Arts, Huntington Ave., Boston, Mass. (15)~~
- 18 ~~Robert C. Vose Gallery, Boylston St., Boston, Mass.~~
- 19 Albright Art Gallery, Buffalo, N.Y. (2) Delaware Park
- 20 Art Institute of Chicago, Chicago, Ill. (3) Michigan Ave. at Adams St.
- 21 Cleveland Art Museum, Cleveland, Ohio. (6) East Blvd + Billflower Rd.
- 22 Fine Arts Center, Colorado Springs, Colorado. 30 W. Dale St.
- 23 Gallery of Fine Arts, Columbus, Ohio. (5) 480 E. Broad St. at Wash. Ave.
- 24 Museum of Fine Arts, Dallas, Texas. (10) Fair Park
- 25 Denver Art Museum, Denver, Col. (2) Municipal Bldg. Civic Center
- 26 Detroit Institute of Arts, Detroit, Mich. (2) 5200 Woodward Ave.
- 27 Fitchburg Art Center, Fitchburg, Mass. Merriam Parkway
- 28 Wadsworth Atheneum, Hartford, Conn. (3) 25 Athenaeum Sq., North
- 29 John Herron Art Institute, Indianapolis, Ind. (2) Penn. & 16th Sts.
- 30 Los Angeles County Museum of History Science & Art., Los Angeles
- 31 Brooks Memorial Art Gallery, Memphis, Tenn. (2) Overton Park
- 32 Milwaukee Art Institute, Milwaukee, Wis. 772 N. Jefferson St. (2)
- 33 Layton Art Gallery, Milwaukee, Wis. (2) 758 N. Jefferson St.
- 34 Minneapolis Art Institute, Minneapolis, Minn. 201 E 24th St (4)
- 35 Walker Art Gallery, Minneapolis, Minn. 1710 Lyndale Ave. S. (5)
- 36 Montclair Art Museum, Montclair, N.J. 3 S. Mountain Ave. at Bloomfield Ave.
- 37 Newark Museum, Newark, N.J. (2) 49 Washington St. (2)
- 38 Delgado Museum, New Orleans, La. - City Park (19)
- 39 Philadelphia Museum of Art, Philadelphia, Pa. City at 26th St (3)
- 40 Pennsylvania Academy of Fine Arts, Chestnut St. Philadelphia, Pa.
Broad & Cherry Sts.

Dealer
Dealer
Col. Springs
Columbus
Dallas

RG59 Box 1
Lot 620-4

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NARA Date 6/10/99

114949

- 39 University Museum, Philadelphia, Pa. ^{33rd + Spruce Sts.} (4)
- 40 Carnegie Institute, Pittsburgh, Pa. (Dept. of Fine Arts) 4400 Forbes St (13)
- 41 Berkshire Museum, Pittsfield, Mass. 39 South St.
- 42 Rhode Island School of Design, Providence, R.I. 224 Benefit St. + 11 Waterman St. (6)
- Rochester 43 Memorial Art Gallery, Rochester, N.Y. 490 University Ave (7)
- 44 Fine Arts Gallery, Balboa Park San Diego, Calif (1)
- 45 San Francisco Museum of Art, San Francisco, Cal. (Civic Center) ^{near Memorial Park}
- Calif 46 Palace of the Legion of Honor, Lincoln Park, San Francisco, Cal ⁽²¹⁾
- 47 M. H. DeYoung ^{Memorial} Museum, San Francisco, Calif. ^{Golden Gate Park} (18)
- 48 Portland Art Museum, Portland, Oregon. S.W. Park Ave at Madison St (5)
- 49 Seattle Art Museum, Seattle, Wash. - Volunteer Park
- 50 Springfield Museum of Fine Arts Springfield, Mass. (49 Chestnut St) (5)
- 57 Syracuse Museum of Fine Arts, Syracuse, N.Y. 407 James St
- 52 Toledo Art ~~Museum~~ Toledo, Ohio ^{Monroe St at Scottwood Ave} (2)
- 53 Munson-Williams-Proctor Institute, Utica, N.Y. 312-318 Seneca St (4)
- 54 Corcoran Gallery of Art, Washington D.C. 17th St & N.Y. Ave NW (6)
- W.D. 55 National Museum, Smithsonian Institution, Washington 25, D.C. ^{Jefferson Dr} 10th St.
- ~~Whyte Gallery, Connecticut Ave., Washington D.C.~~
- 64 56 Wichita Art Museum, Wichita, Kansas. 619 Stackman Dr. (3)
- 57 Worcester Art Museum, Worcester, Mass. 55 Salisbury St at Stackman St (2)
- 58 Butler Art Institute, Youngstown, Ohio 524 Hick Ave. (2)
- 59 Fogg Art Museum, Harvard University, Cambridge, Mass. Quincy St + Broadway (3)
- 60 Yale Gallery of Fine Arts, Yale University, New Haven, Conn. High + Chapel
- 61 William Rockhill Nelson Art Gallery, Kansas City, Mo. 4525 Oak St (2) St
- 62 Dayton Art Institute, Dayton, Ohio. Forest + Riverview Aves. (5)
- 63 Joslyn Museum, Omaha Neb. ^{Memorial Art} - 2218 Dodge St (2)
- 64 Phillips Memorial Gallery, Washington, D.C. 1600 - 21st St NW (9)

RG59 Box 1
lot 620-4

Authority AND 968071
DECLASSIFIED
NARA Date 6/10/99

114950

THE AMERICAN COMMISSION FOR THE PROTECTION AND SALVAGE
OF ARTISTIC AND HISTORIC MONUMENTS IN WAR AREAS

Owen J. Roberts, *Chairman*
David E. Finley, *Vice Chairman*
Huntington Cairns, *Secretary*
Charles H. Sawyer, *Assistant Secretary*
William Bell Dinsmoor
Herbert H. Lehman
Paul J. Sachs
Archbishop F. J. Spellman
Francis Henry Taylor
John Walker, *Special Advisor*
Sumner McK. Crosby, *Special Advisor*

OFFICE OF THE SECRETARY
NATIONAL GALLERY OF ART
WASHINGTON 25, D. C.

TO MUSEUMS, ART AND ANTIQUE DEALERS AND AUCTION HOUSES:

This Commission has had numerous reports of objects being offered to museums and to the trade by present and former members of the armed forces. Where the source or origin of these objects may be obscure or suspicious and where the objects may be of special artistic importance, the Commission would appreciate being informed of the facts with as full and specific information as possible concerning the objects themselves and the circumstances under which they came to your attention.

The above information will be made available to the Customs and the Foreign Funds Control officials in the Treasury Department for their attention and any further investigation that may be required. The source of the information will be treated as confidential.

It is, of course, obvious that no clear title can be passed on objects that have been looted from public or private collections abroad. We believe, therefore, that it is to the advantage of both public institutions and the trade, as well as for the good name of this Government and its armed forces, that any specific examples of looting of works of art or cultural materials be brought to light as soon as possible.

RGS9 Box 1
Lot 62D-4

Authority AND 968071
UNCLASSIFIED
By NARA Date 6/10/99

114951

A.R.N. H.D.O.-R

U. S. to Round Up and Return Art Treasures G. I.s Took Home

By The Associated Press
WASHINGTON, Feb. 11.—Artistic and historical loot brought home by members of the American armed forces is to be rounded up for return, and the government threatens prosecution for refusal to give up any such objects worth \$5,000 or more.

The plan was disclosed today in a memorandum drawn up by the State Department and circulated in the War and Navy Departments. It declares:

"The introduction of looted objects of art into this country is contrary to the general policy of the United States and to the commitments of the United States."

under the Hague Convention of 1907 and in case of objects of a value of \$5,000 or more is a contravention of Federal law. It is incumbent on this government, therefore, to exert every reasonable effort to right such wrongs as may be brought to light."

The preamble of the memorandum refers to cultural objects "imported into this country by members of the armed forces."

To carry out the program the memorandum provides that the State Department send to all museums, libraries, art galleries, antique dealers and book sellers a

U. S. Round Up

(Continued from page one)

partment immediately of any information they have. Such letters have already gone out.

The circular also provides that:

1. The State Department will write to "all known holders of such objects who have been unwilling to give them up," formally requesting surrender of the material.

2. In the case of objects valued at \$5,000 or more the Justice Department will be asked to bring suit under the national stolen property act if the request for surrender is not complied with.

Looted art taken from Germany, Austria, Japan or Korea is to be turned over to the War Department for transport to military government authorities in the country of origin. If it is impossible to deliver the material to the country immediately the National Gallery of Art will be asked to assume temporary custody.

When objects owned by countries with diplomatic representation in the United States are surrendered the material will be turned over to the proper embassy or legation.

The instructions developed out of a recommendation made last year by the American Commission for the Protection and Salvage of Artistic and Historic Monuments in war areas. The recommendation

was sent to General John H. Hilldring, Assistant Secretary of State for Cultural Affairs.

The government recently acted in two spectacular cases of foreign valuables. Colonel Jack Durant is being tried in Washington on charges of stealing \$1,500,000 worth of Hessian crown jewels. The Justice Department announced yesterday seizure of three paintings, including a \$140,000 Rembrandt self-portrait, at Dayton, Ohio. [These, however, were reportedly smuggled in some years ago, not by service men, and were later bought by the Dayton holder.]

The new policy statement may speed up a decision on disposition on forty-four teakwood boxes full of silver service for 500 people held in Baltimore by the 175th Regiment, the old "Dandy Fifth" of the 29th Division.

Colonel William Purnell, wartime commander of the unit, notified the War Department of the silver's whereabouts and expressed the hope it would be regarded as legitimate spoils of war and permitted to remain in Maryland. A department spokesman yesterday said it was still studying the case.

Colonel Purnell said the silver bears the crest of the former German royal family and it has been estimated to be worth as much as \$800,000. He said the 175th was asked by a German division to take the silver before the Russians arrived. It was declared to Immigration authorities upon the regiment's return to the United States.

RG59 Box 1
lot 62D-4

BY DATE 6/10/99
AUTHORITY NND 968071
DECLASSIFIED

114952

No Hoarding

**Enemy Loot
Must Be
Surrendered**

By the Associated Press

Artistic and historical loot brought home by members of the American armed forces is to be rounded up for return, and the Government threatens prosecution for refusal to give up any such objects worth \$5000 or more.

The plan was disclosed yesterday in a memorandum drawn up by the State Department and circulated in the War and Navy Departments.

The preamble of the memorandum refers to cultural objects "imported into this country by members of the armed forces."

Circular to Be Sent

To carry out the program, the memorandum provides that the State Department send to all museums, libraries, art galleries, antique dealers, and book sellers a circular asking them to be alert for looted art and to notify the department immediately of any information they have. Such letters already have gone out.

The circular also provides that:

1. The State Department will write "all known holders of such objects who have been unwilling to give them up," formally requesting surrender of the material.

2. In the case of objects valued at \$5000 or more, the Justice Department will be asked to bring suit under the National Stolen Property Act if the request for surrender is not complied with.

May Affect Silver Trove

Baltimore, Feb. 11 (AP).—The Government's policy statement on art brought home by soldiers may speed up a decision on disposition of 44 teakwood boxes full of silver service for 500 people held in Baltimore by the 175th Regiment, the old "Dandy Fifth" of the Twentieth Division.

Col. William Purnell, wartime commander of the unit, notified the War Department of the silver's whereabouts and expressed the hope it would be regarded as legitimate spoils of war and permitted to remain in Maryland. A department spokesman yesterday said it still was studying the case.

Colonel Purnell said the silver bears the crest of the former German royal family and it has been estimated as worth as much as \$800,000. He said the 175th was asked by a German division to take the silver before the Russians arrived. It was declared to immigration authorities upon the regiment's return to the United States.

145 Miss Mals

THE EVENING STAR, Washington, D. C.
WEDNESDAY, FEBRUARY 12, 1947.

**War Department Plans
To Warn Art Dealers
On Looted Objects**

The War Department is considering notifying the Nation's art dealers and auctioneers to be on the lookout for looted objects of art from occupied areas.

A Department spokesman disclosed this today in confirming reports that War, State and Navy Departments are working on a policy statement calling for voluntary return of valuables brought home by servicemen.

The statement is expected to declare that introduction of looted objects of art into this country is "contrary to the general policy of the United States" and to threaten those possessing valuables worth more than \$5,000 with prosecution.

Recovered property would be turned over eventually to embassies or legations involved or returned to military authorities of occupied areas.

The contemplated statement is believed to be an outgrowth of recent Nation-wide attention given the looting of the Hesse family jewels. Col. Jack W. Durant is being tried by court martial here on charges of stealing the jewels from Germany.

The Justice Department announced Monday it had seized three paintings, including a \$140,000 self-portrait by Rembrandt, at Dayton, Ohio.

RGS9 Box 1
Lot 62D-4

Authority NND 968071
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BY JAP Date 6/6/99

114953

45 Miss 1941

U.S. Herald Tribune
Feb. 12, 1947

U. S. Now Holds 17 Cases of Art G. I.s Brought In

Coins, Manuscripts, Gems of 'Secondary Value'; No Big Finds Foreseen

Seventeen cases of objets d'art brought home from Europe or Japan by members of the armed forces have been "detained" by the government, it was learned yesterday, for return to rightful owners abroad.

The objects, all of secondary artistic or historical importance, include paintings, jewelry, old coins and illuminated manuscripts. They have been impounded by the Bureau of Customs or, in many cases, surrendered voluntarily by service men to museums or to the National Gallery of Art in Washington.

A State Department plan to round up additional loot wrongfully held in this country was announced Tuesday, but responsible sources agreed yesterday that this was more a gesture of hope than a program destined to turn up articles of great value.

'Twas Hitler's, but—

Among paintings, for example, the principal works not yet accounted for are a few of those confiscated during the war by Adolf Hitler and held for his collection when last heard of, in a repository in Munich. None is of real worth; Hitler's taste in art was atrocious.

According to the State Department's Office of International Information and Cultural Affairs, one of the more important objects known to be in this country and not yet recovered is a fourteenth-century manuscript copy of Petrarch's "De Africa," pride of the Trieste Library before the war. Walter Rechsteiner, twenty-six, of 728 Twenty-fourth Street, Union City, N. J., bought it from a civilian in Italy for \$75 and two cartons of cigarettes, he is holding it in the pending determination of its ownership is completed.

A more complicated case also being accounted for that of the \$200,000 silver service for 500 persons held in Baltimore by the 175th Regiment, which received it as a gift from a German division. The Germans wanted to keep it out of the hands of the Russians, according to Colonel William Jurnell, wartime commander of the regiment.

"Mostly Small Stuff Left"

The State Department program will enlist the aid of museums, art galleries, libraries, antique dealers and book sellers, asking them to notify the Department when looted objects come to their attention. The Department will proceed to recover them, if necessary, taking action under the national stolen property act when the article is valued at more than \$5,000.

Francis Henry Taylor, director of the Metropolitan Museum of Art, said yesterday that former service men bring in articles from time to time to ascertain their worth. Nothing "of particular value" has come to his attention, he said, although in most cases the men have voluntarily reported to Customs. Mr. Taylor, who was a member of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, offered it as his candid opinion that remaining looted art is "mostly small stuff."

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BY AJP NARA Date 6/10/99

114954

ADDRESS OFFICIAL COMMUNICATIONS TO
THE SECRETARY OF STATE
WASHINGTON 25, D. C.



DEPARTMENT OF STATE
WASHINGTON

RETURN OF LOOTED OBJECTS OF ART TO COUNTRIES OF ORIGIN

*Memorandum by the State Department Member of the
State-War-Navy Coordinating Committee*

*Approved by the State-War-Navy Coordinating Committee, Jan. 28, 1947.
Printed in Department of State Bulletin, Vol. XVI, No. 399, Feb. 23, 1947.*

The introduction of looted objects of art into this country is contrary to the general policy of the United States and to the commitments of the United States under the Hague Convention of 1907 and in case of objects of a value of \$5,000 or more is a contravention of Federal law. It is incumbent on this Government, therefore, to exert every reasonable effort to right such wrongs as may be brought to light.

The following program is proposed to that end:

1. The Department of State should send to all museums, libraries, university departments of fine arts, art and antique dealers and auction houses and booksellers a circular of the following content:

a. The responsibility and the desire of this Government to return to their countries of origin those cultural objects which have been wrongfully taken and brought to the United States during and after the war;

b. A request that recipients of the circular be vigilant to note objects in that category, when feasible to invite deposit of such objects pending settlement, and to notify the Department of State immediately of any obtainable information concerning such objects.

2. The Department of State should address letters to all known holders of such objects who have been unwilling to give them up to the circularized groups formally requesting the surrender of the objects in question.

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by A.M. NARA Date 6/10/69
Authority NWD 968071
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3. In the case of objects having a value of \$5,000 or more the Department of State should request the Department of Justice to bring suit under the National Stolen Property Act in case a request is not satisfactorily answered.

4. When the ownership of surrendered objects can be easily determined and such objects are known to belong in countries having diplomatic representation in the United States, the Department of State should make arrangements to have the objects in question suitably packed and delivered to the indicated embassy or legation in Washington and receive an authenticated receipt therefor. If there is some question as to ownership or the local mission does not wish to accept responsibility for return of the property, such property shall be returned to the United States Military Government from whose jurisdiction it was removed so that restitution may be made through the usual channels.

5. When surrendered objects are determined to belong in Germany or Austria or Japan or Korea the State Department should make arrangements for suitably packing and delivery to the War Department for transport to United States Military Government authorities in the country of origin. Should conditions obtaining in a given occupied country make it unwise immediately to return a surrendered object, the State Department should ask the National Gallery of Art to assume temporary custody.

6. The expenses of this program should be borne in the following manner:

a. If the person surrendering a given object acquired it while serving in the Army or under Army jurisdiction, the War Department should defray the necessary costs of return.

b. If the person surrendering a given object acquired it while serving in the Navy or Marine Corps or Coast Guard or under Navy or Marine Corps or Coast Guard jurisdiction, the Navy Department should defray the necessary costs of return.

c. Should it be impossible to determine the manner in which a looted cultural object has been brought into the United States the Department of State should meet the costs.

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Authority NND 968071
By [signature] NARA Date 6/10/99

114956

THE AMERICAN COMMISSION FOR THE PROTECTION AND SALVAGE
OF ARTISTIC AND HISTORIC MONUMENTS IN WAR AREAS

Owen J. Roberts, *Chairman*
David E. Finley, *Vice Chairman*
Huntington Cairns, *Secretary*
Charles H. Sawyer, *Assistant Secretary*
William Bell Dinsmoor
Herbert H. Lehman
Paul J. Sachs
Archbishop F. J. Spellman
Francis Henry Taylor
John Walker, *Special Advisor*
Sumner McK. Crosby, *Special Advisor*

OFFICE OF THE SECRETARY
NATIONAL GALLERY OF ART
WASHINGTON 25, D. C.

TO MUSEUMS, ART AND ANTIQUE DEALERS AND AUCTION HOUSES:

This Commission has had numerous reports of objects being offered to museums and to the trade by present and former members of the armed forces. Where the source or origin of these objects may be obscure or suspicious and where the objects may be of special artistic importance, the Commission would appreciate being informed of the facts with as full and specific information as possible concerning the objects themselves and the circumstances under which they came to your attention.

The above information will be made available to the Customs and the Foreign Funds Control officials in the Treasury Department for their attention and any further investigation that may be required. The source of the information will be treated as confidential.

It is, of course, obvious that no clear title can be passed on objects that have been looted from public or private collections abroad. We believe, therefore, that it is to the advantage of both public institutions and the trade, as well as for the good name of this Government and its armed forces, that any specific examples of looting of works of art or cultural materials be brought to light as soon as possible.

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Authority NND 968071
By JTB NARA Date 6/10/89

114957

SWNCC 322

Procedure outlined by Mr. Frank Russell.

6. When the return of looted art held in Customs is to be effected, a petition should be sent to the Bureau of Customs for the delivery of art objects in their custody to the department concerned, ^{state that objects should be returned to} either War, Navy, or State, or to the Embassy designated.

Receipt should be issued to Customs on delivery to department or embassy.

The State Department should obtain a receipt from the American Military Government or from ^{government of the} the/country of origin, when return is fully effected.

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lot 62 D-4

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Authority AND 968071
By JTT NARA Date 6/10/99

114958

DRAFT OF LETTER TO ACCOMPANY LIST OF IMPORTATIONS BY MEMBERS OF THE ARMED
FORCES.

American Commission

Dear Mr. Secretary:

At this time, the American Commission, anticipating the conclusion of its activities on June 30, 1946, respectfully submits to the War Department the following plan for the disposal of cultural objects imported into this country by returning members of the armed forces. This plan has been tentatively outlined in cooperation with the Office of the Chief of the Government Branch, Civil Affairs Division of the War Department.

The Commission, to assist in inaugurating a program for the return of such objects to the countries to which they rightfully belong, will write letters to the individuals on the attached list, who are the present holders of the objects, instructing them to inform the War Department that they are prepared to turn over the material to the local Service Command, together with all information concerning the material, and particularly its destination, if known. The War Department will then instruct the local Service Command to secure the material and give a receipt for it to its present holder. The material will be packed and shipped by the Quartermaster Division.

All material of German origin will go to the Office of Military Government (U.S.), Economics Division, Monuments, Fine Arts and Archives Section, in Berlin, for distribution to the military governments of the areas in which it originated. In cases of German material the exact location of origin of which is not known, the Berlin office will hold the material until it can be identified, and will then send it to its point of origin.

Objects from all other countries will be handled in the same manner as the material from Germany, except that they will be shipped to American Embassies in each country concerned, and returned to their points of origin

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Lot 62D-4

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AUTHORITY NND 968071
DATE 6/10/99

114959

American Commission

through the Embassies.

It is anticipated that many possessors of such material, who of their own volition wish that it be returned, will take it for temporary custody and advice to local museums, customs authorities, universities, libraries, dealers. Therefore, if this plan is approved by the War Department, the Commission will undertake to circularize all institutions, dealers, etc., likely to receive this material, instructing them to gather all pertinent information on the objects at the time they are received for temporary custody, and to notify the War Department, requesting further instructions.

(War Department)

A copy of this letter is being presented simultaneously to the Department of State for concurrence or suggestions on this plan as it might affect policy or administration.

Sincerely,

Huntington Cairns
Secretary-Treasurer

The Honorable Robert P. Patterson
The Secretary of War
War Department
Washington 25, D. C.

RG59 Box 1

Lot 620-4

DECLASSIFIED
Authority NND 968071
By AJP NARA Date 6/10/99

114960

KROZIE

FOI No. 7903195

MAR 27 1980

Mailed

Mr. Howard B. Stravitz
Cleary, Gottlieb, Steen & Hamilton
One State Street Plaza
New York, NY 10004

MAY 1980

Dear Mr. Stravitz:

I refer to our letter of November 16, 1979, in response to your request under the Freedom of Information Act for the release of certain Department of State records. You will recall that, in that letter, we stated that one of the documents in the file in which you were interested had been earlier denied and would require re-review before release.

That review has now been completed. I am pleased to inform you that the document in question can be released in full and is enclosed.

Sincerely,

Clayton E. McManaway
Deputy Assistant Secretary
Classification/Declassification Center
Bureau of Administration

Enclosures:
As stated

cc: Harry I. Rand

Drafter: A/CDC/MR: JBlodgett: bsw 1/30/80

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4-D 629 101

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Authority AND 968071
NAPA Date 6/10/99

114961

REPRODUCED AT THE NATIONAL ARCHIVES



DEPARTMENT OF STATE

Washington, D.C. 20520 Ref: FOI Case No. 710787
December 21, 1978

~~PA/FOI~~
FADRC

Mr. Jim Surkamp,
115 West 78th Street,
New York, New York.

Dear Mr. Surkamp:

I refer to your letter of March 22, 1977, requesting access to Records 62D-4 Arts and Monuments Advisory Group to the Department of State between the dates of 1949 and 1960. The records requested consist of 15 cubic feet of material. The Freedom of Information Staff, Bureau of Public Affairs, will inform you regarding access to this material, which is now releasable.

Two documents have been removed from this collection. One document (8 pages), originated by the Federal Bureau of Investigation, has been referred to that agency for review and direct reply. *From FBI, 4/22/52*

re: Ernest R. Speagle, Jr.
My colleagues and I have determined that the other document (one page) continues to meet the classification requirements prescribed in Section 1-3 of Executive Order 12065 despite the passage of time. It concerns a foreign relations matter, the disclosure of which could reasonably be expected to cause identifiable damage to the national security. It is, therefore, exempt from disclosure under Section (b)(1) of the Freedom of Information Act.

You should be aware that, under the Freedom of Information Act, you have the right to appeal this determination within sixty days. The appeal should be addressed to the Assistant Secretary of State for Public Affairs, Department of State, Washington, D.C. 20520.

Sincerely yours,

Sharon E. Ahmad
Deputy Assistant Secretary
for European Affairs

Clearance:
L/ECP - Mr. Maurer

Frankfurt D-378
262.004/8-1650

envelope in box 6

RG59 Box 1
1042940

DECLASSIFIED
Authority NND 968071
By *AP* NARA Date *6/10/99*

114962

FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

23

SECURITY : ~~CONFIDENTIAL~~ # 6 *classified*

PRIORITY: AIR POUCH

For Dept. use only.

TO : Department of State

262.0041/8-1650

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FROM : HIGOG FRANKFURT 378 August 16, 1950

REF :

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SUBJECT : REQUEST FOR RETURN OF MAINZ PSALTER TO DRESDEN

In a letter dated June 22, 1950, the Minister of Education Land Sachsen, Soviet Zone, has protested the loan to the Gutenberg Library of the Mainz Psalter and demanded its return to Dresden. Our reply stated merely that former possession of the Psalter by the Saechsische Landesbibliothek is not disputed but that, pending an over-all settlement of the problem of displaced art and cultural objects, it cannot be returned.

It is not known how much control the Soviet Authorities still exercise in these matters in Saxony.

We are anxious to recover the Hildegard Codex and over seventy Wiesbaden paintings held at Dresden and Pillnitz, but are reluctant to consider opening negotiations even on a German-to-German basis lest this raise the question of Prussian State and other Eastzone property held here and in the British Zone. The quantity of known Western property in the Soviet Zone is very small and not worth jeopardizing our own holdings. It is possible that the Hessian and Saxon Education Ministers could arrange a private exchange of the Codex and paintings for the Psalter. Question of application Article VI of MG Law 19 also arises. May we have your comments and advice?

WILLIAM G. DANIELS
Chief, Property Division
Office of Economic Affairs

HKDreman/eh

DIVISION OF LIBRARIES AND INSTITUTES

AUG 24 1950

DEPARTMENT OF STATE

THIS IS NOT A PERMANENT RECORD COPY.

~~CONFIDENTIAL~~

Retain in office files or destroy in accordance with security regulations. Reproduction of this message is not authorized.

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Authority NND 968071
By AJP Date 6/10/99

114963

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OK TO
Release per
3/11/79
FBI Mr. Meyer:

Should be sent
promptly to
FBI for direct
reply: ~~of [unclear]~~

mg.

copy sent
to FBI for review

RG59 Box 1
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DECLASSIFIED
Authority NND 968071
By AJP NARA Date 6/10/99

114964

REPRODUCED AT THE NATIONAL ARCHIVES

T
MAR 01 1979

Mr. Jim Surkamp
115 West 78th Street
New York, New York 10024

Dear Mr. Surkamp:

Reference is made to my letter dated February 12, 1979, regarding your Freedom of Information-Privacy Act request to the Department of State.

Enclosed is one document referred to us by that agency and it is being released to you in its entirety.

Sincerely yours,

Thomas H. Bresson, Acting Chief
Freedom of Information-
Privacy Act Branch
Records Management Division

Enclosure

1 - Director
Foreign Affairs Document and
Reference Center
Department of State
Room 1239
2201 C Street, N.W.
Washington, D. C.

(Re: FOIPA Case No. 710787)

Note: Document consisting of 3 pages from Bufile 59-1466-1
Irbinek (5)

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Lot 62D-4

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AUTHORITY AND 968071
DATE 6/10/99 BY NARA

114965

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Washington 25, D. C.

C
O
P
Y

Date: April 22, 1952
To: Assistant Chief of Staff, G-2
Department of the Army
The Pentagon
Washington 25, D. C. Attention: Chief
Security Division
From: J. Edgar Hoover - Director, Federal Bureau of Investigation
Subject: ERNEST R. SPEAGLE, wa.,
Ernst Richard Spiegel
INFORMATION CONCERNING

CONFIDENTIAL

There is attached for your information a memorandum setting forth certain information received by this Bureau concerning subject which may relate to a violation within the jurisdiction of your office.

The Commissioner, Bureau of Customs, and the Security Division of the State Department are being advised.

Attachment

cc: Commissioner CONFIDENTIAL
Bureau of Customs BY OFFICIAL MESSENGER
Wilkins Building
1512 H Street, N.W.,
Washington 25, D.C.
Attention: Mr. Chester A. Emerick
Deputy Commissioner (with attachment)

Mr. Donald L. Nicholson CONFIDENTIAL
Chief BY SPECIAL MESSENGER
Division of Security
Department of State
515 Twenty-second Street, N.W.,
Washington, D. C. (with attachment)

RG59 Box 1
lot 62D-4

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Washington 25, D.C.

April 22, 1952

MEMORANDUM

Re: ERNEST R. SPEAGLE, wa.,
Ernst Richard Spiegel
INFORMATION CONCERNING

The following information has been received by the Los Angeles Division of this Bureau:

Philip N. Rosenbach of The Rosenbach Company, 1618 Locust Street, Philadelphia 3, Pennsylvania, and 822 East 57th Street, New York 22, New York, temporarily residing at 3278 Wilshire Boulevard, Los Angeles, California, advised that a man presenting a card reading "Ernest R. Speagle, Ph.D., 200 South New Hampshire Avenue, Los Angeles 4, California" recently endeavored to sell him a rare book entitled "Anti-Christ," printed in 1450 and described as a folio of twenty-six leaves, 15 x 24 inches, and containing sixty-six half-page and two full-page woodcuts in color. The Latin text of the book is in handwriting and according to Mr. Rosenbach the book is unique, antedating the use of movable type.

Speagle first offered the book to Rosenbach for \$7,000 but did not show the pedigree or give the owner's name. He claimed to have a certificate dated 1948 or 1949 from the German or other government showing ownership. Speagle claimed the book was brought from Germany and had previously belonged to a German prince, having been sold at auction on May 7, 1935, at Munich, Germany.

Speagle never showed Rosenbach any evidence of ownership of the book but on later visits raised the price to \$10,000 and then to 20,000. Rosenbach values the book at \$15,000.

According to Rosenbach, he looked up the book and found that it once belonged to Prince Gestingon Wallenstein and was sold at auction in Munich on May 7, 1935, being described in the Karel and Faber Catalogue #21.

Speagle also offered for sale three or four gold jewel boxes valued at about \$1,000 and miniature articles manufactured about 1650 valued at about \$2,000, all being German antiques and none having been purchased by Rosenbach.

Speagle advised Rosenbach that he was formerly in the antique business in Munich and left there in 1937 or 1938.

Rosenbach feels that the book may be an art object unlawfully removed from Germany after the war. Rosenbach advised that Speagle had not contacted him after March 29, 1952.

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lot 620-4

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Date 6/10/89

114967

Speagle may be identical with one Ernst Richard Spiegel who was born in Munich, Germany on August 20, 1878, and who arrived in the United States on January 8, 1937. Spiegel was formerly employed at Maspeth, New York, and lived at 200 South New Hampshire Avenue, Los Angeles, California. Inquiry reflects that Spiegel changed his name to Speagle and was admitted to citizenship at Los Angeles on August 13, 1943, certificate #5,846,543.

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lot 620-4

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Authority AND 968071
Date 6/6/99

114968

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Washington 25, D. C.

C
O
P
Y

Date: April 22, 1952
To: Assistant Chief of Staff, G-2
Department of the Army
The Pentagon
Washington 25, D. C. CONFIDENTIAL
Attention: Chief Security Division
From: J. Edgar Hoover - Director, Federal Bureau of Investigation
Subject: ERNEST R. SPEAGLE, wa.,
Ernst Richard Spiegel
INFORMATION CONCERNING

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The Commissioner, Bureau of Customs, and the Security Division of the State Department are being advised.

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Bureau of Customs
Wilkins Building
1512 H Street, N.W.,
Washington 25, D.C. BY OFFICIAL MESSENGER
Attention: Mr. Chester A. Emerick
Deputy Commissioner (with attachment)

Mr. Donald L. Nicholson CONFIDENTIAL
Chief BY SPECIAL MESSENGER
Division of Security
Department of State
515 Twenty-second Street, N.W.,
Washington, D. C. (with attachment)

RG59 Box 1

Lot + 62 D-4

DECLASSIFIED
Authority NND 968071
By JTP NARA Date 6/10/99

114969

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Washington 25, D.C.

April 22, 1952

MEMORANDUM

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Ernst Richard Spiegel
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RG59 Box 1
lot 62D-4

APR 23 1952
Authority NND 968071
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114970

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RG59 Box 1
lot 62D-4

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Authority NND 988071
By ADT NARA Date 6/10/99

114971

FORM DS-12 2-13-47	DEPARTMENT OF STATE REQUEST FOR SUPPLIES EQUIPMENT OR SERVICES	APPROPRIATION - TITLE - AND - SYMBOL			C 33633
Separate Requisitions must be prepared for: A. Supplies listed in Stock Catalog B. Equipment listed in Stock Catalog C. Any items not listed in Stock Catalog D. All service requirements such as tele- phones, buzzer systems, etc.	CHARGE-ALLOTMENT	ORDER-DATE	DELIVERY-DATE		C 33633
		April 28, 1955	URGENT		
	DELIVER TO				
TO: CHIEF, DIVISION OF CENTRAL SERVICES PLEASE FULFILL REQUEST AS LISTED BELOW:	NAME				C 33633
	Ardelia R. Hall				
	OFFICE	DIVISION			
		A/AM			
SECTION					
SIGNATURE OF AUTHORIZED OFFICIAL					
TITLE		BUILDING	ROOM NUMBER	TELEPHONE EXT.	
		SA - 9	1414	2666	

ITEM NO.	STOCK CATALOG NO.	DESCRIPTION OF ITEM OR SERVICES (PLEASE DOUBLE SPACE BETWEEN ITEMS)	QUANTITY	UNIT
	1	<p>Bill of Lading for Two enamels: (1) Baptism of Christ (13th c.) and (2) Three worthies in Fiery Furnace (12th c.) Mrs Charles M. Richards, Registrar, Consignee: The National Gallery of Art, Washington, D. C.</p> <p>From: Boston, Massachusetts.</p> <p>Shipper: Museum of Fine Arts, Boston, Massachusetts.</p> <p>Transportation: Railway Express Agency.</p> <p>Value: \$500.00</p> <p><i>or (2 enamel copies)</i></p> <p>Please send Advance copy for National Gallery of Art and memorandum copy for A/AM with B/L.</p> <p>Please return blue copy of this DS-12 with B/L number to A. Mrs. Gessley, Room 5206 No. <i>DEX - Mr. Chaille</i></p> <p><i>2</i></p> <p><i>D. B/L # S-217512</i></p>		

*EST.
\$15.00*

*RG59 Box 1
Lot 62D-4*

6/10/99
 AUTHORITY AND 968071
 DECLASSIFIED

114972

C 33633

April 28, 1955 URGENT

Ardelia R. Hall

A/AM

SA - 9

1414

2666

1

Bill of Lading for
Two enamels: (1) Baptism of Christ
(13th c.) and (2) Three worthies
in Fiery Furnace (12th c.)

Consignee: *Mr. Charles M. Richards, Registrar*
The National Gallery of Art,
Washington, D. C.

From: Boston, Massachusetts.

Shipper: Museum of Fine Arts,
Boston, Massachusetts.

Transportation: Railway Express Agency.

Value: \$500.00

Please send Advance copy for National
Gallery of Art and memorandum copy for
A/AM with B/L.

Please return blue copy of this DS-12
with B/L number to A: Mrs. Gessley,
Room 5206 NS.

RG59 Box 1

lot 62D-4

DECLASSIFIED
Authority NND 968071
By JTP NARA Date 6/10/89

114973

Department of State REQUEST FOR SUPPLIES, EQUIPMENT OR SERVICES		APPROPRIATION - TITLE - AND - SYMBOL 101120-001-1111-1051		B 32851	
Separate requisitions must be prepared for: A. Supplies listed in Stock Catalog B. Equipment listed in Stock Catalog C. Any items not listed in Stock Catalog D. All service requirements such as tele- phones, buzzer systems, etc.		CHARGE ALLOTMENT 10-7060164	ORDER DATE April 1955		DELIVERY - DATE ASAP
To: CHIEF, DIVISION OF CENTRAL SERVICES Please fulfill request as listed below:		DELIVER TO Ardelia R. Hall			
Signature of Authorized Official		OFFICE A/AM	DIVISION 111		
Title		SECTION Special Services Branch	BUILDING 1000 Penn SA-9	ROOM NUMBER 600 1414	TELEPHONE EXT. 2807 2666

ITEM NO.	STOCK CATALOG NO.	DESCRIPTION OF ITEM OR SERVICES (Please Double Space Between Items)	QUANTITY	UNIT
1		Bill of lading for 423 miniature lead figures Consignee: The National Gallery of Art, Washington, D. C. From: Fort Sam Houston, Texas by Philadelphia, Pennsylvania Shipper: Mr. Charles H. David, Director of Libraries, University of Pennsylvania, Philadelphia 4, Pennsylvania. Transportation: Railway Express Agency. Value: 12 columns, value \$100.00 \$ 500.		
<p style="text-align: right;"> <i>(Department of the Office of the Provost Marshal General Custodian of Evidence 85th MP Detachment (CI) Fort Sam Houston Texas)</i> </p> <p> <i>Please return the blue copy of this DS-12 to Mr. Scott, Room 5206 NS, 1700 Pennsylvania Ave., N.W., with the B/L number appearing thereon.</i> </p> <p> <i>An Request advance copy for National Gallery of Art and memorandum copy for the Department, A/AM is requested -</i> </p>				

*A: Mrs. Jessel
Room 5206 NS*

U.S. GOVERNMENT PRINTING OFFICE: 1949 O-928076

RG59 Box 1
Lot 620-4

DECLASSIFIED
 Authority NND 968071
 BY AJP NARA Date 6/10/99

114974

A - Mrs. K. Gessley
A/AH - Ardelia R. Hall

April 1, 1955

B/L for transportation

A request for a Bill of Lading is herewith attached for signature and the addition of the appropriation title, symbol, and allotment number.

It is to be forwarded to Mr. Crowson, CS/U.

RG59 Box 1
lot 620-4

DECLASSIFIED
Authority NND 968071
By JLP NARA Date 6/10/99

114975

A- Mrs. K. Gessley

September 16, 1954.

A/AM - Ardelia R. Hall

B/L for transportation

^a is herewith attached for signature and
The enclosed request for a Bill of Lading with the addition of the
appropriation title, ~~the~~ symbol, and allotment number, should be forwarded
to Mr. Crowson, CS/U.

It is to

RG59 Box 1
Lot 62 D-4

DECLASSIFIED
Authority NND 968071
By AJP NARA Date 6/10/89

114976

REPRODUCED AT THE NATIONAL ARCHIVES

DS-12 Sent to Mrs.
Geasley for
appropriation
symbol -
June 21, 1954

June 21, 1954

Ardalia H. Hall

A/AM

SA - 9

1414

2666

1 Bill of Lading for

Japanese sword.

Consignee: Mr. Charles H. Richards, Registrar,
National Gallery of Art,
Washington, D. C.

From: Colorado Springs, Colorado.

Shipper: Captain Roger L. Carioni,
529 Saint Elmo Avenue, East,
Colorado Springs, Colorado.

Transportation: Railway Express Agency

Value: \$300.

Please return the blue copy to Mrs. Geasley, A.
Room 5206, N. S. with the B/L number appearing
thereon.

Please send also an advance copy for the National Gallery of Art
and a memorandum copy for the A/AM file.

RG59 Box 1

Lot 62D-4

DECLASSIFIED
Authority NND 968071
By JTP NARA Date 6/10/99

114977

Office Memorandum • UNITED STATES GOVERNMENT

TO : A - Mrs. Gessley

DATE: June 21, 1954

FROM : A/AM - Ardelia R. Hall

SUBJECT: B/L for transportation of art to Washington.

The Japanese sword is being surrendered by a Captain for return to the rightful owner under SWBCC policy 322. The request for a Bill of Lading with the addition of the appropriation title and symbol and allotment number should be forwarded to Mr. Crowson, CS/U, SA - 23.

RGS9 Box 1
Lot 620-4DECLASSIFIED
Authority NND 968071
By A/AM NARA Date 6/10/99

114978

1931124 - International Information
Administration, 1953.

331067
GHC - 1

May 19, 1953 May 21, 1953.

Ardelia R. Hall

IIA, ICS.

SPD

Arts and Monuments Unit.

SA-17

932

2666

1. Bill of lading for

One Book (1495 Missale - Wursburg)

Consignee: Mr. Charles M. Richards, Registrar,
National Gallery of Art
Washington, D. C.

From: Chicago, Illinois

Shipper: Frances Hamill
Hamill and Barker
230 North Michigan Avenue
Chicago, Illinois

Transportation: Railway Express Agency

Value: \$500

Please return the blue copy to Wm. A. Robey,
ICS, SA-17 with the B/L number appearing thereon.

Please send an advance copy for the National
Gallery of Art and a memorandum copy for
the Department, as requested.

RGS9 Box 1

Lot 62D-4

DECLASSIFIED
Authority NND 968071
Date 6/6/99
By JTT

114979

DEPARTMENT OF STATE

Memorandum of Conversation

DATE: October 26, 1950

SUBJECT: Bills of lading.

PARTICIPANTS: Mr. Samsel - DC/P
Miss Hall - ILI

COPIES TO:

1-1483

Mr. Samsel said if anything weighs under 4 lbs. it can be sent under a franked lable. The Post Office frowns on the use of several franked labels. If the books were made up into 4 packages with franked labels, the sender would have to pay postage.

Franked mail cannot be registered outside of Washington.

The bill of lading is the "cleanest" way to bring items to National Gallery of Art.

OEX: ILI: ARHall: mms

RG59 Box 1
Lot 62D-4

DECLASSIFIED
Authority NND 968071
BY SP-7 HAP Date 6/10/99

114980

Paid

1921124

21-00076/212076 April 9, 1952 April 11, 1952

Obligation No. 2

Ardella R. Hall

IIA

ICS

SPB

SA - 26

222

3660

Bill of lading for

Two (2) paintings (van Breckelenkam and Maes).

Consignee: The National Gallery of Art,
Washington, D. C.

From: Detroit Michigan.

Shipper: Customs Agent in Charge
Bureau of Customs
Treasury Department
303 Customhouse
Detroit, Michigan.

Transportation: Railway Express Company

Value: \$500.

Please return the blue copy of this DS-12 with
the B/L number appearing thereon to Wm. A. Robey
Room 223, SA - 26.

An advance copy for the National Gallery of Art
and a memorandum copy for the Department is
requested.

RG59 Box 1
62-020-4

DECLASSIFIED
Authority NND 968071
By: JTP NARA Date 6/10/99

114981

Pending
Duplicate
Verification

1901124.001, IIEA, 1949

allot.OM-3181611 July 26, 1949

Ardelia E. Hall

ONE

ELI

Arts and Monuments

Administrative Officer, ELI

1778 Penn. Ave.

516

x373B

1

Bill of lading for one painting of the
Crucifixion, unframed.

Consignee: The National Gallery of Art,
Washington, D. C.

From: Rome, Georgia

Shipper: Mrs. Virgil FitzGerald
318 East Eleventh Street
Rome, Georgia

Transportation: Railway Express Agency

Value: \$500.00

Please return the blue copy of this BG-12 to
Mr. Scott, Room 504, 1778 Pennsylvania Avenue,
N. W., with the B/L number appearing thereon.

RG59 Box 1
Lot 620-4

DECLASSIFIED
Authority NND 968071
By ADP NARA Date 6/10/89

114982

III: Mr. William Robay

June 8, 1949

III: Ardelia R. Hall

Request for a Bill of Lading

Would you kindly draft on Form DS 12 a request for a bill of lading to be sent to the Division of Central Services (CS), Miss Self, extension 3449. The bill of lading is to be filled out in the same way as the attached sample. The bill of lading will be forwarded by Miss Hall and is needed at once.

S-61
Atlanta
High Ma
A. C. H.

Enclosure:

Certificate No. S- 34731

CEX: III: ARHall:msc

RG59 Box 1
Lot 628-4

DECLASSIFIED
Authority AND 968071
By AJP NARA Date 6/6/99

114983

U. S. GOVERNMENT BILL OF LADING
 MEMORANDUM COPY

NO. _____

NAME OF INITIAL TRANSPORTATION		TRAFFIC CONTROL NO.																			
COMPANY →																					
CAR INITIALS AND NO.																					
STOP THIS CAR AT _____ FOR _____		<div style="border: 1px solid black; padding: 5px; text-align: center;"> IMPORTANT WHEN THE ORIGINAL OF THIS BILL OF LADING IS SURRENDERED TO THE INITIAL CARRIER A MEMORANDUM COPY THEREOF SO CERTIFIED MUST BE FORWARDED TO THE CONSIGNEE IMMEDIATELY. </div>																			
RECEIVED BY THE TRANSPORTATION COMPANY NAMED ABOVE, SUBJECT TO CONDITIONS NAMED ON THE REVERSE HEREOF, THE PUBLIC PROPERTY HEREINAFTER DESCRIBED, IN APPARENT GOOD ORDER AND CONDITION (CONTENTS AND VALUE UNKNOWN), TO BE FORWARDED TO DESTINATION BY THE SAID COMPANY AND CONNECTING LINES, THERE TO BE DELIVERED IN LIKE GOOD ORDER AND CONDITION TO SAID CONSIGNEE.																					
CONSIGNEE		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2">CAR LENGTH, FEET & INCHES †</th> <th colspan="2">MARKED CAPACITY OF CAR †</th> <th>DATE CAR FURNISHED †</th> <th>DATE B/L ISSUED</th> </tr> <tr> <th>ORDERED</th> <th>FURNISHED</th> <th>ORDERED</th> <th>FURNISHED</th> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>		CAR LENGTH, FEET & INCHES †		MARKED CAPACITY OF CAR †		DATE CAR FURNISHED †	DATE B/L ISSUED	ORDERED	FURNISHED	ORDERED	FURNISHED								
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ORDERED	FURNISHED	ORDERED	FURNISHED																		
DESTINATION		FROM _____																			
VIA (ROUTE JOURNEY ONLY WHEN SOME SUBSTANTIAL INTEREST OF THE GOVERNMENT IS SUBSERVED THEREBY)		(SHIPPING POINT) → _____																			
		FROM (FULL NAME OF SHIPPER)																			
		MARKS																			
		CHARGES TO BE BILLED TO (DEPARTMENT OR ESTABLISHMENT AND BUREAU OR SERVICE AND LOCATION)																			
		APPROPRIATION CHARGEABLE																			
		ISSUING OFFICE																			
		NAME AND TITLE OF ISSUING OFFICER																			
PICK-UP SERVICE AT ORIGIN _____ BY THE GOVERNMENT OR ITS AGENT.		† FURNISH THIS INFORMATION IN CASE OF CARLOAD SHIPMENTS ONLY. * SHOW ALSO CUBIC MEASUREMENTS FOR SHIPMENTS VIA OCEAN CARRIER IN CASES WHERE REQUIRED.																			
INITIALS OF SHIPPER'S AGENT _____		<div style="border: 1px solid black; padding: 5px; text-align: center;"> B/L SYMBOL AND NO. </div>																			
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">PACKAGES</th> <th rowspan="2">DESCRIPTION OF ARTICLES (USE CARRIERS' CLASSIFICATION OR TARIFF DESCRIPTION IF POSSIBLE, OTHERWISE A CLEAR NONTECHNICAL DESCRIPTION)</th> <th rowspan="2">NUMBERS ON PACKAGES</th> <th rowspan="2">WEIGHTS*</th> </tr> <tr> <th>NO.</th> <th>KIND</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		PACKAGES		DESCRIPTION OF ARTICLES (USE CARRIERS' CLASSIFICATION OR TARIFF DESCRIPTION IF POSSIBLE, OTHERWISE A CLEAR NONTECHNICAL DESCRIPTION)	NUMBERS ON PACKAGES	WEIGHTS*	NO.	KIND													
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NO.	KIND																				
CERTIFICATE OF ISSUING OFFICER CONTRACT NO. OR PURCHASE ORDER NO. _____ DATED _____ OTHER AUTHORITY FOR SHIPMENT _____ F. B. POINT NAMED _____ CONTRACT _____ SIGNATURE OF ISSUING OFFICER _____		NAME OF TRANSPORTATION _____ COMPANY → _____ DATE OF RECEIPT OF SHIPMENT _____ SIGNATURE OF AGENT _____ PER _____																			

MEMORANDUM COPY

(INSERT "WAS" OR "WAS NOT")

RG59 Box 1
 Lot 620-4

AUTHORITY AND 968071
 BY DATE 6/16/99
 DECLASSIFIED

114984

1901124.001, IDEA, 1950.

Pending

OM-318111 January 12, 1950

Ardelia R. Hall

OREX

ILI

Arts and Monuments Office

Administrative Officer, ILI

1778 Penn. Ave. 520

x3738

1

Bill of lading for one painting of the
Crucifixion, unframed.

Consignee: Mrs. Virgil Fitzgerald,
318 East Eleventh Street,
Rome, Georgia.

From: Washington, D. C.

Shipper: National Gallery of Art,
Washington, D. C.

Transportation: Railway Express Agency.

Value: \$500.00.

Please return the blue copy of this IS-12 to
Mr. Scott, Room 504, 1778 Pennsylvania Avenue,
N. W., with the B/L number appearing thereon.

Please prepare two (2) memorandum copies.

RG59 Box 1

6/22/97

DECLASSIFIED
Authority NND 968071
By JTF NARA Date 6/10/99

114985

REPRODUCED AT THE NATIONAL ARCHIVES

U. S. GOVERNMENT BILL OF LADING
MEMORANDUM COPY

NO. S-61679

NAME OF INITIAL TRANSPORTATION		TRAFFIC CONTROL NO.	
COMPANY →			
CAR INITIALS AND NO.			
STOP THIS CAR AT	FOR	IMPORTANT WHEN THE ORIGINAL OF THIS BILL OF LADING IS SUR- RENDERED TO THE INITIAL CARRIER A MEMORANDUM COPY THEREOF SO CERTIFIED MUST BE FORWARDED TO THE CONSIGNEE IMMEDIATELY.	CAR LENGTH, FEET & INCHES † ORDERED FURNISHED
RECEIVED BY THE TRANSPORTATION COMPANY NAMED ABOVE, SUBJECT TO CONDITIONS NAMED ON THE REVERSE HEREOF, THE PUBLIC PROPERTY HEREINAFTER DESCRIBED, IN APPARENT GOOD ORDER AND CONDITION (CONTENTS AND VALUE UNKNOWN), TO BE FORWARDED TO DESTINATION BY THE SAID COMPANY AND CONNECTING LINES, THERE TO BE DELIVERED IN LIKE GOOD ORDER AND CONDITION TO SAID CONSIGNEE.			MARKED CAPACITY OF CAR † ORDERED FURNISHED
CONSIGNEE		FROM	
The National Gallery of Art Washington, D. C.		(SHIPPING POINT) → <u>Detroit, Michigan</u> FROM (FULL NAME OF SHIPPER) The Detroit Institute of Arts, Edgar P. Richardson, Director	
		MARKS CHARGES TO BE BILLED TO (DEPARTMENT OR ESTABLISHMENT AND BUREAU OR SERVICE AND LOCATION) Department of State APPROPRIATION CHARGEABLE 1901124.001, IIEA, 1950, Allot. OM 318011 Obl. 517	
DESTINATION		ISSUING OFFICE	
Washington, D. C. VIA (ROUTE JOURNEY ONLY WHEN SOME SUBSTANTIAL INTEREST OF THE GOVERNMENT IS SUBSERVED THEREBY)		Division of Central Services NAME AND TITLE OF ISSUING OFFICER L. F. Day, Chief, Property & Supply Section	
PICK-UP SERVICE AT ORIGIN <u>was not</u> (INSERT "WAS" OR "WAS NOT") BY THE GOVERNMENT OR ITS AGENT.		B/L SYMBOL AND NO. S-61679	
INITIALS OF SHIPPER'S AGENT		† FURNISH THIS INFORMATION IN CASE OF CARLOAD SHIPMENTS ONLY. * SHOW ALSO CUBIC MEASUREMENTS FOR SHIPMENTS VIA OCEAN CARRIER IN CASES WHERE REQUIRED.	
PACKAGES NO. KIND		DESCRIPTION OF ARTICLES (USE CARRIERS' CLASSIFICATION OR TARIFF DESCRIPTION IF POSSIBLE, OTHERWISE A CLEAR NONTECHNICAL DESCRIPTION)	NUMBERS ON PACKAGES WEIGHTS*
1	cs	Painting of Peniches sur La Seine Initial carrier's agent, by signature below, certifies he received the original B/L Value \$500.00	
CERTIFICATE OF ISSUING OFFICER CONTRACT NO. OR PURCHASE ORDER NO. OR OTHER AUTHORITY FOR SHIPMENT <u>Req. A-05543 ILI</u> DATED <u>1/16/50</u>		NAME OF TRANSPORTATION COMPANY → <u>Railway Express Agency</u> DATE OF RECEIPT OF SHIPMENT	
F. O. B. POINT NAMED IN CONTRACT		SIGNATURE OF AGENT PER	
SIGNATURE OF ISSUING OFFICER <u>/s/ L. F. Day CC</u>			

MEMORANDUM COPY

RG59 Box 1
lot 620-4

Authority AND 968071
DECLASSIFIED
6/27/99
BY JWP NARA Date 6/27/99

114986

Pending

1901124.001, IIEA, 1960

OM-318111 1-12-60

Ardelia R. Hall

ONEK ILI

Arts and Monuments Office

Administrative Officer, ILI 1778 Penn. Ave. 520 3738

1

Bill of Lading for one painting by Monet, Peniches sur La Seine.

Consignee: The National Galler of Art, Washington, D. C.

FROM: Detroit, Michigan.

Shipper: The Detroit Institute of Arts, Edgar P. Richardson, Director, Detroit, Michigan.

Transportation: Railway Express Agency.

Value: \$500.00

Please prepare two (2) memorandum copies.

Please return the blue copy of this DS-12 to Mr. Scott, Room 504, 1778 Pennsylvania Ave., N. W., with the B/L number appearing thereon.

RG59 Box 1
lot 67D-4

DECLASSIFIED
Authority NND 968071
By AJP NARA Date 6/10/99

114987

REPRODUCED AT THE NATIONAL ARCHIVES

Pending

In reply refer to
III

My dear Mr. Stephens:

Reference is made to the Department of State letter dated
November 9, 1947 requesting the remission of the accrued forfeiture
on objects of art illegally imported into the United States and
detained by the Bureau of Customs.

There are enclosed for your information copies of the U. S.
Government bills of lading for the shipment of the works of art
now held by the Bureau of Customs to the National Gallery of Art,
Washington, D. C.

Sincerely yours,

Carl A. Bauer
Acting Chief
Division of Libraries and Institutes

Enclosure:

Copies of four U. S. Government
bills of lading.

Mr. Shirley Stephens,
Chief, Enforcement,
Bureau of Customs,
Treasury Department,
Washington 25, D. C.

RG59 Box 1
Lot 6204

DECLASSIFIED
Authority NND 968071
By JLP NARA Date 6/10/99

114988
REPRODUCED AT THE NATIONAL ARCHIVES