

Pending

In reply refer to

My dear Mr. Finley:

Reference is made to your letter of October 10, 1937 in which you kindly agreed that the National Gallery of Art would be willing to take into temporary custody the works of art to be returned to the country of origin.

There are enclosed for your information advance copies of H.R. 11, Government Bill, of which the Department of State has sent to the Bureau of Antiques and Archaeology for the transfer of art to the National Gallery. A copy of the letter sent to Mr. Will Collier the Librarian of the Columbia Public Library, Columbia, Miss., is also enclosed. The documents iterated in the attached Bill of Lading and Letter include all objects of art, mentioned Washington, which have been surrendered to or entrusted by the United States Government to date.

Sincerely yours,

David S. Finley  
Acting Chief  
Division of Libraries and Institutions

Enclosed:

- A. Advance copies of copies.
- B. H.R. 11, Government Bill of Lading.
- C. To Mr. Will Collier of own date.

Mr. David S. Finley, Director,  
National Gallery of Art,  
Washington, D.C.

6/10/99  
e-AIR NPA 0216 6/10/99  
AUGUST 1999 968071

DECLASSIFIED

114989

RGS9 Box 1

lot 620-4

REPRODUCED AT THE NATIONAL ARCHIVES

RECORDED  
RECORDED

My dear Mr. Cellini:

Reference is made to your letter of July 21, 1947 regarding the old-iron English manuscript of an indenture, dated in the year of Charles II, which had been given you by your son-in-law and which you wished to return to the rightful owner.

It is requested that you forward the manuscript above by first class, registered mail to the National Gallery of Art, Washington, D. C., an appropriate stamped label with a fine address book for the registering fee is enclosed for your use.

Upon verification of the genuine British character of these documents, the Department of State will arrange for their return to the British Embassy in Washington.

Your cooperation in the recovery of this historical manuscript is appreciated.

Very truly yours,

Carl A. Shultz  
Assistant Secretary  
Division of Archives and Manuscripts

Annexed, framed, and stored label.

Mr. Carl A. Shultz,  
Division of Archives and Manuscripts,  
Vol. 10.

RGS9 Box 1  
Lot 620-4

114990  
SAC-AFC NARA Date 6/10/99  
Autonomy AND 968071  
DECLASSIFIED

SEARCHED  
INDEXED  
SERIALIZED  
FILED

2025 RELEASE UNDER E.O. 14176

11 FEBRUARY 20  
22

MR. HORN

The Department of State declined the curatorial functions of the American Commission for the protection and rescue of artistic and historic monuments in the areas. It was informed that the John Soane Art Institute held in custody a painting by Andrea Mantegna (Mantegna) of an "Interior of the Antwerp Cathedral" brought to the United States under unusual circumstances and by an unknown individual.

Would you kindly forward to the Department of State such information you have concerning the circumstances under which this painting came to your attention. This information may be of value in ascertaining the ownership of the painting.

Arrangements have now been completed for the return of this object upon verification of ownership to the country of origin. A copy of the U. S. Government policy is attached for your information.

The Department of State would, therefore, appreciate your cooperation in returning this painting to the National Gallery of Art, Washington, D. C., by mailing express. A Government bill of lading will be issued for transportation and for insurance in transit to Washington.

Yours sincerely,  
WILLIAM D. FOX, DIRECTOR,  
THE AMERICAN COMMISSION  
FOR THE PROTECTION AND RESCUE  
OF ARTISTIC AND HISTORIC MONUMENTS,  
Washington and 16th Streets,  
Washington, D. C.

RG59 Box 1

lot 620-4

b7d  
NARA Date 6/16/99  
Authority NWD 96896  
110896  
DECLASSIFIED

114991

**REMARKS**  
I would like to thank the New Mexico Art  
Commission for its assistance in the recovery of this painting.

**W. C. WOODWARD**

**Carl A. Tracy**  
**Acting Chief**

**Division of Monuments and Antiquities**

**REMARKS**

**1. SEARCH OF lost art  
in countries of origin.**

**2. U. S. Government will pay expenses.**

RGS9 Box 1

Lot 620-4

b7D b7C NARA Date 6/10/99  
Autonomy AND 968071

DECLASSIFIED

114992

By cablegram last

From the Department of State learned the continuing functions of the National Committee for the Protection and Salvage of Antietic and Civilian Monuments in New Mexico. It was informed that the Philadelphia Museum of Art held in custody a collection of Jenkins gold findings including several broken and incomplete rings recovered by an unknown vendor in Tschirren.

Arrangements have been completed for the return of such objects recovered during their trip of 1941 to the country of origin.

The Department would therefore appreciate your cooperation in returning these pieces of gold jewelry to the National Library at 400, Washington, D. C. by rail by express. A Government Bill of Lading dated 27 for transportation and for insurance in transit is enclosed.

The Department of State wishes to thank the Philadelphia Board of Art for its assistance in the recovery of these objects.

Sincerely yours,

Carl A. Fisher  
Acting Director  
Division of Libraries and Institutes

Enclosure

U. S. Government Bill of Lading.  
Philadelphia, Pennsylvania.

To: John Lee,  
Associate Curator of Modern Art,  
Philadelphia Museum of Art,  
Philadelphia, Pennsylvania.

Dated 10/25/41

RGS9 Box 1  
Lot 620-4

REF ID: A611 HRA Date 6/10/99  
Autonomy NWD 968071  
DECLASSIFIED

114993

REPRODUCED AT THE NATIONAL ARCHIVES

Pending

In reply refer to  
ME

By Mrs. Gruen,

When the Department of State assumed the continuing functions of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, it was informed that the Norfolk Museum of Arts and Sciences held in custody two oil paintings and one pastel from the Palanga area, which had been imported by a brother (name unknown) of Mrs. Earl Sharp, 17 Shady Lane Drive, Norfolk, Virginia.

Would you kindly send the Department of State any further information which you may have concerning these paintings or the circumstances under which they were obtained. This information will be most helpful in verifying the rightful owners.

Arrangements have now been completed for the return of each object, dispersed during World War II, to the country of origin. A copy of the U. S. Government policy is attached for your information.

The Department of State would, therefore, appreciate your cooperation in forwarding these three works of art to the National Gallery of Art, Washington, D. C. by military express. A Government Bill of Lading #36711 for transportation and for insurance in transit is enclosed.

The

Mrs. Marrian G. Gruen, Director,  
Norfolk Museum of Arts and Sciences,  
Lee Park, Norfolk, Virginia.

RGS9 Box 1

Lot 620-4

114994  
SAC - NAPA Date 6/19/99  
Authority AND 968071  
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The Department of State wishes to thank the Norfolk Museum of Arts and Sciences for its assistance in the recovery of these pictures.

Sincerely yours,

Carl A. Shor  
Acting Chief  
Division of Libraries and Institutes

**Inclusions:**

1. "Return of Looted objects of art  
to countries of origin."
2. U.S. Government Bill of Lading.

RECORDED

RGS9 Box 1  
Lot 620-4

by AAC NAFN Date 6/10/99  
Authority AND 9689071

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114995

Pending

In reply refer to

EM

My dear Mr. Blanck:

The Department of State was informed by the Commissioner of Customs in a letter dated September 9, 1946 that 949 coins were detained by the supervising customs agent at Chicago from Mr. Fred Cooper of Mine, Kansas, whose Friends had taken them from a museum in Germany. The Department of State in a letter dated December 9, 1947 to the Secretary of Treasury petitioned for the remission of the accrued forfeiture on these coins.

It is now reported that the 949 coins be forwarded under the enclosed U. S. Government bill of lading, D-35729, to the National Gallery of Art, Washington, D. C. for return to the country of origin. The coins will be exported under customs supervision, at which time the Bureau of Customs at the port of exit will be notified.

The Department of State appreciate the initiative and assistance of the Chicago Bureau of Customs in making the recovery of these coins possible.

Sincerely yours,

Carl A. Munro  
Acting Chief  
Division of Libraries and Institutes

Enclosure:

U. S. Government Bill of Lading,  
D-35729.

Mr. Joseph A. Blanck,  
The Collector of Customs,  
U. S. Customhouse,  
610 South Canal Street,  
Chicago 7, Illinois.

RECORDED MAIL

RGS9 Box 1

Lot 62-D-4

By AAC - NARA Date 6/10/99  
Authority NWD 988071  
DECLASSIFIED

114996

*Reading*

RECORDED MAIL  
MAY 10 1948

Collector of Customs,  
U. S. Customs House,  
Battling Green,  
New York 4, New York.

Sir:

The Department of State was informed by the Commissioner of Customs in a letter dated September 9, 1946 that the supervising customs agent at New York had detained a thirteenth-century manuscript and other miscellaneous art objects from Mr. Joseph Baumr, Jr., 106 West 18th Street, New York and an oil painting of a Village Winter Scene by Jacob Cornelius Broekhuisen, dated 1641, from Lieutenant John R. Hutchinson, U.S.N.C., Mr. Shirley Horowitz, Chief, Enforcement, Bureau of Customs, informed the Department on March 18, 1947 that the portrait of Philippe Melanchton, by Lucas Cranach had been obtained from Axel Wilberg, 743 East 2d Street, Brooklyn 13, New York.

The Department of State in a letter to the Secretary of Treasury dated December 9, 1947 petitioned for the punishment of the aforesaid forfeiture on these objects.

It is now requested that these works of art be forwarded under the enclosed U. S. Government bill of lading, G-3472, to the National Gallery of Art, Washington, D. C. for return to the country of origin. These objects will be exported under customs supervision, at which time the Bureau of Customs at the port of exit will be notified.

The

RG59 Box 1

Lot 62-D-4

By AIR  
NARA Date 6/10/99  
Autonomy AND 968071  
DECLASSIFIED

114997

*Randall*

Revolving Fund  
160-300/11-1400

My dear Mr. Bradley:

The Department of State was informed by the Chief of Inspection, Bureau of Customs in a letter dated January 5, 1908, that a portfolio of Indian miniatures and drawings, and Philipp manuscript, and prints after Raphael had been detained from Mr. Donald Whitney, 820 Lardin, Detroit, Michigan. The Department of State in a letter to the Secretary of Treasury, dated December 9, 1907, requested for the jurisdiction of the several authorities on these objects.

It is now requested that these works of art be forwarded under the enclosed U. S. Government Bill of Lading, #304752, to the National Gallery of Art, Washington, D. C. for return to the country of origin.

Your cooperation in this matter has been greatly appreciated.

Sincerely yours,

George A. Tracy  
Acting Chief  
Division of Libraries and Institutes

Enclosure:

U. S. Government Bill of Lading,  
#304752.

Mr. Martin L. Bradley,  
Collector of Customs,  
100 West Larned Street,  
Detroit 36, Michigan.

160-300/11-1400

2/28/08

0008

RGS9 Box 1

Lot 62 D-4

114998  
Autobuy NNO 968071  
by AAC - HPA Date 6/16/99  
DECLASSIFIED

American Commission

**MEMORANDUM**

TO: Mr. Huntington Cairns  
Secretary  
The Roberts Commission

FROM: Mr. Lamont Moore  
Assistant Secretary  
The Roberts Commission

SUBJECT: REPORT OF CONFERENCE WITH COL. W. H. FETTER, JR., ON RETURN OF  
IMORTATIONS BY MEMBERS OF THE ARMED FORCES

On Thursday morning, May 23, 1946, I conferred with Col. Peters, Chief, Government Branch, Civil Affairs Division, and his legal advisor, Major Crook. Captain Hevenor, who has been handling the MTA & A work for Colonel Peter's office, was also present. The subject for discussion was the problem of developing mechanics for the return of GI imports.

Col. Peters considered the draft letter to the Secretary of War, the list of objects reported to date, and the circular for museums and libraries, etc. Col. Peters was quite firm in his opinion that, since the importers were no longer in the Armed Services, the War Department had no jurisdiction over them and therefore it was not to the War Department's interest to further the objects' return. I pointed out to him that, broadly speaking, this was a post-war problem and involved the War Department to the extent that we were committed to a program of preserving cultural objects. He agreed but stated that the War Department was in no position to embark upon what might be a long term project of returning art works, especially since the Department did not have professional advisors on the packing for shipment of such works. He is of the opinion that the individuals who have either rightly or wrongly brought objects into this Country, when they have expressed willingness to have them returned that they should defray the cost of packing for shipping through normal channels to Military Government in

P.G.S.9 Box 1  
left (odd) D=4

-2-

American Commission

Tokyo and Berlin. He suggested that the National Gallery of Art assume the responsibility for the initial shipment of the ten objects on the list. I explained to him that I was not sure the National Gallery would be in a position to do this and it was possible that we would write the Secretary of War the letter as originally drafted.

There are undoubtedly complications connected with this problem, consequently, I should welcome your reactions and suggest a conference to settle the problem by the most expeditious means. From Col. Peters' standpoint, this is obviously a case of 'passing the buck', on the other hand, the plan is cumbersome and would require considerable paper-work.

*Lamont Moore*

May 24, 1946

RGS9 Box 1  
Lot 620-4

6/1/46 NARA Date 6/10/99  
Autonomy NND 96871  
GCR/AMERICAN ARCHIVES

115000

R659  
Box 1

DEPARTMENT OF STATE

Memorandum of Conversation

**DATE:** August 31, 1951

**SUBJECT:** MS of Frederick the Great brought to U.S. by Air Force Warrent Officer

**PARTICIPANTS:** A.R. Hall & Col. Olmstead in office of General Albert M. Kuhfeld,  
X 75906

**COPIES TO:**

1-1488

Only interested if he brings a suit of replevin in court.

R659 Box 1  
Lot 62 D-4

BY AIR MAIL NPA Date 6/10/51  
Authority NPA 968071

DECLASSIFIED

115001

**DEPARTMENT OF STATE****Memorandum of Conversation****DATE:** August 31, 1951**SUBJECT:** MS of Frederick the Great brought to U.S. by Air Force Warrant Officer.**PARTICIPANTS:** A. R. Hall & Col. Creyts, Active Chief, Criminal Division,  
Office Special Investigations, Air Force Inspector General,  
(131) X 73963.**COPIES TO:**

1-1483

Only investigates for court Martials.

R659 Box 1

Lot 62D-4

b7D b7E NARA Date 6/10/99  
Authority AND 968071

DECLASSIFIED

115002

R659  
Box 1

**DEPARTMENT OF STATE**

***Memorandum of Conversation***

**DATE:** August 31, 1951

**SUBJECT:** MS of Frederick the Great brought to U.S. by Air Force Warrant Officer

**PARTICIPANTS:** A.R. Hall & Col. Gatz, O.P.M.G., in Col. Victor W. Phelps office,  
X 6383.

**COPIES TO:**

1-1403

Col. Gatz, O.P.M.G. recommended that I talk with Col. Creyts,  
Active Chief, Criminal Division Office Special Investigations,  
Air Force Inspector General.

R659 Box 1  
Lot 62A-4

115003  
1089071  
Autonomy AND 969071  
by DDCI NARA Date 6/10/99  
DECLASSIFIED

*Rec'd*  
11/23/48

*Ext. 75146*

*Ext. 71214*  
Room  
2C 563

I went to the Pentagon and saw Col. Riggs, CAD, now in some position relating to N.E. in Room 38912. He introduced me to a Col. ~~Hannan~~, CAD, his opposite number, charge of Germany, who is in adjoining office.

They will be glad to consider publication of Survey. Col. Riggs also told me that guarding the Berlin paintings in one Army area alone was costing \$39,000.

Also saw Major Parham, Ext. 74148, Room 20945 who told me that Major Srees, Ext. 71250, Room 50935 was in charge of Personnel for Europe.

Major Morrison, Ext. 3445, Room 50920 was in charge of Personnel for Far East and that a Major May in same office with Major Morrison was now in the Far East on a special mission and that I should see him on his return. Major Parham was in charge of special advisory groups or advisers going to the FA. I gathered.

Saw Mr. Ropshaw, Ext. 73250 in Room 2A913-A about Army publishing the MPAMA Survey.

Also saw Mr. Taggart, Ext. 74494.— Room 5C 466

RG 59 Box 1

Lot 62D-4

by AAC NPA Date 6/1949  
Autonomy AND 968071

DECLASSIFIED

115004

X Major Crook - [Shready Case]

Suggested on further  
info from Conrad - Gen.  
Plans to Vienna opened  
out if Doretheen had  
sent it send copy to  
Bob & the May - crook - less.

RG 59 Box 1  
Lot 62D-4

6/10/69 NARA Date 6/10/69  
Authority AND 968071  
UNCLASSIFIED

115005

781 Mr. R - Dial 175 Ext. 571

, I ~~interrogated~~ of G.I in Tern - regarding  
looting of Reichsbahn Bunker in Kassel.

- c) investigation of Frederick C. Schady - (ask May Crook again.)  
(b) investigation of 1457 Paster - (name not known ~~Report~~ when you get  
post or not take ~~Report~~ back)
- d) investigation of a man named Robinson H.Y. Lawyer  
(Get more info from Mr. Bloomberg)

Mr. McCabe : Assist to Mr. Rosen  
Address attention  
A. Rosen

Separate letters -

Mr S - Raised question  
Bureau <sup>of Customs</sup> returning from tour of duty -  
He can bring <sup>many</sup> objects in  
without paying duty -

RG 59 Box 1 10/10/68 NARA Date 6/10/98  
Autonomy AND 968071  
Hot 62D-4 RECCLASSTHED

115006

MEMORANDUM )  
No. 345-105-3 )WAR DEPARTMENT  
Washington 25, D. C., 21 August 1946

## HISTORICAL PROPERTIES

1. To provide for the collection, processing, preservation, and control of war paintings, trophies, relics, and objects of actual or potential historical interest or value which are or may become the property of the War Department, and Historical Properties Section is established in the office of the Army Headquarters Commandant. The function of this Section will include the acquisition and display of selected photographs, maps, and charts.
2. Under the direction of the Deputy Chief of Staff, the Army Headquarters Commandant is charged with accountability and responsibility for all historical properties coming into his custody, with supervision and control of personnel assigned or detailed to duty with the Historical Properties Section, and with the control and disbursement in accordance with pertinent regulations and directives of such funds as may be allotted for the purposes of the Historical Properties Section.
3. It is contemplated that, pending decision as to the ultimate disposition of these properties, such items as may possess decorative or cultural values may be suitably displayed in The Pentagon and other War Department buildings in the Washington Metropolitan Area. Such materiel as may be approved for these purposes by the Public Relations Division, War Department Special Staff, may be made available to publishers of books, magazines, and newspapers for reproduction and to other Government departments or agencies or to public institutions for exhibition purposes.
4. In the performance of his functions under this memorandum, the Army Headquarters Commandant will be governed by existing orders and regulations whenever applicable, and will utilize all existing governmental and nongovernmental agencies to the extent required by law and Executive order. He is authorized to communicate directly with all War Department elements in connection with the acquisition of historical properties.
5. Allotment of personnel and funds will be made to the Historical Properties Section as directed by the Deputy Chief of Staff.

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Authority NWD 968071  
b7C NAFI Date 6/10/99  
DECLASSIFIED

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Memo 345-105-3

6. WD Memorandums 345-45, 11 June 1945 and 12 September 1945, subject as above, are rescinded.

(AG 000.4 (18 Jul 46))

BY ORDER OF THE SECRETARY OF WAR:

OFFICIAL: DWIGHT D. EISENHOWER  
EDWARD F. WITSELL, Chief of Staff  
Major General  
The Adjutant General

DISTRIBUTION: All War Department agencies in Washington

Copies of this memorandum are furnished only to agencies listed above.  
See paragraph 6, AR 310-20.

RG 59 Box 1  
Lot 62D-4  
Authority NWD 968071  
by AAC NARA Date 6/6/99  
DECLASSIFIED

115008

CIRCULAR }  
No. 90 }WAR DEPARTMENT  
WASHINGTON 25, D. C., 27 March 1946

Effective until 27 September 1947 unless sooner rescinded or superseded

DISPOSITION OF ORGANIZATIONAL AND OTHER  
STORED TROPHIES

1. PURPOSE. a. The primary purpose of this circular is to provide for eventual disposition of organizational trophies which have been stored temporarily at the Kansas City Quartermaster Depot or other depot under the provisions of section IV, WD Circular 344, 1944 (trophies of units under orders for movement overseas), and Readjustment Regulations 1-6 (trophies of demobilized category IV elements).

b. Information is provided also concerning the disposition of articles of actual or potential historical interest which are or may become the property of the War Department, and of stored trophies owned by individuals.

2. DEFINITIONS. For the purposes of this circular the following definitions will apply:

a. Organizational trophies. Objects which are directly connected with the activities of a particular unit such as athletic awards, cups, plaques, documents and similar articles having a sentimental, morale, or historical value to that organization only.

b. Historical trophies. Objects of substantial value to the nation-at-large by reason of their uniqueness, historical interest, association, intrinsic value, or other consideration, and which may be suitable for museum purposes.

c. Federal property. Property the title to which is in the Government of the United States. This includes not only issue property and that purchased from appropriated funds but also all property captured from the enemy, except where individual ownership has been established in accordance with applicable regulations.

d. Organizational property. Property the title to which is vested in a unit, whether by gift or by purchase from nonappropriated funds.

e. Individual property. Property the title to which is vested in an individual, whether by gift, purchase from private funds, or under the provisions of section VI, WD Circular 155, 1945 (war trophies).

3. INVENTORY. The Quartermaster General will prepare and maintain a current inventory of trophies and related objects within the scope of this circular which are or may be stored in depots under his jurisdiction.

4. DISPOSITION OF TROPHIES. a. General. Disposition of stored trophies will be governed by the right of ownership, i.e., by determination of the title thereto. In this connection attention is invited to AR 35-190, Gifts and Donations. Gifts to units of the Army are articles in which title rests in the organization, and must not be confused with gifts to the Government and other articles which are property of the United States.

b. Title in Federal Government. Disposition of trophies which are or may become Federal property will be as directed by the Historical Properties Section (see par. 5).

c. Title in the organization (except colors and standards).

(1) National Guard units. Organization trophies belonging to units of National Guard origin, including trophies acquired after the unit was called into Federal service, will, if practicable, be returned to the State concerned. In this connection the War Department reserves the right, under paragraph 2b, to retain those items of which the

RG 59 Box 1

Lot 620-4

by AF NPA Date 6/10/99

Authority AND 968071

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national significance transcends organizational significance. The Adjutant General will give assistance to The Quartermaster General in identifying organizations which are of National Guard origin. The Quartermaster General will obtain the States' views in this respect, together with the necessary shipping instructions, by correspondence with State adjutants general through the National Guard Bureau.

- (2) Affiliated units. Organizational trophies of affiliated units, that is, units which under AR 220-5 were sponsored by civilian organizations, may be loaned to such civilian sponsoring organizations for proper display upon request submitted to the Deputy Chief of Staff, United States Army (Attention: Chief, Historical Properties Section, Office of Army Headquarters Commandant), The Pentagon, Washington 25, D. C. Upon approval, loans will be made by The Quartermaster General subject to stipulation that title remains in the unit and that such objects are recoverable by the War Department at any time upon due notice. The Adjutant General will provide assistance in identifying affiliated units with the name and address of the corresponding civilian sponsoring organizations.
- (3) Other units. Organizational trophies of units other than National Guard or affiliated units will be retained in storage pending further instructions. It is contemplated that units remaining on the active list in the permanent military establishment will have their trophies returned to their custody upon request by the unit to The Quartermaster General.
- d. Title in the individual.
- (1) Trophies owned by individual, for example, those awarded to members of a unit which were purchased from nonappropriated funds or donated by civilian organizations, as distinguished from property to which title rests in the Federal Government or in an organization, may be disposed of as the owners may direct. Individually owned trophies will not be forwarded to a depot when immediate disposition can be arranged with the owners. If it is necessary to ship such a trophy to a depot, the owner will be clearly identified.
  - (2) In the event any trophy to which an individual is entitled is returned to a depot for storage, every reasonable effort will be made to communicate with the individual, his heirs, or assigns, with a view to disposing of such property as he or they may request.

5. HISTORICAL TROPHIES. a. Historical Properties Section. Under the provisions of WD Memorandum 345-45, 11 June 1945, subject, "Historical Properties," as amended, an Historical Properties Section has been established in the Office of the Army Headquarters Commandant, Washington 25, D. C., under direct supervision of the Deputy Chief of Staff, U. S. Army. The Historical Properties Section was established "to provide for the collection, processing, preservation, and control of war paintings, trophies, relics, and objects of actual or potential historical interest or value produced during the present war which are or may become the property of the War Department----- This function will include the acquisition and display of selected photographs, maps, and charts." Under the provisions of this memorandum the Historical Properties Section is authorized to acquire such articles for museum purposes.

b. Processing of stored trophies. Upon request of The Quartermaster General (see par. 6) the Historical Properties Section will issue appro-

#### REQUEST FOR DISPOSITION OF STORED TROPHIES

SUBJECT: Stored trophies FROM: .....(Depot) DATE: .....

TO: Deputy Chief of Staff, U.S. Army (Attention: Historical Properties Section, Office of Army Headquarters Commandant, The Pentagon, Washington 25, D. C.)

Submitted herewith in accordance with WD Circular 80, 1946, is a list of historical and other trophies presently

Line No. of Items	Brief description of article	Title (owner-ship)	Material	Approximate size	Weight (if applicable)	Condition	Source	Date rec'd	Brief summary of significance	Disposition (to be completed by HQS)
1 1	Flag	U. S.	Linen	4 x 5	- - - - -	Fair	HQ ETO	14 Feb 46	Flown over HQ ETO throughout the war (documents accompanying).	Deposited in Museum 11 Nov 46. Accession No. HP 7.31B.46.
2 1	Flag (Permanent)	U. S.	Silk	3 x 12	- - - - -	Poor	OSM		Car pennant of Gen. Patton.	Deposited in Museum 11 Nov 46. Accession No. HP 9.451.46.

(To be listed in the following sequence:

1. Title in the organization:
  - a. National Guard units.
  - b. Affiliated units.
  - c. Other units.
2. Title in the individual
3. Unidentifiable items.)

FIGURE 1 -

REF ID: A668071  
UNCLASSIFIED  
DATE 08/08/2011  
BY SP59 Box 1  
LOT 625-4

priate instructions as to disposition of stored trophies and related objects which are or may become Federal property. Material selected for this purpose by the Historical Properties Section will be appropriately marked as historical trophies, segregated, and securely stored at the depot concerned unless other disposition is specifically directed in each case.

6. REQUESTS FOR DISPOSITION. The Quartermaster General will request disposition instructions from the Deputy Chief of Staff, U. S. Army (Attention: Chief, Historical Properties Section, Office of Army Headquarters Commandant) for trophies and related objects by letter substantially as shown in Figure 1, as follows:

a. Special requests. A special request will be forwarded promptly for disposition of historical trophies of outstanding significance now in storage or subsequently received for storage.

b. Semiannual requests. The Quartermaster General will review the list of trophies and related objects in storage on 31 March 1946 and semiannually thereafter. A composite request for disposition instructions will be forwarded as of 31 March and 31 September to include:

(1) All potential historical trophies and related objects which are or may become Federal property, and for which disposition has not been previously requested.

(2) Organizational and individual trophies of which no disposition has been affected and none appears practicable under the provisions of paragraph 4 and subsequent instructions pertaining thereto.

(3) Trophies of which ownership cannot be determined (unidentifiable items).

c. Preparation. These letter requests, prepared on sheets approximately 10 $\frac{1}{2}$  by 16 inches, will be numbered serially. Individual entries will be assigned line numbers, to permit ready identification and reference. Request will be forwarded in duplicate. In addition to information indicated on the form, so far as appropriate and available, any further details will be included which will assist the Historical Properties Section in determining appropriate dispositions.

7. SPECIAL CASES. a. Colors and standards. Colors, standards, distinguishing flags, guidons, streamers, and silver bands will be disposed of as prescribed in paragraphs 25 and 26, AR 260-10, and section VII, War Department Readjustment Regulations, RR 1-6. This includes all items of this nature regardless of whether title rests in the Federal Government or in the organization.

b. Unused athletic trophies. Federal property in the form of athletic trophies and plaques which have not been awarded but which may be received for storage will be reported through appropriate channels by the depot commander to the Commanding General, Army Service Forces (Attention: Director, Special Services Division). Such trophies will be considered expendable and will be disposed of under such instructions as the Director, Special Services Division, Army Service Forces, may prescribe.

8. SHIPMENTS. Shipments in disposition of trophies under provisions of this circular will be at Government expense unless otherwise specifically indicated in disposition instructions.

BY ORDER OF THE SECRETARY OF WAR:

OFFICIAL:  
EDWARD F. WITSELL  
Major General  
The Adjutant General

DWIGHT D. EISENHOWER  
Chief of Staff

25-80615-128

RG 59 Box 1

Lot 62D-4

6-7-4 NAPA Date 6/10/49  
Authority AND 968071

DECLASSIFIED

115011

CIRCULAR: No. 253  
WAR DEPARTMENT  
WASHINGTON 25, D. C., 21 August 1946

Effective until 21 February 1948 unless sooner rescinded or superseded.

Section

FORMS--Issuance of WD Forms 18, 18a, 47, and 106.....	I
GENERAL PRISONER--Report of escape.....	II
HISTORICAL TROPHY--Inventory and disposition.....	III
INSTALLATION--Category of surplus.....	IV
POSTWAR RDTIC PROGRAM--WD Cir. 224, 1946, amended.....	V
TM 12-222--Separation center operations--Par. 81 changed.....	VI

- I. FORMS.** 1. In accordance with paragraph 3, section II, WD Circular 163, 1946, the following forms are hereby made effective for procurement throughout the War Department and Military Establishment at 0001, 1 October 1946.
- a. WD Form 106 (Invitation, Bid, and Acceptance - Short Form Contract), approved 1 April 1946. This form supersedes U. S. Standard Form 33.
  - b. WD Form 18 (WD Purchase Order), revised 1 April 1946. This form supersedes WD Form 18, revised 11 November 1944.
  - c. WD Form 47 (Government's Order and Contractor's Acceptance), revised 1 April 1946. This form supersedes WD Form 47, revised 1 April 1944.
  - d. WD Form 18a (preprinted back), revised 1 April 1946.
2. On and after 1 October 1946 superseded forms will not be used for new procurements and stocks of superseded forms on hand will be salvaged.
3. In accordance with paragraph 5, section III, WD Circular 163, 1946, and until otherwise directed, using installations are hereby authorized to procure locally masters for reproducing the faces of WD Forms 106, 18, and 47 on the blank side of WD Form 18a. Using installations will be held responsible for insuring that such masters do not deviate from the approved form.
4. Using installations will at no time maintain more than a 90-day supply of the forms and masters referred to in this circular.  
(AG 315 (16 Aug 46))

**II. GENERAL PRISONER.** 1. When a general prisoner in the continental United States escapes from confinement, the officer charged with responsibility for administrative procedures will immediately report such escape by radio to The Adjutant General, Attention: Correction Branch.

2. Report will include information as to whether the prisoner's dishonorable discharge was executed or suspended in addition to the prisoner's name, Army serial number, date of escape, and the name of the installation from which he escaped.

3. WD AGO Form 45 (Descriptive List of Absentee Wanted by the United States Army) will be prepared within 12 hours after a general prisoner's escape and will be dispatched immediately in accordance with paragraph 7b and c, AR 615-300. Air mail or regular mail, whichever will more reasonably assure delivery within 24 hours, will be used. The copy to The Adjutant General will be addressed: Attention: Correction Branch.

4. If an escaped general prisoner's dishonorable discharge has been executed, this information will be included in the space titled, "Company, Regiment, and Arm or Service," on line 2 of all copies WD AGO Form 45; e.g., "Dishonorable Discharged 15 June 1946."  
(AG 253.6 (16 Aug 46))

**III. HISTORICAL TROPHY.** 1. PURPOSE. a. The primary purpose of this circular is to provide an inventory of all historical trophies which are property of the War Department and which may become available for exhibition in a National War Museum.

b. A secondary purpose is to provide for the disposition of historical trophies now stored in Army installations other than quartermaster depots and for the preservation of such trophies until they can be transferred to a National War Museum.

2. DEFINITION. Historical trophies are defined as military objects, trophies, memorabilia, paintings and drawings, and related material produced in any period by any country which are of substantial value to the nation-at-large by reason of their uniqueness, historical interest, association, intrinsic value, or other consideration, and which may be suitable for museum purposes. Weapons and other material of modern design at present issued to U. S. Army, Navy, or Marine Corps personnel, or captured from enemy sources during World War II, are not considered historical trophies for the purposes of this circular unless they are of unique interest because of association with some individual, place, or event.

3. HISTORICAL TROPHIES IN QUARTERMASTER DEPOTS. Historical trophies stored in quartermaster depots will be reported and disposed of in accordance with WD Circular 90, 1946.

RG 59 Box 1

Lot 620-4

EX-ALL NAPA Date 6/10/91  
Autonomy NNO 968971

DECLASSIFIED

115012

## REPORT OF HISTORICAL TROPHIES

SUBJECT: Trophies FROM.....DATE.....REPORT NO. ....

TO: Deputy Chief of Staff, U. S. Army (Attention: Historical Properties Section, Office of Army Headquarters Commandant, The Pentagon, Washington 25, D. C.)

Submitted herewith in accordance with section III, WD Circular 253, 1946, is a list of historical trophies presently on hand in this installation.

Line No.	No. of items	Brief description of article	Title (owner-ship)	Material	Approx. size	Weight (if applicable)	Condition	Source	Date recd.	Brief summary of significance	Present use and availability
1	1	Mexican Regt. material color: "Granaderos de los Supremeos Poderes."	U.S.	Linen	4x5'	4 lbs.	Fair	Gen. Hirsh K. Smith	1880	Captured in Mex.-can War.	Hung in Officers Club.
2	1	Prussian rifled carbine, cal. .56, mod 1847.	U.S.	.....	4	5½ lbs.	Good	Prussian Govt.	1868	First bolt system in military service.	On exhibit for training purposes.
3	1	Prussian rifled carbine, cal. .56, mod 1847.	U.S.	.....	4	5½ lbs.	Good	.....	1880	First bolt system in military service.	Storage available for transfer.
											Commanding Officer:

WD AGO Form R-5425  
21 Aug 46

Figure 1

4. HISTORICAL TROPHIES IN OTHER ARMY INSTALLATIONS. Historical trophies stored, displayed, or otherwise used by all other Army installations will be inventoried and reported on WD AGO Form R-5425 through appropriate channels to the Deputy Chief of Staff (Attn: Chief, Historical Properties Section, Office of Army Headquarters Commandant) as follows:

a. Periodicity. The first report will be submitted on 31 September 1946. Additions and changes will be submitted semiannually thereafter.

b. Report form. All reports will be prepared substantially as shown in figure 1, on sheets approximately 10½ by 16 inches, and numbered serially. Individual entries will be assigned line numbers to permit ready identification and reference. Reports will be forwarded in duplicate. In addition to information indicated on the form, so far as appropriate and available, any further details will be included which will assist the Historical Properties Section in identifying and appraising the items reported. This report has been assigned Reports Control Symbol SH-M2-69. WD AGO Form R-5425 will be reproduced locally. Number, title, and date of form will appear on all reproductions.

c. Availability of items reported. The right hand column of the report form is designed for information as to the use being made of or planned for each item reported, and should indicate any future availability for exhibit in a National War Museum.

d. Existing inventories. Existing published or other formal inventories incorporating the information required in figure 1 may be substituted for the above when practicable.

5. DISPOSITION OF HISTORICAL TROPHIES. Disposition of historical trophies which are or may become Federal property will be directed by the Historical Properties Section which may at its discretion accomplish distribution of such items to posts, camps, and stations, and to museums of the Army, or to public museums or other public institutions on indefinite loan or by simple gift. Recommendations by the Historical Properties Section for disposition as indicated above, or for action on unusual cases, will be forwarded to the Deputy Chief of Staff for concurrence. Army installations desiring to dispose of trophies will follow the procedure as outlined in WD Circular 90, 1946, for quartermaster depots. Requests for disposition will be made by letter through appropriate channels to the Deputy Chief of Staff, U. S. Army (Attn: Chief, Historical Properties Section, Office of Army Headquarters Commandant). Special requests will be forwarded promptly for disposition of historical trophies of outstanding significance.

6. SPECIAL STORAGE. The Quartermaster General will provide space for storage of historical materials whose storage is not provided for by existing regulations or procedures upon request made from time to time by the Historical Properties Section through the Deputy Chief of Staff, U. S. Army.

(AG 000.4 (18 Jul 46))

IV. INSTALLATION. Effective as of 8 August 1946, the army installation at Lunken Airport, Cincinnati, Ohio, except certain areas and facilities required for Air Reserve activities, is placed in the category of surplus.

(AG 602 (12 Aug 46))

V. POSTWAR ROTC PROGRAM. Paragraph 21, WD Circular 224, 1946, is amended as follows:

The school listed on the eighth and ninth lines near the top of page 12 is corrected to read as follows: Michigan College of Mining and Technology, Houghton, Mich. ....CC....Eng.

(AG 000.8 (12 Aug 46))

VI. TM 12-222. Pending printing of changes in TM 12-222, paragraph 81 is rescinded and the following substituted therefor:

81. BOND PURCHASES. Inasmuch as cash purchases of War Bonds, only, may be made by military personnel about to be discharged from separation centers, attention is invited to TM 14-513, Procedure for the Purchase and Issuance of United States Savings Bonds.

(AG 018.1 (26 Jun 46))

BY ORDER OF THE SECRETARY OF WAR:

OFFICIAL:  
EDWARD F. WITSELL  
Major General  
The Adjutant General

DWIGHT D. EISENHOWER  
Chief of Staff

REPRODUCED BY THE NATIONAL ARCHIVES  
by ADT NARA Date 6/10/07  
DECLASSIFIED  
REF ID: A668071  
Lot 624  
RE 59 Box 1 File 4

115013

GBF - Mr. Howell

March 17, 1947

ADO - Miss Hall

Financing of "Return of Looted Objects to Countries of Origin"

As the expenses involved in the immediate implementation of the policy outlined in SWNCC 322 are so small, it appears advisable for the time being to ask the Smithsonian Institution to bear the charges, as Mr. Wetmore volunteered to do. The attached letter has therefore been altered and is being returned for your consideration.

However, if there should be any substantial increase in the number of art objects to be returned, following the publicizing of this policy, it may be necessary for the War, Navy and State Departments to assume this obligation in accordance with SWNCC 322, whereby the War and Navy Departments will defray the necessary costs if the person surrendering the objects were serving in their respective services, and the Department of State will meet the costs when the persons are unknown.

At that time, it is expected that enough data may have been accumulated to make it possible to estimate the probable amount of the Department's obligation.

Attachment

ADO:ARHall:mbv

3/17/47

115014

RG 59 Box 1

by A.D.L. NAPA Date 6/10/99

Autonomy NIND 968971

Lot 62D-4

ORCLASSTHIEU

REPRODUCED AT THE NATIONAL ARCHIVES

NOV 17 1947

In reply refer to  
ADO

My dear General Noce:

In accordance with SWNCC 322 for the "Return of Looted Objects of Art to Countries of Origin", approved by the State-War-Navy Coordinating Committee on 28 January 1947, the Department of State is to assume the responsibility for making arrangements to have the objects in question suitably packed and delivered to the indicated embassy or legation in Washington or to the Department of the Army for return to countries of origin. The directive further indicates that the expenses are to be defrayed by the three agencies.

It is proposed that the Department of State meet these expenditures initially with the understanding that the Departments of the Army and the Navy may be required to reimburse the Department of State for their share of the expenses in accordance with paragraphs 6 a. and 6 b. of SWNCC 322, if the amounts involved are significant.

A confirmation of this procedure is requested.

Sincerely yours,

Frank G. Wisnerman  
Deputy to Assistant Secretary  
for Occupied Areas

Major General Daniel C. Noce, U.S.A.,  
Chief, Civil Affairs Division,  
Department of the Army,  
Washington 25, D.C.

ADO:ARH:mbv

9/25/47

OIE OBP

3564

115015

RG 59 Box 1

by A.D.C. NADA Date 6/10/49

Autonomy NND 968071

lot 62 D-4

REF ID: A61161

48-3496  
HOBO SPRE

*Handwritten*  
Sept. 30, 1948

(34)

In reply refer to  
III

My dear Mr. Secretary:

Under the policy on the "Return of Looted Objects of Art to Countries of Origin," approved by the State-War-Navy Coordinating Committee, January 28, 1947, and published in the attached Department of State Bulletin, page 358 ff., the Department of State, with the cooperation of the Bureau of Customs and American museums, has carried forward the program of the recovery of objects of cultural value dispersed during World War II and introduced into the United States by members of the Armed Forces. It has been the intent of the Department that this program should be administered, if possible, without any punitive measures being taken and without the items apprehended being publicized. The objects thus far recovered and returned were identifiable as coming from European public collections and were voluntarily surrendered.

There have recently come to the attention of the Department reports of other valuable objects appearing in the New York art market suspected of being brought into the country by former members of the Armed Forces. One such case reported to the Department by Senator Theodore Francis Green of Rhode Island involves gold medals and coins from the collection of the Weimar Museum being offered by a former Colonel Smith (?) to the New York art dealer, Berry-Hill. It is believed that such cases might appropriately be handled with the advice and cooperation of the Office of the Provost Marshal General, Major General E. P. Parker, Jr.

It is, therefore, proposed that an opportunity be afforded for consultation between the Arts and Monuments

Officer

The Honorable  
Gordon Gray,  
Secretary of the Army.

R6 K9 Box 1

Lot 62D-4

Authority AND 968971  
b7d b7c HAPA Date 6/10/49  
DECLASSIFIED

115016

Officer of the Department of State and an appropriate  
division of the Provost Marshal General's office.  
*official*

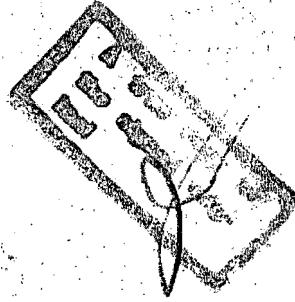
Sincerely yours,

For the Secretary of State:

Howland H. Sargeant  
Deputy Assistant Secretary  
of Public Affairs

Enclosure:

1. Department of State  
Bulletin, February 23,  
1947.



OEX: ILI:AHall:mmc

9/23/49

OEX/D

GA

HOB

Mr. Conger

RG 59 Box 1      BY ALICE NAPA Date 6/10/99  
Lot 62D-4      Authority NWD 968071  
DECLASSIFIED

115017

REF ID: A653029/6-1749  
10 SEP 1967 REC'D. TO  
R69  
CIA

- S -

Office of the Director of the Defense Intelligence Agency  
General Directorate to refer to  
Directorate of Defense Intelligence

Directorate of Defense Intelligence

To the Secretary of Defense:

Purpose - M.D.A & A

for purposes of defense as completed  
as M.D.A & A - Arch-

to publicize its

program:

3. For Planning

Coordination of  
intelligence, technical

in cooperation in accordance with  
Chart course from first to last

It is anticipated that  
the capabilities of the individual  
and needs of his agency  
so assigned would be made available  
to UN agencies for incorporation  
in their

Added impetus has given to  
planning for

impact of military operations  
on cultural properties -  
~~losses of cultural features~~  
might be the basis for  
~~future compensation claims~~

R69

AD

EX-1

Category III

R69 Box 1

Lot 62D-4

BY AAC NAFI DATE 6/10/69  
Authority AND 968071

DECLASSIFIED

115018

KGS9  
341

C O P Y

Department of the Army  
Washington, D. C.

Honorable Howland H. Sergeant  
Deputy Assistant Secretary of Public Affairs  
Department of State  
Washington 25, D. C.

Oct. 19, 1949

My dear Mr. Sergeant:

I refer to your letter of 30 September 1949, file reference III, to the Secretary of the Army, which has been referred to me for reply.

The Provost Marshal General has informed me that on 6 October 1949 his representatives consulted and effected a liaison with the Arts and Monuments Officer of the Department of State on matters concerning the rendering of investigative assistance in the recovery and return of Looted Objects of Art from European public collections.

On the above date there was a general discussion of the jurisdiction of the Army investigators in cases involving former members of the Department of the Army. It was pointed out that the Army's enforcement powers are limited to the control of only those individuals on active duty and/or those persons coming within the purview of Article of War 2, Manual of Courts-Martial 1949. Despite this lack of jurisdiction in many cases, it was felt that your representative, nevertheless, should consult with the Office of the Provost Marshal General for any possible assistance that that office can render.

Regarding the case reported by Senator Theodore Francis Green of the State of Rhode Island, your representative informed The Provost Marshal General's Office that this case had been referred previously to the United States Customs Bureau and is now under investigation by that agency.

It is suggested, therefore, that your Arts and Monuments Officer be permitted to consult, secure advice, and deal direct with the Office of The Provost Marshal General whenever the need may arise in the recovery and return of looted objects of art.

Sincerely yours,

JOHN W. MARTYN  
Administrative Assistant

R659 Box 1  
Lot 62D-4

by AT NARA Date 6/10/99  
Authority NWD 968071  
DECLASSIFIED

115019

Martyn

RGS9  
Box 1

NOV 8 1949

In reply refer to  
LGI 862.403/6-1749

My dear Mr. Martyn:

Your reply of October 19, 1949, to my letter of September 30, 1949, has been received. The cooperation of the Department of the Army in arranging for the liaison between the Arts and Monuments Officer of the Department of State and the Office of the Provost Marshal General, as may be required, in the recovery and return of looted works of art introduced into the United States is very much appreciated.

Sincerely yours,

Howland H. Sergeant  
Deputy Assistant Secretary  
of Public Affairs

Mr. John W. Martyn,  
Administrative Assistant,  
Department of the Army,  
Washington, D. C.



OKX:ILL:ARHall:mms 10/26/49 OEX/D GA - Mr. Conger EUR

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RGS9 Box 1

Lot 620-4

b7D  
NARA Date 6/10/99  
Autonomy NWD 968971

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~~Note:~~

Send the U.S.S.R.  
a copy of missing  
objects when printed  
and refer to ~~the~~  
Note explaining that  
they are wrong.

RGS9 Box 1  
Lot 62 D-4

by AL Napa Date 6/16/99  
Autonomy NND 968071  
URLAR331FILE#

115021

EMBASSY OF THE  
UNITED STATES OF AMERICA

Moscow, U.S.S.R.  
January 6, 1948.

No. 21.

Subject: Control of Cultural Property Looted by Enemy  
during the course of the war.  
The Officer in charge refers to  
the Department's telegram no. 1893, October 18, 1947, and  
the Embassy's telegram no. 23, January 5, 1948,  
and has the honor to transmit for the records of the Department  
800.6/5//1-348/CE  
the following copies of correspondence exchanged between the  
Embassy and the Soviet Ministry of Foreign Affairs in this  
connection:

Two copies of note no. 11 of January 5, 1948, to  
the Soviet Ministry of Foreign Affairs concerning  
agreement of July 8, 1946 with respect to the  
control of cultural property looted by the enemy  
during the course of the war and inviting the  
Soviet Government to participate.

Enclosure:

Two copies of note no. 11  
dated January 5, 1948,  
as stated.

G/Rainhardt:RVA

Received  
Dept. of State  
1948 Jan 27 38  
DC/ma

OIO OCCUPIED AREAS  
(ACB)  
FEB 12 1948  
DEPARTMENT OF STATE

RGS9 Box 1  
Lot 62 D-4

REF ID: A64 Date 6/6/69  
Autonomy NNO 968071  
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115022

The War

No. 11

Moscow, January 5, 1948.

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics and has the honor to inform the Soviet Government that on July 8, 1946 an agreement was concluded among the United States, the United Kingdom and France with respect to the control of cultural property looted by the enemy during the course of the war and on behalf of the United States Government to invite the Soviet Government to participate in this agreement.

The text of the agreement of July 8, 1946 is enclosed and in accordance with its provisions the Soviet Government is invited to exchange with liberated countries lists of spoliated articles not yet recovered

To the

Ministry of Foreign Affairs,

Moscow.

RG59 Box 1  
Lot 62 D-1BY AIR MAIL  
January 11, 1948  
Airmail  
ULCMASSIFED

115023

Copy of Text of Agreement of July 8, 1946  
with respect to control of cultural property  
looted by the enemy in countries occupied  
by it during the war.

The Governments of the United States, United Kingdom and France have agreed to recognize the usefulness of a common demarche to be made to the neutrals recommending that certain measures be taken by them with a view to discovering in their territory cultural property looted by the enemy in countries formerly occupied by it and to control such property and prohibit its exportation abroad. (This relates to articles including books, manuscripts and documents of an artistic, historical, archeological, scientific, pedagogic or religious character.)

With this in view they agree to request the governments of the liberated countries to furnish the governments of neutral countries as soon as possible lists of spoliated articles which have not as yet been restituted through the recuperation operations now being made in Germany and Austria (it being understood that, if necessary, these lists might be completed by means of additions thereto and that as recuperated objects are received notification will be given of their deletion).

The three governments will recommend to the governments of the liberated countries that they exchange their respective lists and send copies to the governments of the United States, and the United Kingdom and all other governments which the countries interested in this procedure may consider useful.

The three governments will invite the neutral governments to seek out immediately looted articles in their territory and instruct the national customs authorities to prohibit the export of any article which may be presumed to have been looted. The governments of the liberated countries will submit as soon as possible to neutral countries lists of art objects looted within their territory for the purpose of assisting the investigations undertaken by the neutral countries. The customs authorities of the neutral countries should refer doubtful cases to their governments which will make every effort to identify the articles and to verify the good faith of proposed transactions making use of local art experts, police and information services. If any doubts still remain, the neutral governments will submit such cases with detail and photographs of the articles in question for the examination of the three governments.

Furthermore, the lists should be circulated to art dealers, museum authorities and specialized

people

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Lot 620-4

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ALBANY AND 968971  
DEC 1946  
CLASSIFIED BY ALB-NAPA DATE 6/10/99

recovered through recuperation operations, to furnish such lists to neutral countries, the United States, United Kingdom, and all other Governments which the U.S.S.R. may desire and to adopt appropriate measures for the control of looted articles.

In this connection it is recommended that the lists furnish as full a description as possible of the cultural objects in question with dimensions and photographs if available to aid in their identification and that any lists sent to the United States be drawn up in the English language.

It is understood that an invitation to the Soviet Government to participate in this agreement is being extended similarly by the United Kingdom and France and that the following countries as well have been invited to participate: Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, Finland, Greece, Hungary, Ireland, Italy, Netherlands, Norway, Poland, Portugal, Romania, Spain, Sweden, Switzerland, and Yugoslavia.

GFReinhardt:rvm

RGS9 Box 1  
Lot 620-4

BY AIR NARA Date 6/10/69  
Authority NANO 96071  
DECLASSIFIED

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people who will be under the same obligation of vigilance as the customs authorities and compelled to refer suspicious cases to the central administrations. The governments of the neutral countries shall, furthermore, alert their public opinion with regard to their interest in looted articles by means of the press and all other kinds of publicity requesting that all suspicious cases be notified to the police and other governmental services.

The governments of the United States, Great Britain and France underline the usefulness which the application of the above indicated measures represent for the liberated countries as well as for themselves and that they are desirous of having the neutral countries adopt them. Each government undertakes to effect all appropriate measures and will request the governments of the liberated countries to do likewise.

copied: rvm

RGS9 Box 1

Lot 62 D-4

by ALC NAPA Date 6/1/69  
Authority AND 968071

DECLASSIFIED

115026

TRANSLATION

MINISTRY OF FOREIGN  
AFFAIRS OF THE USSR

No. 36

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics presents its compliments to the Embassy of the United States of America and in connection with the Embassy's note no. 11 of January 5 last has the honor to state that the Soviet Government cannot join in the agreement regarding the search for objects of art looted by the enemy which was concluded a year and a half ago without the knowledge of the Soviet Government and which affords special rights to the United States of America and Great Britain in comparison with the countries whose territory was occupied by the enemy.

Moscow, March 4, 1948.

To the

Embassy of the United States of America,  
Moscow.

Translated: JMMcSweeney

Checked: NSBarnes

PVM

RGS9 Box 1

Lot 62 D-4

BY AIR NPA Date 6/10/49  
Autonomy NPA 9689671

DECLASSIFIED

115027

187 Library of Hawaii  
Honolulu, Hawaii -

188 ~~Grolier Club~~  
~~4 East 60th St~~  
~~New York 21~~

189 ~~Rock Art Research~~ Lib.  
~~To East 71st St~~  
~~New York 21~~ 113

190 ~~Berger~~ 113  
~~29 East 36th St~~  
NY 16 118

RG 59 Box 1 115028  
by AAC NPA Date 6/16/99  
Autonomy AND 968071

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REPRODUCED WITH THE NATIONAL ARCHIVES

d. Since politics has perhaps inevitably, become a major issue in the field of reconstruction of architectural monuments, rebuilding of the Limburg Autobahnbrücke has assumed top priority and preliminary work has been begun.

e. The following monument was inadvertently omitted from the group of Hanau monuments considered in the March Report:

KESSELSTADT (L51/M8371)

Kr Hanau

Rbz Wiesbaden

a. Schloss Philippsruhe

(ASFL)

b. 13 Feb 47

c. Undamaged by war action. Occupied by a US unit for two days April 1945, and briefly by the Hanau MG Detachment.

d. Condition reasonably good considering extensive use to which the building has been put since early 1945.

e. Contents: The most important works of art and antique furniture were transferred during the war to Schloss Adolfseck for safekeeping. In April and May 1945 much of the remaining furniture and paintings and engravings were informally appropriated for use in billets at nearby Langendiebach and by the Hanau MG Detachment. (The list of missing property runs to ten typewritten pages). An investigation for recovery of the property is now in course. The most valuable or fragile remaining pieces have been assembled in the offices of the Custodian on the third floor. Now stored in the North wing are considerable portions of the Hanau library and the Hanau City Archives returned from repositories at Schloss Schwarzenfels and Mötgers, and some property of the Hanau Gold- und Silber Museum returned from a repository at Nidda. The current records of the City of Hanau are nearly all in the building.

f. Present user:

a. Military Government Court uses the ball room.

b. Nearly all the departments of the very extensive city administration are housed here - the Oberbürgermeister in the Spiegelzimmer, the Spruchkammer in the dining room, the Bureau in the library, the tax office in the billiard room, Public Health in a powder closet, etc.

c. The Kurhessische Hausstiftung occupies a suite of rooms on the top floor.

d. At times a good half of the population of Hanau is concentrated in this palace which, large as it is, daily gives the appearance of being about to burst its joists from overcrowding.

e. Responsibility belongs technically to the Custodian for the Kurhessische Hausstiftung, Dr. Ziegler, but is exercised in fact by the Oberbürgermeister.

of the Landeskonservator and of the Director for Museums are attached  
to "A" and "B".

Wiesbaden Collecting Point: see Annex "D"

a. Notice of termination of the contract of the Director, based on the declaration of January, was received on 29 March, and the Director therefore started preparations for his departure, which took place on 6 April. Meanwhile he prepared his monthly report and made as extensive arrangements as possible for leaving the Collecting Point in the soundest possible working order, so that its operations and incomplete mission can be carried forward with what supervision the Land Chief can give.

b. The only restitutions shipment of the month, consisting of antique Persian tiles, was sent to Czechoslovakia. A large Dutch shipment was prepared and packed, but scheduled transport failed and delivery has not yet been made.

c. Other releases included the major part (remainder to be transferred in April) of the Schmeckle Collection, released to the Württembergische Staatsgalerie at Stuttgart to act as custodian until final disposition of the blocked Sonnenburg Estate is settled; paintings by Cezanne and Sisley to the Mannheim Kunsthalle; and paintings from two privately-owned German collections.

d. Seven in-shipments were received, including a large quantity of important restitutable items from the Frankfurt Museum für Kunsthandswerk.

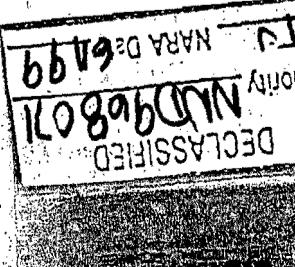
e. Approximately 200 historic weapons removed from French national collections at the Invalides in Paris and from Fontainebleau were identified by Commandeur Druelle among the Zaughaus material and are being prepared for shipment. A number of pieces of considerable importance are included, but the ceremonial sword of Napoleon failed to be with this material proved to be a substitute although accompanied by the original and apparently genuine labels of authenticity. Further investigation of ex-admiral Lorey and Dr. Post on this point is recommended.

f. Frau Dr. Kühnel began work on the recently received Flaktrum material from Berlin.

g. Racks for the improved storage of the Berlin Kupferstichkabinett inventories recently designated for this purpose were completed and physical transfer awaited only repair to the elevator in the Antiquities Wing.

h. The case of the missing paintings was in large part solved by the Kriminalpolizei with the arrest of an unlicensed Wiesbaden dealer and an employee at the GDR. Nineteen of the 26 items were recovered; four "none of particular importance" are stated to have been sold to unidentified Americans. All recovered items were in perfect condition.

i. The fifth Collecting Point exhibition, selected by AFAM officers but otherwise the responsibility of the Kultusministerium, "Nineteenth Century German Painting", was opened under the co-sponsorship of the Office of the Military Government for Greater Berlin and the Kultusministerium on 10 March.



RGSq Box  
lot 62D-4

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FEDERAL REPUBLIC OF GERMANY,

Plaintiff,

-against-

EDWARD I. ELICOFON,

69 Civ. 93 (JM)

AFFIDAVIT

Defendant,

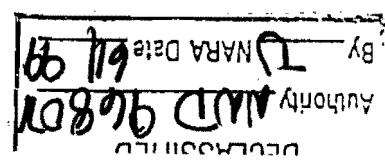
ELISABETH MATHILDE ISIDORE ERBGROSS-  
HERZOGIN VON SACHSEN-WEIMAR-EISENACH  
(GRAND DUCHESS OF SAXONY-WEIMAR),  
and KUNSTSAMMLUNGEN ZU WEIMAR,

Plaintiffs-Intervenors.

STATE OF NEW YORK )  
:ss.:  
COUNTY OF NEW YORK )

CHURCHILL J. BRAZELTON, being duly sworn, deposes  
and says:

1. During the late spring of 1945, I was a Lieutenant in Army Intelligence on the staff of the First Army. For a part of this time, I was stationed in Weimar, Germany. I make this affidavit at the request of defendant's counsel to set forth my knowledge of certain events that took place in Weimar during my tour of duty. I am fully familiar with the facts hereinafter stated.



Lot 62D-4  
Brazelton

2. I have been informed by defendant's counsel that a memorandum dated June 13, 1945 and prepared by Dr. Walther Scheidig, the former Director of the Kunstsammlungen zu Weimar ("Kunstsammlungen"), states that the previous day Dr. Scheidig had visited the Schwarzbürg Castle, located some distance from Weimar, and had inspected, in the presence of a Princeton student attached to Company F, 2nd Battalion, 406th Infantry Regiment, 102nd Division, certain paintings stored in the Castle. I have also been informed by defendant's counsel that a memorandum dated September 20, 1945 and prepared by Dr. Scheidig lists me as a person who might be of assistance in securing the safety of eight paintings said to have been stolen from the Schwarzbürg Castle.

3. I am a graduate of Princeton University and did in fact meet Dr. Scheidig in Weimar in the spring of 1945. However, I was not then or at any time attached to Company F, and I have never been to Schwarzbürg in Dr. Scheidig's company or otherwise. In my Weimar conversation with Dr. Scheidig we did discuss the Kunstsammlungen's coin collection, and I recall Dr. Scheidig telling me that this collection had been stolen while in the custody of the American troops occupying Weimar. Dr. Scheidig and

RGSq Box 9  
lot 620-4

Brazelton

I also discussed our mutual interest in antiques and objets d'art. I was able to purchase a pair of antique pistols through Dr. Scheidig. Dr. Scheidig and I had no conversation about missing paintings from the Kunstsammlungen's collection and, more particularly, we had no conversation about missing Duerer paintings. Indeed, to the best of my recollection, I was never aware that any part of the Kunstsammlungen's collection was stored in the Schwarzburg Castle.

4. Dr. Scheidig and other German civilians I met in Weimar were quite apprehensive about the then rumored approach of the Soviet army. I recall Dr. Scheidig telling me that, if it became known that the Russians were to occupy Weimar, there would be a number of people in Weimar and the vicinity who would be interested in selling art objects.

5. More than a year after I left Weimar and subsequent to my discharge from the Army, I received a letter from Dr. Scheidig complaining about the local food shortage and asking whether I could arrange to send him some food. The letter made no mention of any theft of paintings and did not solicit my aid in locating or safeguarding any paintings.

CHURCHILL J. BRAZELTON

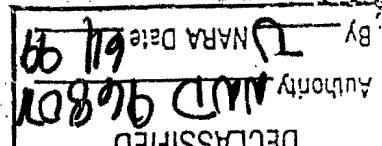
Subscribed and sworn to this  
day of , 1979

Notary Public

JAMES W. HODGKIN  
Notary Public State of New York  
Serial No. 1702200  
County of Orange  
Date of Commission 10/1/79

3

115033



RG5q Box 9  
Lot 623-4

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FEDERAL REPUBLIC OF GERMANY,  
Plaintiff,

EDWARD I. ELICOFON,

69 Civ. 93 (JM)

Defendant,

**AFFIDAVIT**

ELISABETH MATHILDE ISIDORE ERBGROSS-  
HERZOGIN VON SACHSEN-WEIMAR-EISENACH  
(GRAND DUCHESS OF SAXONY-WEIMAR),  
and KUNSTSAMMLUNGEN ZU WEIMAR;

**Plaintiffs-Intervenors. : :**

STATE OF ILLINOIS )  
: ss.:  
COUNTY OF DU PAGE )

CECIL A. WOOTEN, being duly sworn, deposes and says:

1. I am a Senior Vice President of Chicago Bridge and Iron Co. In the spring of 1945, I was a Second Lieutenant in Company F, 2nd Battalion, 406th Infantry Regiment, 102nd Division, when it was stationed in Schwarzburg, Germany. I make this affidavit at the request of defendant's counsel to set forth my knowledge of certain events that took place during Company F's occupation of Schwarzburg. I am

By **NARA** Date **6/1/99**  
Authority **ADM 96805**  
Source **ADM 96805**

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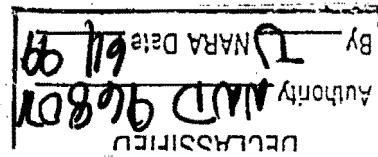
RGSq Box 9  
Lot 62D-4

Wooten

fully familiar with the facts hereinafter stated.

2. By the time Company F arrived in Schwarzbburg, the war in Europe was over and ordinary military discipline had been relaxed somewhat. No effort was made to prevent American soldiers from contacting or making friends with German civilians. All of the Company's officers were billeted in one building in Schwarzburg, and generally ate together. The enlisted men were scattered in various buildings throughout the town. The Castle itself was a large building situated on the top of a hill above the town. The building had a number of entrances, only one of which was guarded, and there is no reason why someone could not have entered the Castle without the guard's knowledge. Among my wartime memorabilia, I have located two photographs of the Castle showing the building as it appeared during the time of our occupation. Copies of these photographs are attached hereto as Exhibit A.

3. I recall visiting the basement of the Castle and seeing various porcelain dinner settings, and visiting a nearby building containing what appeared to be submarine parts. I do not recall seeing any paintings in the Castle and I am not sure that I even knew any paintings were stored in the Castle, except that I may have heard about a picture



Wooten Lot 620-4

of a child with a fly on his nose.

4. In 1954, I spoke with an Army investigator concerning my recollection of our occupation of Schwarzburg. At the request of defendant's counsel, I have reviewed the signed statement I made at that time. A copy of this statement is attached hereto as Exhibit B and I confirm its accuracy.

5. I have been informed by defendant's counsel that it has been alleged that a Dr. Walther Scheidig visited the Castle twice during June 1945 to inspect certain paintings said to have been stored there, that Dr. Scheidig claims to have discovered that some of the paintings were missing, and that he complained of their loss to our Commanding Officer, Captain Paul N. Estes, in the presence of a lieutenant. I have never met Dr. Scheidig, have no recollection of being aware that any paintings were reported to be missing and never was a witness to a complaint or discussion of any paintings being missing. I am reasonably certain that such matters would have been discussed among the officers or otherwise brought to my attention, and that I would now recall any such circumstances or events, had they existed or occurred.

RGSA Box 9  
Lot 620-4

6. After leaving Schwarzburg, Company F moved south to Passau, now located in West Germany, where we were stationed until the 102nd Division returned to the United States, in the summer of 1945.

CECIL A. WOOTEN

Subscribed and sworn to this  
4th day of December, 1979

Emily E. Miller  
Notary Public

My Commission Expires February 4, 1981

RGSq Box 9  
Lot 62D-4

Direktion  
der Staatl. Kunstsammlungen  
Weimar

A b s c h r i f t

Ardelia Hall

Hunting Hill Field  
Montague, Massachusetts  
July 26, 1966

Dear Dr. Scheidig:

Your Letters of June 23, 1966 and July 13, 1966 have reached me here in the country, where I shall stay until September or October.

I am glad to learn that you have retained an attorney in New York. Not only the dealers, as you mention, but museums are interested in buying the Dürers. Their lawyers have come to me inquiring about the ownership. I have referred them to the State Dept. and will write more about that, when I get my typewriter. There is so much money involved in the purchase even of these stolen paintings, that I am writing now to suggest, that your attorney file an attachment of your ownership so that the paintings will be taken into the custody of the court; (I am not informed in legal matters or phraseology) but the idea is to prevent a quick sale.

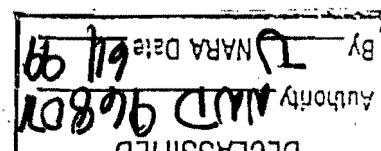
Will write further later -

Yours very sincerely

(gez.) Ardelia R. Hall

Die Richtigkeit der  
Abschrift bestätigt:

*Wolfgang Scheidig*  
(Dr. Scheidig)  
Direktor



RGSA Box 9

Kunst am Bau  
Berlin

and 20. 7. 66.

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

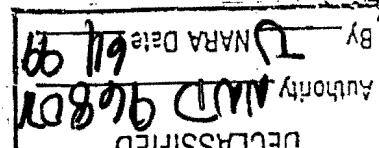
May 30, 1966

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

Dear Dr. Scheidig:

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

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



RGSq Box 9

33)

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

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

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

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

Yours very sincerely,

Ardelia R. Hall

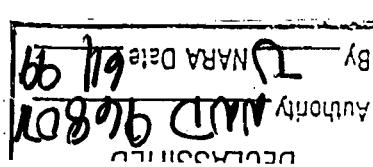
3025 Cambridge Place, Washington, D.C. 20007

Telephone: Dupont 7-3246

Hunting Hill Field, Montague, Massachusetts, 01351

Telephone 367-2818 on Western Massachusetts Area Code 413.

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



115040

Einrichtung  
Staatl. Kunstsammlungen  
in Weimar.

Don 4. Mai 1945.

An

den Herrn Oberbürgermeister der Stadt Weimar.

Nach dem oben verkündigten Gesetz No. 52 der Militärregierung sind die Staatlichen Kunstsammlungen

Schlossmuseum, Landesmuseum und Kokosmuseum-Palais

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

Bei dieser Sachlage bitten wir, in Erwürfung zu ziehen, ob im Einvernehmen mit der Militärregierung ein Staatliches Gebäude, zu besten das Goethe-Schiller-Archiv, zum Schutzgebäude für staatlichen Kunstschatz erklärt und unter amerikanische Führung gestellt werden könnte. Dorthin würden wir denjenigen gesicherten Kunstschatz aus den Schlossmuseum und besonders noch aus Palais verlagern.

Der Hauptteil der Staatlichen Kunstsammlungen befindet sich in Bogenhausen während der Stadt schwer, und kann von uns gewaltig nicht erreicht und begrenzt werden.

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

Weimar am 4.5.45.

(13B)

Staatliche Kunstsammlungen  
- Der Direktor -

Weimar, den 28.1.1961  
Burgplatz, Schloßmuseum

Dr. Sch./Th

Miss  
Ardelia R. Hall  
3025 Cambridge Place N.W.  
Washington 7, D.C.  
U.S.A.

Sehr geehrte Frau Hall!

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

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

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

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

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

Mit freundlichen Grüßen!

Ihr

*W. Scheidig*  
(Dr. Scheidig)

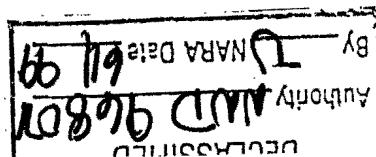
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By *L. NARA Dec 6 1999*  
Authority *MD 96801*  
SEARCHED *MD 96801*  
INDEXED *MD 96801*  
FILED *MD 96801*

RGSq Box 9  
Lot 620-4

Miscellaneous:

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



RG5q Box 9  
Lot 62D-4

- 2 -

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

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

by NARA Dec 6 1999

115044

RGSq Box 9  
Lot 62D-4

(13C)

Staatliche Kunstsammlungen  
- Der Direktor -

Weimar, den 28.1.1961

### B e r i c h t

#### Über Diebstahl von Kunstwerken aus Depots der Staatlichen Kunstsammlungen

Ort des Depots:

Nebengebäude des Schlosses Schwarzburg/Thür.

Inhalt:

Kunstwerke aus dem Besitz der Staatlichen Kunstsammlungen in Weimar

Ortlicher Verwalter:

Platzmeister Ehke, Schwarzburg / Schloßbezirk

Besetzung des Depots:

Ungefähr am 12. April 1945 durch amerikanische Truppen

Kontrolle 1.:

Am 12. Juni 1945 durch Dr. Scheidig, Weimar, Direktor der Staatl. Kunstsammlungen.

Befund:

Schloßbezirk mit Depot von amerikanischen Truppen bewacht. Schlüssel zu Depoträumen in Hände des Ortskommandanten.

Es ist in Schwarzburg eine Besatzung von ungefähr 40 Mann der 15. American Inf. Division unter Befehl von Capt. Paul Estes.

Unter Aufsicht eines Soldaten, der die Schlüssel vom Kommandanten Capt. Estes erhalten hat, erfolgt Kontrolle des Depots. Es ist anscheinend alles in Ordnung; es sind Schränke und Packstücke zur Prüfung des Inhaltes geöffnet worden. Es wird das Vorhandensein von besonderen Kostbarkeiten, z.B. Dürer, Bildnisse des Ehepaars Tucher, Rembrandt, Zeichnungen und Radierungen ausdrücklich festgestellt.

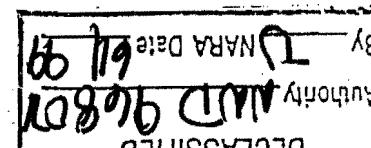
Kontrolle 2.:

Am 27. Juni 1945 durch Dr. Scheidig, Weimar, in Begleitung von Dr. Messter, Jena (Zeiss-Aerotopograph).

Ortskommandant und Besatzung die gleiche wie am 12. Juni: Capt. Paul Estes von der 15. America Inf. Division.

Wiederum Schlüssel von Capt. an Soldaten zur Ansicht. Zustand der Depots sehr verändert: Eine Nebentür aufgebrochen, Kunstgegenstände aus Vitrinen liegen lose herum, Kopfer und Pakete sind durchwühlt, der Inhalt teilweise verstreut. Dürer-Bildnisse des Ehepaars Tucher sind nicht mehr am alten Platz, sie können in den Depots nicht mehr gefunden werden.

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Begleitender amerikanischer Soldat fragte ausdrücklich nach wertvollsten Dürer-Bildnissen, um sie zu sehen. Er wollte anscheinend Aufmerksamkeit auf den schon geschehenen Diebstahl lenken, von dem er wußte, den er aber nicht denunzieren oder melden wollte.

Meldung des Zustandes und der Diebstähle an Cäpt. Estes durch Dr. Scheidig. Er erklärt, sein Befehl laute nicht auf Bewachung der Kunstdepo sondern Bewachung eines Marinedepots in den Kellern des Schlosses (das Vorhandensein eines solchen militärischen Depots war der Direktion der Staatl. Kunstsammlungen bis dahin unbekannt gewesen).

Der Kommandant fühle sich für die gemeldeten Diebstähle nicht verantwortlich, er rate zu schnellster Räumung der Depots.

#### Abzug der amerikanischen Truppen 1./2. Juli 1945

Ankunft sowjetischer Truppen, Einrichtung einer Ortskommandantur ungefähr 25. Juli 1945

#### Kontrolle 3.:

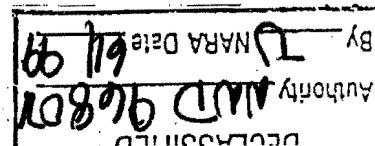
Am 19. Juli 1945 durch Dr. Scheidig, Weimar, und Assistentin Frl. Dr. Marchand.

#### Befund:

Depot unter Aufsicht des Platzmeisters Ehle und eines Ortspolizisten. Die Schlosser sind erbrochen und zerstört, es sind Türen eingebrochen. Packstücke, Pakete liegen mit verstreutem Inhalt umher, es liegen leere Gemälderahmen umher aus denen die Bilder gestohlen sind. Viele Reste von amerikanischen Zigaretten, Abdrücke von amerikanischen Militärschuhen im Staub und Schmutz der Fußböden der Depots.

Platzmeister Ehle erklärt, daß in den Nächten dem Abmarsch der amerikanischen Truppen geplündert worden sei. Beratung und Anleitung könnte der Architekt Fassbender gegeben haben, der im Schloßbezirk Schwarzburg seit einigen Monaten wohnte und mit den amerikanischen Truppen in engem Kontakt stand. Fassbender ist mit Hilfe der amerikanischen Truppen bei deren Abzug am 1. Juli 1945 unter Zurücklassung seiner Möbel nach Westdeutschland geflohen.

Für Fassbenders beratende Teilnahme an der Plünderung spricht besonders der Diebstahl eines großen Bildes von Caspar D. Friedrich, dessen Werke bei Nazi-Architekten (Fassbender war Mitarbeiter von Giesler beim Bau des Hotels "Elephant" in Weimar und beim Abbruch und geplanten Neubau von Schloß Schwarzburg als Residenz für Hitler sehr geschätzt waren, aber keineswegs, wie etwa Gemälde von Dürer und Cranach, internationalen Wert hatten.



115046

RGSA Box 9  
lot 620-4

**REPORT OF INVESTIGATION**  
**(MILITARY POLICE)**  
(See SR 190-30-1)

PREPARING AGENCY (Unit and Station) Provost Marshal Section Headquarters Third Army Fort McPherson, Georgia		CASE/RECORD NO. S/MG-5A-57
		DATE OF REPORT 23 January 1955
STATUS OF REPORT CIVIL (CONT'D)	PERIOD COVERED 10 July 1954 - 27 January 1955	
OFFENSE Larceny	TYPE OF INVESTIGATION <input checked="" type="checkbox"/> CRIMINAL <input type="checkbox"/> BACKGROUND <input type="checkbox"/> DETERMINATION OF STATUS <input type="checkbox"/> OTHER	
SUBJECT(S) Undetermined	VICTIM(S) The National Art Collection Schwarzburg Depository Schwarzburg, Germany	

SYNOPSIS

This investigation was initiated on 10 July 1954 by the Provost Marshal, Headquarters Third Army, Fort McPherson, Georgia, upon receipt of a letter from the Office of the Provost Marshal General, Washington, D.C., dated 16 July 1954, relative "Location of Paintings Stolen from Schwarzburg Depository, Schwarzburg, Germany." Further, that Mr. Paul H. ESTES (1/CAU/age 37), 23643 S.W. 60th Avenue, Miami, Florida, be interviewed to determine his knowledge of the missing paintings.

The aforementioned correspondence indicated that the theft was discovered on about 1 July 1955, immediately after the departure of units of the American Army, later identified as Company F, 460th Infantry Regiment, 102nd Infantry Division, and under the command of ESTES.

ESTES was interviewed relative to the missing paintings and denied any knowledge of the theft. However, he did know of one painting being missing and had conducted a cursory investigation with negative results. That painting was of a child with fly on its nose which appeared very real and allegedly valued at one million dollars (\$1,000,000.00).

At the time ESTES discovered the painting missing, he and Lt Colonel Isaac A. GATLIN were in the castle together (ESTES was examined on the Lie Detector with inconclusive results). A check of ESTES' home and local art dealer in Miami, Florida, met with negative results. (EXHIBIT "A")

(Continued)

LOCATION OR DISPOSITION OF PROPERTY OR EVIDENCE (Include monies)

None.

DATE DA FORM 280 SUBMITTED 1/1	INVESTIGATOR (Signature)	
DISTRIBUTION CG, Third Army, Ft McPherson, Ga. AFMU, ADAM OMC, Washington 25, D.C. FILE	COPIES 4 (5) 1	NAME AND GRADE (Type) W. T. PARKER, Major APPROVING OFFICER (Signature) FIRE INSURANCE CO. H. C. P. 1/1/55

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**115047**

RG59 Box 9  
Lot 620-4

Case/Record No. S(hq)-54-77

### **SYNOPSIS (CONT'D)**

On 27 July 1954, Mr. GUYER, former executive officer of Company F, 600th Infantry Regiment, was interviewed and stated he had no knowledge of the missing paintings. He claimed to have entered the castle only once. GUYER stated the following persons were responsible for posting guards at the castle: 2nd Lieutenant Cecil A. TROTTER, 2nd Lieutenant Clinton R. HUMPHREY, and W/Sgt Jerome LASSTIER. GUYER further stated that the following interpreters assigned his company may possess information of value: TATEMAN and LEITCH.

CATLIN returned to the United States during the time his (GYMKI's) company was guarding the castle, but later returned to Germany. GYMKI stated that, to his knowledge, no investigation of the missing paintings had been initiated by MISTRAL.

On 12 August 1954, TAGLAUER was interviewed and stated that he had served in Selmarzburg, Germany, in 1945, but denied any knowledge of the missing painting.

On 18 August 1964, WALTERS was interviewed and stated he was not cognizant of the paintings being in his unit's area of responsibility for security. He denied having knowledge of the identity of subject paintings. A check of art authorities in Waco, Texas, was made with negative results. A local background check on WALTERS indicated that he enjoys an excellent reputation and holds a very responsible position in Waco, Texas. (EXHIBIT "D")

On 9 September 1951, WOOTEN was interviewed and stated he recalled the castle's location and had entered the building for an inspection. He thought his unit was responsible for the guarding of submarine parts in the castle and not works of art. He remembered GATHAN and ESTES visiting the castle together and the mentioning of a picture of a child with a fly on its nose. He could not recall any thorough investigation pertaining to the theft of any works of art. WOOTEN's company was relieved units of the Soviet Army on or about 1 July 1948. (EXHIBIT "C")

On 5 October 1954, IMITEO was interviewed and stated he was assigned as Plat Sergeant with the responsibility of maintaining road blocks. He had no knowledge of the missing paintings in question. (EXHIBIT "D")

On 15 November 1954, LASSITER was interviewed and stated that his only contact with the Schwarzburg castle was the maintenance of the duty roster. He had no knowledge of the missing paintings and could not recall FBI/DOJ conducting an investigation pertaining to the missing paintings.

On 16 November 1954, CATLIN was interviewed and stated that he had no knowledge of the subject theft. He did not know that the Schwarzburg castle was the deposit of an art collection. At the end of June 1945, his unit's area of responsibility turned over to elements of the Soviet Army. CATLIN did offer to be examined on the polygraph (lie detector). (EXHIBIT "E")

Amount of private property reported lost: Undetermined

Amount of private property recovered: None

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RGSq Box 9  
Lot 620-4

Case/Record No. 2(1q)-54-77

II. CONCLUSIONS:

From the foregoing investigation, it is concluded that this investigation has failed to identify the person(s) responsible for the theft of the paintings from Schwarzenburg Castle, Schwarzenburg, Germany, in July 1945.

*Sgt. J. Farmer*

M. T. FARMER  
WONG

III. LIST OF EXHIBITS:

- A - Summarization of oral statement of Mr. Paul ESTEE, dated 21 July 1954.
- B - Statement of Mr. Clinton R. WALTERS, dated 18 August 1954.
- C - Statement of Mr. Cecil A. WOOTEN, dated 9 September 1954.
- D - Statement of SPC Edward J. LEITKO, dated 5 October 1954.
- E - Statement of Lt Colonel Isaac A. GATLING, dated 29 November 1954.

IV. LIST OF WITNESSES:

1. Mr. Paul M. ESTEE, 5548 S.W. 80th Avenue, Miami, Florida
2. Mr. H. C. NOVAK, Chief Detective, Miami Police Dept., Miami, Florida.
3. Mr. P. L. EINHORN, Lie Detective Operator, Miami Police Academy, Miami, Fla.
4. Mr. J. M. RONE, Attorney, Veterans Administration, Miami, Florida.
5. Mr. John S. CHYNN, P. O. Box 391, Lakeridge Drive, Tallahassee, Florida.
6. Mr. Clinton R. WALTERS, 3319 Hubby Street, Waco, Texas.
7. SPC Ronald E. DECIE, 43rd MP Detachment (CI), Fort Hood, Texas.
8. Mr. Harlan O. TAGLAUER, 201 Patterson Street, P.O. Box 88, Auburn, Michigan.
9. Sgt Harold J. PATTERSON, RA 37813970, 67th MP Det (CI), 6301 W. Jefferson, Detroit, Michigan.
10. Mr. Cecil A. WOOTEN, 33 Homestead Road, Metuchen, New Jersey
11. W/Sgt Frederick C. HARDICK, Sr., 17th MP Det (CI), Camp Kilmer, New Jersey
12. SPC Edward J. LEITKO, RA 33232745, Det 1, 9393 TSU, MPAC, Las Cruces, N. M.
13. W/Sgt Henry MEAURIGARD, 84th MP Det (CI), White Sands Proving Ground, Las Cruces, New Mexico.
14. W/Sgt Johnnie LASITTER, AF 6942016, 1401st Maintenance Squadron, Andrews Air Force Base, Maryland.
15. W/Sgt Charles V. ALDERTON, 4th MP Detachment (CI), Fort Myers, Virginia
16. Dale T. JAYNES, 4th MP Det (CI), Fort Myer, Arlington, Virginia.
17. Lt Colonel Isaac I. GATLING, 0355092, Headquarters Commandant, Camp Gordon,
18. WO1C John J. W. PURCELL, 88th MP Det (CI), Camp Gordon, Georgia.
19. W/Sgt Kelly M. MITCHELL, 88th MP Det (CI), Camp Gordon, Georgia.

BY *J. Farmer*  
JNARA Date 6/1/99  
Authority *WMD 96801*  
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115049

RGSQ Box 9

lot 620-4

SUMMATION OF ORAL STATEMENT OF Mr. Paul ESTES, DATE 21 July 1954

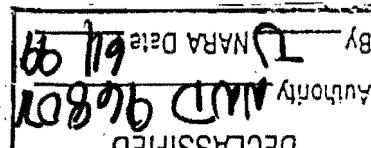
SN Civilian GRADE: Civilian ADDRESS: 3540 S.W. 60th Ave., Miami, Fla.

Mr. Paul H. ESTES was interviewed at his residence on the above date relative to the theft of the paintings in question. Mr. ESTES stated he was commanding Company "F," 460th Infantry Regiment, 15th Infantry Division and was responsible for the policing of twenty-one (21) villages and the Neimar Castle where the paintings were stored. ESTES remembers only one painting, that of a child with a fly on it's nose, which appeared very real and was set in a double portfolio. Later, during a conversation, ESTES mentioned the painting to Lt Col GATLIN, Battalion Commander, 2nd Battalion 460th Infantry Regiment, 15th Infantry Division, who wished to see the painting. When ESTES visited the paintings with Lt Col GATLIN, he discovered the painting to be missing. He made a cursory investigation and forgot the matter. ESTES stated that there had been no inventory of the paintings made from the time that he assumed the responsibility of guarding the castle until they departed the area of which Soviet authorities assume the responsibility. He further stated that three Germans lived within the Castle grounds: an architect and his wife, and one keeper of the grounds. The architect is alleged to have received twenty-five thousand marks (25,000) from Hitler for his invention of a bus stop or station, and to have told ESTES that the aforementioned painting was valued at one million dollars (\$1,000,000). ESTES concluded by stating that all officers and enlisted men were permitted to visit the castle and go where they pleased; that the war had just ended and everyone was relaxed and were not worrying about what happened to their former enemies, the Germans. ESTES stated that his former Executive Officer, Mr. John GARNER, Tallahassee, Florida, might could furnish more complete details on the subject. He also added that his former First Sergeant, 4/Sgt John LASSITER, address unknown, might also be of help. ESTES readily consented to an examination on the Lie Detector.

s/ Marvin T. Ferrer  
MARVIN T. FERRER, WOJG

C O P Y

115050



RG59 Box 9  
Lot 620-4

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FEDERAL REPUBLIC OF GERMANY,

Plaintiff,

-against-

EDWARD I. ELICOFRON,

69 Civ. 93 (JM)

Defendant,

AFFIDAVIT

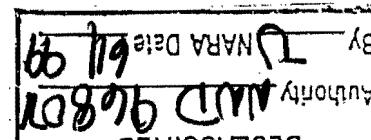
ELISABETH MATHILDE ISIDORE ERBGROSS-  
HERZOGIN VON SACHSEN-WEIMAR-EISENACH :  
(GRAND DUCHESS OF SAXONY-WEIMAR),  
and KUNSTSAMMLUNGEN ZU WEIMAR, :

Plaintiffs-Intervenors. :

STATE OF FLORIDA )  
: ss.:  
COUNTY OF PINELLAS )

PAUL N. ESTES, being duly sworn, deposes and says:

1. During the spring of 1945, I was the Commanding Officer of Company F, 2nd Battalion, 406th Infantry Regiment, 102nd Division, when it was stationed in Schwarzburg, Germany. I make this affidavit at the request of defendant's counsel to set forth my knowledge of certain events that took place during Company F's occupation of Schwarzburg.



RGSq Box 9  
Lot 620-4

Ester

2. Defendant's counsel has informed me that this action concerns two paintings that allegedly were stolen from the Schwarzbburg Castle during the time Company F was stationed in Schwarzburg, and that the photographs attached on Exhibit A are copies of these paintings. When Company F arrived in Schwarzburg, in late May 1945, a German architect and his wife were living in a house on the Castle grounds, and appeared to be in charge of the Castle and its contents. I believe that the German architect, with whom my Executive Officer, John Gwynn, and I played bridge on a number of occasions, was supervising the renovation of the Castle as a summer retreat for Hitler.

3. I visited the Castle several times. I recall seeing a painting of a little boy with what appeared to be a fly on his nose. I also recall seeing an antique pistol with a handle in the shape of a ball. Not knowing what to make of the pistol, I ordered the Castle placed off limits and posted a guard at one entrance to the Castle. By June 1945 the war in Germany was over, and both the men of my Company and German civilians undoubtedly had access to both the Castle grounds and the Castle itself, which had a number of separate entrances.

RGSA Box 9  
Lot 620-4

Ester

4. I have been informed by defendant's counsel that a Dr. Walther Scheidig, who I am told was the Director of the Weimar Museum during the period of the American occupation of Schwarzbburg, has testified that he visited Schwarzburg at least twice during June 1945 to inspect paintings supposedly stored in the Castle; that, on each occasion, he requested from me the keys to a storeroom located in the Castle and supposedly containing numerous paintings and other art objects; that, on his second inspection he discovered that the two paintings reproduced on Exhibit A were missing; that he reported this to me in the presence of one of my lieutenants; and that I advised him to remove the remaining works of art.

5. Although almost 35 years have passed since I left Schwarzbburg, and my memory of some of the names and places has faded, I am certain that the story told by Dr. Scheidig simply never happened, at least insofar as I am supposed to have played a part. I am confident that I would remember events as dramatic as those recounted by Dr. Scheidig, if they had in fact occurred. I never met a Dr. Scheidig or any other man representing himself to be the Director of the Weimar Museum and never had any part in the events that Dr. Scheidig describes. In particular,

RGSq Box 9  
Lot 620-4

I never received any report that the two paintings reproduced on Exhibit A were missing, and I have never before seen either of them.

Paul N. Estes  
PAUL N. ESTES

Subscribed and sworn to this  
day of December, 1979.

Notary Public

772-0002  
Expires 11/1/81

RGSq Box 9

Lot 620-4

Last Name-First Name-Middle Initial : Grade : Service Number : Date : Exh.  
WALTERS, Clinton R. : Civilian : MA : 18 Aug 64 : 3

Organization and Station  
3319 Ruby Street, Waco, Texas.

STATEMENT: I have been advised of my rights under the Fifth Amendment to the Constitution of the United States by Agent ENGLER and I have been informed of the nature of offense of which I am accused, or have knowledge of, and I understand that I cannot be compelled to answer any question or questions which might incriminate me. I understand that I do not have to make any statement, and I further understand that anything I say or write can be used against me in the event I should be brought to trial before courts-martial. No threats or promises have been made to me and with full knowledge of my right concerning self-incrimination, I hereby voluntarily make the statement which appears below. In witness of my knowledge and understanding of the foregoing, I place my signature here:

SIGNATURE s/ Clinton R. Walters, Jr.

I was on duty with the United States Army as a 2nd Lt. serial number 02000792 assigned as a platoon leader of the first platoon "F" Company, 406th Infantry Regiment, 2nd Infantry Division, during the summer of 1945. I was in this unit about four (4) months during which time the company moved into a town called Soltau, Germany. The company was responsible for the policing of about twenty-one (21) German villages after the war, including an old castle which we thought contained submarine parts. The commanding officer of the company was Captain Paul N. ESTES, the executive officer was Lt. John S. SWYNN and the three platoon leaders were Lt. Cecil A. WOOTEN, a Lt. WHITE, who lived in Ft. Worth, Texas was in charge of one of the platoons for approximately a week, and myself. A Lt Col CATTIN was our bn commanding officer and inspected our unit several times during the approximate two (2) months that we maintained the guard. I believe I was platoon leader for the first platoon which did not guard the castle but manned road-blocks and checked the towns for weapons and other forbidden items. I do not believe we had a guard right on the castle but on the road leading up to the castle. There was no way to secure the castle as the windows were broken and the doors could not be locked. I entered the castle only once (1) time and the only thing I saw in the castle was some chests containing clothing and other items. I did not see any paintings nor did I hear anyone say anything about there being paintings in the castle. I do remember that two people (German or PPs) were living in a building near and actually an out building of the castle. The people who were living in the building seemed to keep it closed rather tightly as the windows were fixed and the doors intact. I believe ESTES knew these people rather well, but since I was in the unit only about four (4) months I did not get to know ESTES well as he seldom confided in his officers.

Question: Did you ever hear of any paintings being stolen or an investigation concerning the missing paintings by ESTES or CATTIN?

Answer: No, I did not see, know or hear about any paintings at any time.

Question: Who lived in the castle?

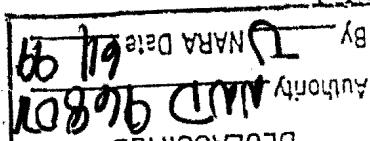
Answer: No one to my knowledge. All the officers stayed in a house in Soltau except Lt Col. CATTIN who lived in another town.

Question: Do you know any one who might aid this investigation?

Answer: I remember that I was at the office of a German Doctor in charge of a

Page 1 of 2 pages.

COPY



RGSq Box 9

Lot 62D-4

Statement of WALTERS (continued) page 2 of 2 pages

Hospital located approximately  $\frac{1}{2}$  mile from Schwarzburg, Germany. This hospital was located near the intersection of the road which came from the castle and branched off one road leading to Schwarzburg and the other went over the mountain. While I was talking to the doctor he mentioned that he admired paintings and proudly pointed out a painting on the wall of the office indicating that he had painted that particular painting himself. I do not remember the name of the doctor nor did I attach any importance to his statement until I was advised of this investigation.

Question: Did anyone in your unit take or carry away any of the paintings alleged to have been in the castle?

Answer : No, I did not take or steal any paintings nor do I know of any of the members of my old unit stealing any paintings.

Question: Do you have anything to add to your statement?

Answer : No.

This statement has been read by me and it is true. I have signed and initialed corrections which have been made in the statement.

s/ Clinton R. Walters, Jr.  
(Signature)

Witnessed to before me this 19th day of August 19 54  
at Waco, Texas

(Geographical Location)

Signed: s/ Ronald E. Decker

C O P Y

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RGSA Box

Lot 620-4

STATEMENT

33 Homestead Road  
Metuchen, N. J.  
DATE September 9, 1954

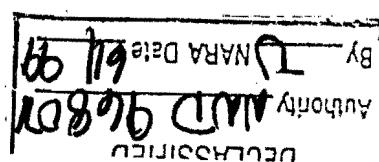
Frederick C. Hardwick, Sr.

explained to me

that the Uniform Code of Military Justice forbids a person subject to that code from compelling any person to incriminate himself or to answer any question the answer to which may tend to be self-incriminating. He also informed me that the code forbids a person subject to that code from compelling any person to make a statement or to produce evidence before any military tribunal if the statement or evidence is not material to the issue and may tend to degrade him. He further informed me that any statement made by me may be used as evidence against me in a trial by court-martial or other proceedings. He explained to me that I do not have to make any statement regarding the offense(s) of which I am now suspected or of which I am now accused. He further explained to me that the Fifth Amendment to the Constitution of the United States provides that no person shall be compelled in any criminal case to be a witness against himself."

/a/ Cecil A. Hooton

- Q. Prior to questioning it is my duty to advise you that you are being questioned in regards to the larceny of approximately eight paintings from the National Art Collection, Schwarzburg Depository, Schwarzburg, Germany, on or about 1 July 1945. Do you understand?
- A. Yes.
- Q. Are you a member of the Armed Forces of the United States?
- A. No.
- Q. Were you a member of the Armed Forces of the United States on or about 1 July 1945?
- A. Yes.
- Q. What is your name and what was your rank, serial number, organization and assignment on 1 July 1945?



115057

RGSA Box 9

Lot 620-4

Wooten

- Continued Statement of: Cecil A. Wooten 9 September 1954  
A. Cecil A. Wooten, 2nd Lieutenant, C-4316388, Company "F," 2nd Battalion,  
408th Infantry Regiment, 102nd Infantry Division.  
Q. What was the geographical location of your unit on or about 1 July 1945?  
A. Schwarzburg, Germany.  
Q. What were the duties of your unit on or about 1 July 1945 at Schwarzburg,  
Germany?  
A. We were on occupation duty and my company was responsible for the guard of  
a huge building at the top of a hill in Schwarzburg, Germany, near the  
hospital.

End of page 1 of 3 pages.

- Q. Is the photograph that you gave me at a previous interview a photograph of  
the building you now refer to?  
A. Yes.  
Q. What were your duties with reference to guarding of the castle?  
A. There was one guard from my company at the one entrance to the castle that  
I remember, to prevent anyone from entering or leaving the castle without  
proper authority. I do not recall what constituted proper authority at the  
time.  
Q. Will you relate to me in your own words what you know in reference to the  
security of the castle, your knowledge of the paintings, and especially any  
thing you recall concerning a painting of a child with a ruy on its nose?  
A. In answering this question I think it pertinent to point out that I was a  
newly commissioned officer having been commissioned in April of 1943 and  
assigned to Company "F" the latter part of May or the early part of June  
1943, and was not too well acquainted with the enlisted personnel. As I  
remember it, there was one guard at one entrance to the castle in question  
and the duties of that guard were to prevent anyone from entering or leaving  
the castle. To my recollection there was a separate building immediately  
adjacent to the castle which was also under guard.

Perhaps the same guard was responsible for both buildings.  
I remember being in the basement or lower floor of one end of the castle at  
one time. I remember seeing many tables covered with German porcelain.  
I remember looking at the porcelain and noting that many of the pieces were  
decorated with various shields of the old Prussian families or castles.  
At that time I remember thinking that these must be belongings of a particu-  
lar wealthy German family but I could not understand where there were so  
varied crests and shields instead of one which is usually handed down with  
a particular family. I am quite sure that at the time I did not think of the  
particular building as the storage place for the National Art Collection,  
Schwarzburg Depository. As far as I know we were guarding a supply of sub-  
marine parts because I distinctly recall having seen in the separate building  
previously mentioned, in the upper story or attic, a supply of prisms, parts  
of periscopes and similar objects. At the time I thought they were submarine  
parts, but on further thought, perhaps they could have been for artillery.  
After seeing those parts, I believed that the upper stories of the castle  
also contained submarine parts since it never entered my mind that Occupying  
Forces of the U.S.A. would be guarding an art treasure, especially so close  
to the end of hostilities. I do not recall having been in the upper portion

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RGSQ Box 9  
Lot 620-4

Wooten

Continued Statement of: Cecil A. Wooten

9 September 1954

of the castle so have no knowledge of the actual contents. When I was informed during the first visit last Thursday, 2 September 1954, by the investigating officers that Captain Estes had stated that he had conducted an investigation to recover the painting of a child with a fly on its nose, I endeavored to remember whether or not there was such an investigation. I most truthfully say that I think there was some mention of a picture of a child with a fly on its nose, but I personally never saw the picture. I cannot remember under what circumstances this picture was mentioned. I seem to remember a visit of Colonel Catlin with Captain Estes to the castle. Perhaps at that time the picture was mentioned and perhaps questions were asked in the immediate vicinity of the castle pertaining to the particular picture. I can by no stretch of the imagination recall any thorough investigation which would involve the questioning of the entire company or a search of the personal belongings of the individual members of the company. The investigators mentioned that Captain Estes' list stated that I was Senior Officer of the Guard at the time of the investigation. This I can neither deny nor confirm. I do remember that during my stay there I actually had a part in posting a guard detail but I do not remember on what date or whether it was on or about July 1, 1945. The investigating officers informed me that additional pictures were stolen, but I do not recall ever seeing any pictures in the castle.

Q. Can you recall the names and addresses of any other members of your unit that were involved in the security of the castle on or about 1 July 1945?

A. Earl F. Adams, 2d Lt, SSM, PM  
539 S.W. 34th St., Oklahoma City, Okla.

Paul N. Estes, Capt, SGM, PM  
68 E. Grove St., East Orange, N.J.

John S. Gwynn, 1st Lt, SSM  
625 N. Adams St., Tallahassee, Florida

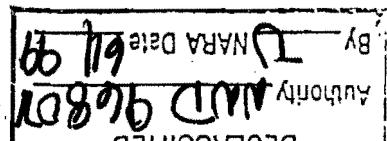
Holland, Ralph G., 2nd Lt, SSM (I am not sure whether it was Ralph C. or John J.), Nevada, Mo.

Walters, Clinton R., Jr., 2d Lt, SSM, Box 408, Waco, Texas.

Q. Do you have anything to add or detract from this statement?

A. When the investigating officers informed me on September 2, 1954, that Capt Estes had stated that he discovered that the picture was missing, and that was Officer of the Guard, I began to wonder how Captain Estes became aware of the fact that the picture was missing. As far as I can remember, the fact that the picture was missing was not reported to me, nor did I report it to Captain Estes at the time. I think it pertinent that in reviewing what passes and notes I had in my photograph album and Division history, that on page 2 of "With the 102nd Division Through Germany" a book published by the Infantry Journal Press, Copyrighted in 1947, a statement is made that on the 30th of June 1945, the 531st Antiaircraft Battalion was attached to the 102nd Division. The next day, July 1st, the 102nd Division was ordered to move immediately to Bavaria with the understanding that the Russians would take over this particular territory. On page 244, indications are that the anti Division was bivouaced just north of Bayreuth, which means that we probably moved out of Schwarburg between July 1st and July 4th. Perhaps this is the reason that a more thorough investigation was not possible by Captain Estes.

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RGS9  
Box 9

Lot 62D-4

because of the important order having been received from Division to prepare to move out. If the Captain did not realize the full value of the paintings in question, it is entirely possible that a brief inspection was made which would not be common knowledge among the entire Company since the remainder of the Company was occupied at the time with preparing their gear for the move.

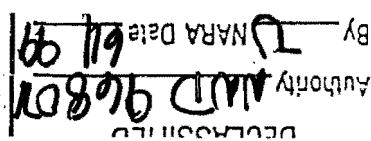
I have read this statement consisting of 5 pages. I have signed and numbered each page and initialed all corrections. I have made this statement freely and voluntarily. No one has promised me anything or threatened me in any way to obtain this statement.

Witnessed by:  
s/ Frederick C. Hardwick

Signed /s/ Cecil A. Rooten

C O P Y

115060



Last Name-First Name-Middle Initial : Grade : Service Number : Date : Rank:  
 Leitke, Edward J. : Sfc : RA 30282745 : 5/10/54 : D

Organization and Division  
 Post 5373 TSU, MSGC, Las Cruces, New Mexico

STATEMENT: I have been advised of my rights under Article 31, Uniform Code of Military Justice (USM, 1951) by Agent W/F at Fagen Detachment, and I have been informed of the nature of the offense of which I am accused, or have knowledge of and I understand that I cannot be compelled to answer any question or questions which might incriminate me. I understand that I do not have to make any statement and I further understand that anything I may say or write can be used against me the event I should be brought to trial before a courts-martial. No threats or promises have been made to me and with full knowledge of my right concerning self-incrimination, I hereby voluntarily make the statement which appears below. In witness of my knowledge and understanding of the foregoing, I place my signature here:

SIGNATURE: Edward J. Leitke

J. Edward J. Leitke, Sfc having been questioned concerning missing paintings make the following statement. In 1945 I was a member of Co. F, 400th Infantry Regiment, 103rd Infantry Division. Capt Hates was company commander of said unit and Lt Walters was Plat Leader of the 3rd Plat and my assignment was Plat Sgt of the third platoon. During my service with "F" Co. I was never an official interpreter, my job was plat Sgt. As an extra service I did interpret for the officers times because I can understand and talk German. My unit was stationed at Schwartzburg, Germany, during the first part of the summer of 1945. I can't remember the month that we departed from Schwartzburg. Also, I don't recall there being any castle at Schwartzburg. During our stay at Schwartzburg, my Plat had the job guarding roadblocks. I don't recall guarding any hospital. So I can't furnish any information concerning the alleged missing paintings. I did not see any paintings and also don't recall any one talking about the said missing paintings or of anyone taking them.

Q. Do you know of anyone who may have knowledge of these missing paintings?

A. No.

Q. Do you know of anyone being in possession of any paintings at the time you were in Schwartzburg, Germany?

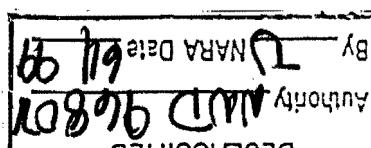
A. No.

Q. Do you have any information at all that could help in the recovery of these paintings?

A. No.

I may add that at the time I served in Schwartzburg, Germany, that there were dislodged persons roaming the vicinity.

This document has been read by [Signature] and I fully understand and accept all corrections which have been made in the original. / Edward J. Leitke



115061

Lot 62D-4

CONTRUM STATEMENT OF SPC Edward J. DUTCH

Witnessed to before me this 5th day of October 1954 at WHITE CLOUDS MOTEL  
CARROLLTON, TEXAS, Post Number:  
Location:

Signed: s/ Henry Rossmeyer  
(FINGERPRINT)

C O P Y

By TJ NARA Date 6/1/99  
Authority AID 96801  
Document # 115062

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

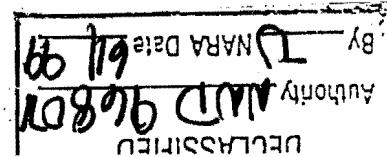
-----x

FEDERAL REPUBLIC OF GERMANY, :  
Plaintiff, :  
-against- :  
EDWARD I. ELICOFON, : 69 Civ. 93 (JM)  
Defendant, : AFFIDAVIT  
ELISABETH MATHILDE ISIDORE ERBGROSS- :  
HERZOGIN VON SACHSEN-WEIMAR-EISENACH :  
(GRAND DUCHESS OF SAXONY-WEIMAR), :  
and KUNSTSAMMLUNGEN ZU WEIMAR, :  
Plaintiffs-Intervenors.  
-----x

STATE OF TEXAS )  
: ss.:  
COUNTY OF BELLVILLE )

CLINTON R. WALTERS, JR., being duly sworn, deposes  
and says:

1. I am the President of Alamo Steel and Machine  
Company. In the spring of 1945, I was a Second Lieutenant  
in Company F, 2nd Battalion, 406th Infantry Regiment, 102nd  
Division, when it was stationed in Schwarzburg, Germany.  
I make this affidavit at the request of defendant's counsel  
to set forth my knowledge of certain events that took place  
during Company F's occupation of Schwarzburg. I am fully  
familiar with the facts hereinafter stated.



2. I have been informed by defendant's counsel that it has been alleged that a Dr. Walter Scheidig twice visited Schwarzburg Castle during June 1945 to inspect certain paintings said to have been stored there, that Dr. Scheidig claims to have discovered that some of the paintings were missing, and that he complained of their loss to our Commanding Officer, Captain Paul N. Estes, in the presence of a lieutenant. I have never met Dr. Scheidig, have no recollection of being aware that any paintings were reported to be missing and never was a witness to a complaint or discussion of any paintings being missing. I am reasonably certain that such matters would have been discussed among the officers or otherwise brought to my attention, and that I would now recall any such circumstances or events had they existed or occurred.

3. In 1954, I spoke with an Army investigator concerning my recollection of our occupation of Schwarzburg. At the request of defendant's counsel, I have reviewed the signed statement I made at that time. A copy of this statement is attached hereto as Exhibit A and I confirm its accuracy.

CLINTON R. WALTERS, JR.

Subscribed and sworn to this  
day of , 19

Notary Public

Lot 620-4

Verzeichnis der im Schwarzbürger Depot entwendeten Gemälde.

- 1-2) Dürer, Albrecht. Bildnisse des Ehepaars Hans Tucher u. Felicitas Tucher geb. Rieter.

2 Ölgemälde auf Holz, in einem Klapprahmen als Diptychon vereint. Auf der Rückseite des Männerbildnisses die Wappender Familien Tucher und Rieter.

Auf dem Männerbildnis oben links die Inschrift :  
Hans Tucher 42 ierig 1499.

Auf dem Frauenbildnis oben rechts die Inschrift :  
Felitz Hans Tucherin. 33 jor alt Salus 1499.

Höhe jedes Bildes 28 cm. Breite 24 cm. Gestohlen mit dem Rahmen.

Beide Gemälde sind seit spätestens 1824 in Weimarischem Besitz.  
Katalog des Großherzogl. Museums in Weimar 1913. No. 170/71.  
Klassiker der Kunst. Band Dürer. IV. Auflage. 1928.  
Abb. auf Seite 16 und 84.

Abgebildet und erwähnt in allen Büchern über Dürer.

Drei Photos beiliegend.

- 3) Lucas Cranach der Ältere. Venus mit dem von Bienen verfolgten Amor. Jugendliche nackte Frau u. nackter geflügelter Knabe vor einer weiten Baumlandschaft.

Oben links vier Zeilen lateinischer Inschrift.

Signatur Cranachs (Schlange mit Flügeln) u. Jahreszahl 1530 unten rechts auf einem Stein.

Ölgemälde auf Holz, aus dem Rahmen entfernt.

Höhe 50 cm, Breite 35 cm.

Seit vor 1851 in Weimarischem Museumsbesitz.

Katalog des Großherzogl. Museums in Weimar. 1913. No. 152.

Friedländer-Rosenberg, Lucas Cranach. Berlin 1932. No. 204 c.

Eine Photo beiliegend.

- 4) Caspar David Friedrich. Die Landschaft mit dem Regenbogen.

Landschaft auf der Insel Rügen, mit Blick auf die See.

Rechts auf einer Anhöhe ein Schäfer stehend, über die Landschaft ein flacher weiter Regenbogen.

Keine Künstlerbezeichnung. Berühmtestes Gemälde des Meisters.

Ölgemälde auf Leinwand, aus dem Rahmen entfernt.

Höhe 59 cm, Breite 84,5 cm.

Wahrscheinlich von Goethe für den Weimarer Hof um 1810 vom Künstler erworben, seit 1824 im Weimarer Museum.

Farbige Facsimile-Reproduktion als Piper-Druck erschienen.

Katalog des Großherzogl. Museums in Weimar. 1913. No. 180.

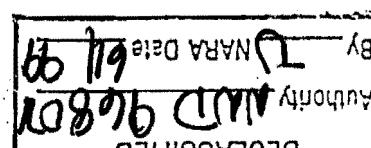
Katalog der deutschen Jahrhundert-Ausstellung Berlin 1906.

No. 533.

H. von Einem. C. D. Friedrich. Berlin 1939. Abb. 24 a.

Eine Photo beiliegend.

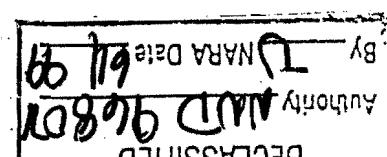
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- 2 -

- 5) Anton Graff. Bildnis des Dichters Gellert.  
 Vrustbild nach rechts gewendet.  
 Ölgemälde von ovaler Form auf Leinwand.  
 Aus dem Rahmen entfernt.  
 Höhe 47 cm, Breite 39 cm.  
 Seit der Goethezeit im Besitze der Weimarischen  
 Bibliothek und 1869 in das Museum übernommen.  
 Katalog des Großherzogl. Museums. Weimar r. 1913.  
 No. 192.  
R. Muther. Anton Graff. Leipzig 1881. No. 9.  
Photo beiliegend.
- 6.) Willem van de Velde der Jüngere. Meeresstrand bei bewegter  
 See, ein Fischerboot am Strande liegend.,  
 andere auf der See.  
 Ölgemälde auf Eichenholz, aus dem Rahmen entfernt.  
 Höhe 24,1 cm, Breite 32 cm.  
 Signatur unten rechts auf einer Planke:  
V V V 166...  
 Von Herzog Carl August von Weimar 1814 in  
 Frankfurt a. M. erworben.  
 Katalog des Großherzogl. Museums Weimar 1913.  
 No. 262. (Dort nicht als Van de Velde bezeichnet,  
 da die Signatur erst in den letzten Jahren ent-  
 deckt wurde).  
 In der Literatur über van de Velde noch nicht  
 erwähnt.  
Photo beiliegend.
- 7) Lenbach, Franz. Bauernhof mit Hühnern.  
 Ölgemälde auf Leinwand, aus dem Rahmen  
 entfernt.  
 Höhe 28 cm, Breite 32 cm.  
 Signatur unten rechts F L.  
 Arbeit aus der Weimarer Zeit des Meisters,  
 stammt aus der Weimarer Kunstschule, wo  
 Lenbach 1861/62 Lehrer war.  
 Katalog der Carl Alexander-Gedächtnis-Ausstellung  
 Weimar 1918. Seite 73, No. 6.  
 Katalog der Jahrhundert-Ausstellung Berlin 1906.  
 Nicht im Katalog von 1913, da erst später aus  
 der Kunstschule ins Museum übernommen.  
Photo beiliegend.
- 8) Baum, Paul. Märzlandschaft bei Weimar. Wiesenlandschaft mit  
 Bach, Weidenbäumen und vielen Krähen. Der  
 Kirchturm von Ehringsdorf bei Weimar im Hinter-  
 grunde.  
 Bezeichnet unten rechts : Paul Baum. Wm. 1885.  
 Ölgemälde auf Holz, aus dem Rahmen entfernt.  
 Höhe 22 cm, Breite 35 cm.  
 1935 aus Weimarer Privatbesitz für die Staatl.  
 Kunstsammlungen erworben.  
 C. Hitzeroth. Paul Baum. Dresden 1937. Abb. 7.  
Photo beiliegend.

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BOX 9

lot62D-4

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LN 47

Abschrift.

Direktion der Staatlichen Kunstsammlungen in Weimar

Schloßmuseum, 3. Oktober 1945.

Herrn Geheimrat Dr. Zimmermann,  
Kaiser-Friedrich-Museum

Berlin C.2.

Sehr geehrter Herr Geheimrat!

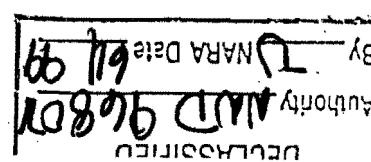
Es war sehr freundlich von Herrn Dr. Rave, daß er mit Ihnen über die Diebstähle aus unseren Depots gesprochen hat. Ich gebe Ihnen beiliegend eine genaue Liste der gestohlenen Werke mit allen erforderlichen Angaben, auch über die mutmaßlichen Täter. Die Truppe in Schwarzburg, die während der zwei Monate der amerikanischen Besetzung dort Wachdienst leistete, bestand nur aus ungefähr 60 Mann, sodaß die Suche nach den Tätern nicht schwer fallen dürfte. Es ist anzunehmen, daß mehrere Täter in Betracht kommen, denn die Soldaten hatten wochenlang von den Kunstwerken in den Räumen gesprochen und hatten jede Gelegenheit benutzt, um in die Räume hineinzukommen. Ausgeführt worden sind die Diebstähle aber wohl erst in den letzten Stunden vor dem Abrücken der amerikanischen Truppen am 1. Juli 1945.

Ich wäre Ihnen sehr dankbar, wenn Sie geeignete Schritte unternehmen könnten, damit die Kunstwerke der Allgemeinheit erhalten bleiben.

Voraus verbindlichsten Dank für Ihre Hilfe!

Ihr sehr ergebener

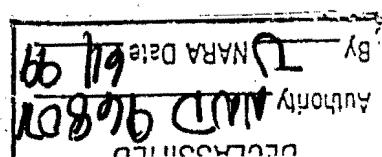
gez. Unterschrift.



- 2 -

- 5) Anton Graff. Bildnis des Dichters Gellert.  
 Vrustbild nach rechts gewendet.  
 Ölgemälde von ovaler Form auf Leinwand.  
 Aus dem Rahmen entfernt.  
 Höhe 47 cm, Breite 39 cm.  
 Seit der Goethezeit im Besitze der Weimarischen  
 Bibliothek und 1869 in das Museum übernommen.  
 Katalog des Großherzogl. Museums. Weimar r. 1913.  
 No. 192.  
 R. Muther. Anton Graff. Leipzig 1881. No. 9.  
Photo beiliegend.
- 6.) Willem van de Velde der Jüngere. Meeresstrand bei bewegter  
 See, ein Fischerboot am Strande liegend.,  
 andere auf der See.  
 Ölgemälde auf Eichenholz, aus dem Rahmen entfernt.  
 Höhe 24,1 cm, Breite 32 cm.  
 Signatur unten rechts auf einer Planke:  
 W V V 166...  
 Von Herzog Carl August von Weimar 1814 in  
 Frankfurt a. M. erworben.  
 Katalog des Großherzogl. Museums Weimar 1913.  
 No. 262. (Dort nicht als Van de Velde bezeichnet,  
 da die Signatur erst in den letzten Jahren ent-  
 deckt wurde).  
 In der Literatur über van de Velde noch nicht  
 erwähnt.  
Photo beiliegend.
- 7) Lenbach, Franz. Bauernhof mit Hühnern.  
 Ölgemälde auf Leinwand, aus dem Rahmen  
 entfernt.  
 Höhe 28 cm, Breite 32 cm.  
 Signatur unten rechts F L.  
 Arbeit aus der Weimarer Zeit des Meisters,  
 stammt aus der Weimarer Kunstschule, wo  
 Lenbach 1861/62 Lehrer war.  
 Katalog der Carl Alexander-Gedächtnis-Ausstellung  
 Weimar 1918. Seite 73, No. 6.  
 Katalog der Jahrhundert-Ausstellung Berlin 1906.  
 Nicht im Katalog von 1913, da erst später aus  
 der Kunstschule ins Museum übernommen.  
Photo beiliegend.
- 8) Baum, Paul. Märzlandschaft bei Weimar. Wiesenlandschaft mit  
 Bach, Weidenbäumen und vielen Krähen. Der  
 Kirchturm von Ehringsdorf bei Weimar im Hinter-  
 grunde.  
 Bezeichnet unten rechts : Paul Baum. Wmr. 1885.  
 Ölgemälde auf Holz, aus dem Rahmen entfernt.  
 Höhe 22 cm, Breite 33 cm.  
 1935 aus Weimarer Privatbesitz für die Staatl.  
 Kunstsammlungen erworben.  
 C. Hitzeroth. Paul Baum. Dresden 1937. Abb. 7.  
Photo beiliegend.

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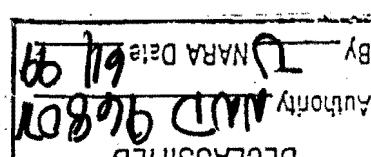
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Lot 620-4

Verzeichnis der im Schwarzbürger Depot entwendeten Gemälde.

- 1-2) Dürer, Albrecht. Bildnisse des Ehepaars Hans Tucher u. Felicitas Tucher geb. Rieter.  
 2 Ölgemälde auf Holz, in einem Klapprahmen als Diptychon vereint. Auf der Rückseite des Männerbildnisses die Wappen der Familien Tucher und Rieter.  
 Auf dem Männerbildnis oben links die Inschrift:  
 Hans Tucher 42 ierig 1499.  
 Auf dem Frauenbildnis oben rechts die Inschrift:  
 Felitz Hans Tucherin. 33 jor alt Salus 1499.  
 Höhe jedes Bildes 28 cm. Breite 24 cm. Gestohlen mit dem Rahmen.  
 Beide Gemälde sind seit spätestens 1824 in Weimarischem Besitz.  
 Katalog des Großherzogl. Museums in Weimar 1913. No. 170/71.  
 Klassiker der Kunst. Band Dürer. IV. Auflage. 1928.  
 Abb. auf Seite 16 und 84.  
 Abgebildet und erwähnt in allen Büchern über Dürer.  
Drei Photos beiliegend.
- 3) · Lucas Cranach der Ältere. Venus mit dem von Bienen verfolgten Amor. Jugendliche nackte Frau u. nackter geflügelter Knabe vor einer weiten Baumlandschaft.  
 Oben links vier Zeilen lateinischer Inschrift.  
 Signatur Cranachs (Schlange mit Flügeln) u. Jahreszahl 1530 unten rechts auf einem Stein.  
 Ölgemälde auf Holz, aus dem Rahmen entfernt.  
 Höhe 50 cm, Breite 35 cm.  
 Seit vor 1851 in Weimarischem Museumsbesitz.  
 Katalog des Großherzogl. Museums in Weimar. 1913. No. 152.  
 Friedländer-Rosenberg, Lucas Cranach. Berlin 1932. No. 204 c.  
Eine Photo beiliegend.
- 4) Caspar David Friedrich. Die Landschaft mit dem Regenbogen.  
 Landschaft auf der Insel Rügen, mit Blick auf die See.  
 Rechts auf einer Anhöhe ein Schäfer stehend, über die Landschaft ein flacher weiter Regenbogen.  
 Keine Künstlerbezeichnung. Berühmtestes Gemälde des Meisters.  
 Ölgemälde auf Leinwand, aus dem Rahmen entfernt.  
 Höhe 59 cm, Breite 84,5 cm.  
 Wahrscheinlich von Goethe für den Weimarer Hof um 1810 vom Künstler erworben, seit 1824 im Weimarer Museum.  
 Farbige Facsimile-Reproduktion als Piper-Druck erschienen.  
 Katalog des Großherzogl. Museums in Weimar. 1913. No. 180.  
 Katalog der deutschen Jahrhundert-Ausstellung Berlin 1906.  
 No. 533.  
 H. von Einem. C. D. Friedrich. Berlin 1939. Abb. 24 a.  
Eine Photo beiliegend.

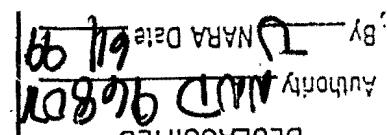
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- 5) Anton Graff. Bildnis des Dichters Gellert.  
Vrustbild nach rechts gewendet.  
Ölgemälde von ovaler Form auf Leinwand.  
Aus dem Rahmen entfernt.  
Höhe 47 cm, Breite 39 cm.  
Seit der Goethezeit im Besitze der Weimarischen  
Bibliothek und 1869 in das Museum übernommen.  
Katalog des Großherzogl. Museums. Weimar r. 1913.  
No. 192.  
R. Muther. Anton Graff. Leipzig 1881. No. 9.  
Photo beiliegend.
- 6.) Willem van de Velde der Jüngere. Meeresstrand bei bewegter  
See, ein Fischerboot am Strande liegend.,  
andere auf der See.  
Ölgemälde auf Eichenholz, aus dem Rahmen entfernt.  
Höhe 24,1 cm, Breite 32 cm.  
Signatur unten rechts auf einer Planke:  
W V V 166...  
Von Herzog Carl August von Weimar 1814 in  
Frankfurt a. M. erworben.  
Katalog des Großherzogl. Museums Weimar 1913.  
No. 262. (Dort nicht als Van de Velde bezeichnet,  
da die Signatur erst in den letzten Jahren ent-  
deckt wurde).  
In der Literatur über van de Velde noch nicht  
erwähnt.  
Photo beiliegend.
- 7) Lenbach, Franz. Bauernhof mit Hühnern.  
Ölgemälde auf Leinwand, aus dem Rahmen  
entfernt.  
Höhe 28 cm, Breite 32 cm.  
Signatur unten rechts F L.  
Arbeit aus der Weimarer Zeit des Meisters,  
stammt aus der Weimarer Kunstschule, wo  
Lenbach 1861/62 Lehrer war.  
Katalog der Carl Alexander-Gedächtnis-Ausstellung  
Weimar 1918. Seite 73, No. 6.  
Katalog der Jahrhundert-Ausstellung Berlin 1906.  
Nicht im Katalog von 1913, da erst später aus  
der Kunstschule ins Museum übernommen.  
Photo beiliegend.
- 8) Baum, Paul. Märzlandschaft bei Weimar. Wiesenlandschaft mit  
Bach, Weidenbäumen und vielen Krähen. Der  
Kirchturm von Ehringsdorf bei Weimar im Hinter-  
grunde.  
Bezeichnet unten rechts : Paul Baum. Wm. 1885.  
Ölgemälde auf Holz, aus dem Rahmen entfernt.  
Höhe 22 cm, Breite 33 cm.  
1935 aus Weimarer Privatbesitz für die Staatl.  
Kunstsammlungen erworben.  
C. Hitleroth. Paul Baum. Dresden 1937. Abb. 7.  
Photo beiliegend.

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LN 47

Abschrift.

Direktion der Staatlichen Kunstsammlungen in Weimar

Schloßmuseum, 3. Oktober 1945.

Herrn Geheimrat Dr. Zimmermann,  
Kaiser-Friedrich-MuseumBerlin C.2.

Sehr geehrter Herr Geheimrat!

Es war sehr freundlich von Herrn Dr. Rave, daß er mit Ihnen über die Diebstähle aus unseren Depots gesprochen hat. Ich gebe Ihnen beiliegend eine genaue Liste der gestohlenen Werke mit allen erforderlichen Angaben; auch über die mutmaßlichen Täter. Die Truppe in Schwarzburg, die während der zwei Monate der amerikanischen Besetzung dort Wachdienst leistete, bestand nur aus ungefähr 60 Mann, sodaß die Suche nach den Tätern nicht schwer fallen dürfte. Es ist anzunehmen, daß mehrere Täter in Betracht kommen, denn die Soldaten hatten wochenlang von den Kunstwerken in den Räumen gesprochen und hatten jede Gelegenheit benutzt, um in die Räume hineinzukommen. Ausgeführt worden sind die Diebstähle aber wohl erst in den letzten Stunden vor dem Abrücken der amerikanischen Truppen am 1. Juli 1945.

Ich wäre Ihnen sehr dankbar, wenn Sie geeignete Schritte unternehmen könnten, damit die Kunstwerke der Allgemeinheit erhalten bleiben.

Voraus verbindlichsten Dank für Ihre Hilfe!

Ihr sehr ergebener

gez. Unterschrift.

Räumung des Depots und Rücktransport nach Weimar 30. Oktober 1945

Verluste: Vgl. Photos und Photokopien

Meldungen der Verluste:

21.7.1945	Landesamt für Volksbildung in Weimar
3.10.1945	Generaldirektor der Berliner Museen Prof. Dr. Zimmermann zur Weiterleitung an Interalliierte Kommission
22.3.1946	Dr. Müller, Nationalmuseum, München zur Weitergabe an Behörden
1947	Prof. Dr. William Koehler, Harvard- University, Cambridge, Mass. USA. (K. war 1918 - 1934 Direktor der Weimarer Kunstsammlungen)
21.5.1947	Ministerpräsident des Landes Thüringen, Weimar, wiederholt am 21.7.1945
6.9.1948	Zentralverwaltung der Sowjetischen Besatzungszone, Berlin-Karlshorst
21.10.1953	Mrs Ardelia R. Hall, Washington, DC USA

Publikation: "Kunstmuseen der Deutschen Demokratischen Republik" Mitteilungen und Berichte Bd. I. 1957.  
S. 77/78. Abb. 68 - 79 b.

*A. Seij*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK-----x  
FEDERAL REPUBLIC OF GERMANY,

Plaintiff,

-against-

EDWARD I. ELICOFON,

69 Civ. 93 (JM)

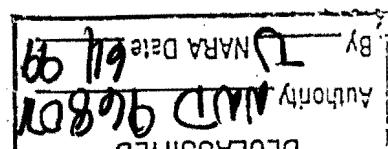
Defendant,

AFFIDAVITELISABETH MATHILDE ISIDORE ERBGROSS-  
HERZOGIN VON SACHSEN-WEIMAR-EISENACH :  
(GRAND DUCHESS OF SAXONY-WEIMAR),  
and KUNSTSAMMLUNGEN ZU WEIMAR,

Plaintiffs-Intervenors.

-----:  
STATE OF FLORIDA )  
: ss:.  
COUNTY OF LEON )

JOHN S. GWYNN, being duly sworn, deposes and says:

1. I am a partner in the law firm of Oven & Gwynn,  
and am admitted to practice law in the State of Florida.In the spring of 1945, I was the Executive Officer of Company  
F, 2nd Battalion, 406th Infantry Regiment, 102nd Division,  
when it was stationed in Schwarzbburg, Germany. I make this  
affidavit at the request of defendant's counsel to set forth  
my knowledge of certain events that took place during Company  
F's occupation of Schwarzburg. I am fully familiar with the

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Gwynn

facts hereinafter stated.

2. I was quartered with the other officers in an old hotel in the town itself, at the foot of a hill. Other elements of the Company were bivouacked in various places.

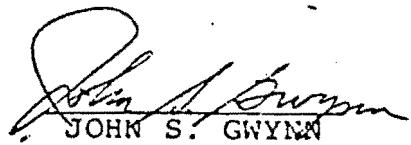
3. I visited the Schwarzbburg Castle, which was located at the top of the hill, only once. I recall seeing paintings in boxes or crates in the Castle proper, and various machine parts in an adjoining structure. It was my understanding that these parts had been used in the development of torpedoes for the German Navy. I recall that a German civilian, who I believe was an architect, lived on the Castle grounds and seemed to be quite familiar with the paintings stored inside the Castle.

4. I have been informed by defendant's counsel that a Dr. Walther Scheidig has alleged that, during June 1945, he visited Schwarzburg twice to inspect the paintings stored in the Castle. Dr. Scheidig, I am told, claims to have discovered that some of the paintings were missing, and that he complained of their loss to our Commanding Officer, Captain Paul N. Estes, in the presence of a lieutenant. I have never met Dr. Scheidig, have no recollection of being aware that any paintings were reported to be miss-

R659  
Box 9

Lot 62D-4

ing and never was a witness to a complaint or discussion of any paintings being missing. I am reasonably certain that such matters would have been discussed among the officers or otherwise brought to my attention, and that I would now recall any such circumstances or events, had they existed or occurred.



JOHN S. GWYNN

Subscribed and sworn to this  
4<sup>th</sup> day of December, 1979



Lorraine E. Minkinson  
Notary Public

Notary Public, State of Florida at Large  
My Commission Expires Sept. 13, 1983  
Bonded by American Fire & Casualty Company

Ergeba von

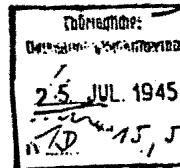
1.7.1946

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Direktion  
der Staatl. Kunstsammlungen  
in Weimar.

Den 25. Juli 1945.



An das Thür. Landesamt für Volksbildung,

W a i m a n n K .

Betrifft :  
Diebstähle aus dem Schwarzburger  
Depot.

Im Nachgange zu meinem Schreiben vom 21.Juli  
1945 teile ich mit, daß der befehlführende Offizier der amerikanischen  
Truppen, von denen vor ihrem Abzuge die Diebstähle ausgeführt wurden,

Capt. Paul Estes.

15. American Inf. Division (Z)

gesessen ist. Die Nennung des Capt. Ewarr in meinem ersten Schreiben  
beruht auf einem Irrtum.

J. Silber

6-020-4  
6009

Authority AMID 96801  
By NARA Date 6/1/99

DECLASSIFIED - IAW E.O. 12815

Entwendungen aus dem Besitz der Staatlichen Kunstsammlungen  
in Weimar.

Die im Juni 1945 in Schwarzburg stationierten Truppen der 15. American Inf. Division (2) unter dem Befehl des Capt. Paul Estes haben das Gemälde depot der Staatlichen Kunstsammlungen im Schloß Schwarzburg im Thüringer Wald unter ihrer Bewachung gehabt. Herr Capt. Estes hatte die Schlüssel zu den Depots in seinen Händen, vor den Depots standen Posten, und die Räume waren durch Schilder als " Off limits " bezeichnet.

Unmittelbar nach dem Abzuge dieser amerikanischen Truppen am 1. Juli 1945 wurde festgestellt, daß die Türen zu den Depots erbrochen waren und daß in den Depots geplündert worden war. Aus den Fußspuren von Gummisohlen mit amerikanischen Inschriften und aus den zahlreich herumliegenden amerikanischen Zigarettenstummeln ging einwandfrei hervor, daß die Eindringlinge amerikanische Soldaten gewesen waren. In Gegenwart von Zeugen wurde das Fehlen der in beiliegender Liste verzeichneten Kunstwerke festgestellt.

Es wird dringend gebeten, bei der Sicherstellung dieser kostbaren Kunstwerke behilflich zu sein, weil die Gefahr besteht, daß sie die Täter vernichten, wenn sie erkennen, daß solche weltbekannten Gemälde nicht zu verwerten sind.

Die Bitte, bei der Sicherstellung behilflich zu sein, richtet sich besonders an

Herrn Geheimrat Prof. Dr. Zimmermann,

Generaldirektor der ehemals Staatl. Museen .

Berlin-Dahlem. Arnimallee 23

Herrn Prof. Dr. Wilhelm Köhler.

Harvard University. Cambridge. Mass. USA.

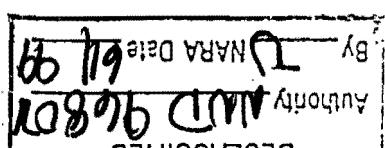
Herrn Leutnant Brazelton. US Army. Palm Court. Waco. Texas. USA.

Herrn Leutnant Moore. US Army. Cadet C.32 States Museum.

Washington. USA.

25. IX. 1945.

Dr. Scheidig  
Direktor der Staatl. Kunstsammlungen  
in Weimar.



115077

RGS9  
Box 9

Lot 62D-4

Schloßmuseum

~~Einschreiben~~ ~~Luf tpost~~

21. Oktober 1953

Mrs. Ardelia R. Hall  
3027 Cambridge Place N. W.  
Washington 7, D.C.

RECEIVED  
DEPARTMENT OF STATE/AM  
NOV 30 1953

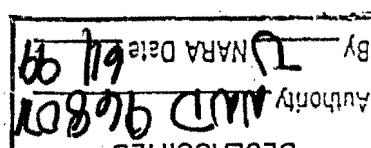
Sehr geehrte Frau Hall !

Ich bin Ihnen sehr dankbar für Ihre Nachrichten vom 14. Oktober 1953, mit denen Sie mir die Sicherstellung von 50 Münzen und Medaillen aus dem Weimarer Münzkabinett mitteilen. Es ist dies ein sehr schöner Erfolg Ihrer Bemühungen, denn es ist ja bekannt, wie schwierig die Feststellung bestimmter Münzen ist, wie andererseits es leicht möglich ist, eine Münze in ein formloses Stück Gold zu verwandeln, und es zum Goldwerte zu verwenden.

Es war mir klar, daß die Münzen und Medaillen vom United States Government nicht nach Weimar zurückgegeben werden würden. Bei der späteren Rückgabe in eine staatliche Münzsammlung der Deutschen Bundesrepublik muß jedoch seitens des United States Government betont werden, daß die Übergabe in Treuhänderschaft erfolgt.

Ich wünsche sehr, daß Ihre Nachforschungen auch weiterhin erfolgreich verlaufen und daß Sie mir recht bald die Übergabe an ein Münzkabinett in der Deutschen Bundesrepublik anzeigen können. Dabei halte ich das Staatl. Münzkabinett in München für besonders geeignet, weil es fachmännische Leitung hat.

Darf ich die Gelegenheit benutzen, um noch nach anderen Verlusten zu fragen, die die Weimarer Staatl. Kunstsammlungen während der Besatzung durch Amerikanische Truppen erlitten haben. Aus beiliegender Abschrift können Sie entnehmen, was und unter welchen Umständen im Mai-Juni 1945 überaus wertvolle Kunstwerke entwendet wurden. Ich hatte mich seiner Zeit, als ich Ihre Adresse noch nicht kannte, mit Kollegen in den USA in Verbindung gesetzt, so mit Prof. Dr. Koehler, Harvard University, Cambridge (Mass.) USA. und Curator Charles L. Kuhn, Germanic Museum. Harvard University. Die Herren hatten mir die Auskunft gegeben, daß einige der Kunstwerke sichergestellt worden seien, doch habe ich nie erfahren, wo und durch wen diese Sicherstellung erfolgt ist. Ich wäre Ihnen sehr dankbar, wenn Sie sich mit den genannten Kollegen in Verbindung setzen würden und mir dann direkt Informationen über diese vermissten Kunstwerke zukommen lassen könnten. Gerade die beiden Portraits von



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R659  
Box 9

Lot 620-4

DECLASSIFIED - IAW E.O. 12065

- 2 -

Albrecht Dürer gehören zu dem deutschen Kunstbesitz, der Eigentum unserer Nation ist, und an dessen Rückkehr nach Deutschland alle Kunstreunde in höchstem Maße interessiert sind.

Für Ihre Bemühungen nochmals verbindlichsten Dank!

Anlagen :

- 1 Verzeichnis mit Anlage
- 8 Photos

Ihr sehr ergebener

*Dr. Scheidig*  
Dr. Scheidig

RECEIVED  
DEPARTMENT OF STATE/AVAM  
NOV 30 1953

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By G NARA Dec 12 1999  
Authority AWD 96801  
DEC 12 1999

115079

Segeba von  
16. Mai 1946

S 120

IX

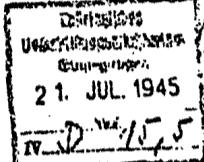
Direktion  
Staatl. Kunstsammlungen  
in Weimar.

Juli 1945.

An

das Thüringische Landesamt für Volksbildung,

Den 21. Juli 1945.



116

W. 15.7.

30.7.

Betrifft:

Diebstähle im Depot Schwerzburg.

Wir berichten, daß bei einer erneuten Kontrolle des Waffendepots in Schwarzburg am 19. Juli 1945 in Gegenwart von Herrn Bauinspektor Opel-Rudolstadt und des Platzmeisters Herrn Hille-Schwarzburg das Fehlen einer Anzahl von Gemälden festgestellt wurde, von denen die leeren Rahmen zurückgelassen wurden. Die Diebstähle sind offensichtlich von amerikanischen Soldaten vor ihrem Abrücken ausgeführt worden, während amerikanische Wachen im Depots schützen sollten. Es sind Türen aufgebrochen worden, und die Schlosser waren nach dem Abrücken der Amerikaner zerbrochen.

Aus den Waffenschranken des Staatl. Zeughauses sind ebenfalls kostbare Pistolen mit Elfenbein-Einlegearbeiten gestohlen worden. Genauere Feststellungen, welche Stücke des Zeughauses fehlen, können erst in den nächsten Tagen getroffen werden.

Außer diesen Diebstählen von Staatlichem Besitz sind Kisten und Koffer mit Kunst- und Kulturgut, das Privatleute aus Weimar und Jena den Staatl. Kunstsammlungen zur Bergung übergeben hatten, erbrochen worden, und Teile des Inhaltes liegen verstreut im Raum. Da uns der Inhalt dieser Kisten und Koffer nicht bekannt ist, können wir nicht feststellen, was hier im Einzelnen gestohlen worden ist.

Bei den gestohlenen Weimarer Kunstwerken, deran vorliegende Liste mit genauen Beschreibungen und Photos beiliegt, stellt es sich in Pezug auf die beiden Dürer-Gemälde und das Gemälde "Friedrich um den kostbarsten Besitz des Landes Thüringen". Diese Gemälde waren in aller Welt bekannt, in zahllosen Reproduktionen und Photos verbreitet und in jedem Buche über die Künstler erwähnt und abgebildet.

Als Täter kommen nur die unter Capt. R. R. Ewarr in Schwarzburg stationierten amerikanischen Truppen in Frage, da bei seinem ersten Besuch gemeinsam mit Herrn Oberbaurat Steffen am 11. Juni 1945 die Gemälde noch vorhanden waren, und schon damals Capt. Ewarr Ortskommandant gewesen ist und mit seinen Truppen bis zur Abzüge der Amerikaner am 1. Juli 1945 in Schwarzburg verblieben ist. Es wird gegenwärtig in unserem Auftrage festgestellt, welcher

11508  
BY TGNRA Date 6/1/99  
Authority AND 96801  
DEU/MS/2011/11  
AT THE NATIONAL ARCHIVES

Verzeichnis der im Schloss Schwarzenberg Depot entwendeten Gemälde.

Formation diese Truppen angehört haben.

Eine Verfolgung der Täter erscheint besonders deshalb notwendig, weil die Gefahr besteht, daß die Gemälde vernichtet werden können. Sucht nämlich ein Täter die Gemälde durch Verkauf zu verwerten, so wird er erfahren, daß der Verkauf weltbekannter Gemälde kaum möglich ist, um er könnte, um den Schuldbeweis aus der Welt zu schaffen, die Kunstwerke vernichten.

Im Zusammenhange mit den Diebstählen dürfen wir nicht unerwähnt lassen, daß der Architekt Herr Fassbender, der seit Monaten im Forsthaus auf-Schloß Schwarzburg wohnte, kurz vor dem Abrücken der Amerikaner unter Zurücklassung seines Mobiliars nach Süddeutschland geflohen ist. Wir haben den Auftrag gegeben, festzustellen, wohin sich Herr Fassbender gewandt hat. Er ist angeblich öfters mit amerikanischen Soldaten zusammen bei Kontrollen der Depots anwesen gewesen.

Die Depoträume sind jetzt bewacht von einem Ordnungspolizisten, im Übrigen ist durch Aufbrechen der Türen und Zerstörung der Vorhangeschlösser der Schutz der Räume so stark, daß wir alles daran setzen möchten, die noch vorhandenen Kunstwerke so schnell wie möglich wieder nach Weimar zurück zu führen.

Über jede neue Ermittlung in der Diebstahlangelegenheit werden wir sofort berichten.

S. (Signatur)

2) Dürer, Albrecht. Bildnisse des Ehepaars Hans Tucher und Felicitas Tucher, geborene Rieter.

2 Ölgemälde auf Holz, in einem Klapprahmen als Diptychon vereint. Auf der Rückseite des Männerbildnisses die Wappen der Familien Tucher und Rieter.

Auf dem Männerbildnis oben links die Inschrift: Hans Tucher 42 ierig 1499.

Auf dem Frauenbildnis oben rechts die Inschrift: Felitz Hans Tucherin. 33 jor alt. Salus 1499.

Höhe jedes Bildes 28 cm. Breite 24 cm. Gestohlen mit dem Rahmen.

Beide Gemälde sind seit spätestens 1824 in Weimarischem Besitz. Katalog des Großherzogl. Museums in Weimar 1913. No. 170/71. Klassiker der Kunst. Band Dürer. IV. Auflage 1928. Abb. auf Seite 16 und 84.

Abgebildet und erwähnt in allen Büchern über Dürer.

Prei Photos beiliegend. ==

Lucas Cranach der Ältere. Venus mit dem von Bienen verfolgten Amor. Jugendliche nackte Frau und nackter geflügelter Knabe vor einer weiten Baumslandschaft.

Oben links vier Zeilen lateinischer Inschrift.

Signatur Cranachs (Schlange mit Flügeln) und Jahreszahl 1530 unten rechts auf einem Stein.

Ölgemälde auf Holz, aus dem Rahmen entfernt.

Höhe 100 cm, Breite 35 cm.

Seit vor 1851 in Weimarischem Museumsbesitz.

Katalog des Großherzogl. Museums in Weimar. 1913. No. 152.

Priesdörfer-Rosenberg, Lucas Cranach. Berlin 1932. No. 204 c.

Eine Photo beiliegend. ==

Caspar David Friedrich. Die Landschaft mit dem Regenbogen.

Landschaft auf der Insel Rügen mit Blick auf die See. Rechts auf einer Anhöhe ein Schäfer stehend, über die Landschaft ein flacher weiter Regenbogen.

Keine Künstlerbezeichnung. Berühmtestes Gemälde des Meisters.

Ölgemälde auf Leinwand, aus dem Rahmen entfernt.

Höhe 59 cm, Breite 84,5 cm.

Wahrscheinlich von Goethe für den Weimarer Hof um 1810 vom Künstler erworben, seit 1824 im Weimarer Museum.

Farbige Facsimile-Reproduktion als Piper-Druck erschienen. Katalog des Großherzogl. Museums in Weimar. 1913. No. 180.

Katalog der deutschen Jahrhundert-Ausstellung Berlin 1906. No. 533.

H. von Einem. C. D. Friedrich. Berlin. 1939. Abb. 24 a.

Eine Photo beiliegend. ==

Greif. Bildnis des Dichters Gellert.

Brustbild nach rechts gewendet.

Ölgemälde von ovaler Form auf Leinwand, aus dem Rahmen entfernt.

Höhe 47 cm, Breite 39 cm.

h-020101  
RE 59

Abschrift.

Direktion der Staatlichen Kunstsammlungen in Weimar

Verzeichnis der im Schwarzburger Depot entwendeten Gemälde.

- 1) Dürer, Albrecht.  
Bildnisse des Ehepaars Hans Tucher und Felicitas Tucher,  
geborene Rieter.  
Gestohlen mit dem Rahmen.
- 2) Lucas Cranach der Ältere.  
Venus mit dem von Bienen verfolgten Amor.  
Friedländer-Rosenberg, Lucas Cranach. Berlin, 1932. No. 204 c.
- 3) Caspar David Friedrich.  
Die Landschaft mit dem Regenbogen.  
K. von Einem, C. D. Friedrich. Berlin 1939. Abb. 24 a.
- 4) Anton Graff.  
Bildnis des Dichters Gellert. Brustbild nach rechts gewendet.
- 5) Willem van de Velde der Jüngere.  
Meeresstrand bei bewegter See.  
Ölgemälde auf Eichenholz, aus dem Rahmen entfernt.
- 6) Lenbach, Franz.  
Bauernhof mit Hühnern.  
Ölgemälde auf Leinwand, aus dem Rahmen entfernt.
- 7) Baum, Paul.  
Märzlandschaft bei Weimar.  
C. Hitleroth. Paul Baum. Dresden 1937. Abb. 7.
- 8) Barbari, Jacopo de'.  
Christus.  
Hevesy, André de. Jacopo de Barbari. Paris u. Brüssel 1925.  
Abb. Tafel XVIII.
- 9) Seekatz, Johann Conrad.  
Junge Dame und Wahrzeigerin.  
Abgebildet in Biermann, Deutsches Barock und Rokoko. Ipz 1914.  
Abb. No. 252 und Bamberger, Ludwig, Johann Conrad Seekatz.  
Heidelberg 1916. Abb. 46.
- 10) Lenbach, Franz.  
Legkapelle. Studie zu dem Bilde "Landleute bei Gewitter"  
im Kaiser-Friedrich-Museum zu Magdeburg.
- 11) Tischbein, Friedrich August.  
Bildnis der Lady Elisabeth Hervay verehel. Foster. Halbfigur  
mit Taube.  
Abb. im Cicerone Bd. XVI. 1924. S. 439.
- 12) Dietrich, Christian Wilhelm Ernst.  
Rosenbinder mit Kind.  
Ölgemälde auf Holz. Kleines Format. Bezeichnet. X

## DEPARTMENT OF STATE

*Memorandum of Conversation*

DATE: September 30, 1957

## SUBJECT:

Schatzbehalter

## PARTICIPANTS:

Mr. Goff - Rare Book Division, Library of Congress  
ARHall

## COPIES TO:

The photographs of the Schatzbehalter by A. Koberger, Nürnberg 1491 are from Schramm. Mr. Goff said the Schramm is a Bibliography listing the owners of incunabulae. But Schramm does not describe the individual items.

There were 23 copies of the Schatzbehalter in American ownership in 1940. There are two copies of the Schatzbehalter in the Library of Congress and one copy in the Rosenwald Collection.

The following copies of the Schatzbehalter have been sold by dealers since the war:

- 1) Quaritch in 1947 for \$3600.
- 2) Robinson in London in 1952 for \$2400.
- 3) L.C. Harpers in N.Y.C. in 1954 for \$1750.
- 4) Thorp in London in 1956 for £ 620 or \$1736.

115083  
B-12 NARA D-6199  
10/26/01 Authority  
DECLASSIFIED  
REPRODUCED AT THE NATIONAL ARCHIVE

## DEPARTMENT OF STATE

## Memorandum of Conversation

DATE:

September 11, 1957

SUBJECT:

German Claims for Cultural Objects

PARTICIPANTS:

Mr. Fritz C. Menne, First Secretary  
Dr. Brigitte Franke, Asst. Cultural Secretary  
Ardelia R. Hall, Arts & Monuments Adviser

COPIES TO:

GEA: Mr. Harlan

1-1498

Mr. Menne handed me an Aide-Memoire on claims for a book owned by the State Gallery of Stuttgart and for books belonging to the late Karl Haberstock, which are reported to be missing from the Castle of Taxis near Benz and believed to be in the United States.

Mr. Menne said there had been court procedures and the claim of the State Gallery was regarded as having a certain priority over the Haberstock claim.

Dr. Franke asked about the Library of the Elsass - Lothringen Institution now in the possession of the city of Frankfort. The Mayor of the City had requested the documents relating to the transfer of the Library to the City by OMGUS (presumably to justify the retention of the Library by the City.)

She also asked about the Hersbruck Tin Soldiers. I told her the Army still has them and the Department has not yet received the report on the case.

AM:ARHall:lqf 9/11/57

115084  
NARA D24199  
Authority  
115080  
DECLASSIFIED  
REPRODUCED AT THE NATIONAL ARCHIVE

April 12 1958

In reply refer to  
AH

Dear Colonel Ernst:

Reference is made to my letter of October 8, 1957, transmitting to you the information received from the German Embassy concerning the alleged removal of books by members of the United States Armed Forces from the Castle of Yanis, Trugenhausen, District of Heidenheim near Benzin, Germany. The books included a volume of woodcuts entitled "Schatzbehalter" by A. Eberger.

The enclosed negative reply from the German Embassy has been received to the Department's request for more information about the Schatzbehalter and its loss.

Sincerely yours,

Ardelia R. Hall  
Arts and Monuments Adviser

**Enclosure:**

From the German Embassy,  
March 27, 1958.

Colonel J. H. Ernst, MPC,  
Executive Officer,  
Office of the Provost Marshal General,  
Department of the Army,  
Washington 25, D. C.

AH:ARHall:lcf 4/8/58

115085

BYU-NARA 6499  
Authority  
10906001  
DEPARTMENT OF DEFENSE

RGSq Box 9  
lot 620-4

**POLICE CERTIFY AND SIGN.**

P/AM:ARHall

January 22, 1989

In reply refer to  
P/AM

Dear Colonel Gabolyki

A copy of a note from the German Embassy was forwarded to the Office of the Provost Marshal General on October 2, 1957 relating to the loan of books and a volume of woodcuts entitled the "Schatzbehalter" by A. Koberger, taken from the Castle of Taxis at the end of the war. The "Schatzbehalter" belonged to the State Gallery at Stuttgart.

Two members of the United States Forces were mentioned in the German note as allegedly connected with these losses. They were Lt. John van Stirum in an Intelligence Division, from 319 Stadtland (sic) Avenue, Bresel Hill, Pa. and a Capt. Blum with the Military Government at Heidenheim. Major Trenam called me on the telephone January 3, 1953 and told me that Capt. Blum was believed to be a civilian employee in Germany and details of the case were being forwarded to Germany for any additional information.

The Department has replied to inquiries from the German Embassy dated March 25, 1958 and August 19, 1958, a copy of which is enclosed. Another inquiry of January 9, 1959 has been received. Copies of this note and an interim reply are also enclosed.

If any trace of the individuals allegedly involved has been found or any information on the progress of the case, that could be appropriately handed on to the German Embassy, we should be glad to receive it.

Sincerely yours,

Ardelia R. Hall  
Arts and Monuments Adviser

For enclosures, see following page.

Colonel Robert Sabolyk,  
Office of the Provost Marshal General,  
Department of the Army,  
Washington 25, D. C.

115086

BY IJ NARA DE 6A99  
Authority NUD968ab01  
DECLASSIFIED

REPRODUCED AT THE NATIONAL ARCHIVE

- 2 -

**Enclosures:**

1. To the German Embassy,  
August 29, 1958.
2. From the German Embassy,  
January 9, 1959.
3. To the German Embassy,  
of even date.

P/AM: ARHall:lqf 1/21/59

GEA: Mr. Marlan

115087  
DECLASSIFIED  
NWD968071  
Authority NARA D6499  
by JU

60-620-4

April 29, 1960

Dear Colonel Taylor:

I thank you for your completed Report on the Army investigation of the loss of objects from the Castle of Taxila during 1945 and 1946. There is always the possibility that missing objects were taken by Germans in the vicinity, who knew the location of a German repository and better appreciated the value of Pure Gold than an American soldier. The allegation that Americans took such objects I am glad to say, has been disproved many times, when the stolen objects were later recovered in Germany.

A copy of the Department's reply to a recent inquiry from the German Embassy about the outcome of the investigation is enclosed for your information.

Sincerely yours,

Arnold H. Hall

Acting Director, ADI

WILMINGTON

No German Inquiry  
of even date.

Colonel Arnold H. Hall, USA,  
Director, The Army Historical Division,  
Department of the Army,  
Washington 25, D. C.

AM:Arnall:af  
GER: Mr. Allen

4/27/60

1150



THE NATIONAL ARCHIVES

CU/AM:ARHall

The Department of State has received the German Embassy's memorandum of March 31, 1960, inquiring as to the progress of the search initiated by the Department of State for a missing volume, the "Schatzbehalter," belonging to the Stuttgart State Gallery of Stuttgart, reported to have been taken from the war repository at the Castle of Taxis in 1945-1946.

The Department has now received a final report from the United States Government agency conducting the investigation. An extensive inquiry in the United States and Germany has failed to reveal the identity of the individuals responsible for the loss or any information that might lead to the location of the missing volume. It is regretted that the United States Government has not been able to assist in the recovery of this important museum object. Without some evidence of its importation into the United States, no further action can be taken.

Department of State,

Washington, April 29, 1960.

CU/AM:ARHall:lgs  
GER: Mr. Allen

4/27/60

66 15 NARA 0216 61 99  
115089 APR 29 1960  
AUDITORY AND CIVIL  
DEPARTMENT OF STATE  
RECORDED AND INDEXED  
SEARCHED AND SERIALIZED  
FILED  
APR 29 1960  
115089

The Department of State acknowledges the receipt of the note dated June 4, 1959, from the Embassy of the Federal Republic of Germany asking for the return of the three photographs of the "Schatzbehalter" and the list of Karl Läber's books, enclosed in the Embassy's aide-memoire of September 5, 1957.

The three photographs and list of books are herewith enclosed. Copies were made for distribution at the beginning of the investigation and the negatives are in the files of the Arts and Monuments Advisor. In case additional copies are needed.

Enclosures:

1. Three photographs of woodcuts from the "Schatzbehalter":  
The Garden of Eden, Holy Trinity, and Miracles of Christ.
2. Abschrift: Gelehrte deutsche Literatur, ausländische Literatur, und Kunsliteratur (8 pages).

Department of State,

Washington, June 25, 1959

CU/AM:ARH:lfq

6/25/59

66 15 NARA Date 99  
Authority AD 96801  
RECORDED AT THE INTERNATIONAL ARCHIVES

115090

In reply refer to  
SWAN

January 22, 1959

Dear Colonel Gabolyk:

A copy of a note from the German Embassy was forwarded to the Office of the Provost Marshal General on October 2, 1958 relating to the loss of books and a volume of woodcuts entitled the "Schatzbehälter" by A. Koberger, taken from the Castle of Taxis at the end of the war. The "Schatzbehälter" belonged to the State Gallery at Stuttgart.

Two members of the United States Forces were mentioned in the German note as allegedly connected with these losses. They were Lt. John van Stirum in an Intelligence Division, from 519 State Land (sic) Avenue, Drexel Hill, Pa. and a Capt. Blum with the Military Government at Heidenheim. Major French called me on the telephone January 9, 1959 and told me that Capt. Blum was believed to be a civilian employee in Germany and details of the case were being forwarded to Germany for any additional information.

The Department has replied to inquiries from the German Embassy dated March 27, 1958 and August 19, 1958, a copy of which is enclosed. Another inquiry of January 9, 1959 has been received. Copies of this note and an interim reply are also enclosed.

If any trace of the individuals allegedly involved has been found or any information on the progress of the case, that could be appropriately handed on to the German Embassy, we should be glad to receive it.

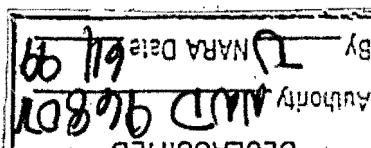
Sincerely yours,

Ariadie R. Hall  
Arts and Economic Advisor

For enclosures, see following page.

Colonel Robert Gabolyk,  
Office of the Provost Marshal General,  
Department of the Army,  
Washington 25, D. C.

115091



- 2 -

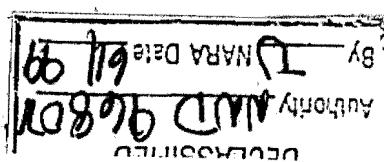
Enclosures:

1. To the German Embassy,  
August 29, 1958.
2. From the German Embassy,  
January 9, 1959.
3. To the German Embassy,  
of even date.

P/AM:ABHall:lqf 1/21/59

GEA: Mr. Harlan

115092



Lot 62D-4

CERTIFY AND RETURN

P/AM:ARHall

The Department of State acknowledges the receipt of the memorandum dated January 5, 1959 from the Embassy of the Federal Republic of Germany, relating to the loss of the "Sundtbochalter" of the American Forces Ordnance, at Stuttgart, from the War-Repository at the castle of Neus.

The Department has been informed by the agency of the United States Government conducting an investigation of the case, that a search was being made for the individuals reportedly connected with the loss of the "Sundtbochalter," but, thus far, the Department has not learned whether they have been located.

Whenever information on the outcome of the Government's investigation is received, the Department will gladly forward it to the Embassy.

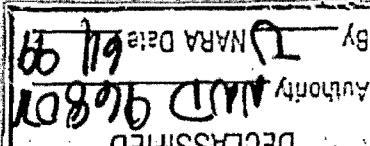
Department of State,

Washington,

January 22, 1959

P/AM:ARHall:laf 1/21/59

GEA: Mr. Harlan



The Department of State acknowledges the receipt of the notes dated March 27, 1958 and August 19, 1958, from the Embassy of the Federal Republic of Germany, relating to the volume of woodcuts, entitled "Schutzbaukunst", missing from the collection of the Württemberg State Gallery of Stuttgart.

The limited information about the "Schutzbaukunst" contained in the Note Verbale of March 27, 1958 was forwarded to the agency of the United States Government, which is conducting an investigation. No report on the matter has as yet been received.

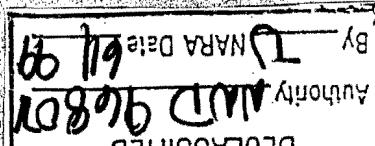
Department of State,

Washington, August 29, 1958

562.44/3-1958

P/AM:AWH:ll:1qf 8/29/58  
GSA: Mr. Marlan

115094



RGSq Box 9  
Lot 620-4

April 12 1958

In reply refer to  
AM

Dear Colonel Ernst:

Reference is made to my letter of October 9, 1957, transmitting to you the information received from the German Embassy concerning the alleged removal of books by members of the United States Armed Forces from the Castle of Raxis, Trugenhofen, District of Heidenheim near Bens, Germany. The books included a volume of woodcuts entitled "Schatzbehälter" by A. Koberger.

The enclosed negative reply from the German Embassy has been received to the Department's request for more information about the Schatzbehälter and its loss.

Sincerely yours,

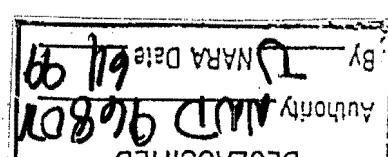
Ardelia E. Hall  
Arts and Monuments Adviser

Enclosure:

From the German Embassy,  
March 27, 1958.

Colonel J. H. Ernst, MPC,  
Executive Officer,  
Office of the Provost Marshal General,  
Department of the Army,  
Washington 25, D. C.

AM:ARHall:laf 4/8/68



COPY

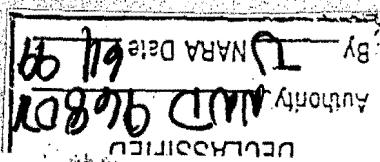
**Embassy  
of the  
Federal Republic of Germany  
Washington, D. C.**

### Note Verbale

The Embassy of the Federal Republic of Germany presents its compliments to the Department of State and has the honor to refer to the aide-mémoire of the Department of State dated October 2, 1957, regarding a missing volume of woodcuts, entitled Schatzbehälter, from the collection of the Württemberg State Gallery of Stuttgart.

In its aide-mémoire the Department of State suggested that the Württemberg State Gallery of Stuttgart should be asked if the Stuttgart copy had any special marks or binding to distinguish it from other copies.

The Embassy now has been informed by the Stuttgart State Gallery that, unfortunately, it is not in a position to make detailed specifications regarding the missing copy. The State Gallery, however, states that the binding of the copy is that of an ordinary library volume of the early 16th century, that is wood cover binding with pressed parchment cover. The copy showed a stamp on its final page and most likely one on its first page. As a sample of the stamp the State Gallery has made available a copy thereof which



- 2 -

is attached.

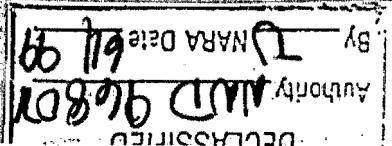
The State Gallery regrets, too, that it is not in the possession of further detailed information as to the exact circumstances which led to the loss of the book.

The Embassy avails itself of this opportunity to renew to the Department of State the assurance of its high consideration.

Washington, D.C., March 27, 1958

1 enclosure

115097



October 10, 1957

In reply refer to:

Dear Karl:

The German Army has recently asked for assistance in locating a copy of the Schatzbehalter by A. Koberger (Nuremberg, 1491) formerly in royal possession, now belonging to the Württemberg State Gallery of Stuttgart, which was taken from the repository in the Castle of Taxis following the war. The American NYAAG officers reported the loss of this volume with 66 woodcuts when the final inventory at the Castle of Taxis was made in February 1946. Apparently, there has never been any clue to the whereabouts of this volume since then. I expect, it will be almost impossible to trace. I have learned that in 1940 there were twenty-three copies in American ownership and four copies have been sold in London and New York since the war.

However, I enclose three photographs of the woodcuts from Schramm. He would appreciate learning if you have ever heard of this Württemberg copy.

With many thanks and kind regards,

Sincerely yours,

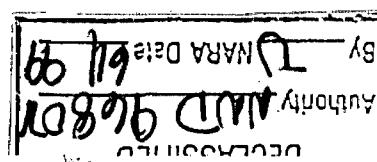
Arnold H. Hall  
Arts and Monuments Advisor

Enclosures:

Photographs of woodcuts  
from the Schatzbehalter.

Mr. Karl Kup,  
New York Public Library,  
Fifth Avenue and 42nd Street,  
New York City, New York.

AM:ARH:1cf 10/2/57



115098

AM  
SERIALS AND RETURN

AM:ARHALL

OFFICIAL USE ONLY

In reply refer to:

October 8, 1957

Dear Colonel Ernst:

An aide-memoire with enclosed photographic and inventories has been received from the German Embassy in Bonn, regarding the loss of books from a war-repository in the Castle of Paris in Trugenhofen, District of Heidenheim near Nuremberg, Germany. Two members of the United States Armed Forces are mentioned in connection with these losses.

There are enclosed two copies each of the aide-memoire; the Department's reply; a page from the Office of Military Government for Wurttemberg-Baden, "Consolidated Monuments, Fine Arts, and Archives Field Report," dated 23 February 1946, with the paragraph reporting the looting of the library from the Castle of Paris; and an earlier letter from Mr. Karl Haberstock regarding the loss of his library.

Any help which the Office of the Provost Marshal General may be able to give in the location and recovery of these books will be greatly appreciated.

Very sincerely yours,

Ardelin H. Hall  
RGA (USA) Liaison Advisor

Enclosures:

1. From the German Embassy,  
September 5, 1957.
2. To the German Embassy,  
of even date.
3. OMO Wurtt-Bad, Consolidated  
MPAM Field Report,  
23 February 1946, page 3.
4. From Mr. Karl Haberstock,  
July 1, 1956.

Colonel J. V. Ernst, USA,  
Executive Officer,  
Office of the Provost Marshal General,  
Department of the Army,  
Washington 25, D. C.

OFFICIAL USE ONLY

AM:ARHALL:laf 10/1/57

GEA: Mr. Harlan

115099

By LL NARA Date 61 09  
 Authority AMID 96807  
 DEC 1957

RG59 Box 9  
60f62D-4

PLEASE CERTIFY AND RETURN

AMARHILL

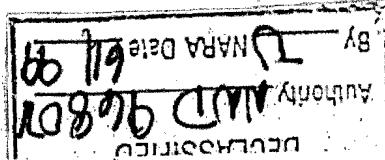
AMARHILL

The reports contained in the German Ministry's library notice of September 5, 1957, regarding missing volumes of books in the collection of the Nuremberg Art Gallery of Sculpture and Missing books owned by the late Mr. Karl Ulrichs from the war-repository in the Castle of Texin have been reviewed and referred to the appropriate authorities for their consideration.

The loss of the volume, Miniatuuren, was reported by the American Librarian, Miss Arts, and Archives officers of the Office of Military Government Nuremberg-Fürth on February 24, 1946, during the final inventory of the graphic works stored in the Castle of Texin was made. It would appear that no information has been available, thus far now, as to the circumstances of the loss of this volume.

As there

115100



- 2 -

As there were twenty-three copies of the Fehlhaber in American ownership in 1945 and three copies have been reported sold in London since the war, the Wittelsbacher State Library of Stuttgart should be asked if the Stuttgart copy had any special marks or labeling to distinguish it from other copies.

Department of State,

Washington,

October 2, 1957

AM:ARH:lqr 10/1/57  
GEA: Mr. Marlan

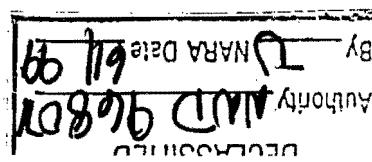
115101  
JNARA Date 6/1/99  
Author NY 100-96801  
REF ID: A62D  
PRODUCED AT THE NATIONAL ARCHIVES

Copy

Aide-Mémoire

At the end of World War II a number of German Art Institutions had transferred their art collections to the Castle of Taxis in the Community of Trugenhofen, District of Heidenheim near Benz, Germany. Among others the Württemberg State Gallery of Stuttgart and an art dealer by the name of Karl HABERSTOCK from Berlin had in deposit there valuable pieces of art. After the end of the war much of this art property disappeared. The State Gallery in Stuttgart is missing a valuable piece of art, a book titled "Schatzbehalter". The book contains 96 wood carvings of which three photos are enclosed. The book is 14 inches long and 10 inches wide. Since time unknown the "Schatzbehalter" has belonged to the graphic collection and presumably origins from royal possession.

Furthermore there disappeared a great number of art books in the possession of the art dealer Karl Haberstock. Karl Haberstock died last year and his interests are represented by his wife, Mrs. Magdalene Haberstock. There is enclosed a list of the books of art which have been in the possession of Karl Haberstock and which are missing today. In

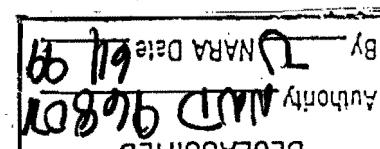


- 2 -

connection with the disappearance of this art property there are two members of the United States Forces mentioned: John van Stirum in 1945/1946 Lieutenant with the Intelligence Division in Germany. Lt. van Stirum's home address, as known at that time, is given as: 319 Stadeland Avenue, Drexel-Hill, Pa. Further there is mentioned one Captain Blum, who allegedly was a member of the staff of the Military Government at Heidenheim. Both aforementioned, it is alleged by witnesses, have on a number of occasions taken away pieces of art from the Taxis Castle. They have been seen to examine the art property in question and to prepare the shipping of such property in wooden boxes. The endeavours of the Stuttgart State Gallery as well as by Mrs. Haberstock to recover the property in question have been without result so far. It is presumed that the property, the Schatzbehalter as well as the collection of art books, in full or in part is in the United States. The State Gallery and Mrs. Haberstock have approached the Foreign Office of the Federal Republic to bring the matter to the attention of the Department of State.

Washington, D.C., September 5, 1957

4 enclosures



COPY

(Translation)

German

KARL HABERSTOCK

July 1, 1956

Miss Hall  
State Department  
Washington

Dear Miss Hall:

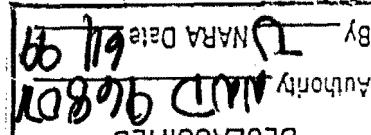
I happened to hear of your office, and of the fact that you are heading it, from a friend. I have a personal request, the nature of which would be likely to injure the reputation of the U.S. Army abroad, but which could be cleared up within the scope of your activity. My case is one of the looting of valuable books by members of the U.S. Army, especially valuable French books of the 18th century, German classics, first editions, and a specially valuable Shakespeare edition. In the same castle the Württembergische Landesbibliothek, of Stuttgart, had also placed in safe storage a very large number of books, among them the famous book Weisskunig from the beginning of the 16th century, which deals with the life of Emperor Maximilian I, the so-called last knight. This book is also missing.

The German district attorney's offices in Ellwangen and in Stuttgart have made comprehensive investigations and examined numerous witnesses. There is thus no doubt regarding the persons who have abstracted the books. As soon as I am in possession of a reply from you whether your office is prepared to take this matter up, I would take the liberty to send you the relevant documentation through my legal counsel, Baron Reinhart von Godin.

Very truly yours,

/s/ Karl Haberstock

115104



1921

~~RESTRICTED~~

OMG KURTII-BAD 28 Feb 46 Consolidated MFA&amp;A Field Report

12 Feb 46 - Visit of Mr VANDERBILT, MFA&A OMG US Zone, for discussion of archival and library problems in this area.

18 Feb 46 - Visit of Capt BLITZLER, member of a commission headed by Col RUE (Göttingen, British Zone), sent to Europe by Field Marshal BAUTS to seek documentary information relating to the activities of Germans in South and Southwest Africa. He was referred to USFET and 7th Army Documents Centers and to the French Regional Mil Govt at Tübingen for that part of the archives of the Deutsches Auslands Institut which is stored in the French Zone.

25 Feb 46 - Visit of Capt JAFFE, Dutch MFA&A restitutions officer, WMD, to deal with several intelligence matters pertaining to this area.

c. Transportation Available: Two jeeps are assigned to the section. There seems to be little trouble now on the part of German authorities in securing furniture vans for the movement of works of art.

f. Miscellaneous:

(1) Looting: Evacuation and final inventcrying of the paintings and graphic works belonging to the Staatsgalerie Stuttgart which had been stored in Schloss HAALE (L49/S91) revealed that two important objects were missing: a copy of the Schatzschalter von Koburg and a large colored drawing of Joseph Anton Koch "Mythological Scene".

Final check on the objects stored by the Staatsgalerie at WINTERBACH (L49/S22), evacuated in January, revealed that two paintings were missing, taken by American troops when they broke-into the locked room early last summer. The paintings, of second-rate interest, were Stevens "Musizierende Damen" and a small painting on wood "Portrait of Graf Eberhard".

With the redeployment of troops and the resultant turning-back of many private dwellings to their owners a number of complaints have reached this office of pillaging of objects of cultural value. In the most serious cases reports are made by this office to higher headquarters G-5, for recommendation of investigation by CID.

(2) Intelligence:

(a) On 26 Feb 46 Capt JAFFE, Dutch MFA&A, furnished nine cases for investigation. Involved were purchases of paintings and art objects in Amsterdam by the Stuttgart dealer VALENTIN, and Stuttgart industrialist Eugen KRUG. Among the paintings involved is the "Portrait of a Brabant Woman" by VAN GOGH. Present whereabouts of the objects not yet determined.

(b) In Heidelberg on 27 Feb 46 the undersigned inspected four badly damaged paintings at the home of Frau SCHENK (8 Moltkestrasse). Three of the works were acquired during the war in Amsterdam from the Jewish dealer TANNEMBAUM by Frau Schenk's son, now residing in Karlsruhe. Irreparably lost, due to very poor underground storage provisions, is a small "Seascape" of Courbet; salvaged but

HARVARD UNIVERSITY  
THE DUMBARTON OAKS RESEARCH LIBRARY AND COLLECTION  
GEORGETOWN, WASHINGTON 7, D.C.

December 20, 1949

Miss Ardelia Hall  
Department of State  
Washington, D. C.

Dear Miss Hall,

You will find attached a copy of Mr. Siegfried Laemmle's letter to me, dated November 16, 1949, which I trust will be of help to you in clarifying the situation.

With deep appreciation for your assistance in this matter,

Yours sincerely,

*John S. Thacher*

John S. Thacher  
Director

115106  
10806071  
REPRODUCED AT THE NATIONAL ARCHIVE

C O P Y

Siegfried Laemmle  
448 North Harper Ave.  
Los Angeles 48, Cal.

November 16th 1949.

Harvard University  
Dumbarton Oaks Research Library and Collection  
Georgetown, Washington, D. C.

Gentlemen:

This is to advise you that I was the owner of the Statue in wood of the Madonna and Child by Tilman Riemenschneider, which is now in your possession. I was forced to emigrate from Germany on account of the persecution of Jews in Germany by the Nazi Regime.

In connection with my emigration I had to sell this sculpture to the firm of Julius Boehler. The Riemenschneider sculpture was owned by me privately and accordingly, I am entitled under the Restitution Law promulgated in the American Zone of Occupation in Germany on November 10, 1947 to claim restitution from the present owner, irrespective of any bona fide transaction which may have taken place since I sold the Statue to Julius Boehler in Munich. Accordingly, I am writing to you in order to request your advice whether you are prepared to recognize my claim and return the Statue to me in accordance with the legal provisions referred to above.

Respectfully yours

s/ Siegfried Laemmle

W.L.

Siegfried Laemmle

RECEIVED - NARA - DE 6499  
115107  
115107  
REPRODUCED AT THE NATIONAL ARCHIV

HARVARD UNIVERSITY  
DUMBARTON OAKS RESEARCH LIBRARY AND COLLECTION  
GEORGETOWN, WASHINGTON, D. C.

November 22, 1949

Miss Ardelia Hall,  
Department of State  
Washington, D. C.

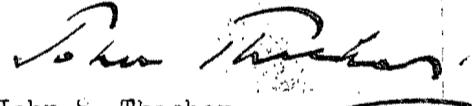
Dear Miss Hall,

I am sending you the following information in confirmation of our telephone conversation yesterday.

In February 1937, Dumbarton Oaks acquired from a New York art dealer a wooden statue of the Madonna and Child. I know that previously the statue was in the possession of a dealer by the name of Julius Böhler of Munich, who also had a branch office in Lucerne, Switzerland. I have just received a letter from Mr. Siegfried Laemmle, who is now in California and who, I understand, emigrated to this country from Germany about twelve years ago. Mr. Laemmle states that he was forced to emigrate from Germany on account of the Jewish persecutions, and that he was obliged to sell this piece of sculpture to the firm of Julius Böhler. Mr. Laemmle now claims restitution of the statue "under the Restitution Law promulgated in the American Zone of Occupation in Germany on November 10, 1947."

I should greatly appreciate your advice and assistance in this matter.

Yours sincerely,



John S. Thacher  
Director

Gave three  
to dealers  
for sale  
of previous  
dealers  
and  
a previous  
dealer

DIVISION OF LIBRARIES AND INSTITUTES

NOV 23 1949

DEPARTMENT OF STATE

BY T.D. NARA D26499  
Authority NARA D26499  
110806050000  
REPRODUCED AT THE NATIONAL ARCHIVES

115108

DEPARTMENT OF STATE

**Memorandum of Conversation**

DATE: November 21, 1949

**SUBJECT:**

**PARTICIPANTS:** Dumbarton Oaks - Mr. Thatcher (MI 3101)

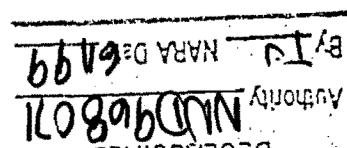
ILI - Ardelia R. Hall

**COPIES TO:**

1-1493

I returned Mr. Thatcher's call. <sup>He</sup> Understands on November 10, 1947, Restitution Law in Occupied Germany. Object in Dumbarton Oaks Collection purchased in New York in 1937. Owner previous to 1935. Will send a memorandum with information. Wants to know when Munich dealer sold to dealer in Switzerland, can object be recovered?

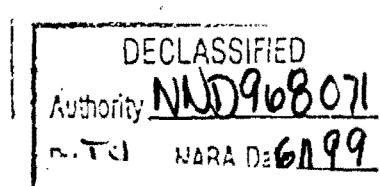
OEX:ILI:ARHall:mms



RG 59 Box 10  
Lot 62D-4

Miller, H. A. <sup>Reserve for</sup>  
505 Lushmore Avenue,  
North Augusta, S.C.

115110



RG 59 Box 10  
Lot 620-4

In reply refer to  
AM

October 31, 1968

Dear Mrs. Cowing:

We have, thus far, found no information relating to the former ownership of the Van Kessel "Portrait of a Man" in your possession. We shall keep a record about the painting.

Should the former owner of the painting be determined with complete certainty, at some later date, I feel confident that you would be willing for the painting to be restored.

The three Kodachrome slides of the portrait which you kindly provided are being returned.

Your interest and cooperation have been appreciated.

Sincerely yours,

Ardelia R. Hall  
Arts and Monuments Adviser

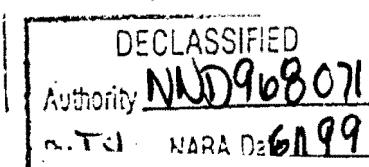
Enclosures:

Kodachrome  
Slides of Van Kessel  
Portrait (3).

Mrs. N. H. Cowing,  
505 Siekin Circle,  
North Augusta,  
South Carolina.

AM:ARH:lgf 10/30/56

115111



RG 59 Box 10  
Lot 620-4

AIR POUCH

UNCLASSIFIED

REC'D  
11-7

FROM: AMBASSY BONN 934

TO : The Department of State, Washington

November 4, 1955 A/HM-1

Ref : Your A-356, October 10, 1955

SUBJECT: Portrait of a Man by Hieronymous von Kessel

INFO  
RM/R-2

The three Kodachrome slides of the Portrait of a Man by Hieronymous von Kessel are enclosed in accordance with your request.

The Foreign Office has expressed the hope that the researches which you mentioned will be successful.

For the Ambassador



Enclosure:

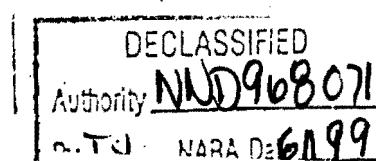
Hardy C. Lee  
Legal Officer

Three Kodachrome slides.

HCLee/ak

UNCLASSIFIED

115112



## DEPARTMENT OF STATE

Attributed to OFFICE OF THE CONTROLLER

Hieronymus van Kessel

Painting of man with  
face on side (Bust portrait,  
a ruff, 3/4 view of face,  
square-cut longish beard, 3/4 view of face,  
cross-cut hair reaches facing toward  
ear (open left), viewer's left or  
clearly outlined) in the upper left

hand corner:

Aetatis suae 66  $\frac{3}{4}$ 

Ano 1618

K fecit

20  $\frac{1}{4}$ " x 16  $\frac{1}{4}$ " or

51.8 x 41.5 cm -

RG59 Box 10  
lot 620-4

DECLASSIFIED

115113

Authority NND968071  
G.T.C. 121 NARA De6199

PLEASE CERTIFY AND  
RETURN TO

A/AM: A.R. Hall  
SA-9, Rm. 1414

June 18, 1954

My dear Mrs. Cowing:

As you requested in your letter of April 11, 1954, I am returning the letter which you received from Mrs. Howell, the Librarian of the Frick Art Reference Library, relating to the painting by Hieronymous von Kessel.

The Office of the United States High Commissioner for Germany has not been able to aid in the identification of its former ownership on the basis of a description alone. I am, therefore, taking the liberty of sending the three color transparencies to the Office of the United States High Commissioner and I have asked for the slides to be returned as soon as possible. I shall be very glad to let you know whatever information about the painting I may receive.

Sincerely yours,

Ardelia R. Hall  
Arts and Monuments Adviser

Enclosure:

1. From Mrs. Howell to Mrs. Cowing,  
April 7, 1954.

Mrs. N. H. Cowing,  
505 Siskin Circle,  
North Augusta, South Carolina.

A/AM:ARHall:vsh

6/17/53

115114

DECLASSIFIED
Authority NND968071
2-TG NARA Da 6199



DEPARTMENT OF STATE INSTRUCTION

UNCLASSIFIED

NO.:

SUBJECT:

TO: **HAGGARD, ARTHUR**

Reference is made to Department telegram No. 3222, April 13, 1956,  
and Bureau dispatch No. 3100, May 20, 1956.

The portrait of a bearded man with ruff is presumed to have been  
painted by Hieronymus (or Jheronim) van Eschel. The artist was  
working in Cologne during the year of 1510, that the picture is dated.

Three indistinct copies of the front, back, and a detail of  
the painting are enclosed in an envelope. Please ask Mr. Van Duyne  
to return the slides as soon as convenient.

~~UNCLASSIFIED~~

**3 indistinct copies  
of portrait by van Eschel.**

UNCLASSIFIED

DRAFTED BY:

A/AMCARHalliehah

6/27/56

APPROVED BY:

Ardelia R. Hall

CLEARANCES:

THIS COPY TO BE RETAINED BY DRAFTING OFFICE

115115

DECLASSIFIED

Authority NND968071

n.T.C. NARA Da 6199

Van Kassel Ptg - Gowing

ROUTINE	UNCLASSIFIED (Security Classification)	DO NOT TYPE IN THIS SPACE
PRIORITY		862 a. 441/5-2854
FOREIGN SERVICE DESPATCH		
FROM : HICOG, Bonn	3120	
DESP. NO.		
TO : THE DEPARTMENT OF STATE, WASHINGTON	May 28, 1954	
REF : Department's cable Bonn 2882, 13 April 1954	DATE	

For Dept.	ACTION	DEPT.
Use Only	I REC'D 6/5	N OCR/R-2, GER-4 F OTHER O

SUBJECT:

By letter of April 21, 1954, we transmitted the request made in the referenced cable to Dr. von Beyme. He has advised us that he has not yet been able to determine the ownership of the painting here involved on the basis of the information supplied him. In order to carry on further investigation, Dr. von Beyme requests that a photograph and additional description of the painting be made available.

Henry F. Waldstein  
Chief,  
Legal Affairs Division

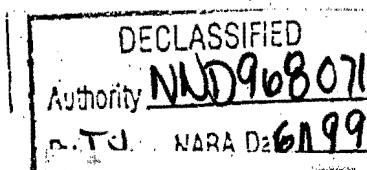
HLSultan:ch

REPORTER

UNCLASSIFIED

INFORMATION COPY  
Retain in divisional files or destroy

115116



Go to Nat. Gallery & get Photos  
⑤ of items restituted in error  
to be recovered & from Holland,  
France & Belgium & returned  
to the right country —

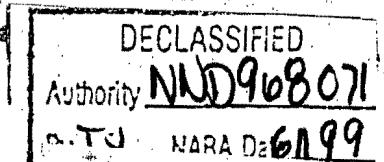
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Get Photos & get photostats  
of documents, to make  
it as easy as possible  
for the country to trace  
~~items~~  
~~Paintings~~ — all were  
restituted in 1946 & 1947.

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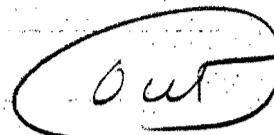
With Mrs. W. H. Young  
505 Sisten Circle  
North Augusta  
South Carolina  
OK

{ From DP + GI  
Looted from Ger.  
museum  
  
May have been  
looted from French  
museum  
give to



PTG -  $20 \frac{1}{4}'' \times 16 \frac{1}{4}'' =$   
 $51.4 \text{ cm} \times 41 \text{ cm}$

#248 58.5 x 48 23 x 19 <sup>1</sup>  stat

#172 7.10 x 90  out

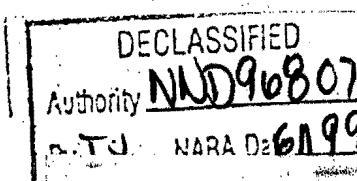
DECLASSIFIED

Authority NND968071  
S.T. P. NARA De 6199

115118

Musical (?) <sup>K part</sup>  
~~date early 18<sup>th</sup>~~  
an Heron you see Van Kessel  
<sup>From dealer from</sup>  
Bud Portrait Army Stationed  
Da made } acquired via  
with neck } General —

115119



~~French List~~ French List, French  
~~An French List and also on~~ ~~French~~ list  
\* 172 P. 36

32.441 Jan van Kessel

Por. of d' Othon de Salm

Musée Municipal de Saint

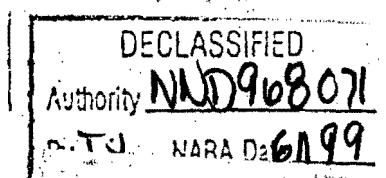
Die — 1,10 X 0,90

Oct. 30, 1968

Fine

Correspondence

115120



PLEASE CERTIFY AND  
RETURN TO

A/AM: A.R. Hall  
SA-9, Rm. 141,

March 30 1954

My dear Mrs. Cowing:

The Curator of Paintings at the National Gallery of Art has told me of your inquiry about a man's portrait by van Kessel which was found in Germany in the possession of a displaced person.

There is a missing portrait by Jan van Kessel for which the French Government has filed a claim. It was looted by the Nazis during the war from a municipal museum in France. If you would send me a photograph and the size of the painting without the frame: the width and height of the canvas, it would then be possible for me to make a preliminary check as to whether or not you have, indeed, recovered a looted picture.

Your courtesy in sending an inquiry regarding the rightful ownership of the painting is greatly appreciated.

Sincerely Yours,

Ardelia R. Hall  
Arts and Monuments Adviser

Mrs. N. H. Cowing,  
505 Siskin Circle,  
North Augusta,  
South Carolina.

A/AM:ARHall:vsh

3/29/54

115121

DECLASSIFIED

Authority NND968071

N.T. NARA Da 6199

Case file: Ptg - by Von Kessel

103



## DEPARTMENT OF STATE INSTRUCTION

UNCLASSIFIED

Aug 16, October 10, 1955

NO.:

SUBJECT: Portrait of a Man by Hieronymous von Kessel.

TO: The American Embassy, ROMA

Reference is made to the Department's instruction A-1499, June 17, 1954.

The return of the three Kodachrome slides of the Portrait of a Man by Hieronymous von Kessel enclosed with the above instruction is requested.

The Department has information that may make it possible to identify the former ownership of this portrait.

**MURPHY (ACTING)**

UNCLASSIFIED

DRAFTED BY:

A/AM:ARHall:lqf 10/10/55

APPROVED BY:

Ardelia R. Hall - A/AM

CLEARANCES:

DEPARTMENT INFORMATION COPY

115122

DECLASSIFIED

Authority NND968071

D.T. NARA D26A99

505 Siskin Circle  
North Augusta, S.C.  
December 5, 1954

Miss Ardelia R. Hall  
Arts and Monuments Adviser  
Department of State  
Washington, D.C.

Dear Miss Hall:

Do you have any more recent information concerning the picture which I have which Frick thinks may be by Hieronymus van Kessel? In your letter of June 18th, you wrote that you were sending the slides of the picture to the Office of the United States High Commissioner

115123

DECLASSIFIED  
Authority NND968071  
n.TC NARA D26199

- 2 -

for Germany.

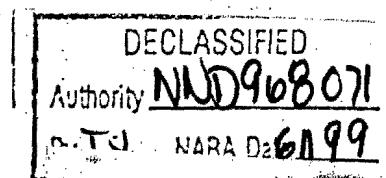
May I begin to hope that you  
are not going to take the  
picture from me?

Sincerely,

Catherine M. Tamm

(Mrs. D. H. Tamm, Jr.)

115124





DEPARTMENT OF STATE INSTRUCTION

1856

ATAM

ENCLOSURE

NO.:

A-1499 June 17, 1954

SUBJECT:

TO: HICOG, BOHEMIA

Reference is made to Department telegram No. 2982, April 13, 1954, and HICOG despatch No. 3129, May 22, 1954.

The portrait of a bearded man with ruff is presumed to have been painted by Hieronymus (or Jerome) von Kessel. The artist was working in Cologne during the year of 1616, that the picture is dated.

Three Kodachrome slides of the front, back, and a detail of the painting are enclosed in an envelope. Please ask Dr. von Bayreuth to return the slides as soon as convenient.

MINISTER BULLES

Enclosure:

3 Kodachrome slides  
of Portrait by von Kessel.

NOTE

UNCLASSIFIED

DRAFTED BY:

A/AM:ARHall:rsh

6/17/54

APPROVED BY:

Ardelia R. Hall

CLEARANCES:

DEPARTMENT INFORMATION COPY

115126

DECLASSIFIED

Authority NWD968071  
D.T.U. NARA Da 6199

sian Claim A/1-1417 Aug. 29, 1949  
Iga Town Museum ( see File:Russian Claims # 196 b

page 25, # 133. B/65 Maennerportrait  
Baertiges Gesicht m.dkl.lg.Haar,  
Schwarzer Anzug mit weisser Halskrause, linke Hand  
auf der Brust, wie etwas beteuernd  
Brustbild in natuerlicher Groesse  
Leinw.B. 0.53 m o.41 Holl. Portraitist 1650

Portrait of a Man ( bearded face, dark long hair,  
black suit, white ruff, left hand holding at his  
breast ( Halfportrait) on canvas , 53 cm x 41 cm

*Not the Russian style* a bit

115127

DECLASSIFIED  
Authority NND968071  
G.TJ NARA D26199  
Source: THE NATIONAL ARCHIVES

**OUTGOING  
TELEGRAM****Department of State**INDICATE:  COLLECT CHARGE TO Department Of State

UNCLASSIFIED

0 4 6 2 5

1554 APR 13 PM 3 19

DC/T

SENT TO: HICOG, BONN 2882

11

Origin

A  
Info:

Ask Dr. v. Beyme, Treuhandverwaltung von Kulturgut, German Foreign Office if he can aid in identification of ownership of bust portrait bearded man with ruff, size about 20 1/4 by 16 1/4 inches, inscribed in upper left corner "Aetatis suae 66 3/4, Ano 1618, K fecit," presumably Dutch, possibly by Van Kessel, source unknown.

56cm x 47 cm

SMITH

Dist.  
Desired  
(Offices  
Only)

Drafted by:

Clearances: A/AM:Ardelia R. Hall 4/7/54

UNCLASSIFIED

Telegraphic transmission and

classification approved by:

Ardelia R. Hall

UNCLASSIFIED

REPRODUCTION FROM THIS  
COPY, IF CLASSIFIED, IS  
PROHIBITED.

115128

DECLASSIFIED

Authority NWD908071

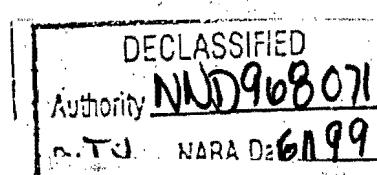
P.T.C. NARA D26199

RG 59 BOX 10  
Lot 62D-4

Van Kessel, Portrait of a Man,  
in the possession of  
Mrs. N. H. Gowing, Jr.,  
North Augusta, S. C.

See correspondence

115129



RG 59 Box 10  
Lot 62A-4



115130

DECLASSIFIED  
Authority NND968071  
P-TS1 NARA DE 6/1/99

RG 59 Box 10

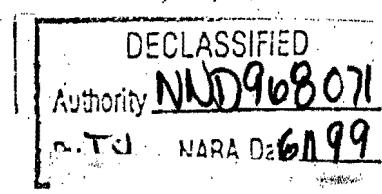
Lot 62D-4

**The back of the painting**

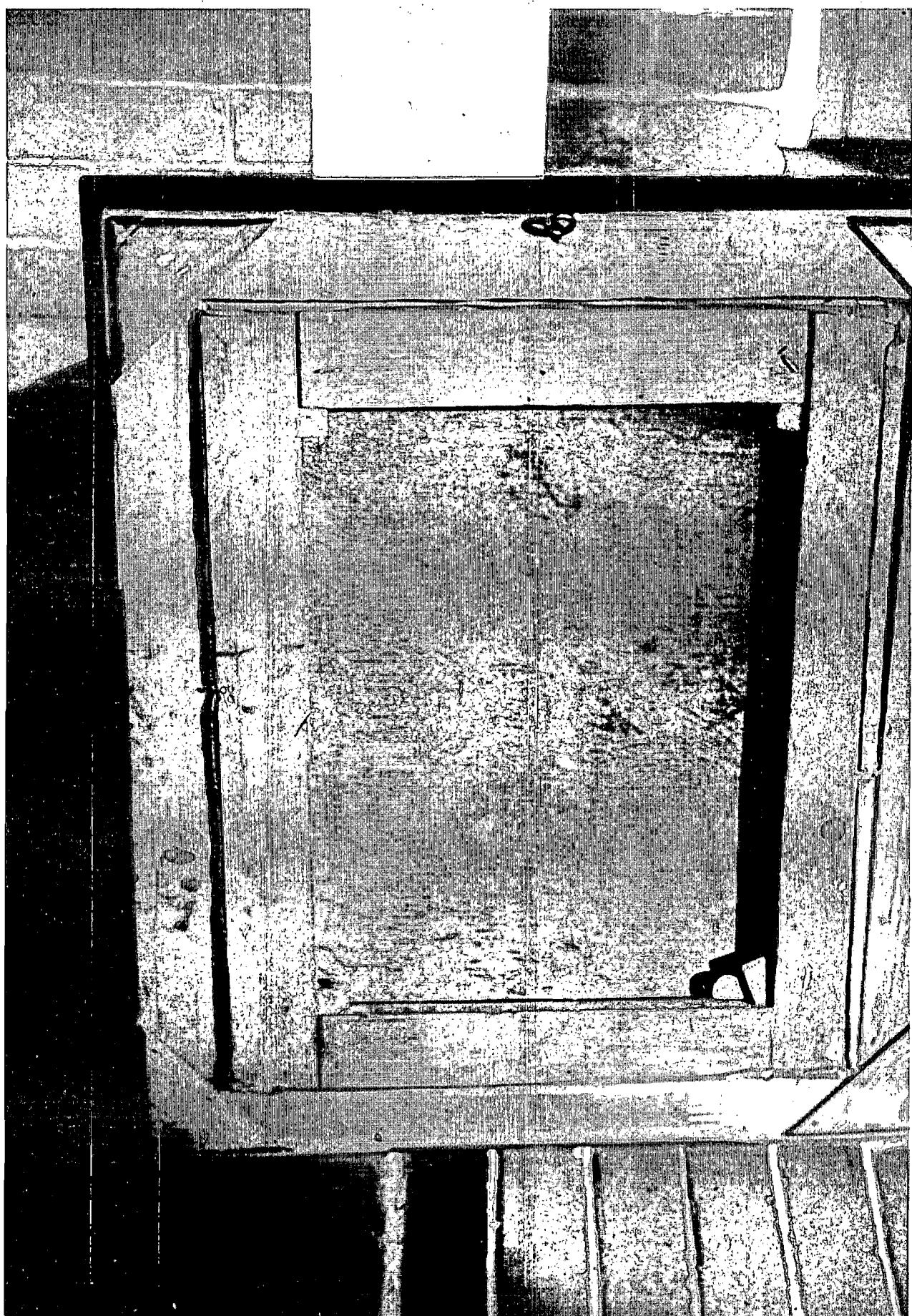
Van Kessel, Portrait of a Man,  
in the possession of  
Mrs. N. H. Gowing, Jr.,  
North Augusta, S. C.

**See correspondence**

**115131**



RG 59 Box 10  
Lot 62 D-4



115132

DECLASSIFIED  
Authority NND968071  
S-TC (CT) NARA D 6199  
REPRODUCED AT THE NATIONAL ARCHIVES



RG 59 Box 10  
Lot 620-4

JOURNAL  
*of*  
CENTRAL EUROPEAN AFFAIRS

S. HARRISON THOMSON, *Editor*  
EDWARD J. ROZEK, *Assistant Editor*

August 4, 1958

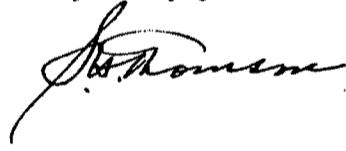
UNIVERSITY OF COLORADO  
BOULDER, COLORADO

Valdemar N. L. Johnson  
Department of State  
Washington, D. C.

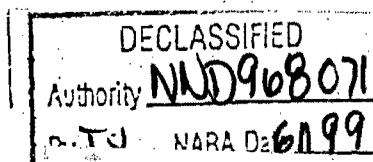
Dear Mr. Johnson,

I enclose the Government Bill of Lading sent me by Mr. Sherer. I have had some difficulty in finding a photographer who is equipped to take 8 by 10 photographs of so large objects as the paintings. I hope to get them to you in the near future.

Very truly yours



115134



RG59 Box 10  
lot 62 D-4

DEPARTMENT OF STATE  
Telephone  
Memorandum of Conversation

DATE: July 16, 1958

SUBJECT: Polish Paintings in possession of Thomson in Colorado

PARTICIPANTS: Mr. Val Johnson - EE ext. 4702-4458  
ARHall

COPIES TO:

---

A letter of May 14, 1958 from Thomson was received in EE.

Mr. Johnson was in Colorado in May. The Prof. WILL NOT send painting by B/L to us.

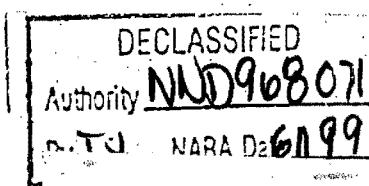
He offered a counter suggestion that I would stop off in Boulder and look at the pictures, as I travelled about the country.

I told Mr. Johnson I didn't travel about the country. I had only been in the west once since I was in the Department on my way to Korea.

I suggested to Mr. Johnson he ask for photos (8 x 10 glossy) of back and front of the paintings and ask for the B/L to be returned. (It is probably out-dated by now.)

He said he would write to Thomson to that effect.

115135



Mr. Simpson - Pentagon  
and  
Ardelia R. Hall

"Archaeology" N.Y.U., O.G.S. Crawford, British editor of "Antiquity" advises Amer-Ed. Archaeology of destruction of British Library - described as English, maintained as an English Reading Room in Munich. After end of hostility, fire of castle in a village was set as reprisal for something by American soldiers and the Library was burned. There was an English Reading Room Library and an English Library in the Univ. of Munich Library. I told Mr. Simpson I had never heard of the incident nor seen it referred to in MPAAA reports. He could only get information from OMGUS.

He gave me Col. A. L. Jorgenson's name and address, 2D568, Pentagon.

All Congressional inquiries go to Legislative and Liaison Division.

RG 59 Box 1  
Lot 620-4  
Autonomy NWD 968071  
6/10/99  
NPA Date 6/10/99  
115136

DECLASSIFIED

RGSq Box 9  
Lot 620-4

# National Archives at College Park



8601 Adelphi Road College Park, Maryland 20740-6001

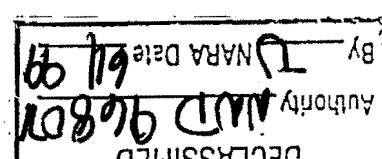
June 19, 1998

The attached document was given to me on this date by Kenneth D. Alford  
Military History Research, World War II, 8711 Huguenot Road, Richmond, VA  
23235.

He said that this document was what was missing from folder 9 of Box 9  
of the Ardelia Hall Collection (RG 59), Entry 3104A, 250/52/09/01.

*Milton O. Gustafson*  
MILTON O. GUSTAFSON

National Archives and Records Administration



115137

Lot 62D-4  
RGSA Box 9

ENTRY 3104A  
RG 59 (Adelicia Hall collection) 250/52/09/01-05

DEFENDANT'S NAME (Last Name—First Name—Middle Initial)		
PLACE <u>Germany</u>	DATE <u>25 July 1948</u>	FILE NO. <u>C-10002</u>
DEFENDANT (Last Name—First Name—Middle Initial) <u>John Doe, Jr.</u>	SERVICE NO. <u>None</u>	GRADE <u>Private</u>
DEFENDANT IS (If defendant is a civilian, give address) <u>None</u>		

TO THE DEFENDANT PERTAINING TO MAKING STATEMENT

THE UNIFORM CODE OF MILITARY JUSTICE, ARTICLE 38, SECTION 1, PART II, DIRECTS THAT THE DEFENDANT BE ADVISED (Strike out if person making statement IS a member of the Armed Forces) THAT IT IS HIS DUTY TO TELL THE TRUTH AND NOT TO LIE (Strike out if person making statement IS a member of the Armed Forces) (Article 38, Section 1, Part II, READ TO ME AND MY RIGHTS THEREUNDER HAVE BEEN EXPLAINED TO ME BY Major John Doe, Jr., RUSCOP, WHO INFORMED ME THAT HE IS A U.S. ARMY OFFICER). HE HAS INFORMED ME THAT

DEFENDANT IS A MEMBER OF THE UNITED STATES (ARMY) ARMY INFANTRY. HE HAS INFORMED ME THAT STATEMENT IS BEING TAKEN IN CONNECTION WITH THE INVESTIGATION OF THE KILLING OF 100,000 POLISH PRISONERS AT CHARKOV (Article 38, Section 1, Part II).

QUEEN'S WITNESS (RECORDED, SEC. 221, U.S.C.) (Strike out words between brackets, if inapplicable). THE FOREGOING HAVING BEEN EXPLAINED TO AND UNDERSTOOD BY ME, I VOLUNTARILY MAKE THE FOLLOWING STATEMENT.

s/ J. A. Caslin

(SIGNATURE OF DEFENDANT)

STATEMENT BEGINS

During June and July of 1945, I was commanding the 2nd Platoon, 405th Inf Reg't, 102nd Inf Div. We were on occupation duty in Thuringia, Germany. My battalion HQ was in Bad Mitterndorf, and the battalion guarded an estimated 400 or 500 square miles. Company "F" was billeted in a town 10 or 15 miles from my home platoon. I do not recall Weimar castle or the incident of the missing parading of a boy with a fly on his nose. As I recall at the end of June 1945 we turned our area over to the Russians, and I went with my unit to Bavaria. Capt Hates, as I recall was my best company commander, and Lt Clegg was his executive officer, and the to best of my knowledge an honest and capable man. When we left Thuringia, we moved out by unit and not at a rendezvous point. We had no direct contact with the Russians. Other units and detachments were constantly moving through this area. That unit moved through after we left I do not know. I do not know of any individual, who had any particular knowledge or liking for art. I can't name any one I suspect of this crime as I heard nothing of it until now. I will, if necessary take a lie detector test.

Ques. Have you anything you wish to add to this statement?  
Ans. No.

Box 9

1960

9. WEIMAR PAINTINGS (FOLIOES NOT FOUND)  
- THIS IS COPY OF FOLIO

EXHIBIT	DEFENDANT'S INITIALS	PAGE 1 OF 2 PAGES
---------	----------------------	-------------------

\* Additional pages must contain the heading "STATEMENT OF... TAKEN AT... DATED... CONTINUED." The bottom of each page must contain the number of the page on which the statement was taken and the total number of pages. On the last page.

6/19/48  
BY JUNARA Date 6/19/48  
Authority JUNARA Date 6/19/48  
DECLASSIFICATION DATE 6/19/48

115138

RGSA Box 9  
Wt 620-4

STATEMENT (Continued)

AFFIDAVIT BY DEFENDANT

I, LT COL JESSE A. Catlin, HAVE READ AND DO hereby AFFIRM THAT THE STATEMENT WHICH BEGINS ON PAGE ONE (1) AND ENDS ON PAGE 2, I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT. I HAVE INITIALED ALL CORRECTIONS AND INITIALED THE BOTTOM OF EACH PAGE WHICH CONTAINS STATEMENT MATTER. THIS STATEMENT WAS MADE BY ME FREELY WITHOUT HOPE OF BENEFIT, REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

/ I. A. Catlin

(SIGNATURE OF DEFENDANT)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 24 DAY OF NOV 19 54 AT Camp Gordon, Ga.

WITNESSED BY:

/ John J. W. Purcell, VJG

8:34:12 Date (GI)

Camp Gordon, Ga.

(AUTHORITY TO ADMINISTER OATHS)

RIGHTS UNDER UCMJ, ARTICLE 31, AND THE FIFTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

No person subject to this code shall compel any person to incriminate himself or to answer any question the answer to which may incriminate him. No person subject to this code shall interrogate, or request any statement from, an accused or a person suspected of an offense without first informing him of the nature of the accusation and advising him that he does not have to make any statement regarding the offense of which he is accused or suspected and that any statement made by him may be used as evidence against him in a trial by court-martial. No person subject to this code shall compel any person to make a statement or produce evidence before any military tribunal if the statement is not material to the issue and may tend to degrade him. No statement obtained from any person in violation of this article, or through the use of coercion, unlawful influence, or unlawful inducement shall be received in evidence against him in a trial by court-martial.

The fifth amendment to the Constitution of the United States provides that no person shall be compelled in any criminal case "to be a witness against himself."

DEFENDANT'S INITIALS

U. S. GOVERNMENT PRINTING OFFICE 1954 - G-256217

Page 2 of 2

115139  
BY D NARA Date 6/1/99  
Authority ADP 96801  
SEARCHED INDEXED SERIALIZED FILED