

RG 260  
 Entry Educ.  
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 Box 230

DECLASSIFIED  
 Authority UWD 765038  
 By WDP NARA Date 6/29/00

PAINTINGS FOUND IN BUNKER IN  
SCHWEINFURT

The December 1946 Monthly Report from Bavaria includes the following statement, p. 49, Par. (5):

A report by Property Control stating that paintings of unidentified origin were found in a bunker in Schweinfurt was investigated. An inspection of the material on 18 December 46 disclosed that the material is the lost collection of the Martin von Wagner Museum of Würzburg, which had been missing since June or July 1945, when the material was transported from the repository in the forestry of Kleinwenkheim by an unidentified Army officer in two truckloads. Since then the paintings were not heard of, and no records could be found of their whereabouts in spite of investigations carried on by German and American authorities. The movement must have been made by some officer who was redeployed soon afterwards, and it is impossible to determine now whether the move was authorized, and whether it was properly reported. The presence of the paintings in the bunker was known to the local police and to some Military Government officers. Their importance and origin was not realized however, and it was believed that they belong to some local museum or neighbouring castle, and assumed that their presence is known by the proper authorities. The recovered material includes several important Riemenschneiders, paintings attributed to Tintoretto, Tiepolo, Teniers and Terborch, Albert Bouts, a Luca della Robbia terracotta, and rare coptic textiles from Greece. The material was reported after the Vermögensverwaltung took over control of the bunkers and inventoried their contents. The material consists of 82 paintings, 11 pieces of sculpture and 13 framed textiles, 1 sculpture and 18 paintings less than the number of art objects listed as missing by the Martin von Wagner Museum. A complete inventory of the material has been prepared and arrangements made for their return to Würzburg.

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*Handwritten scribbles*

HEADQUARTERS  
 THIRD UNITED STATES ARMY  
 APO 403

AG CO7-GNMCU

8 August 1945

SUBJECT: Hermann Göring Art Collection, Berchtesgaden.

TO : Commanding General, United States Forces European Theater  
 (Main), APO 757, U.S. Army, (Attention: AC of S, G-5).

1. Reference is made to TWX S-12998, your Headquarters, 19 July 1945 requesting assistance of this Headquarters in evacuating subject materials including personal effects, silver and jewels from BERCHTESGADEN (UNTERSTEIN Z 5031), to Collecting Center, MUNICH.
2. For your information the last of such materials at UNTERSTEIN were evacuated to the Collecting Center, MUNICH, 4 August, by Monuments Specialist Officers, G-5 Section, this Headquarters, using trucks and drivers furnished by G-4 Section, this Headquarters.
3. A wooden box containing gold and silver plate decorative materials was evacuated. Major Harry ANDERSON, G-5 Section, 101st Airborne Division, under whose direction the materials were put in temporary storage at UNTERSTEIN, states that no jewels were found in the collection either on the railway cars or in Göring's bunker.
4. It is understood that the well known Reichsmarschall's baton was taken out of the collection by higher military authority before the area and collection became the responsibility of this Headquarters.
5. Andreas HOFER, curator for Göring, states that the two "Angel Musicians" by Hans MEMLING, from the GOUDSTIKKER Collection, shown on the attached color-reproduction, were formerly in the temporary storage at UNTERSTEIN. These paintings have not been seen by any representative of this Headquarters.
6. Edward S. PECK Jr., T/4, ASN 15076387, 101st Airborne Division, assistant to Major ANDERSON, state that "MELANOTHON" by Lucas CRANACH, a portrait on an oak panel, 15. X 18.5 centimeters, green-blue background, with no landscape or curtain, was lost from the collection 3 July. Extensive searching during evacuation failed to locate this painting.

7-0000 X  
 600 2 3

For the Commanding General

*Handwritten signature: R. W. Hartman*

R. W. HARTMAN  
 Lt. Col., A. G. D.  
 Asst. Adj. Gen

124429

1 Incl:  
 Color-print:  
 Memling angels.

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C O P Y  
(Extract)

OFFICE OF MILITARY GOVERNMENT FOR BAVARIA  
Education and Cultural Relations Division  
Cultural Affairs Branch  
Munich, Germany APO 407-A US Army

SUBJECT: Monthly Report for July 1949

\* \* \* \* \*

5. Museums, Fine Arts, Libraries and Materials Exchange.

The American University Press Exhibit, assembled by the United States Cultural Attache Berne, Switzerland, which was on display at the Munich Amerika Haus during the earlier part of the month, was transferred to the Studentenhaus of the Erlangen university 22 July, so that it could be seen by the representatives attending the International Studio Theater week. During the period 9 July 1949 through 22 July 1949 this exhibit attracted eight thousand three hundred and forty nine (8 349) visitors. The exhibit was installed on demountable background, with new book covers, etchings and various universality coats of arms serving as a background.

The exhibition of US plays in Germany as well as exhibitions of Broadway productions and materials furnished by the Munich Theater Museum were remounted and sent to Erlangen to be displayed at the Studentenhaus during the last week of July. These exhibits are to be turned over to the Amerika Haus OMGUS. The American Press Book exhibit is to be shown in university towns throughout the zone until September, at which time it is to be sent to France. The theater exhibits are to be shown throughout Bavaria.

The exhibition "Kunstschaffen in Deutschland" which created considerable comment in the press closed on 12 July 1949 after a record breaking attendance of ten thousand one hundred and ninety three (10,193) persons during the period of 9 June through 12 July 1949. The exhibition is still creating comment. Not only because of the fact that it was the first exhibit of contemporary art since the close of the war, but because of the general public reaction to the technique displayed in presenting the exhibit.

"Deutschland baut" architecture since 1945, an exhibit of contemporary German architecture assembled

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at Cologne where it was shown during May and June 1949, opened at the New Gallery of the Central Collecting Point on 21 July 1949. Present at the opening were representatives of the various architecture associations, the Bavarian government and Military Government. During the first three days there were eight hundred and twenty seven (827) visitors. Representatives of the Bavarian Ministry of Culture, which has not actively supported either of these exhibits, have indicated great interest and surprise because of the public reaction to meaningful exhibitions. The architectural exhibit is to be followed in September by an exhibition of East Asiatic handicrafts.

Other items of significance included preparations for an exhibition of "Works of Munich Museums" to be held in Berne, Switzerland, in September 1949. In this exhibition the Bavarian Staatsgemaldesammlungen and the Antiken-sammlungen will participate. The exhibition of "Masterpieces of the Alte Pinakothek" at present showing in the National Gallery, London, will close at the beginning of August. The paintings will be shipped back to Munich and part of them will be shown in September in the Kunstmuseum Berne, Switzerland, in the exhibition of "Works of Munich Museums". The exhibition "Rembrandt and his Period", including works on loan from the Pinakothek Munich and the Germanisches Nationalmuseum Nuernberg, is still on exhibition in the museum of Allerheiligen in Schaffhausen, Switzerland. The exhibition in Berne, of ecclesiastical art from 700 - 1250, entitled "Paintings and Applied Art of the early Middle Ages" is drawing many visitors. It will be seen until October 1949.

Other activities in Bavarian museums include the exhibition of "Art and Handicraft from the Middle Ages and the Renaissance" and the exhibition "Two Hundred Years of Nymphenburg Porcelain" being shown at the Bavarian National museum. Five thousand four hundred (5 400) persons visited this exhibition during July. The State Gallery Munich opened an exhibition of water colors, graphics, and applied art. The Germanische Museum Nuremberg is preparing an exhibition in memory of the 200 anniversary of Goethe's birthday, entitled "Aus Goethes Tagen", which will consist of graphics, paintings, furniture, silver and applied art. The exhibition will take place in the five newly repaired rooms of the Gallery building of the Museum and will be opened in August 1949. The art work of the month in the Haus der Kunst was the painting by Menzel "Fronleichnamprozession in Bad Gastein". This painting was loaned to the Bayerische Staatsgemaldesammlungen by the Central Collecting Point Munich.

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H-1.1

THE METROPOLITAN MUSEUM OF ART  
NEW YORK 28, N.Y.  
OFFICE OF THE SECRETARY

9 May 1947

Richard F. Howard, Esq.  
Chief, MFA & A Section  
OMGUS/Germany  
A.P.O. 742  
% Postmaster, New York

Dear Mr. Howard:

I have your letter of 8 April 1947 requesting a copy of our Charter, Constitution and By-Laws. Although I very much doubt that they will prove to be of any assistance in the problem with which you are faced, I am nevertheless happy to send them herewith.

At the moment we are considering revising the Constitution and By-Laws, and I am enclosing draft copies. You will understand, of course, that these have not yet been adopted and therefore are not operative.

Sincerely yours,

*Dudley T. Easby, Jr.*  
Dudley T. Easby, Jr.  
Secretary

Enc.

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Berlin, Germany  
 15 June 1947

My dear Mr. Sweet:

Thank you for your letter of 3 June 1947 with its constructive interest in certain problems touching upon Military Government.

The question of the place of the artist has occupied our attention on more than one occasion. Traditionally, this has been, in Germany, the function of both the Reich Minister and of Propaganda, except when they were combined. Under U.S. Military Government, the Monuments, Fine Arts and Archives Section, Economics Division, was originally responsible for the reconstitution of German official agencies concerned with the arts, but except for making certain that no objectionable elements were permitted to function, it has not exercised control over the artists.

Information Control Division, CEHUS, in cooperation with the Reorientation Branch Work Program of the War Department's Civil Affairs Division is currently planning a beginning in the field of fine arts reorientation. Their plans include exhibitions of reproductions of American art, slides, film strips and lectures, with the aim of stimulating German artistic endeavor and increased contacts between German and American art circles.

With the adoption of the new State constitutions last winter, control has been further relaxed. It is the policy of Military Government to turn over to the Germans every possible function, both in order to enable U.S. personnel to be reduced and to encourage the Germans in the exercise of democratic self government. In line with this policy, we have continuously urged German agencies to accept responsibility.

We fully approve the aims which you outline, and certainly no obstacles would be placed in the way of their fulfillment particularly with respect to an invitation to German artists to participate in American exhibitions. A considerable revival of artistic interest is, in fact, occurring. Exhibitions are being held constantly in every city of importance in the American Zone, and many are being held in minor centers. Yet it must be realized that housing and food necessarily come before exhibition space and artists' materials. Even art cannot thrive on an empty stomach, nor when a

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man has no roof over his head. Official concern must be primarily with these latter problems. As they are solved, responsible Germans certainly will be able to devote more attention to the affairs of the mind and spirit.

Sincerely yours,

**LEWIS D. CLAY**  
General, U.S. Army  
Military Governor

Mr. Frederick A. Sweet  
Associate Curator of Painting and Sculpture  
The Art Institute of Chicago  
Chicago 3, Illinois

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OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)  
 Economics Division  
 Restitution Branch  
 Monuments Fine Arts and Archives Section  
 APO 742

Berlin, Germany  
 16 June 1947

Mr. Frederick A. Sweet  
 Associate Curator of  
 Painting and Sculpture  
 The Art Institute of Chicago  
 Chicago 3, Illinois

Dear Fred,

Your letter of the 3rd of June addressed to General Clay was sent down to me to prepare a draft reply for the General's signature. I have just now sent it over to Information Control for their comments and additions which I hope may be somewhat more encouraging than what I could say. Actually we are in a very peculiar position. We are supposed to give the Germans responsibility for everything possible and in addition to that Monuments and Fine Arts is supposed to stick strictly to the problem of restitution. As you may know this was not originally the case but has been a development of the insistent reduction in personnel and of the accident that we are in the Economics Division and have had so much of restitution to do. Naturally we are all interested in the problems that you suggest and unofficially and privately every member of the Section, both at OMAUS and in the zone, is doing a good deal to encourage the artists and help them all that is possible. Among other things several of us have purchased artist supplies from the States out of our own pockets and distributed them to artists who need them. We religiously attend exhibitions even though many of them are pathetic shadows of contemporary art activity. We semi-officially advise the officials of the various German governments, the artist associations and the museum men even when we are not officially permitted to.

Just now the Information Control Division is attempting to start a new reorientation program amongst the artists. If it were not for the fact that members of the Military Government know each other pretty well and these particular people and the MFAAA people have continuously cooperated there might be some confusion as to jurisdiction. Actually I do not believe this will be the case and I think we can all work together to accomplish the desirable ends. Specifically I would be very happy to have you address me in person for any project or scheme which you might have for the inclusion of German artists in your annual exhibitions. At least I could see that it got to the right persons and possibly I could help a great deal more.

With very best wishes.

RICHARD F. HOWARD  
 Chief, MFAAA Section

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FILE NO:  
 SUBJECT: Functional Program, subject: "Restitutions (Monuments, Fine Arts & Archives)"

NO. TO FROM DATE

In spite of this, commendable progress has been made since the last reporting period on transfer of responsibility to German agencies (see section c., pages 5 and 6). Two problems resulting from lack of definitive policy, the first on the quadripartite level, the second on the national level, offer obstacles to effective MFA&A operations. The first is the policy decision as to the disposition of the very important assets of the former Prussian state which cannot be made without jeopardizing the interests of the German people until after quadripartite decision on the political and economic unity of Germany; the second is the lack of agreement among Jewish organizations and individuals on the valuable collection of art and cultural material of significance to the Jewish race which is located in the U. S. Zone. This latter has been the subject of extensive negotiations at high level since 1946.

6. Because of the importance to U. S. international policy of the successful execution of cultural restitutions by OMGUS, the problem of adequate staffing of this function has twice been made the subject of a memorandum to the Organization Planning Branch of Control Office for consideration by the Manpower Utilization Board since understaffing in the three Laender has been reported as a serious obstacle to efficient operation for the last two reporting periods. In April the Manpower Utilization Board directed the Chief of Organization Planning, Control Office, to prepare for the Deputy Military Governor a command letter to Directors of OMGB, OMGW/B, OMGH and Berlin Sector ordering the proper staffing of the MFA&A function. It is the opinion of this Office that work load in the Laender will require the maintenance of the complete staff assigned as a result of this letter throughout the present period.

7. Control Office suggests that MFA&A Section check with the Land Officers in order to determine the effectiveness of compliance by German agencies with their 6 December 1946 Directive on licensing German Art Dealers (AG 007 ((ED)) dated 6 December 1946, subject: "Transfer of Works of Art or Cultural Materials of Value or Importance)" which requires a monthly compulsory inventory report by art dealers, the German Agency responsible for such reporting system to be designated by the Minister Praesident. It is the understanding of this Office that the sole purpose of this reporting system is to aid detection by Military Government of restitutable art objects and there appears to be serious question as to whether the procedure has yielded satisfactory results to date. It would appear that the policy should be re-examined in the light of the experience of the past six months period in order to determine the wisdom of modifying the system. (Letter requesting report on this policy is attached for action.)

TAB B

Carrier sheet

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CARRIER SHEET - MUST REMAIN WITH ATTACHED PAPERS - USE ENTIRE WIDTH OF SHEET - NUMBER ITEMS CONSECUTIVELY - DRAW LINE UNDER EACH ITEM

**CONFIDENTIAL**  
 OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)  
 APO 122

E NO:

SUBJECT: Functional Program, subject: "Restitutions (Monuments, Fine Arts and Archives)"

TO FROM DATE (Has this been coordinated with all concerned?)

1. DMG CO 9 August 1947 1. Attached is Functional Program, subject: "Restitutions (Monuments, Fine Arts and Archives)", submitted by MFA&A Section of Restitutions Branch, Economics Division, in response to letter AG 010.1 (CO) dated 9 June 1947, subject: "Request for Military Government Functional Programs for First Half of Fiscal 1948 (1 July 1947 to 31 December 1947)" which sets forth the objectives, delegation of authority, functions and program plans for the July-December period and outlines procedures initiated or planned for carrying these out.
2. This statement has been reviewed in conjunction with the terms of MGR Title 18, Monuments, Fine Arts and Archives, and with the statement of policy contained in Directive on U. S. Objectives and Basic Policies in Germany dated 15 July 1947 which directive has been issued since this program statement was written. That section of the new Directive pertinent to this function is not at variance with the more detailed instructions contained in JCS 1067/6 and amendments which is quoted as the basic authority for policy. In addition statements of policy and functions have been checked against the ACA documents listed as authority and against all pertinent JCS cables. According to these criteria the statements of policy functions and program are believed to be currently correct and complete.
3. The statement was also compared to the last Functional Program of this Branch for the 1 January - 30 June 1947 period in order to determine: (1) Progress on approved programs since the last period; (2) additional assignments affecting work load, and (3) additional transfer of responsibility to German authorities since last period.
4. Except for the program discussed under paragraph 8 below, this comparison indicates a satisfactory degree of progress on approved plans since the last period and indicates some increase in work load under the following programs: Further transfer of administration control of museums to German agencies which requires considerable time of Fine Arts officers, particularly in the early stage of transfer, and interzonal exchange of works of art and cultural materials. It is suggested that upon passage of the restitutions law now being considered at the quadripartite level, additional work will be required to give aid to the claims agencies interested in art objects subject to internal restitution.
5. Functions and responsibilities not planned to be turned over to the Germans, all of which are required to implement international agreements, quadripartite or unilateral commitments, represent a considerable proportion of the total work load of this branch. (See references for authority pages 2 and 3 and existing international agreements page 5 which indicate degree to which this operation is controlled by policy commitments beyond the national level).

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7P  
 1 April, 1946

Loan division,  
 Library of Congress,  
 Washington 25, D.C.  
 Attn: Miss Rackstraw.

Dear Miss Rackstraw,

I am having mailed to you under separate cover two volumes:

Library of Congress. Hebraic Collection. (photostats) 2 v.

I think that these volumes were sent to Europe at the request of Mr. Sargent B. Child, Archives Advisor, presumably in personal correspondence with Dr. Evans. I am asking to have them returned as there is to my knowledge no checking of titles or cataloguing going on at the Offenbach Archival Depot to which these books would have any application.

Paul Vanderbilt.

MFA and A  
 Restitution Branch  
 Economics Division  
 OMGUS APC 742

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Reichsleiter ROSENBERG's Staff  
 Special Staff for Pictorial Arts

ST. GEORGEN/ATTLERGAU  
 Kogl 1, 14 July 1944

Enumeration of seized art works, according to the inventory lists received up to 18 July 1944 from 203 locations.

The most important locations (collections) are:

- I. ROTHSCHILD with 3,978 inventory numbers.
- II. KANN with 1,202 inventory numbers.
- III. David WEILL with 1,121 inventory numbers.
- IV. Levy de BENZICN with 989 inventory numbers.
- V. SELIGMAN Brothers with 556 inventory numbers.

The total number of objects is 21,903.

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Statement of art objects counted and inventoried

I. Paintings

Oil paintings	3027	
Water-colors	766	
Drawings	1332	
Pastels	156	
Engravings 1)	4525	
Miniatures - portraits	442	
Miniatures - parchments - initial letters	51	
Persian miniatures	49	
Glass-paintings	19	
Porcelain - enamels - paintings	455	
Books and manuscripts	55	
Reproductions	13	
		10890

II. Plastics

Bronzes and other metals including statuettes	129	
Marble and other stones	110	
Wood	65	
Terra-cotta, clay and porcelain	74	
Reliefs	52	
Medaillons and plaques	121	
Ivory	3	
Wax	3	
Plaster	26	
		583

III. Furniture

Chests of drawers	241	
Clothes-presses	33	
Writing tables	86	
Secretaries	69	
Sewing tables	11	
Tables	255	
Sideboards	5	
Kitchen tables	26	
Cupboards	155	
Chairs and sofas	979	
Clocks of various types	115	
Chandeliers, etc.	277	
Miscellaneous	143	
Mirrors	21	
Consoles	61	
		2477

IV. Textiles

Gobelins	66	
Carpets	291	
Cloths	104	
Coptic cloths	36	
Embroidery, weavings (Including fragments)	86	

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V. <u>Hand-made art objects</u>	
Porcelain (cups, plates, vases)	335
Ceramics (cups, bowls)	252
Fayence, Majolika	324
Glass	140
Porcelain figures	92
Bronze and other metals	371
Objects of rare metals	189
Articles of daily use	308
Jewelry	243
Coins	844
Weapons	206
Orientalia and exotica	388
Objects of rare gems	74
Other art works 2)	2059

5825

VI. <u>East-asiatic</u>	
Plastics	48
Bronzes to 1500 and later	26
Porcelains and stone-ware before 1644	472
Porcelains and stone-ware after 1644	101
Clay-ware	19
Semi-precious gems and ivories	92
Netsuka (Japanese art objects)	68
Paintings	72
Wood-carvings	183
Lacquers	27
Folding screens	6
Weapons	31
Miscellaneous	141

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VII. Antiquities

A. <u>Greek</u>	
Sculptures, including reliefs	3
Bronzes, including statuettes	6
Terra-cottas and other clays	14
Vases, bowls, pitchers	6
Jewelry about	40
Miscellaneous	6
B. <u>Roman</u>	
Sculptures, including portraits	15
Bronzes, including statuettes	19
Clay	1
Jewelry about	83
Miscellaneous	15

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 By WDP NARA Date 6/29/00

cc 26 May 49

MEMO :

TO : Dr. Ralph A. Buras

SUBJECT: Program of the Arts Sections for 1950

1. The following basic program for the Arts Sections during the next year and later was adopted by the Fine Arts Group at the Predigtstuhl meeting, 18-20 May 1949, and is unanimously recommended for approval as basic policy. It should be noted that each major sub division, although all are interlocking, has been established because of its particular value in relation to the general plan to emphasize those areas of activity which give the greatest promise of contributing toward liberalization of German cultural institutions. Other interests of the sections have been omitted not for want of importance but because they are not expected to consume a major portion of the available time. Major library and archival problems may be read into the paragraphs on international cultural relations, exhibitions, monuments, education and exchange by substituting the appropriate words.

I. Restitutions.

In view of the close interrelation between cultural relations on the one side and cultural affairs on the other and recognizing the extreme ramifications of the restitution problems which are the controlling factor in the maintenance of good cultural relations between Military Government, the Germans and our Allies, it is our opinion that the Cultural Affairs Branch must assume a continuing responsibility for technical supervision of cultural restitutions and that it must participate in discussions leading toward the solution of basic policy matters arising therefrom. Failure to accept this responsibility will quickly vitiate all other phases of the program insofar as they relate to German museums, libraries and education.

II. German International Cultural Relations.

It shall be our task to assist toward the reestablishment of international German cultural relations by negotiating toward securing their participation in the work of international cultural bodies as rapidly as circumstances permit and meanwhile to present the more urgent German problems for consideration at the international meetings of learned and professional societies and to supervise relations between German and foreign cultural institutions until such time as treaties permit the Germans to reassume these responsibilities for themselves. It is intended to secure at the earliest date a satisfactory solution to the pressing problem of the former German Institutes in Italy as a precedent for establishing basic policies. This program will require not only widely increased facilities for foreign travel by qualified Germans but also for officially sponsored travel for those Americans participating in negotiations.

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### III. Exhibitions.

It shall be the primary responsibility of the Branch through the Museums Section to encourage, assist and occasionally to arrange the interchange and circulation of exhibitions between Germany and other countries. Outgoing exhibitions must be approved and may occasionally be sponsored by the Section. Exhibitions coming into Germany from the United States will be under direct supervision of the Section and the desires of the Laender will be consulted. The exhibitions will be so organized that some of them can reach communities sparsely served by existing museum facilities and throughout the program maintenance of a consistently high quality is essential. Overt propaganda is to be avoided. Fields to be emphasized are painting and sculpture, architecture and town planning, and the graphic and applied arts including the book. Liberalization of German ideas in general and museum practices in particular are goals to be sought; toward this end partial subsidy of participating museums may be granted on condition that free admission or at least free days are instituted. [Continuation of the Wiesbaden exhibition series is desirable for both its educational impact on the general public and its value to professional German museum personnel as a practical illustration of American techniques.]

### IV. Monuments.

Monuments, being in effect <sup>musiums</sup> immovable, will continue to be our direct responsibility. We shall encourage steps to make them objects of community responsibility and will suggest a training program for conservators in order to widen the German sense of public responsibility in this field. Responsibility for arbitrating cases where the Army or other American or Allied agencies wish to make undesirable use of protected monuments will remain with us. Advice will be given in such problems as Land Reform, the National Treasures Law and other legislation or movements which have a direct bearing on the preservation and maintenance of buildings of historic or artistic importance.

### V. The Arts in Education.

Since an immense broadening of the German understanding of the role of the arts in education is essential to the solution of all of the problems which are the concern of the sections, it will be our responsibility in collaboration with Education Branch to insure:

- (a) that the teaching of the arts in primary and secondary schools should be made an integral part of education and not be regarded either as purely technical training or as a special preserve for privileged groups.
- (b) that the Universities, in teaching the History of Art, should encourage or even require specialist students to study other subjects, with the aim of achieving not a narrowly professional training but a broad and practically useful education, and that students in other fields should be encouraged to take advantage

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of the facilities offered by the Art History Seminars with the aim of enriching their spiritual and emotional lives.

- (c) that in art and vocational schools every effort be made to break down the present snobbery in the teaching and application of the arts through breakdown of the rigid barriers between the fine and the applied arts; to raise the standards of industrial and commercial design and to encourage redevelopment of such schools along the general lines inaugurated by the Bauhaus and other similar pre-Nazi institutions, since these schools had successfully proven themselves within the specific German framework.
- (d) that those concerned with adult education be encouraged to expand and foster the study of the arts and that efforts be made to discourage the pre-occupation of the Volkshochschule and other adult education groups with nationalist manifestations in the arts.

In all these projects it should be our constant task to enlist the aid of museums and to stimulate them to develop projects which will aid realization of these general aims. The major goal in the general program will be to help the art educators to produce useful and satisfactory citizens, rather than a class of frustrated artists who inevitably become economic, social and political problems, and with reference to the general public to eliminate the traditional notion that the enjoyment and appreciation of the fine arts are privileges of the educated minority.

#### VI. Cultural Materials Exchange.

The Cultural Materials Exchange Section, which will as heretofore operate as a service agency not only between sections and branches of RSGR Division but interdivisionally within OMSGUS, will present an SOP covering all phases of its operations with particular reference to the procurement and handling of such materials as are needed:

- (a) to stimulate a desire to learn.  
 (b) as aids in reorientation  
 (c) for the implementation of other OMSGUS Cultural Programs.

It is recognized that under present conditions the flow of materials into Germany must be vastly greater than that of materials out of Germany and that the word "Exchange" in the title must be interpreted in this sense.

2. It is recommended that the above program, which is the result of concentrated study and a full exchange of ideas among all those concerned with its implementation, be adopted as basic policy for the Branch. Some modifications will undoubtedly be indicated by future experience, but it is believed that the recommended program will establish a firm and workable basis of operations.

FOR THE COMMITTEE :

THEODORE A. HEINRICH  
 Chief, Museums Section

RG 246  
 Entry EDUC.  
 File \_\_\_\_\_  
 Box 230

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

Robert Woods Bliss, Hon. Pres. • Hudson D. Walker, Pres. • Juliana R. Force, First V. P. • George Heilit Myers, Second V. P. • Grace L. McCann Morley, Third V. P. • Harry L. Gage, Treas.  
 Thomas C. Parker, Director and Secretary

## THE AMERICAN FEDERATION OF ARTS

National Headquarters: Barr Building, Washington 6, D. C.

FOUNDED



IN 1909

January 27, 1947

Mr. Richard F. Howard, Chief  
 Monuments, Fine Arts and Archives Section  
 Economics Division, Restitution Branch  
 Office of Military Government for Germany (U.S.)  
 APO 742  
 c/o Post Master, New York

Dear Dick:

Several days ago I forwarded a copy of your letter of December 28th to John Morse, regarding the letter by Miss Alvena V. Secker, which appeared in the May, 1946 issue of the MAGAZINE OF ART. No doubt you will hear from Mr. Morse and I hope that you can provide him with material for publication in the MAGAZINE OF ART that will stimulate a frank discussion of the implication of the whole subject.

With kindest personal regards and best wishes,

Sincerely,

Director

TOP:mc

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RG 266  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 230

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

PAINTING BY de MOUCHERON REMOVED

BY AMERICAN PERSON

Following is a copy of a "Letter to the Editor" of the Magazine of Art, May 1946:

Sir:

Since the U.S. Government is officially pursuing a policy of "protective custody" of art objects from the conquered fascist countries, it is no surprise that the average GI indulges in the same practice--though slightly under cover. Apparently what was a good enough practice for the Nazi and fascist barbarians is good enough for the conquerors, too!

In an instance brought to my attention, one of our Navy men happened to get to where a Berlin collection was being stored. Size was apparently no deterrent to this fellow. He picked what seemed to him to be an important picture, since it was framed most elegantly, took it out of its frame and off its stretcher, folded it, and stuffed it into his duffel bag! To his surprise, he found that on arriving home the paint had cracked off the canvas in many spots and the canvas itself was even torn in several places. His father now wants the picture restored; he thinks it is still worth a lot of money! The painting was accompanied by a photograph, on the back of which was a German inscription attributing the original to Isaac de Moucheron, a 17th century landscape painter, and follower of Claude Lorraine. The point, of course, is that the picture might have been a Claude, and there is nothing to allow us to believe, in the light of this incident, that other important pictures were not treated in much the same way, and are now ruined forever.

It seems to me that there must have been a general laxity in many spheres of the military to permit such outright vandalism. What amazes me is, that with all the talk of strict censorship of the mails, a GI could so casually send his loot back--right under Uncle Sam's nose.

Somehow, our educational policy not only fell down in its efforts to educate the GI on the real anti-fascist character of the war, but also in its responsibility of educating the GI to an appreciation of art as the possession of the people universally, that art collections anywhere are the right and heritage of people everywhere. Understanding the anti-cultural philosophy of fascism is basic for the knowledge that art anywhere is inviolable.

--Alvena V. Seckar.

(See Press Relations Folder for Magazine article complete with Before and After photograph).

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RG 260  
Entry EDUC.  
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Box 230

DECLASSIFIED  
Authority NND 765038  
By WDP NARA Date 6/29/00

*the  
10/1/47*  
*[Handwritten signature]*  
*INFEL*  
*ALBA*

OFFICE OF MILITARY GOVERNMENT FOR GERMANY U.S.I  
Economics Division  
Restitution Branch  
APO 742

4 April 1947

Miss Alvena V. Seckar,  
200 West 15th Street  
New York 11, N.Y.

Dear Miss Seckar:

This office acknowledges with gratitude your letter of 16 March with the specific information we had earlier requested. Your assistance will make possible a more thorough investigation.

Very truly yours,

RICHARD F. HOWARD  
Chief, MFA&A Section

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*[Handwritten marks]*

Section file copy

RG 2166  
 Entry EDUC.  
 File \_\_\_\_\_  
 Box 230

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

200 West 15 Street  
 New York 11, N.Y.  
 March 16, 1947

Office of Military Government for Germany (U.S.)  
 Economics Division  
 Restitution Branch  
 APO 742

Dear Sirs:

In reply to your letter of 26 February 1947 (a copy of which is enclosed), I submit the following information to you:

As of last May, 1946, the de Moucheron painting was in the possession of: Dr. Alex Moshinsky, 237 East 20 Street, New York City. Dr. Moshinsky told me his son purchased the painting in Berlin for a carton of cigarettes. He had folded the picture and stuffed it into his duffle bag and thus brought it back to this country. Dr. Moshinsky also had the original photograph. I learned of the picture when Dr. Moshinsky called me and asked whether I could restore it for possible use or resale.

Other small art items were in the possession of: Harry Stamler, 1563 Sterling Place, Brooklyn, 13, N.Y. Mr. Stamler brought with him a small gouache with the following markings: Fürstl. Leining. Stammgut. B 321. Giove E. Antiope, Mich. Aug. Maestri, fece in Roma. Raf. Sanz. Urb. inv. He also had two tiles about 6 x 8 inches with the following markings: Aus der K. Pinacothek nach Claudius Gelee, gen. Lorrain. Copiert von Carl Heinzmann, München 1830. G. d. O. H. 2 S. Z. B. E. S."

I don't know where these items are, since I have not heard from this person since last April, 1946.

Most sincerely,

*Alvena V. Seckar*

Alvena V. Seckar

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S.V.  
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Box	<u>230</u>

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By	<u>WDP</u> NARA Date <u>6/29/00</u>

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)  
Economics Division  
Restitution Branch  
APO 742

26 February 1947

Miss Alvona Sechar  
200 West 15th Street  
New York City, N.Y.

Dear Miss Sechar:

In reply to our request of the Magazine of Art for further details about the alleged theft of the de Moucheron painting, we have been referred to you. Can you help us with specific information as to the names and addresses of those involved and the present location of the picture?

At the present there are only a handful of Monuments, Fine Arts and Archives officers on duty in the European Theater and it is obviously impossible for them to guard every painting and valuable work of art.

I can, however, assure you that the vast bulk of the German collections in the American Zone have been saved and that the pilferage has been slight and what stealing has been done has been shared by the Germans themselves and various DP's. It is a matter of great regret to all of us that Americans so far forgot themselves that they, too, sometimes abstracted property.

It is to our mutual interest that all items be restored to the rightful country and rightful owner and to that end it is only such aid as you can give us that will enable us to translate an idealistic hope into concrete and positive action.

Very truly yours,

RICHARD M. HOWARD  
Chief, MFAAA Section

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 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

DECLASSIFIED

Authority NND 765038By WDP NARA Date 6/29/00

Office of the Director of Political Affairs  
 APO 742

March 11, 1948

RESTRICTEDMEMORANDUM

TO : Monuments and Fine Arts Section,  
 Restitutions Branch,  
 Property Division  
 Attn: Mr. R. F. Howard

FROM: Office of Political Affairs

Please be informed that this office was requested by the American Embassy in Madrid on March 14, 1947 to investigate Wilhelm Gessmann, who was repatriated from Portugal, regarding a miniature Goya, allegedly belonging to Juan Barri Massip of Barcelona. This investigation was carried out by the External Assets and Intelligence Branch which stated that Gessmann had sworn that he is the legal owner of the miniature, having earned it as commission for the sale of certain art objects belonging to Massip. The External Assets Branch stated further that the painting had been recovered from Gessmann and had been turned over to your office for safe keeping.

The Embassy at Madrid has recently informed this office that the Spanish Government has once again brought up the question of the ownership of the miniature with the Representatives in Spain and that further the Representatives have been requested by a local Spanish court to deliver the miniature into its custody so that there might be an adjudication as to the legal owner.

It is the understanding of this office that some doubt has been cast on the authenticity of the miniature. It would be greatly appreciated if you could give your opinion as to the authenticity and furnish this office the basis for a reply to the Embassy's request for the views of the American Military authorities regarding the ownership of the painting. The Embassy points out that the Spanish authorities have presented photostatic copies

of a number

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deagl., 17. Jahr.

Bildnis eines Fürsten

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By WDP NARA Date 6/29/00

of a number of statements made by persons who allegedly were aware of the transaction by which Mr. Gessmann came into possession of the miniature without being its actual owner, and that the Representatives will be in the embarrassing position of having to refuse to deliver the painting to the Spanish authorities, unless the American Military authorities are convinced of the falsity of Gessmann's statements.

FOR THE DIRECTOR:

  
James W. Gantenbein,  
Chief, Economics Branch.

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abzgl., 17. Jahr.

Bildnis eines Fürsten

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 Box 223

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Authority NND 765038By WDP NARA Date 6/29/00

COLLEGE-BIRTH 3  
 BERTIN DVHTEW

18 June 1947

VLO 10002 VMDA

LIBRARY OF CONGRESS  
 WASHINGTON

Office of the Librarian

Feb 4 1947

Dear Mr. Travis:

Under separate cover we are forwarding to you for proper disposition a group of books which belong to the University of Cologne Library.

These books were sent to the Library of Congress by a U. S. Army documents team. It is our understanding that the books were salvaged from a destroyed building where they were exposed to deterioration from the elements and that the documents team took time out from its regular operations in order to save them. They are now being returned in accordance with the general policy of Military Government and the special interest of the Library of Congress in restitution of materials belonging to German cultural institutions. Please take whatever steps are necessary to bring about this end.

Sincerely yours,

/s/ Luther H. Evans  
 Librarian of Congress

Mr. Don C. Travis  
 Acting Chief, Library of Congress Mission  
 Headquarters, Berlin Command, S-2 Section  
 APO 742, c/o Postmaster  
 New York, New York

124453

RG 246  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

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 By WDP NARA Date 6/29/00

OFFICE OF  
 RECORDS

OFFICE OF THE ASSISTANT SECRETARY

Books from L. G. Jones  
 Monatshefte fuer auswaertige Politik (gebunden) 1939 - 42 uncomplete  
 Westfaelische Wirtschaft / 1942  
 Zeitschrift f. Auslaend. und Internat. Privatrecht / 1939  
 Arbeitsschutz / 1942  
 Volkstuenliche Schriften f. d. gesamte Sozialversicherung // 1942  
 Westdeutsche Wirtschafts-Zeitung , 1942  
 Ruhr - und Rhein - Zeitung ( Wirtschaftszeitung ) 1940  
 Berliner Monatshefte . 3 Ex.  
 Die Eisenbahngueter-Tarif-Politik in Ihrer Wirkung.... 1940  
 Corpus der altdeutschen Originalurkunden bis zum Jahr 1300 / Lieferung 20 - 22  
 Sammlung von Entscheiden des Reichsversicherungs-Hauptamts/ 1940  
 Nation und Staat / 1940 - 42  
 Sammlung von Entscheiden zur Reichsversicherung . 1942  
 Europaeische Revue / mehrere Ex.  
 Eisenbahn- Verkehrsordnung . 1939  
 Strassen - Verkehrsrecht / 1940.  
 Folkminnen och Folktanker / Goeteborg mehrere Ex.  
 Zeitschrift fuer Geopolitik . mehr. Ex.  
 Weltwirtschaftliches Archiv / 1940/ 1 - 11  
 Zeitschrift f. Voelkerrecht / 1939 - 42 mehr. Ex.  
 Hanseatische Rechts- und Gerichts-Zeitschrift / 1941  
 Rechtsspiegel der Wirtschaft / 1940/42  
 Zeitschrift f. Politik . mehr. Ex.  
 Kartell- Rundschau / mehr. Ex.  
 Handelsecht und Schiffahrtsrecht . Teil 1  
 Reich/Volksordnung/ Lebensraum 1943 Bd. 4  
 Die Veraenderung der Bevoelkerungsverteilung in Berlin.... 1936  
 Auswaertige Politik 1942  
 Nordisk Tidskrift 1941 - 1944 mehr. Ex.  
 Geographie der Schweiz , mehrere Ex.  
 Glotta , 1939 - 1942 mehr. Ex.  
 Goethe, Viermonatsschrift . mehr. Ex.  
 Germanisch- Romanische Monatsschrift , mehr. Ex.  
 Zeitschrift f. Deutschkunde , mehr. Ex.  
 Hessische Blaetter f. Volkskunde 1941  
 Arkiv for Nordisk Folologi , 1941/42  
 Rassenkunde und Rassengeschichte der Menschheit , mehr. Ex.  
 Korrespondenzblatt des Vereins fuer Niederdeutsche Sprachforschung, mehr. Ex.  
 Schweizer Volkskunde, mehrere Exemplare  
 Oberdeutsche Zeitschrift f. Volkskunde, mehr. Ex.  
 Nederlandsch Tijdschrift voor Natuurrkunde , mehr. Ex.  
 Deutsche Forschung im Suedosten , 1942  
 Schweizerisches Archiv fuer Volkskunde, mehr. Ex.  
 Deutsche Vierteljahrsschrift f. Literaturwissenschaft, mehr. Ex.  
 Rheinisches Woerterbuch , mehr. Ex.  
 Woordenboek der Nederlandsche Taal. mehr. Ex.  
 Studi Gemanici , mehr. Ex.  
 Niederdeutsche Zeitschrift fuer Volkskunde, mehr. Ex.  
 Danske Folkenmaal , mehr. Ex.  
 Archiv des historischen Vereins des Kanton Bern, 1943

124454

REPRODUCED AT THE NATIONAL ARCHIVES

RG 260  
Entry Educ.  
File  
Box 223

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By WDP NARA Date 6/29/00

- Vergangenheit und Gegenwart  
Revue germanique 1939, Teil 1/2  
Deutsche Volksforschung in Böhmen und Mähren 1944  
Rasse, mehr. Hefte  
Deutsche Rundschau, Nov. 41 - April 42  
Zeitschrift fuer dt. Geisteswissenschaften, mehr. Hefte.  
Zeitschrift f. Volkskunde, mehr. Hefte  
Die Literatur, Okt. 41 - Feb. 42  
Dichtung und Volkstum, mehrere Hefte  
Zeitschrift f. Aesthetik und allgemeine Kunstwissenschaft, mehr. Hefte  
Schlesische Blaetter, 3 Hefte  
Rheinische Vierteljahres Blaetter, mehrere Hefte  
Zeitschrift fuer. dt. Altertum und dt. Literatur.  
Bheinische Blaetter, 1944, H. 2.3  
Muttersprache, 3 Hefte  
Die Aktion, 1942  
Der praktische Betriebswirt, mehr. Hefte  
Das Insel-schiff, 1942  
Zeitschrift fuer Deutschwissenschaft und Deutschunterricht, mehr. Hefte  
Deutsche Forschung im Suedosten, mehr. Hefte  
Deutsche Literatur-Zeitung, mehr. Hefte  
Zeitschrift fuer vergleichende Sprachforschung  
Wirtschaftswart Nord  
Arbeitsrechts-Sammlung  
Ordbok oever Svenska Spraket  
Der Norden, mehr. Hefte  
Forschungen und Fortschritte, 24 Hefte  
Rheinische Heimatpflege  
Tijdschrift voor Economische Geographie, 20 Hefte  
Economisch-Statistische Berichte, 3 Hefte  
Sippenverband Knipscheer, 6 Hefte  
Koloniales Schrifttum, 9 Hefte  
Zeitschrift f. Mundartforschung  
Repertorium  
Zeitschrift f. Philologie, 3 Hefte  
Archiv fuer das Eisenhuettenwesen, 3 Hefte  
Die gesamten Preisbildungs-Vorschriften  
Wirtschaftsblatt der Industrie- und Handelskammer zu Berlin 1939/41 mehr. Ex.  
Die nationale Wirtschaft, 1941/42  
Verkuendungsblatt des Reichsnoehrstandes 1941  
Devisen-Archiv 1941  
Steuer und Wirtschaft 1941  
Deutsches Wohnungsarchiv 1940/41  
Amtliche Mitteilungen d. Treuhaender/ Sachsen 1940  
Bank - Archiv 1940  
Forschungen und Fortschritte (Gebunden) 1941  
Wirtschaftswerbung 1940  
Steuer und Wirtschafts 1939  
Hanseatische Rechts- und Gerichts-Zeitschrift 1942  
Amtliche Mitteilungen d. Treuhaenders Thueringen 1940  
Westdeutsche Wirtschafts-Zeitung 1940

124455

RG 240  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

61

From

Telephone Bünde 2924.

Your Reference

Our Reference DMR/1006/12/2A/ED/MFA/Z.

Monuments and Fine Arts Section,  
 Education Branch,  
 Z. E. O. BRUNNEN,  
 CONTROL COMMISSION FOR GERMANY  
 (BRITISH ELEMENT)

62 HQ. C. G. G.,  
 B. A. O. R.

October 23rd 1947.

To:- The Stadt Präsident,  
 Stadt Schaffhausen,  
 SWITZERLAND.

Dear

*Herr Br. 10/27*

I returned here with very friendly memories of your hospitality and of Schaffhausen. The town is delightful, the Rheinfall beautiful - wall deserving of Ruskin's praises, and I was happy to be there.

Since my return I have discussed my visit with the American authorities. They are in agreement with me that efforts to meet the needs of crumbling works of art in Germany should be coordinated to ensure help, not only for the great collections with contacts in Switzerland, but for the smaller collections with none.

I think it fair, within reasonable limits, that the works of art in our zones should be expected to work for their living. My office has the responsibility of arranging the safeguards for this zone if they leave it. As the authority interested above all in the survival of these works of art I should like the individual museums to feel that they were making these loans in the general interest, rather than their own. In this connection I feel that any individual museum should benefit - in food or in funds - in proportion to its loans, must be a suggestion opposed to the general interest.

Should you feel grateful to any one city for its loans I would suggest your choosing the leading hospital and making it some practical gift. Any gift to the museum or its staff would almost certainly increase the black market, distort the main issue, and perhaps even lead to misrepresentations in the press.

I need hardly tell you that the needs of the museums are very real. Much of this restoration material is unobtainable here and, in view of our heavy subscription to the German Charity Account, I hardly feel that we should shoulder this also. The immediate needs are about Frs. 15,000 Swiss for the British Zone, and this office would be grateful for your help, or for that of any organisation you may represent.

Please give my kind regards and grateful remembrances to Frau Bringolf.

Yours

*EW*

Copy to:- M. F. A. & A.,  
 Economics Division,  
 Restitution Branch,  
 A. P. O. 742, O. M. G. U. S.,  
 BERLIN, GERMANY.

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RG 260  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

OFFICE OF MILITARY GOVERNMENT FOR BAVARIA  
 PROPERTY DIVISION  
 RESTITUTION BRANCH MFA&A SECTION  
 MUNICH GERMANY APO 407-A US ARMY

HK/ap

AG-007-MGBPR/B/op

15 December 1948

SUBJECT: Disposition of Repositories

TO : Office of Military Government for Germany (US),  
 Property Division, Restitution Branch, MFA&A Section,  
 APO 403, US Army, Karlsruhe, Germany

1. Reference your letter dated 29.6.48, 1, 6.
2. Hans Rogg, Gmünderstr. 4, München 25, has a collection of 100 pictures and some 4000 engravings which were stored in what constituted one of our repositories in Breitenbrunn, LK Mindelheim (Schwaben) No. 21/2 (see inclosure 1). There are no known pictures of foreign origin among them but most of them were acquired at various auctions between 1939 and 1942. It may be that some of them are subject to internal restitution since they might originate from Jewish owned collections.
3. The whole lot was released to his own custodianship with specific instructions that he cannot dispose of the pictures until a complete release is given him from Central Claims Agency, Bad Nauheim (see inclosure 2).

FOR THE LAND DIRECTOR:

*Stefan P. Munsing*  
 STEFAN P. MUNSING  
 Chief, Monuments, Fine  
 Arts and Archives Section  
 Restitution Branch

2 Incls:

- Incl 1 - List of pictures  
 Incl 2 - Ltr. dtd. 15 Dec. 48  
 to Rogg

Telephone: Munich Military 4-398  
 Munich Civil 32404

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RG 260  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

OFFICE OF MILITARY GOVERNMENT FOR BAVARIA  
 PROPERTY DIVISION  
 RESTITUTION BRANCH MP&A SECTION  
 MUNICH GERMANY APO 407-A US ARMY

HK/ap *ju*

AG-007-MGBPR/B/op

15 December 1948

SUBJECT: Disposition of Repositories

TO : Office of Military Government for Germany (US),  
 Property Division, Restitution Branch, MP&A Section,  
 APO 403, US Army, Karlsruhe, Germany

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FOR THE LAND DIRECTOR:

STEPAN P MUNSING  
 Chief, Monuments, Fine  
 Arts and Archives Section  
 Restitution Branch

2 Incls:

Incl 1 - List of pictures  
 Incl 2 - Ltr. dtd. 15 Dec.48  
 to Rogg

1 copy to Central Claims  
 Agency, Bad Nauheim

Telephone: Munich Military 4-398  
 Munich Civil 32404

124458

RG 260  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

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 By WDP NARA Date 6/29/00

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List of pictures stored at Breitenbrunn :

A.) Oilpaintings

- 1.) 4 Tafelgemälde circa 1500, vermutlich Teile eines früheren Altarwerkes. Künstler unbekannt. Erworben 1939/41 bei Hellmuth Lüdke.
- 2.) Verspottung Christi. Maler unbekannt. Erworben 1939/42 Versteigerung H. Ruef.
- 3.) Kreuzabnahme. Kopie nach Rembrandt. Erworben 1939/42 auf einer Münchener Versteigerung.
- 4.) Cornelis D u s a r t: Baumstudie. Erworben 1939/42 auf einer Münchener Versteigerung.
- 5.) Jan van Kessel : Stilleben. Erworben 1939/40 Versteigerung Baumgärtner L.
- 6.) Herrenbildnis. Künstler unbekannt. Romantik. Erworben 1939/41. Versteigerung H. Ruef.
- 7.) Frauenbildnis. Künstler unbekannt. Romantik. Erworben 1939/41. Versteigerung Gerser.
- 8.) Josef H e i g e l (1780-1837): Herrenbildnis. Erworben 1939/41. Versteigerung H. Ruef.
- 9.) Albert H. B r e n d e l (1827 - 95): Pferd im Stall. Erworben 1939/41 Versteigerung H. Ruef.
- 10.) Karl E b e r t (1821 - 85) Waldlandschaft mit Holzfüller. Erworben 1939/41 Versteigerung L. Baumgärtner. Nachlass Frau Apotheker Rieder-Rosenheim.
- 11.) Hirth du Plessis (1846-1916): Im Park. Erworben 1939/41 Versteigerung L. Baumgärtner. Nachlass Frau Apotheker Rieder-Rosenheim.
- 12.) Gottlob F i s c h e r (1829-1905): Selbstbildnis, Erworben 1939/41 auf einer Münchener Versteigerung.
- 13.) Ernst Zimmermann (1852-1901) Kopf eines Bauern. Erworben auf einer Münchener Versteigerung 1938/41.
- 14.) Albert L a n g (1847-1933) Landschaft. Erworben 1939/41 auf einer Münchener Versteigerung.
- 15.) Albert L a n g (1847-1933): Waldlandschaft. Erworben 1939/41 auf einer Münchener Versteigerung.
- 16.) Emanuel S p i t s e r (1844-1919): Frau mit Kind. Erworben 1939/41 auf einer Münchener Versteigerung.
- 17.) N.J. G r i g o r e s e u (1838-1907): Bildnis eines jungen Mannes. Erworben 1938/41 auf einer Münchener Versteigerung.
- 18.) Hermann L i n d e n s c h m i t ( - 1939): Frauenbildnis. Erworben 1940/41 Versteigerung Hellmut Lüdke. Nachlass H. Lindenschmit.

*Handwritten:* Hand 1

RG 266  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

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 By WDP NARA Date 6/29/00

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Pictures stored at Breitenbrunn: (continued)

- 19.) A. K e l l e r (?): Mädchen auf dem Sofa. Erworben 1939/41 auf einer Münchener Versteigerung.
- 20.) Fritz W e s t e n d o r f (1867-1926): Blumenstilleben. Erworben 1939/41 auf einer Münchener Versteigerung.
- 21.) Max S l e v o g t (1868-1932): Frauenbildnis. Erworben 1939/41 Versteigerung Gerzer.
- 22.) Max O l a r e n b a c h (geb. 1880): Blumenstilleben. Erworben 1938/41 auf einer Münchener Versteigerung.
- 23.) Erich W i l k e (1879-1936): Herrenbildnis. Erworben 1938/41 auf einer Münchener Versteigerung.
- 24.) Alex. W e i s e: Winterlandschaft. Erworben 1938/41 auf einer Münchener Versteigerung.
- 25.) C.M. S c h u l t h e i s s: Frauenbildnis. Erworben 1939/41 auf einer Münchener Versteigerung.
- 26.) Ludwig B o c k (geb. 1886): Stilleben. Erworben 1939/41 auf einer Münchener Versteigerung.
- 27.) Ludwig B o c k (geb. 1886): Vorstadt. Erworben 1939/41 auf einer Münchener Versteigerung.
- 28.) Alwin S t u t a e r (geb. 1889) Wasserburg) Erworben auf einer Münchener Versteigerung 1938/41.
- 29.) Alwin S t u t z e r (geb. 1889) Partie aus Wasserburg. Erworben auf einer Münchener Versteigerung.
- 30.) August D i e f f e n b a c h e r: Kopf eines Bauern. Erworben 1930/31 von Kunsthändler Heymann.
- 31-100!) Eigene Ölbilder, Landschaften
- B.) G r a p h i s c h e B l a t t e r: Circa 4000 Blätter Handzeichnungen, Kupferstiche, Radierungen, Holzschnitte, Lithographien, Erworben zwischen 1930 - 1942 in den einschlägigen Münchener Geschäften und auf Münchener Versteigerungen.

RG 260  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

OFFICE OF MILITARY GOVERNMENT FOR BAVARIA  
 PROPERTY DIVISION  
 RESTITUTION BRANCH MP&A SECTION  
 MUNICH GERMANY APO 407-A

US ARMY HK/ap

AG-007-MGBFR/B/op

15 December 1948

Herrn Hans Rogg  
 Gmünderstr. 4  
 München 25

Dear Mr. Rogg:

Cultural objects as indicated on attached Custody Receipt which so long have been supervised by Military Government, Monuments, Fine Arts and Archives Section, are hereby turned over into your custody.

You are however reminded that you cannot dispose of this property by selling or removing it from the present storage place at Breitenbrunn No. 21 1/2, LK Mindelheim unless you will get an authorization from the Central Claims Agency, Bad Nauheim to which your case has been submitted by this office for further action.

Sincerely yours

STEFAN P MUNSING  
 Chief, Monuments, Fine  
 Arts and Archives Section  
 Restitution Branch

Incl:  
 1 Custody Receipt

Telephone: Munich Civil 32404

*Recd 2*

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RG 260  
Entry Educ.  
File \_\_\_\_\_  
Box 223

DECLASSIFIED  
Authority NND 765038  
By WDP NARA Date 6/29/00

124462

RFH/tb

Pre-War Paintings from the Göring Collection  
AG-007-HGBER/B 3 December 1947

H-2

ED 007 (RES/MFAA) 1st Ind.

Office of Military Government for Germany (U.S.), Berlin,  
Germany, APO 742, U.S. Army, 19 December 1947

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

MFAA Section Files

1. It is believed that no useful purpose will be served by raising this question at this time. In the first place, it would involve the problem of German internal assets if the pictures are located in Holland; in the second place, even supposing that they were returned, the further problem of the disposition of things which belonged to the person condemned by the International Military Tribunal, would be difficult.

2. It is, therefore, believed that no further action should be taken. If circumstances should change so that this policy is altered, your office will be notified.

FOR THE CHIEF, RESTITUTION BRANCH:

RICHARD P. HOWARD  
Chief, MFAA Section

Telephone BERLIN 43255

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DECLASSIFIED  
Authority UND 765038  
By WDP NARA Date 9/29/00

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*Evon*

OFFICE OF MILITARY GOVERNMENT FOR BAVARIA  
ECONOMICS DIVISION  
MUNICH GERMANY APO 407 US ARMY *NRR* HSL/mw

AG-007-MGBER/B 9 August 1947

SUBJECT: Restitution to Austria

TO : Office of Military Government for Germany (US),  
APO 742, U.S. Army (ATTN: Monuments, Fine Arts and  
Archives Section, Restitution Branch, Economics  
Division)

1. In order to clarify the problems arising in connection with restitution to Austria, it is requested that OMGUS and USEA concur on a procedural principle substantially as follows:

a. Austrian claims will be submitted to OMGUS and forwarded to OMGB. Claims for cultural objects will include such facts, dates, names and other information necessary to establish the fact that the object was removed by force, duress or confiscation. The statements "forced sale" or "removed under duress" will not be in themselves sufficient. The accompanying evidence will be forwarded to OMGB where it can be analyzed in the light of other records which are available only in the Central Collecting Point.

*cont. info  
hwp*

b. The claim will be approved or disallowed on the basis of all available evidence.

*Mr.  
statement*

2. A review of several of the Austrian claims will indicate the necessity for the action outlined above.

For the Chief, Restitution Branch:

*Herbert S Leonard*  
HERBERT S LEONARD  
Acting Chief,  
Monuments, Fine Arts  
and Archives Section  
Restitution Branch

Telephone: Munich Military 2802  
Munich Civil 30054

Stamp: *OWGB*  
*1028*  
*141000*

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 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

RFH/rf

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)  
 Economics Division  
 Restitution Branch  
 APO 742

ED 007 (RSS/MFAA)

5 February 1947

SUBJECT: Purchases within Germany of Restitutable Property

TO : Restitution Branch  
 Economics Division  
 Office of Military Government for Bavaria  
 APO 170, U.S. Army

Attn: MFA&amp;A Section

1. Reference is made to your letter of 25 January 47 on this subject.

2. The following facts should be considered:

a. Under the law in all civilized countries, a clear title can never be secured for stolen goods.

b. A person acquiring stolen goods in good faith has recourse to the courts, and can sue the person from whom he purchased them to recover his money. He must, of course, prove his own good faith.

c. This way set up a chain of suits, till the original guilty party is reached, when both civil and criminal action can be taken.

3. The particular complaint enclosed in your letter seems confused as to the degree of knowledge of the holder. He evidently did know the carpets came from the Netherlands. As a competent business man, he should have been aware of the provenance of his rather important purchases. Moreover, his evident acceptance of the advice of official Nazi sources does not excite particular sympathy in this office. In fact, since he made the declaration himself, it is evident that he did know the circumstances.

FOR THE CHIEF, RESTITUTION BRANCH:

Telephone BERLIN 43255

RICHARD F. HOWARD  
 Chief, MFA&A Section

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RG 260  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

DECLASSIFIED  
 Authority UND 765038  
 By WDP NARA Date 6/29/00

124466

OFFICE OF MILITARY GOVERNMENT FOR BAVARIA  
 Economics Division  
 APO 170

AG-007-MGBER/B

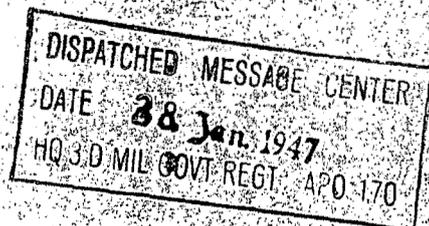
25 January 1947

SUBJECT: Purchases within Germany of Restitutable Property

TO : Office of Military Government for Germany (US),  
 APO 742, U.S. Army (ATTN: Monuments, Fine Arts and  
 Archives Section, Restitution Branch, Economics  
 Division)

1. The attached complaint, though less palpable than some, is typical of many which have been encountered where restitutable property has changed hands within Germany after initial purchase in an occupied country.
2. Where the initial purchaser has sold the object he suffers no loss through its restitution, whereas the subsequent buyer, sometimes uninformed as to the provenance of the article, actually loses whatever he may have paid for it.
3. To dismiss the matter as "purely a German problem" does nothing to vitiate the feeling of injustice created when Military Government directly or indirectly causes a person to give up what he considered bona fide German property at the time he bought it, and at the same time leaves the agent who procured the item in an occupied country enriched by his deal.
4. Request comment as to whether or not Military Government should seek a way to force the original buyer (usually a dealer) to bear fully or to share any actual loss which his customer may suffer as a result of the restitution of the object in question.

For the Chief, Restitution Branch:



*Edwin C. Rae*  
 EDWIN C. RAE  
 Chief, Monuments, Fine Arts  
 and Archives Section  
 Restitution Branch

1 Incl:

Correspondence of Mr.  
 Eugen Lehmann, Munich,  
 dated 14 Jan 47

Telephone: Munich Military 3430  
 Munich Civil 30054

127  
 03/15/45

RG 2160  
Entry Educ.  
File \_\_\_\_\_  
Box 223

DECLASSIFIED  
Authority NND 765032  
By WDP NARA Date 6/29/00

STAFFER  
ST REP  
M. GALT H.  
ONCNS  
VG Miac.  
Please of ONCNS DATA BUTTERFLY  
be distributed to the next telecommuter  
before the bottom of this issue

Restitution of Requisitioned  
ED 007 (RES/MFAA), OMC BS, 17 Jan 1948  
Paintings

ED 007 (RES/MFAA) 1st Inc. RFH/fw

Restitution Branch, Economics Division, Office of Military Government  
for Germany (U.S.), APO 742, U.S. Army, Berlin/Germany, 23 January 1948

TO: Finance Branch, Office of Military Government for Berlin Sector  
APO 742A, U.S. Army, Berlin/Germany

1. Reference is made to our letter of 15 Jan 48, paragraph 4.
2. This office is not in a position to make a decision with respect to the disposition of the picture, that will comply with your recommendation.

FOR THE CHIEF, RESTITUTION BRANCH:

Telephone BERLIN 43255

RICHARD P. HOWARD  
Chief, MFA&A Section

MFA&A Section File

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 Entry EDUC.  
 File \_\_\_\_\_  
 Box 223

DECLASSIFIED

Authority UND 765038By WDP NARA Date 6/29/00

BERLIN SECTOR  
 FINANCE BRANCH  
 APO 742A, U.S. ARMY

Berlin, Germany  
 17 Jan 1948

SUBJECT: Restitution of Requisitioned Paintings  
 Your letter 15 Jan 1948, Ref: ED 007 (RES/MFAA)

TO : Economics Division OMCUS  
 Attn: Restitution Branch  
 Monuments and Fine Arts Section  
 APO 742, U.S. Army

1. This office has advised the Magistrat that he may take any action necessary to secure reimbursement of RM 55,900 from Gebr. HORN.

2. It is suggested that the painting which is not restitutable either be returned to Gebr. Horn with instructions to them to refund the cost to the Magistrat or that if it will not be returned by Military Government that a new requisition receipt be issued in accordance with SOP 75 to reimburse the Magistrat for his costs.

FOR THE DIRECTOR:

John F. Kilduff  
 JOHN F. KILDUFF  
 Chief, Finance Branch

Phone: 42 788

(  $\frac{88}{22,1200}$  )

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RG 2160  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

DECLASSIFIED

Authority NND 765038By WDP NARA Date 6/29/00

BERLIN  
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 BERLIN  
 OFFICE OF MILITARY GOVERNMENT  
 BERLIN SECTOR  
 FINANCE BRANCH  
 APO 742-A

Berlin, Germany  
 29 December 1947

SUBJECT: Restitution of Requisitioned Paintings

TO : Office of Military Government for Germany (U.S.)  
 Attn: Economics Division  
 Monuments and Fine Arts Branch  
 Mr. Howard  
 APO 742, U.S. Army

1. Attached hereto is letter of the Magistrat Berlin with respect to six oil paintings which were requisitioned and subsequently restituted to Holland.
2. This office understands from Berlin Command Fiscal Officer that in order to properly de-requisition this property evidence must be shown that the Occupation Costs Account of the U.S. Army has been credited with the original costs. Accordingly your opinion is requested with respect to paragraphs (6) and (7) of this letter.

FOR THE DIRECTOR:

JOHN F. KILDUFF  
 Chief, Finance Branch

Encl. a/s

Phone: 42 788

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RG 2106  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 223

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

Magistrat von Gross-Berlin  
 Hauptamt fuer Kriegsschaeden  
 und Besatzungskosten  
 -HKB II A 2-

Teil: 51.03.11

TO: OMGUS, Berlin Sector,  
Finance Department,  
Attn: Mr. Loop  
35 Grunewaldstr.  
Berlin-Steglitz

- 1) The district office for occupation costs Schoeneberg has paid an amount of RM 66.400.- to the firm Gebrueder Horn, Berlin W 50, Nuernberger Strasse 18. This amount was charged to the occupation costs (Part D) and was composed as follows:

	Unit Price RM	Total RM
a) One oil painting "Landscape" by v. Bilders	14.200.--	14.200.--
b) one oil painting "Tiber falls" by Bassano	10.500.--	10.500.--
c) one oil painting "Canale grande" school Canaletto	22.500.--	22.500.--
d) Two oil paintings "Horse-men" by Salvator da Rosa	4.800.--	9.600.--
e) one oil painting "Lady portraits" school v. Dyck last item	9.600.--	9.600.--

Requisition of these paintings took place on November 19, 1945.  
 Correct requisition forms 6 GR No. 11 979 and 11 980 were handed over.

- 2) We were ordered, by letter of OMGUS, Berlin Sector, Economics Branch, Requisition Section, dated June 11, 1947, to credit the amount of RM 66.400.-- to the occupation costs, part D. Simultaneously, requisition of the oil-paintings was cancelled by de-requisition sheet No. 1629 of June 9, 1947. The argument for the cancellation of the requisition was that the oil paintings should be returned to the Dutch Government because they are said to be of Dutch origin. The district office for occupation costs Schoeneberg has complied with this demand and has put an amount of RM 66.400.- to the credit of part D, by charging part E.
- 3) Pursuant to the ordered liquidation of part E it is necessary to find a settlement for this amount.

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RG 260  
Entry Educ.  
File \_\_\_\_\_  
Box 223

DECLASSIFIED  
Authority NND 765038  
By WDP NARA Date 6/29/00

OFFICE OF MILITARY GOVERNMENT FOR BAVARIA  
ECONOMICS DIVISION  
MUNICH GERMANY APO 407

US ARMY

HSL/mw

AG-007-MGBER/B

22 January 1948

SUBJECT: Export of Works of Art

TO : Office of Military Government for Germany (US),  
APO 742, U.S. Army (ATTN: Monuments, Fine Arts and  
Archives Section, Restitution Branch, Economics  
Division)

*Rest*

1. It is suggested that a uniform procedure be adopted whereby Export-Import would refer questions regarding the export of works of art to MFA&A for approval and that approval be based on the law contained in Reichsgesetzblatt 1919 Nr. 236, S. 1961; 1925 I, S. 470.

2. It is our understanding here that the ministries have been instructed by the Landerrat to revise the lists referred to above and that this work is currently being done by various scholars who are, at the same time, at a loss because of the lack of knowledge of private collections and the changes that have taken place in the recent years.

For the Chief, Restitution Branch:

*Herbert S. Leonard*  
HERBERT S. LEONARD  
Chief, Monuments, Fine  
Arts and Archives Section  
Restitution Branch

Telephone: Munich Military 2802  
Munich Civil 30054

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RG 266  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 22A

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

R E S T R I C T E D

30 November 1945

DRDR/MEMO(45)9

ALLIED CONTROL AUTHORITY

DIRECTORATE - REPARATIONS, DELIVERIES & RESTITUTION

INTERIM RESTITUTION DELIVERIES

(Cultural Objects)

Note by Duty Secretary

In accordance with the decision of the R.D. & R. Directorate Conclusion (75) DRDR/II(45)14 the attached paper DRDR/P(45)14 Revise is submitted for approval of the Coordinating Committee.

V. I. IGNATIEV, Lt.  
 Duty Secretary

R E S T R I C T E D

*encl 1*

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 Entry Educ.  
 File \_\_\_\_\_  
 Box 22A

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Authority UND 765038  
 By WDP NARA Date 6/29/60

R E S T R I C T E D

DR-DR/P(45)14 Revise

ALLIED CONTROL AUTHORITYDIRECTORATE - REPARATIONS, DELIVERIES AND RESTITUTIONINTERIM RESTITUTION DELIVERIES(Cultural Objects)

1. Pending settlement of the outstanding problems of restitution it is proposed that interim measures shall be put into force forthwith for the return of Works of Art and other Cultural Objects taken by the Germans from territories now liberated.

2. It is proposed that this interim measure shall be applied to identifiable Cultural Objects which have been the subject of an act of dispossession by the enemy and which were located in a liberated territory and removed by the Germans subsequent to the date of the German occupation of that territory. As a first step restitution will be confined to cultural objects whose identification is easy and whose ownership is well known. As soon as adequate machinery for restitution has been developed and transport facilities have improved the scheme will be broadened correspondingly.

3. For the purposes of this paper the term 'Cultural Objects' is defined as all movable goods of importance or value either religious, artistic, documentary, scholarly or historic, the disappearance of which constitutes a loss to the cultural heritage of the country concerned. This definition includes as well as recognised Works of Art, such objects as rare musical instruments, books and manuscripts, scientific documents of an historic or cultural nature, and all objects usually found in museums, collections, libraries and historic archives.

4. The claimant countries will be asked to forward to each Allied Headquarters in card form, a description of the looted Cultural Objects believed to be situated in his Zone, giving all possible information which will assist establishing the identity of the object and the fact that it originated from the claimant country. (See Inclosure No. 2)

5. Each Headquarters will maintain a record of the looted Cultural Objects that have been reported by its staff or declared by Germans to be located in that Zone on prescribed property inventory cards. Where objects included in the lists received from claimant countries have not yet been traced the Headquarters will cause inquiries to be made where circumstances permit. (See Inclosure No. 1)

-1-

R E S T R I C T E D

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Authority UND 765038  
 By WDP NARA Date 6/29/00

R E S T R I C T E D

6. As and when information concerning the reputed discovery of looted Cultural Objects comes to light it will be communicated to the Government concerned.

7. In the case of each object to be transferred to an Allied Government, the Headquarters will appoint two experts to act as adjudicators and will invite the Government concerned to send one expert representative of its own. These three experts will form a panel which shall decide -

- (a) That the identification of the object claimed has been established.
- (b) That the object was removed from the claimant country by the Germans.
- (c) Whether or not the condition of the object is such as to make its restitution satisfactory to the claimant country.

8. The findings and recommendations of the panel of experts will be reported to the Headquarters which, where return of the object is recommended, will authorize its return to the claimant country. Each Headquarters will submit to the R.D. & R. Directorate of the Control Council monthly reports of restitution completed in its Zone during the previous month.

9. To facilitate arrangements claimant countries will be asked, ~~and with permission of the Zone Commanders~~ when necessary, to establish a liaison officer at an appropriate office of the Zone Headquarters. Liaison Officers will be required to act as a link between claimant countries and the Headquarters staff on all matters in connection with claims for restitution of Cultural Objects including the visits of experts.

10. Visiting experts will come to Germany as representatives of the claimant Governments and not as representatives of firms or individuals of such countries. An object, even though private property, will be restored to the representative of the claimant Government acting on behalf of the individual concerned and not to that individual.

11. The claimant country, through its Liaison Officers, will make the necessary arrangements for packing, loading and transporting the property to be removed through the Military Government Authorities. Where practical difficulties exist the Headquarters may assist with transport and packing. ~~Costs of transportation within Germany and of labour and materials necessary for packing will be borne by Germany. The question of responsibilities for loss or damage in packing and transportation has still to be decided but the Occupying Power will not accept any liability in this connection.~~

-2-

R E S T R I C T E D

RELEVANT TRANSPORTATION EXPENSES WITHIN THE PRESENT GERMAN FRONTIER, AND ANY REPAIRS NECESSARY FOR PROPER TRANSPORTATION, INC

RG 2165  
Entry Educ.  
File \_\_\_\_\_  
Box 22A

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Authority NND 765038  
By WDP NARA Date 6/29/00

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R E S T R I C T E D

12. The properly authorized representative of the country concerned will, at the time of transfer, give an official receipt for the object in the form hereto attached. (Inclosure No. 3)

13. The Headquarters will maintain proper statistics in connection with objects identified and returned.

R E S T R I C T E D

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 Entry Educ.  
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 Box 22A

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 Authority UND 765038  
 By WDP NARA Date 6/29/00

R E S T R I C T E D

30 November 1945

DRDR/P(45)14 Revise

ALLIED CONTROL AUTHORITY

REP. RATION, DELIVERIES AND RESTITUTION DIRECTORATE

INSTRUCTIONS ON FORMS  
FOR RESTITUTION OF CULTURAL OBJECTS

Supplementing the proposal set forth in this paper, the following forms are the basis for establishing the working procedure for restitution of cultural objects:

1. Inventory Property Card - Art. For use in inventory and maintenance of records of looted cultural objects in zones of occupation. (see inclosure No. 1).
2. Request Card. For use by claimant countries in requesting restitution of looted cultural objects and in supplying information to aid in identification of same. (see inclosure No. 2).
3. Receipt Form. For use in receipting cultural objects returned under interim restitution.

A statement of condition of returned cultural objects will be included with description of object in receipt form. (see inclosure No. 3).

R E S T R I C T E D

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Box 22A

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Authority NND 765038  
By WDP NARA Date 6/29/00

R E S T R I C T E D

Inclosure No. 1

DRDR/P(45)14 Revise

INSTRUCTIONS ON PROCEDURE OF INVENTORY  
OF CULTURAL OBJECTS.

I. INTRODUCTION.

1. The purpose of taking inventory of cultural objects in Central Collecting Points (CCP) is to facilitate eventual restitution. A file of inventory cards from all CCP's in the four zones of occupation will be held at Control Council level for its use.

2. It is essential that a similar system of inventory be used at all CCP's and that the same type of inventory card be employed. These cards will furnish information regarding the identity of the objects of art, its present location, and its presumed owner.

3. The attached copy of sample card is designed to accomplish the above. An explanation of the card and instructions regarding use of the card are provided below.

II. The Card. (attached).  
(Definitions and instructions).

A. Obverse:

1. Number:

A uniform system of numbering has been developed which will indicate at once, the provenance of the object and the CCP in which it is stored.

a) The first three letters of the name of the city in which the CCP is located will be used as the first part of the number and the symbol for the city will be preceded by the letter A, B, F, or S indicating American, British, French or Soviet zone.  
Thus:

A-NEU would indicate "Neuenstein"  
A-FRA would indicate "Frankfurt"

b) The three letters are followed by the serial number of the item as it enters the repository. Thus: A-FRA/102 indicates the one hundred and second item to enter the Frankfurt CCP.

R E S T R I C T E D

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Authority UND 765038By WDP NARA Date 6/29/00

- c) The serial number is then followed by a symbol which indicates the repository in which the item was found. Thus: A-FR./102/Aussee 34 shows this item as being the thirty-fourth to arrive from Alt Aussee.
- d) If the item in question is a case which contains more than one object, another digit can be added to identify the various objects in the case, thus:  
 A-FR./102/Aussee 34/2
- e) In this way, the completed number indicates the one hundred second object to enter Frankfurt, the thirty-fourth from Alt Aussee, and the second object removed from the case.

## 2. Classification:

This term has been adopted to indicate the general class of object in question. The following types of classification are stated:

Archives (Record and Documents)  
 Archives - Discs (i.e. Photographic)  
 Archives - Films (i.e. Negatives, cinematographic)  
 Books, Printed (except incunabula)  
 Ceramics and Glass  
 Drawings & Pastels  
 Enamels  
 Furniture  
 Incunabula (i.e. printed books produced before 1500)  
 Ivories  
 Leatherwork  
 Lighting Appliances  
 Manuscripts  
 Maps  
 Metalwork and Jewelry  
 Military Trophies  
 Models  
 Musical Instruments  
 Numismatics  
 Paintings  
 Philatelic collections  
 Prints  
 Scientific collections  
 Scientific instruments  
 Sculpture  
 Stained Glass  
 Tapestries  
 Textiles (other than tapestries)  
 Vehicles  
 Woodwork  
 Religious Objects (not classified above)  
 Miscellaneous

R E S T R I C T E D

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R E S T R I C T E D

## 3. Subject:

This term, in most cases will be a sub-division of "Classification". In the case of pictorial art, the term is obvious e.g. "Painting" Subject: "Madonna and Child". In the case of non/pictorial objects, "Subject" will indicate the type of object in question. The following examples will serve to clarify.

<u>Classification</u>	<u>Possible Subjects</u>
Furniture	Chair, table, etc...
Ceramics and Glass	Vase, jar, tumbler, etc...
Military Trophies	Flag, shield, sword, etc...
Manuscripts	Book of Hours, Breviary, etc...

## 4. Author:

Will be filled in from information locally available. When unknown, the schools and century will be filled in.

(Note: This system was developed to insure proper filing. For example, certain items might be inventoried as follows:

Classification: Furniture  
 Subject : Chair  
 Author : French, 18th Century

Thus, in all files all French 18th Century Chairs would naturally be found together in the "Furniture" file.)

## 5. Measurements:

The metric system will be used for all measurements. Where necessary, length, width, and height will be indicated by the symbols L, W, and H. Objects of precious metals will, if possible, be weighed.

## 6. Material:

Brief indication such as "oil on canvas", "oak", "wood painted", "parchment", "porcelain", "pottery", "glazed", etc...

## 7. Presumed Owner:

In many cases, the owner of the object may be known or suspected from some mark on the object such as a ticket, label, stencil mark, etc. This will be indicated under "presumed owner". If the owner's inventory number or catalogue number is known, it will be entered.

## 8. Depot Possessor:

If the repository from which the object was removed was controlled by an individual or organization, this will be indicated under this entry. Thus the "Depot Possessor" of objects from Fuessen would be "Einsatzstab Rosenberg"; the "Depot Possessor" of objects from Koenigstein would be "Goering"; etc. In some cases, the Depot Catalogue number is known and will be entered.

R E S T R I C T E D

RG 246  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 22A

DECLASSIFIED  
 Authority UUD 765038  
 By WDP NARA Date 6/29/00

124482

R E S T R I C T E D

## 9. Arrival Condition:

This entry will be as brief as possible. Additional space on the reverse of the card can be used for more detailed account of the condition, if necessary.

## 10. Identifying Marks:

Indicate any tickets, labels, stencil marks, etc, affixed to the item.

## 11. Photo:

In the case of an important object or one whose identification might be difficult, a 35 mm photograph stapled to the card is desirable.

## 12. Description:

A brief but careful description of the distinguishing features of the item will be entered here for purposes of identification.

## 13. Bibliography:

Where possible, one or two references to reproductions or descriptions will be cited.

## 14. For Office Use:

This will initially be left blank except where photographs other than the 35 mm print affixed to the card has been made. This will be indicated and the negative numbers entered.

## B. Reverse:

## 1. History and Ownership:

This will contain such information when known, as would assist in the return of the object to the claimant.

## 2. Condition and Repair Record:

To be used as additional space for description of arrival condition and any repairs or restorations that may have been undertaken while the object is in the CCP.

## 3. Location:

This is of interest only to the CCP staff and might not be used at all if a locator file is kept in the CCP.

## 4. Forwarding of cards:

Distribution will be determined by the respective zone commanders except that one copy will be forwarded to the respective group of the Control Council.

## 5. Arrival Date:

Enter the date on which the object arrived at the CCP.

R E S T R I C T E D

RG 260  
 Entry Educ.  
 File \_\_\_\_\_  
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 By WDP NARA Date 6/29/00

R E S T R I C T E D

## 6. Exit Date:

CCP.

Enter the date on which the object leaves the

III. Additional Records

1. Officers in charge of CCP's may be called upon from time to time to furnish certain statistical information.

2. It is advisable that a daily work sheet be kept on which the number of items received and dispatched are entered and totalled.

3. Bi-monthly accounts will be submitted to respective group of the Control Council, for the use by the RD&R Directorate. These reports will include all pertinent statistics such as items received and dispatched, numbers of items from individual repositories and, if known, number of items from individual owners or collections.

4. Since any item in the CCP may be called upon for examination, identification, or delivery, it is advisable to keep a locator file in each CCP.

R E S T R I C T E D

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Entry Educ.  
File \_\_\_\_\_  
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By WDP NARA Date 6/29/00

Classification		Property Card ARI		A Min.	
Author	Subject	Planned Owner	Inv. No.	PHOTO	
Measurements L _____ W _____ H _____	Material	Arrival Condition	Cat. No.	FOR OFFICE USE	
Weight	Description	Claim No.	Other Photos: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Neg. No.	File No.
Depot possessor	Identifying Marks	Depot Cat.	Movements:		
Bibliography					

124484

RG 240  
Entry Educ.  
File \_\_\_\_\_  
Box 22A

DECLASSIFIED  
Authority AND 765038  
By WDP NARA Date 6/29/00

124485

R E S T R I C T E D

Inclosure No. 2

INSTRUCTIONS ON PROCEDURE OF REQUEST FOR RESTITUTION  
OF CULTURAL OBJECTS

I. INTRODUCTION

1. Attached hereto is a form of the card to be used for request of restitution of cultural objects.
2. The purpose of the request card is to provide a uniform method of procedure for furnishing information regarding the identity of object requested, the owner, the presumed location, etc.
3. A request card will be executed for each cultural object for which restitution is requested. Cards will be forwarded by the claimant country with covering letter listing the file numbers of the cards submitted, or may be executed by a visiting mission that has been invited to the CCP to assist in identification of cultural objects.
4. The headings of request card will be printed in four languages: English, Russian, French and German. The information furnished on the card when forwarded will be typed in the German language.
5. Four copies of request card will be forwarded by the claimant country to the Government of each Occupying Power to whom request for restitution is made.

II. The Card. (attached).  
(Definitions and Instructions).

A. Obverse:

1. Number:

The first four letters of the name of the country originating the request will be used as the first part of number, with the following exceptions:

- USSR will indicate "Union Soviet Socialist Republics"
- USA will indicate "United States"
- GBR will indicate "Great Britain"

For example:

FRAN will indicate France.

Further system of numbering will be devised by the country concerned.

R E S T R I C T E D

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 Entry Educ.  
 File \_\_\_\_\_  
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Authority NND 765038  
 By WDP NARA Date 6/29/00

R E S T R I C T E D

## 2. Classification:

This term has been adopted to indicate the general class of object in question. The following types of classification are stated:

Archives (Record and Documents)  
 Archives - Discs (i.e. Phonographic)  
 Archives - Films (i.e. Negatives, cinematographic)  
 Books, Printed (except incunabula)  
 Ceramics and Glass  
 Drawings & Pastels  
 Enamels  
 Furniture  
 Incunabula (i.e. printed books produced before 1500)  
 Ivories  
 Leatherwork  
 Lighting Appliances  
 Manuscripts  
 Maps  
 Metalwork and Jewelry  
 Military Trophies  
 Models  
 Musical Instruments  
 Numismatics  
 Paintings  
 Philatelic Collections  
 Prints  
 Scientific Collections  
 Scientific Instruments  
 Sculpture  
 Stained Glass  
 Tapestries  
 Textiles (other than tapestries)  
 Vehicles  
 Woodwork  
 Religious Objects (not classified above)  
 Miscellaneous

## 3. Subject:

This term, in most cases will be a sub-division of "Classification". In the case of pictorial art, the term is obvious e.g. "Painting" Subject: "Madonna and Child". In the case of non/pictorial objects, "Subject" will indicate the type of object in question. The following examples will serve to clarify.

R E S T R I C T E D

RG 260  
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 File \_\_\_\_\_  
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DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

RESTRICTEDClassificationPossible Subjects

Furniture  
 Ceramics and Glass  
 Military Trophies  
 Manuscripts

Chair, table etc.  
 Vase, jar, tumbler, etc.  
 Flag, shield, sword, etc.  
 Book of Hours, Breviary, etc.

## 4. Author:

Will be filled in from information locally available. When unknown the schools and century will be filled in.

(Note: This system was developed to insure proper filing. For example, certain items might be inventoried as follows:

Classification: Furniture  
 Subject : Chair  
 Author : French, 18th Century

Thus, in all files all French 18th Century Chairs would naturally be found together in the "Furniture" file.)

## 5. Measurements:

The metric system will be used for all measurements. Where necessary, length, width, and height will be indicated by the symbols L, W, and H. Objects of precious metals will, if possible, be weighed.

## 6. Material:

Brief indication such as "oil on canvas", "oak", "wood painted", "parchment", "porcelain", "pottery", "glazed", etc.

## 7. Owner:

Name of owner, if known, will be entered together with owner's inventory number and catalogue number. Substantiating references to official records or investigation by special committee will be given.

## 8. Presumed Location:

In cases where movements and/or location of object after looting are known, this will be indicated.

## 9. Identifying Marks:

Indicate any tickets, labels, stencil marks, etc, affixed to the item.

## 10. Photo:

In the case of an important object or one whose identification might be difficult, a 35 mm photograph stapled to the card is desirable.

## 11. Description:

A brief but careful description of the distinguishing features of the item will be entered here for purposes of identification.

RESTRICTED

RG 266  
 Entry Educ.  
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 Box 22A

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 By WDP NARA Date 6/29/00

R E S T R I C T E D

12. Bibliography: Where possible, one or two references to reproductions or descriptions will be cited.

13. For Use of Requesting Office: For entering date of request, distribution, or such office record as the country originating request may devise.

B. Reverse:

1. History and Ownership: This will contain such information, where known, as would assist in the return of the object to the claimant country and any information known regarding the removal of the object.

2. Condition at Time Looted: Any information regarding condition that will aid in identification of object will be noted here.

3. For Use of Receiving Office: Record of processing of the request will be maintained here. Date of receipt, corresponding inventory property card number and date of restitution will be entered. If not inventoried, record of file check, attempts to locate, correspondence, etc. will be entered under "Action Taken".

R E S T R I C T E D

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R E S T R I C T E D

REQUEST CARD

OBVERSE SIDE

BIBLIOGRAPHY:	CLASSIFICATION:	REQUEST FOR SUBSTITUTION - ART SUBJECT:	NO.
	AUTHOR:	MATERIAL:	OWNER:
IDENTIFYING MARKS:	MEASUREMENTS:	INV. NO.	PHOTO
	WEIGHT:	CAT. NO.	
PRESUMED LOCATION:	DESCRIPTION:	FOR USE OF REQUESTING OFFICE	

R E S T R I C T E D

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File \_\_\_\_\_  
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By WDP NARA Date 6/29/00

REQUEST CARD

REVERSE SIDE

HISTORY AND OWNERSHIP:	CONDITION AT TIME RECEIVED:	FOR USE OF RECEIVING OFFICE DATE REQUEST RECEIVED:	ACTION TAKEN:	DATE OF RESTITUTION:
			INVENTORY PROPERTY CARD NO.:	

RESTRICTED

RG 2160  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 22A

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

R E S T R I C T E D

30 November 1945  
(Inclosure No. 3)

DRDR/P(45)14 Revise

ALLIED CONTROL AUTHORITY  
 REPARATIONS, DELIVERIES AND RESTITUTION DIRECTORATE  
 RECEIPT FOR CULTURAL OBJECTS

The undersigned, \_\_\_\_\_, duly accredited by the \_\_\_\_\_ Government, hereby acknowledges the receipt on behalf of the said Government, from the \_\_\_\_\_ Commander in Chief in Germany, for the items described in schedule A attached hereto.

1. The delivery of these items is submitted to following conditions:

a) In the event of the items coming within the ambit of a general restitution procedure that may later be established by the Allied Powers, the receiving Government will agree to the transfer being submitted for confirmation by a restitution Commission or other international body which may be established to deal with this matter and will abide by its decision.

b) In the event of such confirmation, the transfer will be subject to all the conditions laid down for restitution deliveries generally.

c) In the event of items not coming within the ambit of such restitution procedure, the transfer shall be dealt with in accordance with such procedure as may be established for other deliveries.

2. The receiving government hereby certifies that the items described in Schedule A attached were taken out of that country by the enemy.

3. The receiving government undertakes to restore any object which has been delivered to it by mistake:

a) To the government of the allied state if the property was removed by the enemy from the territory of that state;

b) To the Headquarters of the Zone from which it was shipped, if it had not been removed from the territory of an Allied state.

4. The receiving government agrees that the occupying power and all its agents and representatives shall be saved harmless from any claim for loss, damage or deterioration suffered by any item from the time of its removal from the jurisdiction or custody of the country receiving restitution until its return thereto.

\_\_\_\_\_  
 Witness

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Signature typed

\_\_\_\_\_  
 Place

\_\_\_\_\_  
 Title or Capacity of Signer

R E S T R I C T E D

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Entry Educ.  
File \_\_\_\_\_  
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Authority UND 765038  
By WDP NARA Date 6/29/00

SCHEDULE A

ITEM	DESCRIPTION (Including Statement of Condition of Object)
------	---

RG 2160  
Entry Educ  
File \_\_\_\_\_  
Box 22A

DECLASSIFIED 124493  
Authority NND 765038  
By WDP NARA Date 6/29/00

23

EXTRACT

R E S T R I C T E D

HEADQUARTERS  
US FORCES, EUROPEAN THEATER

Oir 163

14 Dec 1945

\* \* \* \* \*  
Claims for Restitution of Property to Liberated Nations -- II  
\* \* \* \* \*

II--CLAIMS FOR RESTITUTION OF PROPERTY TO LIBERATED NATIONS.

1. The Office of Military Government (US Zone), Economics Division, Restitution Control Branch, is the coordinating agency in all matters involving claims for restitution of property to owner nations when it is alleged that such property was taken from the claimant nation to Germany.
2. All correspondence and missions making requests on claims for property subject to restitution will be promptly referred to the above staff branch of this headquarters.
3. The OMG (US Zone) is the only agency of the US Forces, European Theater authorized to issue authority for release of property claimed as an item of restitution. No restitution will be made without such authority. (AG 151 GEC-AGO)

\* \* \* \* \*

BY COMMAND OF GENERAL McNARNEY:

W. B. SMITH  
Lieutenant General, USA, Chief of Staff.

OFFICIAL:

R. B. LOVETT  
Brigadier General, USA, Adjutant General.

DISTRIBUTION: T

RG 260  
Entry Educ.  
File \_\_\_\_\_  
Box 22A

DECLASSIFIED  
Authority NND 765038  
By WDP NARA Date 6/29/00

OFFICE OF MILITARY GOVERNMENT FOR HESSE  
Economics Division  
APO 633 US Army

Wiesbaden, Germany  
28 January 1948

ED 007 (RES/MFA&A)

SUBJECT: Art Objects missing from Domschatz, Quedlinburg

TO : Director,  
OMG for Germany (US)  
APO 742, US Army  
ATTENTION: MFA&A Section  
Restitution Branch  
Economics Division

1. Reference your letter of 17 December 1947, Subject as above.
2. It is regretted that no property identifiable as belonging to the Domschatz, Quedlinburg, was found in the Wiesbaden Central Collecting Point.

FOR THE DIVISION DIRECTOR:

*Bernard B. Taper (or)*  
for THEODORE A. HEINRICH  
Chief, MFA&A Section

124494

127  
02/12/00

212  
2/11/00

RG 240  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 22A

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 Authority NND 765038  
 By WDP NARA Date 6/29/00

OFFICE OF MILITARY GOVERNMENT FOR BAVARIA  
 ECONOMICS DIVISION  
 MUNICH GERMANY APO 407 US ARMY

HKR/dp

AG-007-MGBER/B

17 December 1947

SUBJECT: Art objects missing from Domschatz, Quedlinburg

TO : Office of Military Government for Greater Hesse, APO 633  
 US Army, ATTN: Mr. Theodore A. Heinrich, Chief, MFA&A Section,  
 Rest.Branch, Economics Division

1. This office has been informed that the following items, belonging to the Domschatz, Quedlinburg, have been removed by American troops shortly after the occupation of Quedlinburg on 18 April 1945. They had been evacuated to a nearby cave which was allegedly broken into:

- 1) Reliquiary of Henry I, wooden box decorated with silver, ivory, gold and precious stones, 9-10th c. extremely valuable
- 2) Evangeliar, the oldest document of Saxonian manuscripts about 1300
- 3) Evangeliar, one piece of silver, decorated with 13 precious stones, 1515
- 4) all relics out of an embroidered case
- 5) Reliquiary in form of a plate, silver partly gilded, about 1250
- 6) rock-crystal flask, both sides formed like birds, byzantic origine, 10th c.
- 7) comb of Henry I, ivory with gold and precious stones, 12th c.
- 8) four small reliquiaries in form of turrets
- 9) Reliquiary in form of a heart
- 10) memorial coin of emperor Wilhelm II
- 11) Reliquiary in form of a plate with intarsis
- 12) painted box, contents: sealed documents concerning relics
- 13) all coins from a glass case
- 14) two gold and silver crucifixes
- 15) several old embroideries

Estimated value:

Total 2.325.100.-- RM

2. Since the pieces are of utmost importance it would be of great interest to find out whether they were officially taken into U.S. custody, or else stolen by individuals.

3. Information will be appreciated whether anything is known about the matter at the Wiesbaden Central Collecting Point.

For the Chief, Restitution Branch:

Telephone: Munich Military 2802

HERBERT S LEONARD  
 Chief, Monuments, Fine  
 Arts and Archives Section  
 Restitution Branch

124495

RG 260  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 22A

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Authority NND 765038By WDP NARA Date 6/29/00

## Cultural Affairs Branch

21 March 1949

Miss Ardelia Hall,  
 Division of Cultural Cooperation,  
 Department of State,  
 Washington, D.C.

My Dear Miss Hall:

Since last I wrote to you on the subject of German archives a considerable reorganization has taken place within Military Government. The MPAAA Section, as you knew it, for all practical purposes came to an end on 31 December 48. A small close out office is concluding the restitution functions. Responsibility for reorientation and rehabilitation of Museums, the Arts, Archives, and Libraries has been placed upon three new sections established in the Cultural Affairs Branch of ECR Division. Mr. Theodore Heinrich, who for a number of years was Chief of MPAAA Section in Land Hesse, is now Chief of the Museums Section. Dr. Edgar Breitenbach, who for a number of years was MPAAA officer for south Bavaria, is now Chief of the Fine Arts Section. Responsibility for Archives and Libraries has been united in us.

In addition to my desire to pass on to you the information above I also have a second reason for writing to you at this time. In the newspaper today I noted that a meeting to discuss possible changes in the Rules of Land Warfare and perhaps the basic text of the Hague Convention of 1907 will take place shortly in Geneva. While the status of archives is presumably implicitly covered under the general heading of Cultural and Educational Properties, as is implied in authorities such as de Visscher, I raise the question at this time of the desirability of spelling out exactly the status of archives. If you could bring this point to the attention of the appropriate person or persons within the Department I will be very grateful.

If at any time I am able to be of assistance to you I shall be very glad to do so within the limits of my resources and the limits of the directives by which I am bound. I need hardly say that I shall be more than appreciative for any materials issued or assembled by the Department which relate to the problems of our Branch.

Sincerely yours,

Lester K. Born  
 Chief, Archives-Libraries Section

LKB/hk/fe.

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RG 260  
Entry Educ.  
File \_\_\_\_\_  
Box 22A

DECLASSIFIED  
Authority NND 765038  
By WDP NARA Date 6/29/00

**ENCH, ONCUS, BAO BACHIN**  
**2 ONCUS, Washington D.C. PRIORITY**  
**FOR LIBRARY OF CONGRESS**

**1 ONCUS, HERLIN, BACH**

REFERENCE YOUR WILLIAM CHARLES LOVE DASH THREE TWO SEVEN THREE FIVE DASH  
ONE FOUR OCTOBER FOUR EIGHT CIA OUR VICTOR DASH THREE SIX THREE THREE EIGHT  
DASH TWO ZERO OCTOBER FOUR EIGHT CIA AND LETTER LIBRARY OF CONGRESS TO  
LESTER E BOBE DASH FOUR JANUARY FOUR NINE PD PAPER ONCUS BAO BACHIN  
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LIBRARY SECTION CIA CULTURAL AFFAIRS BRANCH CIA BOB DIVISION PD THIS  
DIVISION COMPLETELY SYMPATHETIC AIMS OF BASIC PROJECT AND WILLING TO HELP  
SO FAR AS ONE HEAVY WORK LOAD ALLOWS. PD THEREFORE SUGGEST BOBE BE MADE  
AVAILABLE TO LIBRARY OF CONGRESS IN ITALY UNDER ORIGINAL CONDITIONS STATED  
IN WILLIAM CHARLES LOVE DASH THREE TWO SEVEN THREE FIVE FOR APPROXIMATELY  
FOUR WEEKS STARTING ABOUT TWO THREE APRIL AND AGAIN FOR FOUR WEEKS ABOUT  
ONE FIVE AUGUST PD REQUEST CONCURRENCE OR COMMENTS SOONEST CIA INCLUDING  
DETAILS ARRIVAL PHOTO TECHNICIAN BOBE PD

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BOBE REQ  
PRIORITY  
ENCH  
RALPH A. BURNS, US CIV, 2082  
EVELYN A. PIRE, US CIV

124497

*Lovebach - copy*

RG 266  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 22A

DECLASSIFIED  
 Authority NND 765072  
 By WDP NARA Date 6/29/00

Cultural Affairs Branch

21 March 1949

Dr. Mortimer Graves, Asst. Secretary,  
 American Council of Learned Societies,  
 Washington, D.C.

My dear Dr. Graves:

It is some time since I have written to you but in the interval we have, I imagine, each been busy with many matters of mutual concern. In particular, I knew that the Council has been concerned not only with the safeguarding of cultural materials in Europe but also with the reorientation and rehabilitation of cultural institutions. While by directive the MPA&A Section of Property Division was obliged to devote its official attentions almost entirely to the restitution of looted cultural materials, those of us who carried out this work also did what we could to revive and reorient the cultural life of Germany.

On 31 December 48 for all practical purposes MPA&A came to an end. There is, of course, a close out office which is struggling to conclude restitution. The reorientation and rehabilitation functions of the former MPA&A section has been transferred to the Cultural Affairs Branch of the ECR Division. There is in this branch a section for Museums, a section for Fine Arts, and a section for Archives and Libraries.

There is much to be done, and few of us available to do it. I have long been concerned with the archival problems, and with library books in their war-time storage. Now my personal interests in libraries as going institutions has become official. Any information or materials which passes through your office or are accessible to it and which bear upon the problems facing archives and libraries within Germany which you may be able to send to me I shall be most happy to receive. Since my personal knowledge of libraries has always centered largely about the large scholarly libraries I am urgently in need of materials which deal with Public Libraries, Children's Libraries and similar matters.

If I can be of any help to you and the Council personally or officially I shall be very happy to render that help so far as my resources and the current directives allow me.

Sincerely yours

Lester K. Born  
 Chief, Archives-Libraries Section

LKE/hk/fe

124498

RG 2160  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 225

DECLASSIFIED

Authority NND 765072By WDP NARA Date 6/29/00

MONUMENTS FINE ARTS AND ARCHIVES SECTION  
 Restitution Branch  
 OMGUS

3 August 1946

SUBJECT: Progress Report of Art Intelligence Officer 27 July-3 Aug  
 TO : Chief, MFAanda Section

1. In the Case of the Netherlands' Claims on the Frankfurt Dealers the following actions were taken: (a) Conference 30 July with Mr. Weber, German civilian MFAA employee of Frankfurt Military Government. Mr. Weber is making good progress on the tedious task of consolidating ~~into~~ the Frankfurt dealers' statements as to the dispositions of the individual art objects into usable investigation lists. Mr. Weber's work to date has been of considerable help to the undersigned. It was decided to grant art dealer Fach an extension of time until 7 August for completion of the forms required. Fach claims that all of his records have been destroyed. Judging from the forms which he has completed to date, Mr. Fach appears to be making a serious effort to recall to mind the required information regarding identities of the purchasers of the art objects in question. (b) Conference ~~at~~ 1 August with Dr. Hamberger, Chief of the Land Police for Gr. Hesse. Dr. Hamberger is ready to cooperate in the recovery of the art works. He will assign a member of the Criminal Bureau to work with the undersigned and to direct the operations of the ~~gaitax~~ police in the rural communities and to effect liason with the police in the larger cities, which do not come under the direction of the Land Police Office. (c) Meeting 2 August with Capt. Callahan, Public Safety, OMG for Gr. Hesse to request approval for above-mentioned use of the German police forces. Approval was granted and Capt. Callahan offered whatever further cooperation would be required. (d) Receipt forms for use by the German police in taking art objects into custody are being prepared by Lt. Heinrich, MFAanda Officer of OMG for Gr. Hesse. These forms are to be explicit enough so that they may be used by men who are not art experts.

2. In the Case of the paintings missing from the Staedel Collection no report has as yet been received from the district attorney of Kassel, who has been carrying on an investigation. His report is expected early next week. It is the intention of the undersigned to proceed to Kassel during the next week if circumstances warrant it.

3. A Polish Mission claim for restitution of a painting by Kossak the Younger was investigated by the undersigned 2 August. (Separate report is forthcoming.)

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RG 240  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 225

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 By WDP NARA Date 6/29/00

2

4. Conference 30 July with Lt. Ford, MFA and A Officer of OMG for Wurttemberg-Baden. The case of greatest potential interest in that Land is the case of Willi Mohnen, who is reported to have made numerous purchases while in Paris and may have been an art agent for Ribbentrop. Mohnen is said to be living in the Vatican City at present. The undersigned believes that it might be profitable to interrogate some of his German companions who were with him in Paris during the occupation years, in order to ~~guess~~ assess the nature and extent of his activities before an effort is made to interrogate Mohnen in the Vatican City.

5. Interview 30 July with Wolf Strache, Stuttgart photographer who is purported to have a photographic collection of some 85,000 photographs. Contact with Mr. Allen, Library of Congress Mission, has already been established by Mr. Strache. There was therefore no need for further action on the part of the undersigned.

sz

BERNARD B. TAPER  
 Art Intelligence Officer

cc. MFA and A Section, OMG for Greater Hesse

124500

RG 260  
 Entry Educ.  
 File \_\_\_\_\_  
 Box 225

DECLASSIFIED  
 Authority NND 765038  
 By WDP NARA Date 6/29/00

*Intell. General*

MONUMENTS FINE ARTS AND ARCHIVES SECTION  
 Restitution Branch  
 OMGUS

7-9

27 July 1946

SUBJECT: Art Intelligence Officers Report for Week 26-27 July  
 TO : Chief, MFA and A Section

1. The main cases being investigated by the Art Intelligence Officer are (1) The Netherlands Claims on the Frankfurt Art Dealers (2) The Staedtels Museum of Frankfurt case.

2. The Frankfurt Dealers' case consists in fact of perhaps a hundred minor investigations if it is to be pursued to complete solution, for the art objects in question--perhaps some three hundred paintings, pieces of sculpture and other works of art--have passed through the dealers' hands and are scattered throughout Germany. Few of the art objects sold for more than RM 10,000 in peace time.

a. The following steps were taken by the Art Intelligence Officer in this case: (1) Meeting with Capt. Jaffe, Netherlands Liaison Officer. (2) Meeting 22 July with Mr. Weber, German Civilian, who is the Fine Arts representative of the Frankfurt Military Government Office. Mr. Weber has been working on these claims of the Netherlands Govt. for the past few months. However, even were Mr. Weber not handicapped by lack of gasoline for his automobile, investigation of each of the claims on an individual basis would require at least a year's time. It was suggested by the undersigned that the most advantageous method of approach would be the consolidation of all claims in terms of the main Frankfurt dealers, the confrontation of each of the dealers with these ~~lists~~ lists and requesting that the dealers state as precisely as possible where each art object is purported to have gone, then a further consolidation of these lists in terms of the purported buyers and cities in which they live, and lastly a request to the Land Chief of Police that the local German police forces be used in a dragnet roundup of as many of the paintings as possible. (3) Confrontation of Art Dealer Henrich 22 July. (4) Confrontation of Art Dealer Fach by Mr. Weber 23 July. Since Fach had the largest number of claims to identify, he was given copies of the claims and given until 28 July to complete his statements. Note: Art Dealer Hahn, the other important dealer in this connection, had already complied.

b. The next steps in this case then will be the preparing of master lists in terms of buyers and their addresses (as of purchase date) and then the working out of roundup operations with the German police.

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2. Art Intelligence Report for Week 20-27 July

2. The Staedtel Museum case involves approximately one hundred valuable paintings and at least an equal number of drawings. The bulk of these art works are Staedtel Museum property but among them are a few ~~restitutable~~ restitutable items including three French and 1 Netherlands painting and 36 French and 3 Netherlands drawings.

a. The following steps were taken by the Art Intelligence officer in this case: (1) Meeting with Capt. Standen, Wiesbaden Collecting Point, in order to study lists and photographs of missing art works 21 July (2) Meeting with Mr. Holzinger, director of Staedtel Museum, and interrogation of him as to circumstances of disappearance-22 July.

b. The next step in this case will be conference with German district attorney at Kassel, who has been conducting an investigation.

3. Other activities of Art Intelligence Officer during the week:

a. ~~From~~ Recovering of Jewish and Masonic relics from the former Alfred Rosenberg Institute for Jewish Studies at Hungen 23 July. These objects have been now deposited at the Offenbach Archival Depot. (See separate report)

b. Conference 26 July with Captain Regan re setting-up of Berlin Art Intelligence office.

c. Conference 26 July with Mr. Vanderbilt re German photographic collections, purported to exist in Stuttgart, which might be worth investigating.

BERNARD B. TAPER  
 Art Intelligence Officer

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Inclosure 1 to Report of Investigation of charges against Lt. Sinclair Robinson.

SUMMARY OF TESTIMONY

(Page numbers refer to inclosure 1a, immediately following this section)

1. General. Due to the volume of testimony taken in this case, this summary includes only the substance of each witness' testimony upon which the investigating officer's recommendation for dismissal is based. For the sake of brevity, reference is made to Sections II to V, inclusive, XXIII Corps Inspector General's Report of Investigation, dated 30 August (Inclosure 2), for the general circumstances supporting the charges.

2. a. Lt. Colonel Albert G. Branyon, AGD, Adj. 2nd Mil. Govt. Regt. (p. 1)  
 (witness requested by accused)

(1) It is common practice for military government officers to travel in government vehicles to places outside of areas of designated responsibility and to transport civilians on official business. This would have been especially justified at the time of the alleged offense, in view of the fluid tactical situation and the sketchy military government organization in operation then.

b. 1st Lt. Robert K. Bryant, CO MG Det I 10 D 2, Budingen Ger. (P. 3)  
 (witness in previous investigation)

(1) Lt. Robinson, at time of alleged offenses, was Fine Arts and Monuments Officer for Det. I10D2. He performed his duties without supervision. He had the implied authority of his CO to perform the travel indicated and would have had expressed authority had it been requested. The travel was justified under the circumstances.

(2) Witness, who lived in same house with Lt. Robinson, at no time saw the paintings referred to in the charges. Other paintings, presumably from the local German officers' club, had been brought into the house and are still there.

(3) Two French (or Belgian) girls formerly employed at the MG officers' quarters were dismissed at about time of the alleged offense, for stealing rations and because of local reputation as prostitutes.

(4) On 21st May, 1945, Prince Ysenberg was arrested and taken to an internment camp. In accordance with existing directives, MG immediately blocked the prince's vast holdings.

(5) Shortly thereafter a Lt. Colonel James F. Wood, FA, local tactical commander, established his CP in Prince Ysenberg's castle, despite MG advice that the castle was on the SHREF of places not to be used by Allied Forces. Col. Wood became intimate with the Princess Ysenberg and her family and interfered with MG's administration of her affairs. On July 4, 1945, Col. Wood raided the MG officers' quarters, arrested Lt. Robinson, and searched the house for paintings. The following morning his troops publicly raided the MG headquarters building. The missing paintings were not found. Several days later, after Lt. Robinson was released from confinement, Col. Wood requested the Kreis Landrat to publicly denounce Lt. Robinson.

c. T/3 Sanders A Smith Det I10D2, 2nd MG Regt. (page 14)  
 \*T/5 Edwin P Kussart Do. (page 15)  
 T/5 Robert Sergeant, Jr Do. (page 17)  
 \*witness requested by accused. Others testified previously.

(1) Two trip tickets, destination Liege, Belgium, were issued to

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Lt. Robinson in June. The first was probably not used. The second was used by Lt. Robinson to go to some town east of the Rhine River to get champagne for the detachment. Lt. Robinson departed after the noon meal and returned same day before the evening meal. No record of trip tickets was kept. Trip tickets were issued only when necessary to get through check points.

d. Otto, Prince of Ysenberg (page 19 and 74)  
 (witness in previous investigation)

(1) Witness assumes that Lt. Robinson carried away the paintings referred to in Specification 1, Charge I, since he saw the pictures in Lt. Robinson's car during the journey from Amorbach to Budingon, Lt. Robinson was absent for a short time during the unloading of the truck, and later that day the pictures were found to be missing.

(2) Several days later witness admitted Lt. Robinson to the castle archives, assisted him in loading several paintings (including those listed in Specification 2, Charge I) into a jeep trailer, accompanied him to his house and helped take the pictures into the house. At the house they were assisted by an "an old man working there" whom he didn't know but whose name he "could find out".

(3) Later other paintings were removed from the archives by Br. Rapp and hung in the castle.

(4) Witness had almost daily congenial contact with Lt. Robinson and the Military Government for at least another month (until his internment). Though he and his guest, Dr Rapp, were worried about Lt. Robinson taking the pictures, no effort was made to obtain any receipt for them from the Military Government.

(5) Witness, upon being given an opportunity to locate the old man referred to in (2) above, produced one Paul Wagner who denied seeing the witness or the paintings. Witness would not positively identify Wagner.

e. Franz, Prince of Syan-Wittgenstein. (page 37)  
 (witness in previous investigation)

(1) Witness assisted in unloading of pictures at Budingon Castle. Lt. Robinson explained to witness that he had to drive away for a few minutes to get a pistol he had promised to an officer in Amorbach. When Lt. Robinson returned witness saw him give the truckdriver a pistol or a pistol-holster. In previous testimony (incl. 3) witness stated he saw Lt. Robinson unload several paintings from his car. In current testimony, he states he did not see this.

f. Felicitas, Princess of Ysenberg. (page 42)  
 (witness in previous investigation)

(1) Witness assisted in the unloading of pictures brought from Amorbach to Budingon Castle and saw Lt. Robinson unload several pictures from his car.

(2) The internment of witness' husband and the subsequent freezing of his accounts by the military government caused a crisis in the Ysenberg finances.

(3) Lt. Colonel James F. Wood was intimately acquainted with witness, visited her frequently beginning late in May, and gave much personal assistance in her private affairs, including the making of long trips.

g. Rudolf Schmuck, Budingon (page 49)  
 (Witness requested by accused)

(1) On or about 8 April, witness, a local policeman appointed by Military Government, assisted Lt. Robinson in the moving of a number of paintings from the local German officers' club to the MG officers' quarters in Budingon.

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- h. Lieselotte Hinze (previous witness) (page 50)  
 Maria Stelz ( " ) (page 52)  
 Paul Wagner (new witness called by invest. off.) (page 54)  
 Maria Wagner ( " ) (page 55)

(1) All above witnesses have been working at the MG officers' quarters since prior to date of alleged taking. None has ever seen Prince Ysenberg or Lt. Robinson bring into or take out of the house any of the paintings referred to in Charge I.

- i. Dr. Albert Rapp (page 58)  
 (witness in previous investigation)

(1) When witness, Lt. Robinson, and Prince Ysenberg arrived at Amorbach they found the storage house looted and in great disorder. Approximately thirty-two(32) are missing, including at least six(Charge I) known to have been transported to Budingen with the assistance of Lt. Robinson. The loading and unloading was done in great confusion and with many helpers.

(2) Witness helped Lt. Robinson unload paintings from his car at Budingen but later missed two (Specification 1) that he knew to have been in the car before arrival at Budingen.

(3) Witness missed four more paintings(Specification 2) from the archives several days later and attributes this to a reported visit by Lt. Robinson in his absence.

(4) On 15 May, 1945 witness submitted to Frankfort Museum authorities a report(Exhibit G, IG Report) of his inspection of several outlying depositories for art objects. In this report he described the circumstances concerning the looted Amorbach depot and the transfer of some paintings to Budingen Castle. The report listed his inventory of paintings at Budingen. This listing did not include the six paintings allegedly stolen by Lt. Robinson but which the witness considered at the time to be in the protective custody of Lt. Robinson and the Military Government at Budingen. The report made no reference to these paintings or to the disappearance of any paintings from Budingen Castle.

(5) Witness at no time asked Lt. Robinson for a receipt to cover any pictures taken, the he had ample access to Lt. Robinson. Nor, though he was greatly alarmed over their disappearance, did he make any report of the incident to any competent authority until, on the 25th of June, he was "fetched" by Lt. Col. Wood to testify against Lt. Robinson. In fact, several weeks after the incident he suggested to an official of the museum that Lt. Robinson be rewarded for his service by giving him a painting.

(6) Some days after the alleged takings witness took a number of paintings from the archives and hung them in several different rooms of hte Budingen Castle. A list of those so removed was submitted to the museum authorities.

- j. Ingrid, Princess of Syan-Wittgenstein (page 76)  
 (witness in previous investigation)

(1) On 6 July witness testified under oath(Exhibit N, IG Report) to CID Agent Harer that about the middle of April she saw Lt. Robinson in the Budingen Castle courtyard with a jeep and trailer and that she saw some paintings in the trailer.

(2) On 11 October, again under oath(current investigation) she testified that the above was a deliberate lie. She explains she made the statement to Agent Harer to support the lies of the members of her family at Budingen(Ysenbergs) She states Lt. Col. Wood had suggested getting rid of Lt. Robinson and that a lot of bad things had been said about him that she knew were not true. "Colonel Wood always tried to say bad things about Lt. Robinson".

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k. 1st Lieut. Sinclair Robinson  
(Accused)

(1) Lt. Robinson, on advice from his counsel, refuses to make any statement, but invites attention to his answers to the following questions in the Inspector General Report:

326. Q. On or about 18 April, 1945, did you store in the house used as officers' quarters for your military government detachment in Budingen a number of pictures or paintings that you assisted in removing from the depot in Amorbach?

A. Sir, I most assuredly did not.

333. Q. On the 20th of April, did you remove from the archives of Prince Ysenberg's castle 4 or 5 paintings, place them in a trailer attached to a jeep which you were driving and take them to the house which was occupied by the officers of the military government detachment in Budingen?

A. I certainly did not, sir.

DISCUSSION

This investigation has produced no additional conclusive evidence to either refute or support the alleged larceny. In the disappearance of the first two paintings (Specification 1, Charge I) circumstantial evidence points to the accused in that he was absent with his car for a short time during the unloading, and two paintings known by Dr. Rapp and Prince Ysenberg to have been in the car were later missing from the archive. However, the statement by Prince Franz that when Lt. Robinson returned he gave a pistol holster to the truckdriver to deliver to an officer in Amorbach suggests at least one excuse for the short absence. The statements by the original housemaids, in the CID investigation, that they saw these paintings brought into Lt. Robinson's quarters appears in error and confused with paintings brought in from another source. Conclusive evidence indicates that these witnesses had been dismissed from the household at least three days prior to the alleged taking. The statement of Prince Ysenberg regarding the taking of the four paintings (Specification 2) is conclusive in itself but is unsupported by any other witnesses, including the girls and the old man whom the Prince stated he saw at the house when the paintings were delivered. It is odd that no mention of the missing paintings was made in Dr. Rapp's official report to the museum authorities though he, by his statement, was careful to furnish them with a list of paintings removed from the castle archives and hung elsewhere on the same premises.

Though not directly related to the offenses charged, the behavior of Lt. Colonel Wood is believed to have some bearing on the case. Col. Wood was evidently extremely hostile toward Lt. Robinson and it appears that the initial investigation is the result of this officer's desire to discredit and be rid of him. One witness, Princess Ingrid, though she is self-implicated by her opposite statements under oath, actually states that the charges were the result of a plot between Col. Wood and the Ysenberg family to this end.

The accused and his counsel, by direct and cross examination, attacked the veracity of the main witnesses, but was successful in minor details only. However, the witnesses in general now avoid making positive statements, begging uncertainty due to the time elapsed since the incidents.

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DISCUSSION(cont.)

The present whereabouts of the paintings remains a mystery. If taken by the accused for his own benefit, it is probable that he disposed of them by mail or otherwise, in continuance of his purpose, since the initial investigation did not begin until two months after their disappearance. They may now be at his home (or may have been) or in the hands of his agent in the United States. It does not appear that they could have remained in his personal possession for more than a very short time and it is unlikely that he disposed of them at that time by destruction or cache, to avoid detection.

The accused emphatically denies the allegations. After observing the accused and the witnesses during the course of this investigation it is my belief that trial by court martial would be long and tedious and would not result in a finding of guilty with the evidence now available. Such a finding would be a hindrance to justice should the evidence be supported at a later date through the reappearance of the paintings.

Reference Charge II, the acts alleged were performed without doubt, but whether they were wrongful depends primarily upon proof of Charge I. Under the then existent circumstances and common practices the simple acts alone do not warrant trial by court martial.

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Verbatim testimony of witnesses examined by the Investigating Officer in presence of the accused and his counsel. Prior to interrogation each witness was informed of the nature of the charges under investigation, advised of his rights, and duly sworn. Likewise, interpreters, where used, were sworn.

Photographs of paintings used in the interrogation were numbered as follows:

- No. 1 - "Courtyard of the Orphan House at Amsterdam"  
by Liebermann
- No. 2 - "Landscape" by Berchem
- No. 3 - "Pan and Nymphs" by Reubens
- No. 4 - "View of the Doges Palace" by Canaletto

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Witness - Lt Col ALBERT G. BRANYAN, AGD  
 Place - Hq 2nd Mil Gov Regt, Bad Homburg, Germany

Questions by Investigating Officer

8 October 1945

- Q. Please state your name, rank, serial number, and organization?  
 A. Albert G. Branyan, Lt Col, AGD, 0358802, my present organization is Hq 2nd Mil Govt Regt.
- Q. What are your present duties?  
 A. I am the regimental adjutant.
- Q. What was your assignment in April of 1945?  
 A. I was the Adjutant General of Hq European Civil Affairs Div from September 1944, until August 31, 1945.
- Q. Was the military government detachment to which Lt Robinson assigned <sup>last April</sup> a part of that Division?  
 A. Yes.
- Q. When did the investigation of this matter first come to your attention, approximately?  
 A. The matter was first brought to my attention by Lt Robinson on or about the first week in July. That is my recollection.
- Q. Do you recall a request having been submitted for the interrogation of a certain witness?  
 A. My recollection is this: That Lt Robinson asked me how it would be possible to find out a certain organization. My recollection is that either a letter was written or a telephone call was made to Hq 12th Army Group in an effort to find out the name of the organization which was located at such-and-such a castle at such-and-such a town; but I can't swear that a letter was written although that is my recollection.
- Q. To your knowledge was there any response to your request?  
 A. No.
- Q. Do you recall the purpose of the request?  
 A. Yes. The purpose in finding the organization was to attempt to find an enlisted man who was the driver of the truck, which according to my understanding, took the paintings from that place to Budingen.

Questions by Defense Counsel.

- Q. And when was this request submitted, approximately?  
 A. Within a day or so of my first knowledge of the case, which would be the first part of July.
- Q. To whom did you direct inquiries to locate this organization?  
 A. Hq 12th Army Group.
- Q. To refresh your recollection, was AMORBACH the name of the town Lt Robinson sought to get information concerning the location of the unit?  
 A. Yes, that is my recollection.
- Q. What was the military relationship existing between Lt Robinson's detachment and Hq European Civil Affairs Div at that time?  
 A. The military government detachments were under the administrative control of Hq European Civil Affairs Div.
- Q. Would your Hq have been the proper headquarters for Lt Robinson to have made inquiries for the retention of a witness in an unknown organization or any organization?  
 A. Definitely so.
- Q. Did Lt Robinson in his conversations with you concerning this organization indicate to you the importance of the witness which he sought.  
 A. I recollect he did inasmuch as this was the only other American soldier involved in this transaction.

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- Q. Did you ever get any response at all from the 12th Army Group or from any other Hq concerning this organization?  
 A. Not at all.
- Q. Drawing your attention to April and May 1945, were you as Adjutant General of the European Civil Affairs Div familiar with the then existing directives, written or otherwise, concerning the authority of military government officers to travel in territory in and outside their Kreis?  
 A. The prohibition of travel of military government personnel in Germany varied within tactical organizations and districts, but to the best of my knowledge the travel outside an assigned Kreis was never prohibited by Hq European Civil Affairs Div, ETOUSA, nor any other organization.
- Q. Was it customary practice for officers in Landkreis military government detachments in Germany to travel outside the territorial limits of their Landkreis by government transportation when such travel was necessary for the purpose of securing information or performing other duties connected with the administration of military government within the Landkreis.  
 A. It was definitely a common practice.
- Q. Assuming that an officer in the Landkreis military government detachment had a conversation with a citizen of his Landkreis, which citizen had official duties as a curator of a museum and who needed help from military government in securing and protecting paintings belonging to this museum, which paintings were stored in a town outside the territorial limits of the Landkreis which this citizen was then located in, would a military government officer of this Landkreis detachment, if not expressly prohibited from proceeding outside the Landkreis to determine the status of security of these paintings, basing your statement on customary practices and then existing directives, written or otherwise; also assuming that this took place in April of 1945 in the Budingen, Landkreis?  
 A. It is my opinion that the travel would be proper in the case of the urgent necessity for the security of the paintings or due to the fluid tactical situation for an investigation of the status of said paintings.
- Q. If such paintings were highly valuable and stored in a building where American troops were likely to be billeted and there being no Regierungbezirk Detachment to contact concerning the paintings, would you consider the matter urgent?  
 A. I believe I would.
- Q. If such officer found that these paintings had been broken into and partially looted, would you consider that he was without authority to procure government transportation to transport such paintings or part of such paintings to a suitable place for storage which place was approved and requested by the civilian who was charged with the responsibility for the paintings?  
 A. I would consider it a definite responsibility on the part of the military government officer to take such steps as were necessary for the safeguarding of these paintings.
- Q. As Adjutant General, European Civil Affairs Div, in April and May 1945, were you familiar with the then existing directives, written or otherwise, concerning the authority of military government officers in Germany to transport civilians in government vehicles?  
 A. To the best of my knowledge there were no directives published by Hq ECAD that prohibited military government officers from transporting civilians in government transportation and I believe that when necessary this was a common practice.
- Q. Do you know of any directives, written or otherwise, from any Army Hq or from any Hq of any unit in the Army which prohibited military government officers from transporting civilians in the performance of duties.  
 A. There was a Hq ETOUSA directive, the exact wording of which I have forgotten which prohibited the carrying of civilians by government motor transportation, but I am not sure exactly how that affected military government or whether it was specifically excluded. It is my recollection that this did not apply to military government officers in the performance of official duties. That is the only directive that I know of concerning the carry of civilians by Govt transportation.

*These paintings, be without authority to travel by Govt.*

*vehicle to this town outside the Landkreis to determine the status of*

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- Q. But it was common practice for officers in military government to transport civilians on official business?  
 A. Definitely so.

Investigating Officer:

- Q. Do you have any further information to offer in connection with this investigation or on the subject of the use of government transportation to transport German civilians or the restriction of military government personnel to an assigned Kries?  
 A. I have no further information to offer.

Witness dismissed.

Witness - 1st Lt Robert K. Bryant  
 Place - Mil Gov Det G-32, Budingen, Germany

Questions by Investigating Officer

- Q. Please state your name, rank, serial number and organization?  
 A. 1st Lt Robert K. Bryant, 01795857, CMP, Det G-32, Co D, 2d Mil Govt Regt.  
 Q. I understand your detachment number has changed. What was the detachment number in April?  
 A. 110D2, 2d Mil Govt Regt.  
 Q. Where was this detachment located?  
 A. In Budingen.

Defense Counsel:

- Q. When did this detachment first come to Budingen?  
 A. March 31, 1945.  
 Q. Was 1st Lt Sinclair Robinson, accused in this case, a member of the detachment at that time?  
 A. Yes.  
 Q. And what was the strength of the detachment at that time?  
 A. It was 4 enlisted men and 3 officers.  
 Q. How many officers were actually present for duty during the period from April 1 to May 31, 1945?  
 A. On April 11 the other Lieutenant was transferred and from that time until sometime in June there were two officers--that was Lt Robertson and myself.  
 Q. And who was the Military Government Officer in the Detachment?  
 A. I was.  
 Q. And who was the Deputy Military Government Officer?  
 A. Lt Robinson.  
 Q. What responsibility was this Detachment charged with in April and May 1945?  
 A. The regular military government functions of setting up the government as was laid down by Supreme Headquarters in the entire LK Budingen.  
 Q. Did you have at that time any Regierungsbezirk Detachment exercising operational control over you?  
 A. No.  
 Q. What was your next higher headquarters?  
 A. We operated under the XIX Corps, G-5.  
 Q. And the 2d Mil Govt Regt was your next higher headquarters for administration?  
 A. Yes. There was a short time in the latter part of June when they were just forming Darmstadt--The big Detachment in Darmstadt--but it was a very short period, not over a week.

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- Q. Were you ever directly under the Third Army?  
 A. Yes.
- Q. And when was that?  
 A. I can't give you the exact dates on it because it changed from Division to Corps to Army. I know some of that time we were under the Third Army, however.
- Q. I show you two statements in question and answer form, marked Exhibit B-9, Report of Investigation concerning the alleged larceny of paintings by 1st Lt Sinclair Robinson, which you may use for reference for the purpose of this examination. Approximately how many towns or villages were located within the LK Budingen?  
 A. 102.
- Q. And what were Lt Robinson's specific duties in this detachment during April?  
 A. He was Public Safety Officer, Legal Officer, Finance and Property Control. I listed under property control Monuments and Fine arts because they would come under Property Control.
- Q. What type of vehicle did Lt Robinson usually use in the performance of his duties in the detachment?  
 A. A civilian vehicle.
- Q. During April and May 1945, did Lt Robinson get express permission from you to go to different places within or outside the LK in the performance of his official duties?  
 A. No, because we had an understanding before as there was so much work to be done that I gave him his job and I took mine and it never did occur when he had to ask for permission to go somewhere.
- Q. Did he have your implied consent to use government transportation for the purpose, or for any purpose, in the performance of his duties at any time he saw fit?  
 A. ~~That's right.~~ Yes. Q. You made no effort to keep check on different places he had to go to perform his duties, is that correct? A. That is right.
- Q. When you say in your original statement to the Asst Inspector General, XXIII Corps on page 5, that your Detachment had only as its responsibility one LK, that does not mean that an officer in your Detachment could not have business and responsibilities which would take him out of that LK does it?  
 A. I might answer that this way: Should something that was very urgent, and in reference to these paintings if they were being looted and destroyed, I would definitely have given permission to go anywhere if it was for the protection of those and if the curator came to me and asked me if I would go see if they were safeguarded--I would have given him permission regardless.
- Q. Then in such a case you would say that Lt Robinson had your implied consent to go and check on the safekeeping of these paintings?  
 A. Yes, he would have had my consent had he asked me.
- Q. He would have your implied consent?  
 A. Yes.
- Q. Lt Robinson could have had responsibilities in Fine Arts and Monuments which would require his going out of the LK by government vehicle to see if they were safeguarded, is that right?  
 A. He could have had responsibilities outside of the LK on that; however, I never knew anything of it.
- Q. Let's assume that a German civilian who was then within this LK in April informed Lt Robinson that he was the curator of a museum and that this museum had paintings of great value stored in various towns, some of which towns were outside the territorial limits of LK Budingen, and that he desired to check on the security of these paintings and that there was danger of their having been looted. Would you say that Lt Robinson would have been without authority to take this curator of the museum in April, 1945, to towns outside LK Budingen to check on the security of those valuable paintings?  
 A. I think that he was definitely justified in looking after the safekeeping of them.

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- Q. Assuming that upon reaching this town outside the LK that he discovered that the storeroom containing the paintings had been broken into and some looting had possibly taken place. Would he be without authority to procure government transportation to haul those paintings from this town where the looting had taken place to a place within the LK where they would be properly stored and secured and which place in his LK was requested and satisfactory to the curator?
- A. I think that it was possible to secure transportation of any means, that it was the logical thing to do.
- Q. What was the policy in your Detachment in April and May of 1945 with regard to the transporting of civilians for official duties in government vehicles.
- A. If they were on official duty, as far as I was concerned they were authorized to travel in government vehicles.
- Q. Then did Lt Robinson have your implied authority to transport German civilians to places within the LK or outside the LK when engaged in official duties?
- A. Yes, I have done it myself.
- Q. If a civilian residing within the LK Budingen in April of 1945 presented to Lt Robinson a curator of a museum which curator was then engaged in inspecting different storage points where valuable paintings had been stored for this museum and this curator needed help in getting the information he needed and getting to the different places he needed to go and there was danger that some of the paintings had been looted or broken into by American soldiers or others, would you say that Lt Robinson would be without authority as Monuments and Fine Arts Officer of the Detachment of Budingen to render assistance to these civilians in travelling to these different points to see about the security of the paintings?
- A. I consider it a part of military government's job to see that these fine arts etc. are preserved.
- Q. And taking in consideration that this had taken place in April when the tactical situation was somewhat fluid and there was considerable disorganization would you say that Lt Robinson would be justified in taking steps to go with that civilian to these points to determine the status of these paintings?
- A. Yes, if there was reason to believe that they were being destroyed, definitely.
- Q. Or if there was reason to believe that they might be looted or broken into, would you say he would?
- A. Yes, if there was reason to believe that they were going to be looted or stolen.
- Q. With what organization did your Detachment come into Budingen?
- A. 26th Infantry Division.
- Q. How was your Detachment placed in charge of the LK?
- A. We reported to G-5, 26th Div in Hanau, and one afternoon that must have been March 29 or 30, he told us that the town was cleared as far as they knew and we would leave the following morning to come into Budingen.
- Q. Were you ever counterattacked out of the town.
- A. Yes, once.
- Q. And when was that?
- A. That was the first of April. We came in on the 31st, stayed all night and I believe it was the next night we were run out of town.
- Q. What was the condition of the administration of military government in this LK during the month of April from the standpoint of organization and higher administrative headquarters.
- A. As far as I know we were operating from a civilian standpoint and we were on more than just a satisfactory basis and we were getting as much cooperation <sup>from the civilians</sup> as one could hope for.
- Q. Were conditions from the standpoint of administration and next higher operative headquarters in a state of flux or confusion?
- A. Yes

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- Q. And why do you say that?
- A. There were no policies then. You came in on your own and you organized on your own. I might say that a general outline of plans were given us long before on how we would set things up as far as the government was concerned, but at that time you were more or less left on your own and you did things as you saw fit to suit the case, whatever it might have been. I think it impossible to have any clear-cut policy on administration that early in the occupation of the LK.
- Q. Will you state the manner in which Lt Robinson performed his duties generally as a military government officer in April.
- A. His duties were performed very satisfactorily; very good.
- Q. Would you describe him as an energetic officer?
- A. Yes.
- Q. One who displayed skill in the performance of his duties considering the situation as it was at that time?
- A. Yes, all the work that I had given him was performed efficiently and quickly-- as quick as it was possible under the conditions.
- Q. Did Lt Robinson seem to be an officer who understood his responsibilities and did not shirk from them?
- A. Yes. *Definitely.*
- Q. Do you remember a little before the middle of April when Lt Robinson brought some pictures to the officers' quarters--any kind of pictures?
- A. I would not describe any kind of a picture that was brought in there. I do know that there was one or two put on the wall that were supposed to have been picked up from former German officers' quarters at the Casino. Those pictures are still there today--right now I suppose.
- Q. Do you know where those pictures came from?
- A. I was told they came from the officers' Casino.
- Q. Do you know who hung the paintings up?
- A. No.
- Q. Do you remember on the same occasion that these paintings were brought in that knives and forks and candelabra were brought in?
- A. Yes, I remember that. They came from the Prince or Princess of Ysenburg. There were two times--onetime--the ones we are using came from the Casino and have the names of different German officers on them.
- Q. Do you remember candelabra?
- A. They, too, are still up there. We use them for decorating purposes.
- Q. Do you remember that those were brought in on the same occasion that these pictures were brought in from the Casino?
- A. I would say it was about the same time. I can't say exactly. I do remember it all coming in and shortly thereafter we borrowed some silverware from the Prince.
- Q. Could you say approximately how many paintings or pictures were brought in at that time?
- A. No, I couldn't say exactly--there might have been-- there were 4 or 5 that were hung up downstairs and I believe at the same time there were some hung upstairs and then there are one or two pictures in the office brought in at that time.

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- Q. When did you first come to know the Prince Ysenburg of Budingen?  
 A. The first day we came in. That is March 31.
- Q. Was Prince Ysenburg a frequent caller at the military government office in Budingen?  
 A. He came to see Lt Robinson quite often, but he never did come to see me because I ran him out the first day--on 31 March--when he volunteered his services as an interpreter, I didn't run him out either. I told him I had an interpreter who was working with me at that time.
- Q. Did he come to the military government officer purportedly on official business quite frequently?  
 A. Yes.
- Q. And he was not run out on those occasions?  
 A. No. I don't mean that I literally ran him out. I told him in a nice way that I had an interpreter and that I would use him.
- Q. Insofar as you know he had business at the military government office quite frequently during April, 1945?  
 A. Yes. He would have had a lot of business here due to his possessions.
- Q. Due to his possessions?  
 A. Yes.
- Q. When did you first come to know Lt Col James F. Wood, FA, XIX Corps?  
 A. I don't know the exact day that he became the security troops here in Budingen but I remember him as of the first day that he came in. It would have been the latter part of May or the first part of June.
- Q. What were the conditions under which you first met him?  
 A. He informed me that he was the security troops in this area and all of the policy then would be dictated by them.
- Q. Do you remember the numerical designation of his unit?  
 A. It was either 119, 123--it was part of the 378 FA Group I do know that.
- Q. What Corps?  
 A. XIX Corps. I can give you that information--it's downstairs in the orderly room.
- Q. Where was Col Woods unit billeted at that time?  
 A. Part of the troops were in the caserne in Budingen. His CP was located in the castle of Prince Ysenburg and the rest of the troops were billeted in different parts of the town in homes that they took over.
- Q. Do you know a Princess Ysenburg of Budingen?  
 A. Yes.
- Q. And what is her connection with Prince Ysenburg?  
 A. I suppose that is his wife.
- Q. And where does she live?  
 A. In the castle.
- Q. Where did she live in April and May, 1945?  
 A. In the castle.
- Q. Will you describe in detail the activities of Col Wood from the time he came to Budingen until the present time with regard to his associations with Prince Ysenburg and Princess Ysenburg?  
 A. I had very little connections with the prince as the Princess was placed in an internment camp shortly after his coming into the town, the I.K.

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- Q. Shortly after who came in?
- A. Col Wood. As far as his relations with him are concerned I don't know but every time that a new law went into effect or an ordinance that affected them either he or one of his officers would immediately come and see me about that. He took a very personal interest in her affairs because under law 52 his property and all of his accounts were blocked and taken into control by military government and they seemed to think that there was some personal reason behind it, whereas we as military government were making no special effort to abuse them. I would say their relations were very close.
- Q. Where was Col Wood personally billeted while he was in Budingon?
- A. You mean his living quarters? In Brunostrasse.
- Q. And where was the command post of his Battalion?
- A. In the castle.
- Q. How long did Col Wood's unit stay in Budingon?
- A. Approximately two months. I don't know exactly.
- Q. Where did Col Wood's unit go when it left Budingon, if you know?
- A. To Schotten.
- Q. How far is Schotten?
- A. Twenty-two or twenty-three miles. It is in the LK Budingon.
- Q. What were the directives at the time Col Wood's Battalion CP was located in the castle with regard to the use of this castle for a military establishment?
- A. No military personnel would be billeted in the same house with civilians. I wouldn't quote that but I think that covers it.
- Q. Was that castle a fine arts establishment. Would that come in the category of monuments and fine arts?
- A. It did. The archives is located in the castle.
- Q. What archives is that?
- A. It is listed as one of the early monuments that SHAF listed--that is an archives and would be guarded.
- Q. What were the directives with regard to billeting troops and establishing a CP in such a building?
- A. I talked with them on that before they used it as billets.
- Q. Who is them?
- A. The town major who was liaison between military government and Col Wood. But they seemed to interpret that differently. They said we are not using the same room the archives are in so we will use the building, and there was nothing I could do about it.
- Q. Did you talk to Col Wood himself concerning the use of this castle for his CP?
- A. No he had issued directives that all matters pertaining to the security troops and military government would come through the town major so I discussed it with the town major only.
- Q. After Col Wood's unit left Budingon, do you recall observing his presence in Budingon?
- A. Yes.
- Q. Where did you observe his presence?
- A. On several occasions.

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- Q. And where was he?  
 A. He was at the castle, but I must add that the CP of the unit who relieved them was also in the castle.
- Q. How often did you see Col Wood or know of his coming back to the castle?  
 A. From two to three times a week.
- Q. Usually, what hour did he come?  
 A. It varied. I have seen him in the morning and in the afternoon and evening.
- Q. How long a period of time did this go on?  
 A. Until they moved.
- Q. Moved from where?  
 A. Out of the LK.
- Q. and when was that?  
 A. Approximately the 23d of last month.

Investigating Officer:

- Q. 23d of September?  
 A. Yes, sir.

Defense Counsel:

- Q. Do you know of any other information you can give us concerning Col Woods presence at the castle or his relations there?  
 A. No, I don't know of any of his other relations there. I thought it rather strange that he was coming down here so often, but that was none of my business.
- Q. Did you ever see him and Princess Ysenburg together in a vehicle?  
 A. I don't recall.
- Q. Do you recall when Lt Robinson was first arrested in connection with these paintings?  
 A. Yes.
- Q. Approximately when was that?  
 A. July 4th or 5th. I had just come back off a leave then.
- Q. What happened when that arrest was made?  
 A. They searched the house.
- Q. Who searched the house?  
 A. A lieutenant from Friedberg and a man from CID and Col Wood came up.
- Q. Anyone else?  
 A. There were two enlisted men. I don't know what they were doing. I was going around with the colonel.
- Q. What house was that?  
 A. The officers' quarters.
- Q. What were they searching the house for?  
 A. They didn't tell me until it was over and then they said it was the paintings. In fact, I asked them what they were looking for and they still wouldn't tell me.

Investigating Officer:

- Q. Did they find anything?  
 A. No, sir. There was one room upstairs that was locked. Col Wood gave the order to break it down. They broke it down but still didn't find anything.

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- Q. Was that the kitchen?  
 A. No, it was one of the rooms in the attic wa didn't use.

Defense Counsel:

- Q. What else happened at the arrest?  
 A. They took him to Friedberg. He called me that night or the next night--it was the following night.
- Q. Who called you?  
 A. Col Wood. He asked me to prefer charges against Lt Robinson, which I refused to do. Then Col Bell, I don't know what his exact function was, called me from Friedberg on the telephone and wanted me to prefer charges and I told him that I wouldn't because I knew nothing of the case. There was only one man who said that he saw him take the pictures--that was Prince Ysenberg, and he was in jail and I didn't think it justifiable from the evidence to prefer charges against anyone without further investigation on my part. Then later, I think the next day or two, the Landrat came into my office very excitedly and said that Col Wood had called him to his CP and asked the Landrat to openly denounce Lt Robinson to the civilian population--that came through my interpreter and the landrat was sitting in my office when he told me. The Landrat refused to do it and told me that in the first place it was the worst thing that could possibly happen--to make remarks to any of the people about any Allied Officer, and Lt Robinson was back here at the time. He was out from under arrest. He just refused to do it. It disturbed me quite a bit. I didn't think it was Col Wood's job to have the Landrat saying anything to the civilian population.
- Q. Do you know who was present at the time Col Wood was supposed to have given these orders to the Landrat?  
 A. It was over at his CP. I don't know who was present.
- Q. Going back to the arrest of July 4th or 5th, was any search conducted at the military government office at that time?  
 A. Yes.
- Q. And when did that take place?  
 A. The following morning. I think that would be o/a July 5th--it was the following morning after they searched the quarters.
- Q. What happened at that search?  
 A. They put guards downstairs and would allow no one to enter. One of my enlisted men came to the house and told me about it and then we came down and made arrangements for them to remove the guard from the front of the buildings. They brought him up to the door across here--that was Lt Robinson's office. And then business went on as usual after that, but they searched the office and broke open some doors.
- Q. Who was present when that search was made?  
 A. I don't know; they didn't let me in.
- Q. They didn't let you in?  
 A. No; I was in my office.
- Q. What do you mean when you say they wouldn't let anyone go in?  
 A. They didn't let anyone go into this office. I think the search was conducted by the CID and the MP unit from Friedberg.
- Q. Anyone else present?  
 A. I don't know.

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Q. Col Wood present?

A. I don't know.

Q. Was this search witnessed by civilians to your knowledge?

A. Yes.

Q. How many?

A. I don't know but the people were allowed to come up and down the hall there.

Q. How long were the guards kept at the front door?

A. They were there until about 9 or 9:30 in the morning. I don't know exactly but approximately until 9 or 9:30. They might have been on all night, I don't know that because I didn't come back down to the office.

Investigating Officer:

Q. Did they find anything? Bring anything out?

A. To my knowledge, no.

Defense Counsel:

Q. How long were the guards kept at the door to Lt Robinson's office?

A. Approximately until noon I would say because that was when the reports were due at Army and around 11 o'clock I called Col Wood and received permission to go into the office and get some blank forms to send in my report.

Q. What did he say at that time?

A. He said, "Yes, go ahead."

Q. Why did you call Col Wood?

A. Because the guards wouldn't let me in.

Q. Who did they tell you to call?

A. They just told me to get permission.

Q. Do you know what unit the guards were from?

A. I suppose Col Wood's unit.

Q. When you talked to Col Wood, did he know the guards were there?

A. I would say he did because I said your guards are in my office and told him I wanted to get into Lt Robinson's office. His town major knew they were here.

Q. Do you know from your own personal knowledge why the Prince Ysenburg was arrested?

A. He was an automatic arrest for one thing. He was a very heavy contributor to the Nazi regime in money.

Q. How do you know that?

A. CIC have told us that.

Q. What are your present duties in this Detachment?

A. That's as of today? Industry, Public Utilities, which includes water, gas, electricity, etc., and Ocean Shipping. The biggest one is Trade and Industry Formerly I was Property Control Officer, Finance and Banking, reparation of this property which has been illegally obtained.

Q. In your experience in this Detachment have you come to learn what the annual income of the Prince Ysenburg was during the Nazi regime in Germany?

A. No, because he has businesses located in other LK.

Q. Do you know whether he came in the category of Nazis who were to be automatically arrested?

A. He was.

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## Investigating Officer:

- Q. At the time when you and Lt Robinson were the only officers in the Detachment you both lived in the same house, is that correct?
- A. Yes.
- Q. Did anyone else live there, enlisted men, etc.?
- A. No, sir.
- Q. How many servants were there?
- A. Three.
- Q. Do you recall their names?
- A. No, I don't. I know the people who are there now.
- Q. What were their nationalities?
- A. They were Germans. We had two earlier: one was French and one was Belgian, I think. They stole all of our equipment.
- Q. Do you recall approximately when this French and this Belgian girl left?
- A. The latter part of April or May, I don't know exactly.
- Q. Was it after the alleged disappearance of the pictures? Was it after the 18th of April.
- A. I don't remember for sure. It could have been before or after.
- Q. What was the reason that these two girls left?
- A. According to the better people here in town they were more or less prostitutes for the officers in the Wehrmacht--the German Army. We had missed quite a bit of our rations and we found that it had been sold downtown--the people said they had sold it downtown.
- Q. In other words, you dismissed them?
- A. Yes, we dismissed them as diplomatically as possible.
- Q. Do you know of Lt Robinson's going to Dusseldorf--whether or not he made a trip to Dusseldorf since April?
- A. Is that Dusseldorf above Cologne? No, I don't know anything about that.
- Q. Do you know of any trips he made to Liege?
- A. No, sir.
- Q. Would it have been possible in the way the household was operated for Lt Robinson to have brought these pictures in his quarters and stored them there for a while and later removed them without your knowledge or the knowledge of any of the new servants?
- A. Yes. I was seldom there during the day. I was either here or in the LK. It would have been very easy. As far as storing is concerned, I seldom went to Lt Robinson's room. We made a ruling that we would never talk about business after hours.

## Defense Counsel:

- Q. I show you question number 38 to the original statement taken by the Asst IG, XXIII Corps, and ask you that in answering that question did you refer to these paintings or did you consider these paintings which had been brought to the house from the German Casino.
- A. I presumed that he was not speaking at all about the paintings which came from the Casino. When Col McLean asked me that question he referred to the pictures which allegedly had been stolen.

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## Investigating Officer:

- Q. Do you have any further information of any sort which, in your opinion, would be useful in the investigation of this case?  
 A. I don't think so.

## Defense Counsel:

- Q. Would you say from your conversations with Col Wood concerning this Detachment and Lt Robinson that he was violently opposed to Lt Robinson?  
 A. Most definitely. In fact, on several occasions he has told me how little he thought of Lt Robinson.  
 Q. Elaborate on that please.  
 A. He told me that just in general that he was a disgrace to the American uniform. I would say that it was a general denunciation of the man every time I saw him and he was always patting me on the back telling me what a fine boy I was.  
 Q. What was he saying specifically about Lt Robinson?  
 A. Just in general that he was no good, that he thought he was worthless.

## Investigating Officer:

- Q. Did Prince Ysenburg or the Princess to your knowledge show any animosity toward Lt Robinson?  
 A. No, not to my face; but she had, through her military connections, come over on one or two occasions and asked me why I was blocking her account and why couldn't she draw more than 300 RM a month. She seemed to think it was a personal matter, that she was the only one that was allowed that much, when it was everyone.  
 Q. Was this discomfiture on her part against the military government or against any individual in the military government?  
 A. The way it was given to me was that she thought it was a personal matter on our part, one way of getting even with her for the trouble, as she puts it, that she has caused the Detachment or Lt Robinson--for being arrested and taken to Friedberg, etc.--through her connections--there was always a Captain or a Colonel who would come over in her behalf asking whether there was anything personal in blocking her account and allowing her just so much money a month.

## Accused:

- Did you notice a change of attitude toward this Detachment after Col Wood came into LK Budingen.  
 A. I would say she took on an attitude of more arrogance after they came in than before because it left the impression that she had an "in"---that she was a little more arrogant than formerly.

## Defense Counsel:

- Q. What gave you the impression that she had this attitude?  
 A. She would breeze through that office when she came to see me. She came in to talk over her property that I had appointed an administrator of. She came in in more of a demanding mood than formerly when she used to come in the office--she was asking for something in a very nice way. This way she came in more or less demanding.

## Investigating Officer:

- Q. Did she ever express open animosity toward Lt Robinson?  
 A. Not openly to me.  
 Q. Did the Prince openly express animosity?  
 A. No. He was in jail shortly afterward. He didn't have an opportunity to say anything.

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Witness: Tec 3 Sanders A. Smith, 34 345 573, Det G-32, formerly I10D2.  
 Place: Hq MG Det G-32, Budingen, Germany  
 Questions by Investigating Officer:

- Q. Please state your name, rank, serial number and organization.  
 A. Sanders A. Smith, 34 345 573, Tec 3, Det G-32, formerly I10D2.
- Q. When did you join Detachment I10D2?  
 A. March 30, 1945.
- Q. And where was the detachment on that date?  
 A. Here in Budingen.
- Q. What were your duties in the detachment?  
 A. general clerk and in charge of civilian transportation.
- Q. What do you mean by civilian transportation -- transportation of civilians or transportation belonging to the detachment from a civilian source?  
 A. That was transportation used by civilians to transport food, supplies, etc. for the LK.
- Q. Did you have anything to do with the government transportation belonging to the detachment?  
 A. No sir, nothing except discharge of trip tickets in the office occasionally when necessary.
- Q. Do you recall making out a trip ticket or dispatching any vehicle for Lt. ROBINSON to any towns outside the LK?  
 A. Once, sir.
- Q. Do you recall the date?  
 A. Not the exact date, about the middle of June.
- Q. Do you recall where the vehicle was dispatched to?  
 A. The destination was Liege, Belgium.
- Q. Do you know whether or not the vehicle actually made that trip to Liege?  
 A. No sir.
- Q. Was the trip ticket subsequently returned to your knowledge?  
 A. No sir, that wasn't a policy in the detachment to keep trip tickets. They were kept just as a matter of check points at that time.
- Q. Did you ever accompany Lt Robinson on any trips?  
 A. No sir.

Defense Counsel:

- Q. Sgt. Smith, I draw your attention to the statement in question and answer form marked Exhibit B-4, Report of Investigation concerning the alleged larceny of painting by 1st Lt Sinclair Robinson, 01321099, and also, a statement in narrative form subscribed and sworn to on the 5th of July 1945, reported to have been taken by CLARENCE A. MYER, CMP, 1st Lt, Investigation Officer. (Witness reads the reference) Sgt. When you issued this trip ticket to Lt. Robinson to Liege somewhere between the 12th and the 15th of June, 1945, did you have any conversation with Lt. Robinson as to where he was actually going?  
 A. Yes, he was going to get some champagne.
- Q. Do you know where he was going to get some champagne?  
 A. I don't know the name of the town but it was close to Mainz.
- Q. Do you know whether anyone accompanied him on that trip?  
 A. Cpl Kussart went along in the weapons carrier to return the champagne.
- Q. When did you next see Lt Robinson after you issued that trip ticket?  
 A. He was back the next day. I saw him in the office the next day.
- Q. What time of day did you issue the trip ticket?  
 A. In the morning.

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- Q. Do you know whether he came back before the weapons carrier got back?  
 A. I don't remember about that.
- Q. Do you know when the weapons carrier returned?  
 A. The same day.
- Q. Do you recall seeing Lt Robinson that night and having a conversation concerning the champagne?  
 A. Yes, that's right.
- Q. You mean by that the same night you issued the trip ticket?  
 A. He left that morning and it was that night when he came back that we discussed a certain percentage of champagne be sold to the enlisted men.
- Q. Do you know whether the weapons carrier had returned at that time?  
 A. Yes, it had.
- Q. Do you know whether it had any champagne with it or not?  
 A. Yes.
- Q. Do you know of any other trip ticket having been issued to Lt. Robinson prior to this or subsequent to this with the destination Liege?  
 A. Yes, that's the one Cpl Sergeant made out but it was never used to my knowledge.
- Q. When was that made out?  
 A. The first part of June.
- Q. Cpl Sergeant issued that?  
 A. Yes.
- Q. Did you see the trip ticket?  
 A. No sir.
- Q. Why do you say it was never used?  
 A. Because he never left the office.
- Q. You mean he never left the office on the day it was issued?  
 A. No he didn't because when he asked me to make out the one later, he Lt Robinson, said he had one made out earlier but didn't use it.
- Q. Have you ever heard of Lt Robinson's making a trip to Liege from Budingen?  
 A. No, sir.

Investigating Officer:

- Q. Was the day that you issued the trip ticket for Lt Robinson's car to go to Liege the same day that the weapons carrier went with him to get champagne?  
 A. Yes.
- Q. And was a trip ticket issued for the weapons carrier?  
 A. Yes sir.
- Q. And what was the destination of the weapons carrier?  
 A. I don't remember that.
- Q. Do you have any personal knowledge of any paintings ever being transported by Lt Robinson in his car or in any other vehicle assigned to the detachment?  
 A. No sir.
- Q. Do you have any other information which might have a bearing on this case?  
 A. No sir.
- Q. Nothing whatsoever to offer?  
 A. No, sir, not a thing.

Witness: Tec 5 Edwin P. Kussart, 16131034, Det G-32.  
 Place : Hq MG Det G-32, Budingen, Germany  
 Questions by Investigating Officer:

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- Q. Please state your name, rank, serial number and organization.  
 A. T/5 Edwin P. Kussart, 16 131 034, Det G-32, Formerly 110D2.
- Q. When did you first join this detachment?  
 A. I am not sure but I think it was the middle part of April.
- Q. What are your duties in the detachment?  
 A. I was more or less taking charge of maintenance of military vehicles.
- Q. Was that what you did when you first joined the detachment?  
 A. I was assigned here as an interpreter but they had civilian interpreters.
- Q. Did you have any further duties other than maintenance of vehicles?  
 A. Here and there if a driver was needed I used to drive, but it was very seldom.

Questions by the Defense Counsel:

- Q. Do you remember sometime around the 12th or 15th of June of making a trip with Lt Robinson to get some champagne?  
 A. Yes sir.
- Q. What kind of a vehicle did you go in?  
 A. I went alone in a 3/4 weapons carrier.
- Q. And what kind of vehicle did Lt Robinson go in?  
 A. He drove his own vehicles, a regular car.
- Q. Do you know how the trip ticket for Lt Robinson was made out?  
 A. No, sir.
- Q. How was yours made out?  
 A. It was made out with the driver's name, vehicle registration, etc.
- Q. Where did you and Lt Robinson go on that occasion?  
 A. I don't know the town but it was somewhere along the Rhine or the Main; somewhere around Wiesbaden.
- Q. Did you cross the Rhine River?  
 A. No sir.
- Q. Then you didn't go outside Germany?  
 A. No, sir, it was on this side.
- Q. What time did you leave on that occasion?  
 A. We left here around 1:30 or something like that after dinner.
- Q. What time did you arrive, approximately?  
 A. I judge it took about two hours but I am not sure.
- Q. What time did you get back to Budingon?  
 A. We got back sometime between five and six. I got back.
- Q. In the afternoon of the same day that you left?  
 A. Yes, sir.

Investigating Officer:

- Q. Lt Robinson led you to this place where you got the champagne?  
 A. Yes sir.
- Q. And did he lead you back?  
 A. No, sir, I came back by myself.
- Q. After he left you after loading the champagne, when did you next see him?  
 A. I saw him sometime just before supper.
- Q. Where?  
 A. Up at our house.

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- Q. In Budingen?  
 A. Yes, sir.
- Q. Do you know where he went after that?  
 A. After he left our place that night? No, sir.
- Q. Was his car in the motor pool?  
 A. They weren't kept in the same motor pool there.
- Q. (Accused) What unit did you come from to military government?  
 A. The 26th Division, sir.

Witness: Tec 5 Robert Sergeant, Jr., 32 923 910, Det G-32.

Place : Hq MG Det G-32, Budingen, Germany

Questions by Investigating Officer:

- Q. Please give your name, rank, serial number and organization?  
 A. Robert Sergeant, Jr., T/5, 32 923 910, duties, chief clerk, Detachment G-32, formerly Det ILOD2.
- Q. When did you join this detachment, ILOD2?  
 A. In September, 1944.
- Q. You have been with the detachment ever since?  
 A. Ever since it was activated, sir.
- Q. Do you recall approximately what time the detachment arrived in Budingen?  
 A. March 31, 1945, sir.
- Q. How many enlisted men were in the detachment when it first arrived in Budingen?  
 A. There were four, sir, then Sgt Smith joined us after we were here about two days.
- Q. What individual would normally issue trip tickets to vehicles being dispatched?  
 A. Anyone in the orderly room.
- Q. Do you recall issuing a trip ticket to any time to Lt Robinson for his civilian type vehicle to go to some place outside the IK?  
 A. Yes, I do, sir.
- Q. How often did that happen?  
 A. Only one instance that I recall, sir.
- Q. When was that?  
 A. I would say it was early June.
- Q. Do you recall the destination?  
 A. Yes sir.
- Q. What was it?  
 A. Liege.
- Q. Do you have any knowledge as to whether that trip was actually made?  
 A. No, I do not, sir.
- Q. Did Lt Robinson indicate you the reason for going to Liege?  
 A. No, sir.
- Q. Have you ever been on any trips with Lt Robinson?  
 A. No sir.
- Q. Have you ever seen him transporting paintings in his vehicle?  
 A. No, sir.
- Q. Do you know whether or not he ever used any vehicle other than the Opel which he normally used?  
 A. No, I do not, sir.
- Q. What transportation was in the detachment when it first arrived in Budingen?  
 A. Two jeeps, sir.

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- Q. Any civilian type vehicles?  
 A. Not when we first arrived, sir. That was in March.
- Q. And later?  
 A. And later two vehicles were added -- two civilian vehicles.
- Q. About what date?  
 A. When we first got to Budingen it was March 31. On April 1st we had to get out of town because the SS Div which was in the hills came out of the hills. And I can say that the civilian vehicles were acquired the second or third of April. In the very early part of April.
- Q. Did these jeeps have trailers?  
 A. They did, sir.

Defense Counsel:

- Q. Do you have any reason to believe that Lt Robinson did or did not make this trip to Liege?  
 A. No sir.
- Q. Do you have any reason to believe he did not make the trip?  
 A. No, sir.
- Q. Is that the only trip ticket you issued to him with the destination Liege?  
 A. Yes, sir.
- Q. What time of day was this, approximately, that you issued this trip ticket with the destination Liege?  
 A. I don't remember.
- Q. Was it in the morning or the afternoon?  
 A. I don't recall.
- Q. Any record kept of those trip tickets?  
 A. No, sir.
- Q. Do you know whether any trip tickets were turned over to the CID?  
 A. No sir, I don't. We never kept records of the trip tickets.
- Q. Do you recall seeing Lt Robinson the day after you issued this trip ticket, destination Liege?  
 A. I'm sorry, I don't recall.
- Q. Describe exactly how Lt Robinson acted when he told you to put Liege on the trip ticket.  
 A. He just asked me to make out a trip ticket to Liege. That's all.
- Q. You don't recall asking him what destination you wish to make, Lt, and after some hesitation he said to put Liege?  
 A. Yes, I asked him what destination to make and he just said Liege.
- Q. Was that a rather casual mention?  
 A. It was a casual mention.

ACCUSED:

- Q. Cpl, do you remember also around the beginning of June whether or not there was a lapse of several days when you didn't see me?  
 A. I saw you every day.
- Q. And in the event you didn't see me you had the opportunity to see my car at the office?  
 A. Yes, sir.
- Q. Then there was no time during June when you issued me this trip ticket that you didn't see me or my car in IK Budingen?  
 A. Right, sir.

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- Q. Then from what you have just said there was no time during June when you didn't see me?  
 A. That's right.

Investigating Officer:

- Q. Do you recall any time during the month of April or May that he was absent from the detachment?  
 A. No, sir, I don't.  
 Q. Do you have any information of any sort that might have a bearing on this case?  
 A. No, I don't, sir.

Accused:

- Q. Aside from the time that I drove a jeep when we were counterattacked out of town, did you at any time see me driving a jeep and trailer around IK Budingén?  
 A. No sir.

Defense Counsel:

- Q: Do you recall ever issuing a trip ticket to Lt Robinson to drive a jeep?  
 A. No, sir.  
 Q. Where were your trailers kept during this time?  
 A. At the enlisted men's place.  
 Q. Were they ever used?  
 A. Not that I recall, maybe on rare occasions when the enlisted men went to get food or something.

Witness dismissed.

Witness: Otto Frederick, Prince Ysenburg of Budingén.

Place : Hq MG Det 32-G, Budingén, Germany.

Investigating Officer:

- Q. Please state your name.  
 A. Prince Ysenburg of Budingén, Otto Frederick.  
 Q. Do you know Lt Robinson?  
 A. I know him, yes.  
 Q. When did you first meet him?  
 A. At the day when the military government came to Budingén.  
 Q. Did you see him very often?  
 A. Yes, I saw him very often.  
 Q. Did you have occasion to travel with him in regard to some paintings which were stored?  
 A. Yes, we went to several places.  
 Q. Which places?  
 A. We went to Amorbach with Dr. Rapp.  
 Q. Where else?  
 A. Then we were in Wildungen and the third place was Berleburg, which is north of here.  
 Q. Will you state the events surrounding your trip to Amorbach?  
 A. We fetched, I think two days before we went to Amorbach, we fetched Dr. Rapp because he knew about paintings in Amorbach. In Amorbach were stored paintings from Frankfurt of the museums in Frankfurt. I think four months ago already before the big air raids. I don't know any more which day we went there but on another protocol I think I said it was in the middle of April and Dr. Rapp was allowed to see those places from the military government in Frankfurt on a bicycle and so Lt Robinson told him he would take him with car. We went down to Amorbach. In Amorbach at the place where the pictures were stored it was plundered. All was broken, the doors were open, there was an awful mess in there. So Lt Robinson

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told Dr. Rapp it would be better to take the most valuable pictures there from a very dark room--there was still sand bags in the windows--we should say which were the most valuable pictures and take them out and wanted to take them in a military car. So we took some pictures there. After awhile Lt Robinson seemed to have spoken with an officer there and so we could put off-limits at the door and also the officer was so kind as to give Lt Robinson a truck so we could take more pictures. We took many more--I don't know quite how many--perhaps thirty, forty pictures--maybe only twenty-eight or thirty--and Dr. Rapp said those pictures which were also valuable enough to be taken and we all and also enlisted men there helped carry those pictures to the truck. And after an hour it was finished, the truck was loaded with pictures and we went off here to Budingen.

Q. And then?

A. And I went back with Lt. Robinson in the little car and Dr. Rapp was with the truck driver in the truck. On the way home, not far from here, the truck did not follow us any more and we went back a bit and found that he had two flats and Dr Rapp, of course, went at once and had a look at the pictures--what was happening there in the truck and saw the glass on one picture was broken. So he was very excited about that. He took the picture with the broken glass in our car and came here to Budingen. And here in Budingen the pictures of the truck were put out and put in the archives. In the meanwhile Lt Robinson had something to do in the military government and came back after awhile.

Q. When you first arrived in Budingen, Lt Robinson's car and the truck both went to the castle?

A. Yes, in the outside court because there was a safe there. I don't remember quite but I think whether no pictures of the little car were put in the safe because Lt Robinson had something to do in the military government and went out with his car to the military government.

Q. Did he return?

A. Yes, but much later, perhaps a quarter of an hour, twenty minutes. In the meanwhile the pictures were already brought into the safe and the truck went on fluently because the whole family helped to bring in the pictures to the safe.

Q. What happened to the pictures in Lt Robinson's car when he returned?

A. I think they were brought them to the military government.

Q. When his car came back, were there any pictures in it?

A. No, there were not pictures any more.

Q. When his car came back, was it empty?

A. I remember that it was empty.

Q. How do you know? Did you have occasion to look into his car?

A. Yes, yes of course.

Q. Where were you when Lt Robinson returned?

A. I was also helping bring pictures into the safe. Before Lt Robinson left I went to the kitchen to get something to eat.

Q. When Lt Robinson returned with his car, was the truck still being unloaded?

A. I think it was not finished yet. I only know that Dr. Rapp also knows that quite well and he said they are missing, several pictures. And those pictures which were missing were only those were of nuns--I know that picture myself very well--and also several others.

Q. How many pictures, approximately, were in Lt Robinson's car when it left Amorbach?

A. Very difficult to say.

Q. Twenty-five, thirty?

A. In the car there were perhaps--it was a little car--the back seat was full and also this picture with the broken glass was and blankets were around the picture--I think I said in my protocol about six or eight. It is possible right. It is, of course, possible, Col, that two or three of those pictures were also put out of that car.

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- Q. When?  
 A. I don't know. That is, of course, possible.
- Q. To your knowledge were any pictures taken out of his car at the archives?  
 A. It is too far back that I can't now really say I swear it is so, but I think so. I don't remember. Of course, I must say that it is very possible a few pictures were taken out. We came there, the whole family wanted to have a look to see what arrived, and so the family was standing around looking at the pictures, and also, I fetched a bottle of wine for the driver; I was, myself, hungry and went away, and so many things happened at the moment that it is quite possible a few pictures were taken out of the car.
- Q. After the pictures were unloaded and placed into the archive, was the archive then locked?  
 A. Yes, sir.
- Q. And then what happened?  
 A. The keys were put back--the keys are always in the treasury, in the administration.
- Q. After the archives was locked, what happened then to all the people who were there?  
 A. We went back again.
- Q. To where?  
 A. To our rooms in the castle.
- Q. About what time was it that the unloading was completed?  
 A. It was in the late afternoon I think. What time exactly, I don't know; it may have been five, maybe six.
- Q. Did Lt Robinson stay?  
 A. No, he went away again.
- Q. And the truck driver?  
 A. I wrote down which way and the name of the places he had to go so that he would come home before it was too dark.
- Q. Was the truck driver a white man or a colored man?  
 A. A white man.
- Q. Did Lt Robinson enter the castle that evening?  
 A. No.
- Q. Who helped unload the truck?  
 A. The whole family helped. My brother-in-law, Franz, and the Prince of Prussia and also Mr. Scheid, Inspector Scheid, he is the chief inspector.
- Q. Where is his home?  
 A. In Budingen.
- Q. Did anyone help besides the members of your family?  
 A. Yes, Mr. Scheid, and I think, two boys of the administration.
- Q. Two servants?  
 A. No, not servants, little boys of fourteen learning typewriting, etc. Any stranger was not there.
- Q. When did it first come to your attention that some pictures were missing?  
 A. Soon afterwards because Dr. Rapp was very excited and said that several pictures were not there. Those pictures had been in the little car.
- Q. You say soon. Do you mean the same night?  
 A. Yes sir, because in the evening, Dr. Rapp was very excited about all that.
- Q. Following that day and the weeks that followed, what was your association with the military government in Budingen?  
 A. Very well.

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- Q. Were you a frequent visitor?  
 A. Yes, nearly every day.
- Q. Did you ever mention the absence of these pictures to anybody in the military government?  
 A. No, never.
- Q. Why not?  
 A. Because I thought that it was absolutely possible that those pictures could have been brought here in the military government also for safety but Dr. Rapp was very excited about that because he did not know where they had gone to.
- Q. After the day that the pictures were moved from Amorbach to Budingon, when was the next time that you saw Lt. Robinson?  
 A. Perhaps two days afterwards.
- Q. Did you see him at your residence?  
 A. Yes.
- Q. Do you know why he came to your residence?  
 A. He came a few days afterwards to have a look at the pictures.
- Q. What happened on that occasion?  
 A. Nothing happened. Dr. Rapp was there, he would look at the pictures and Dr. Rapp explained several pictures to him.
- Q. Did he come at any other time to look or ask about the pictures?  
 A. Yes, he came about two days later.
- Q. What happened?  
 A. He came with a jeep and trailer and took a few pictures out of the safe.
- Q. How did he get into your archives?  
 A. I fetched the keys.
- Q. From whom?  
 A. From the administration.
- Q. What do you mean by administration?  
 A. Where my business affairs are running. My office, to you.
- Q. That would be from Mr. Scheid?  
 A. He was not there. He was working in his garden so I got the keys myself.
- Q. Did Lt. Robinson remove any pictures from the archives on that date?  
 A. Yes, he took some out.
- Q. How many?  
 A. Perhaps three, perhaps four, I don't remember.
- Q. Do you know the names of any pictures?  
 A. One was those girls in front of the church of Amsterdam.
- Q. Do you know who painted it?  
 A. Lieberman. It is a quite famous picture.
- Q. Do you recall any other picture?  
 A. Yes, then the other picture was a view of Venice with waterfront and a palace.
- Q. Any others?  
 A. Then, I'm not sure, there was a picture of a cow or a picture of a horse.
- Q. Any others?  
 A. From this afternoon I don't know any others.
- Q. Was there any other occasion when pictures were removed from the archives?  
 A. That was the last time Lt Robinson was in the archives.
- Q. Did anyone else come to the archives to remove pictures?  
 A. As not all pictures were brought into the archives Mr. Rapp was very excited and so he took away pictures of the archives and put them somewhere in the castle, so that they were not stored in one place.

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- Q. How long did Dr. Rapp stay at your home?  
A. Quite a time. He stayed perhaps a fortnight, I think, perhaps a bit longer. But I think at least a fortnight.
- Q. Several days after the pictures were brought to Budingon, Dr. Rapp went away for a day. Is that correct?  
A. Yes, he went to fetch some seeds at Kilianstatten, perhaps twelve miles from here. That was the day when Lt Robinson came the second time with the jeep. Dr. Rapp was not there.
- Q. The truckload of pictures came from Amorbach to Budingon on one day, the following day did anything happen?  
A. The following day, no, I don't think the following day anything happened. Two days after Lt. Robinson had a look at the pictures, Dr. Rapp was there and explained the pictures.
- Q. Was that the day following?  
A. I think two days.
- Q. How many days afterwards did Dr. Rapp go to get the seeds?  
A. A few days afterwards, I don't know quite sure.
- Q. And on that day Lt Robinson came again?  
A. Yes, he came and fetched three or perhaps four pictures.
- Q. Do you know where these pictures were taken?  
A. They were taken--I went with Lt Robinson--they were taken to his home at the white house where he lived.
- Q. Do you know the address?  
A. I don't know the number of the house.
- Q. Did you ride with him in the jeep?  
A. Yes, and we brought the pictures upstairs.
- Q. Do you recall which room they were put in?  
A. They were put on the second floor in a room which seemed to be a kitchen.
- Q. By the second floor you mean?  
A. I think you would call it a kitchen.
- Q. The top floor of the house?  
A. Yes, the top floor. It was on the left side. It seemed to be a kitchen but not used.
- Q. Was the room locked when you got there?  
A. Yes, I think it was locked.
- Q. Who unlocked the door?  
A. I am not quite sure if Lt Robinson unlocked the door or one of those girls who were there?
- Q. Do you recall seeing the door locked again?  
A. Possible. That I don't know.
- Q. And what happened after the pictures were taken in?  
A. They were put somewhere.
- Q. After that was over with?  
A. I went home.
- Q. In the jeep?  
A. I don't know quite if Lt Robinson went to the military government and dropped me at the garden or if I went home on foot; I don't know that.
- Q. Have you seen any of these pictures since that time?  
A. No, never.
- Q. Have you heard of anyone who has seen them?  
A. No.

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- Q. Has anyone in the town here reported having seen those paintings again to you?  
 A. No.
- Q. Are any of the pictures which you are talking about shown among these photographs?  
 A. (The witness was shown four photographs)  
 That is the Lieberman (No. 1) the girls in front of the church in Amsterdam. That is the picture of the nymphs (No. 3). I know that picture but I don't know what it is called (No. 2).
- Q. Do you know what that picture is called or do you know the painters?  
 A. It is quite famous but I can't recall. (The witness recognized three instantly and gave the names of the painters except Berchem). That (No. 4) is Venice with the Palace of the Doges.
- Q. This picture which you say you can't recall the name of, is it by Berchem?  
 A. Absolutely possible, yes, but there, of course, I can make mistakes. I can't swear that it is Berchem.
- Q. Defense Counsel:
- Q. Any of these questions which I ask you which you don't understand you say so and I will try to word the question so that you will understand all questions. Do you recall making a statement in this case on 27 June 1945 to a CID agent Harer?  
 A. Yes, I don't know his name but he interrogated me.
- Q. That statement contain the truth and the whole truth?  
 A. The whole truth. Some little point in there, yes, I was not quite right. There was one point in there I told afterward to the Lt Col who interrogated me later on but it wasn't quite right.
- Q. Do you recall making a statement concerning this case on 13 Jul 45?  
 A. Yes, the date is possible
- Q. That statement contain the truth?  
 A. Yes.
- Q. Do you recall making a statement about this case in question and answer form on 24 Aug 45 to a Lt Col McLean?  
 A. Yes, ~~it was also.~~
- Q. *That statement contain the truth. A. Yes, it was also.*
- Q. What you told Col McLean and what was taken down by the stenographer was the truth?  
 A. He asked me several questions and I answered him.
- Q. Well did you answer him the truth?  
 A. Yes.
- Q. How long have you lived in Budingen?  
 A. Since 1949.
- Q. Do you know the town well?  
 A. quite well.
- Q. *Do you know the people and where they live? A. Quite well.*
- Q. You know the roads and streets?  
 A. I know the streets. I don't know the names of all of them, but I know the streets.
- Q. When military government first came into Budingen, you got acquainted with Lt Bryant?  
 A. At once. After he was here for only a few hours.
- Q. You like Lt Bryant all right?  
 A. Yes, we went on very well together.
- Q. Did you see him quite frequently from that time on?  
 A. Yes, I was here very often. All sorts of questions and also I was interested to help military government as far as I could do anything because before your troops came in I made a new Burgermeister and we surrendered also the town.

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- Q. You saw Lt Robinson quite frequently from that time on?  
 A. Yes.
- Q. On business?  
 A. Yes, of course Lt Robinson had lots of questions about the country and business affairs, etc.
- Q. Do you know Lt Robinson was the Fine Arts And Monuments Officer?  
 A. I thought so.
- Q. Did you in your business with Lt Robinson have occasion to discuss the security of paintings in this area?  
 A. No, Lt Robinson only was interested in paintings, other arts not perhaps, but paintings which were stored around here.
- Q. There was nothing unusual about that?  
 A. No.
- Q. Before the trip to Amerbach he never made any suggestions to you that he wanted to get paintings wrongfully *for his own, did he?* ~~Ans.~~ *No.*  
 A. That was the first time that I got suspicious--that it wasn't quite right with the paintings.  
*It was only on the return from Amerbach that he made any suggestion that he wanted to procure any paintings by wrongful means for his own use, did he?*
- Q. After the pictures had been moved from Amerbach to Budingon you continued to see Lt Robinson?  
 A. Yes, I was often here.
- Q. And you were still on the same friendly terms with Lt Robinson  
 A. Yes, I was quite friendly with him.
- Q. And you were still friendly with Lt Bryant?  
 A. Yes, I didn't see him very often but I was on friendly terms.
- Q. And you felt free to come to see him at any time you wanted to?  
 A. Yes, Lt Bryant had much to do, but mostly I came to Lt Robinson.
- Q. But you felt free to come to Lt Bryant if you wanted to?  
 A. Yes.
- Q. He never mistreated you?  
 A. No.
- Q. You know that Lt Bryant was the military government officer and Lt Robinson was his deputy, is that right?  
 A. Lt Bryant and Lt Robinson were the only officers who were here in Budingon and I didn't know which job this officer had to do and which that officer had to do.
- Q. But you knew that Lt Bryant was the ranking officer?  
 A. Yes, He was 1st Lt and Lt Robinson was 2d Lt.
- Q. And you knew that 1st Lt was higher than 2d Lt.  
 A. Yes
- Q. Did Lt Bryant have on his decora sign, Commanding Officer?  
 A. Yes
- Q. And you knew he was the commanding officer?  
 A. Yes

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- Q. When did you first come to know Dr. Rapp?  
 A. The first time I saw him was when Lt Robinson and I went to Laubach to see my cousin because my cousin, Count Solms, I thought would know quite a lot about pictures and where they were stored. And when I told my cousin that Lt Robinson was interested in pictures, he said he was very lucky because at the moment Dr. Rapp was in his house who had ridden on Bicycle to see all his pictures stored outside Frankfurt.
- Q. And at that time you took Dr Rapp in your home?  
 A. At that time Dr Rapp went with us to Budingen.
- Q. And he stayed with you about a fortnight?  
 A. I think about a fortnight.
- Q. How long after that was it you made your first trip to see about your paintings and their security?  
 A. A few days afterwards.
- Q. Where did you go?  
 A. Amorbach.
- Q. Are you positive that was the first trip that you and Lt Robinson and Dr Rapp made?  
 A. Yes.
- Q. When did you make your second trip?  
 A. I think a few days--I don't remember the dates--but I remember it wasn't very long after the first one.
- Q. And then you made a trip to where?  
 A. I think the second time we went to Wildungen.
- Q. You three went together?  
 A. Yes.
- Q. How did you find the paintings on this trip?  
 A. The paintings were stored in a sort of, quite a firm house with only a little openings and everything was locked.
- Q. Everything was good?  
 A. Yes, you couldn't have a look at the pictures.
- Q. And then you came back to Budingen?  
 A. Yes
- Q. And when did you make your next trip?  
 A. A few days afterwards and my brother-in-law, went with us to Berleburg. And quite near Berleburg to another castle.
- Q. How far is that from Budingen?  
 A. Perhaps 150 Km.
- Q. You found everything all right there?  
 A. At Berleburg were the directors of the other museums--pictures from Cologne, Dusseldorf--were all in the castle and the director showed them to Lt Robinson.
- Q. None of the pictures were taken?  
 A. No.
- Q. You came back to Budingen?  
 A. Yes.

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- Q. When was your next trip?  
 A. Then I went with Dr. Rapp, not with Lt Robinson, only with Dr Rapp to Burginn. There I stayed in the car and only Dr Rapp went into the castle.
- Q. Whose car was this?  
 A. It was my car. It was a car with wood gas.
- Q. Certain?  
 A. Yes.
- Q. What did you do after you finished that?  
 A. Dr Rapp ahd a look in the castle while I stayed in the car and he said everything was all right. We tried to go to somewhere where a bridge was broken and we couldn't get through. And then we went to Kreuz-Wertheim. (Home of Prince Wittengstein)
- Q. That was just you and Dr Rapp in your car?  
 A. Yes. It was the same trip. And there I paid the family a visit and Dr Rapp had a look into the town where things were stored and came back and said everything was all right and we came back to Bidingen.
- Q. How many miles was that in all?  
 A. Perhaps--I don't know exactly.
- Q. Approximately?  
 A. Perhaps two hundred miles. Perhaps 250 Km, 230, I don't know.
- Q. You are positive that you have properly related or stated the trips that were made by you, Lt Robinson and Dr Rapp and by you and Dr Rapp?  
 A. Yes the trips made by Lt Robinson, me and Dr Rapp and the last was just Dr Rapp and me.
- Q. You are absolutely positive that this is correct?  
 A. Yes, sir.
- Q. You are absolutely positive that you didn't go with Lt Robinson and Dr Rapp to any ~~xxx~~ storage points or to any places in search of paintings before you went to Amorbach?  
 A. Yes Amorbach was the first.
- Q. You don't remember any particular painting which was put in Lt Robinson's car at Amorbach do you?  
 A. Absolutley sure I am about the Reuben's Pan and Nymphs.
- Q. Who was with the car at Amorbach while the truck was being loaded?  
 A. I don't know.
- Q. Was anyone with the car at Amorbach while the truck was being loaded?  
 A. The truck was loaded and we all helped to load the truck and the car stood at the side.
- Q. At the side of the truck?  
 A. Perhaps in ~~xxxx~~ the beginning on the other side of the truck, I don't know that quite well. I asked Elizabeth ~~whoze~~ they went and she said, "I think they are on the other side of the house", and there they were already loading the truck and the little car was there.
- Q. Do you know whether Lt Robinson was with the car all the time.  
 A. No, he wasn't with that car all the time. He was also helping to get pictures and put them in the truck.
- Q. Then there was nothing in front of the house, the convent there, when you came back out  
 A. When I cam back nothing was in front of the house. I asked them and they were on the other side. The truck was already and it was loaded.

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- Q. Then there was nothing in front of this convent where the pictures were stored when you got back?
- A. Yes. It is a very long building. In the front there is a big door and there is a big corridor and on the other side is another door where the truck was standing.
- Q. You didn't see any trucks around this place, this convent, other than the one truck being loaded?
- A. In the little car where the pictures were loaded, it is possible, perhaps not I don't know. In front of the house there were some trucks--there were some troops there.
- Q. How many pictures approximately would you say were put in Lt Robinson's car to begin with?
- A. The Col asked me before; I am not quite sure how many.
- Q. Approximately?
- A. Six, eight.
- Q. And some were taken out of Lt Robinson's car before you left and put in the truck, do you remember that? \*SEE ANSWER AND NEXT QUESTION AT BOTTOM OF PAGE
- A. It is possible that one was changed from another one or perhaps one was taken out. It is, of course, possible but the little car was quite full of pictures with the back and front seats with blankets around them. It was already difficult for the picture with broken glass to put it in the little car.
- Q. Where did the blankets come from?
- A. I don't know. I think perhaps the blankets were in the car. That's possible, I don't know. We also had our coats around the pictures.
- Q. But the pictures were well covered up?
- A. Not extremely well, but "ca-va."
- Q. The only stop you made between Amorbach and Bodingen was to fix the flat on the truck.
- A. Yes, I think we stopped once-- we saw in fields peasants stacking asparagus, and I think we bought some.
- Q. When this stop was made to fix the flat, one picture was taken out of the truck and put in the car?
- A. Yes.
- Q. Is that a picture about the same size as the Pan and Nymphs?
- A. No, larger. A big frame and the glass--it was larger.
- Q. And you took the picture with its frame and put it in the car?
- A. Yes.
- Q. That picture and the frame was pretty big to go in the car wasn't it?
- A. Yes. It was a bit larger than the room and it was rather difficult to put that also in there, but Dr Rapp wanted us to put it in there and so we put it in the little car.
- Q. The glass was removed?
- A. Yes.
- Q. That was Van Cleaves' "Two Saints" was it?
- A. I don't remember. I am sure I heard the name of that picture because Dr Rapp told it to us but he explained so much about all these pictures, I don't know.
- \*A. I don't think so because in the little car there were the most valuable pictures and it was better for them in this little car because they were in blankets, and in the truck they were together.
- \*Q. Then there were no pictures taken from the car and put back in the truck?

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- Q. You actually don't know whether the Pan and Nymphs ever left Amerbach in Lt Robinson's car?
- A. Yes, I know.
- Q. How?
- A. Because it was standing behind me.
- Q. You could see it?
- A. Yes, I could touch it. There was a big frame--avery artificial looking frame--woodworking--and so I held it Open so that it didn't clap against the seat.
- Q. And then when you got to Budingen you would say there were six paintings, approximately, in Lt Robinson's car?
- A. Perhaps.
- Q. You then went in the castle?
- A. I went in the castle because I was hungry. I went in the kitchen.
- Q. How long were you there?
- A. Perhaps ten minutes--like that. I got a sandwich and until the sandwich was finished I went down again.
- Q. You testified a moment ago that when you first arrived three or four paintings were taken out then.
- A. I say it is absolutely possible that in the moment we arrived I fetched the keys and the family came to see us--it is absolutely possible--one, perhaps two, of those paintings of the little car were taken out of the car. I don't know that. I am not sure.
- Q. You fetched your family to help unload the truck?
- A. Yes.
- Q. When you came back, Lt Robinson was there?
- A. No. As I came back after ten minutes I think Lt Robinson was not back yet.
- Q. He didn't leave before you went in the kitchen did he?
- A. I don't think so. The only thing I know surely is that he was perhaps for a quarter of an hour he wasn't there. He went away with the little car. If it was after a few minutes or immediately, that I dont know.
- Q. But he was still there when you went into the castle?
- A. Possible.
- Q. You said a moment ago that he was?
- A. I think he was.
- Q. How many minutes expired, approximately, from the time you arrived until the time you went into the castle?
- A. It is very hard to say because I fetched the keys and then I think as the family was there, and so I think perhaps it was ten minutes after we arrived.
- Q. Ten minutes after you arrived before you went into the castle?
- A. Maybe six minutes or seven minutes. I had to go to the administration to fetch the man with the keys and back to take the pictures out of the car and then I went into the castle.

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## Accused:

- Q. You went in to get your family and talked to us for a while?  
 A. I don't know if I fetched them. I think some were outside when we came.
- Q. And then they all came out to the truck and talked to us for a while?  
 A. Yes.
- Q. While the family came we spent a few minutes talking to each other?  
 A. It is possible.
- Q. And then you went to get Mr Scheid with the keys?  
 A. Yes.
- Q. Mr Scheid was not in his office at the time was he?  
 A. Quite possible.
- Q. And you didn't take a bicycle did you?  
 A. No. I sent a boy to him possibly.
- Q. And did the boy walk or take a bicycle?  
 A. I am not sure.
- Q. When the boy walked or rode to get Mr Scheid, he had to come back didn't he?  
 And that was a ten minute walk?  
 A. Five or ten, I don't know.
- Q. We spent a few minutes talking to the family; it took a few minutes for this fellow to get Mr Scheid and it took him a few minutes to come back, and all the time my car was there?  
 A. Yes.
- Q. Would you say it was probably twenty minutes before I went away?  
 A. Perhaps it was a quarter of an hour.
- Q. That I might have been there fifteen minutes?  
 A. Perhaps, I am not sure.

## Defense Counsel:

- Q. Then when Lt Robinson left in his car your family was outside looking at the pictures and looking at the loaded truck?  
 A. Yes, because they all helped to bring in the pictures.
- Q. And when Lt Robinson left in his car to go to the military government, your family was out in the courtyard where the car and truck were parked?  
 A. Yes.
- Q. That included Prince Franz and Prince Hubertus?  
 A. Yes.
- Q. And who else?  
 A. And the wives of them.
- Q. That included your wife?  
 A. Yes.
- Q. The wife of Franz also?  
 A. Yes.
- Q. How many men and how many women were there?  
 A. I don't know that. All the family that was at that time in the castle was there.

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- Q. Suppose you mention again who was there at the time this truck and car arrived. Give us the names.
- A. It is for me too long ago that I remember every member of the family who was there. I only remember Frans, Hubertus.
- Q. Would your memory be better three months ago than it is today?
- A. Certainly.
- Q. Then the statement you made to the original CED man would be more correct than what you are giving us today, is that correct?
- A. Yes, because I haven't the possibility to refresh my remembrance. Because if one is asked a week or so after something happened, their remembrance is better.
- Q. You seemed to remember better when the IG was here.
- A. Yes.
- Q. Now, Lt Robinson left in his car while your family was out with the truck looking at the pictures. How long was he gone?
- A. I don't know.
- Q. Approximately?
- A. I don't know. I told the Col ten minutes, perhaps a quarter of an hour.
- Q. Then he came back?
- A. Yes.
- Q. Didn't have any pictures in his car when he got back?
- A. I don't think so.
- Q. You say he went to military government?
- A. I think he went there.
- Q. How do you know that he did?
- A. Because Lt Robinson said, "I have something to do; I will be back again."
- Q. He didn't say he was going to military government?
- A. I am not quite sure.
- Q. You don't know where he went?
- A. No.
- Q. You have no reason to think he went to military government headquarters, do you?
- A. It is absolutely possible that he said, "I have something to do at military government and will be back soon again."
- Q. Possible but that's all?
- A. Possible.
- Q. When he got back, the pictures were about unloaded from the truck?
- A. Yes, I think it was nearly finished.
- Q. When it was finished unloading, he drove in his car and led the truck out, is that correct?
- A. The truck driver--I wrote him where he had to go to come back to Amerbach, and then both cars left, of course.
- Q. Lt Robinson left when the truck did?
- A. I think so.
- Q. It's possible Lt Robinson never left while the truck was being unloaded and came back?
- A. No, it is impossible.

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- Q. Lt Robinson did not go inside the castle after he got back to the castle?  
 A. He left the castle in the court with his car also as the truck went.
- Q. And he didn't go down to the archives?  
 A. Yes, I think he also helped to bring pictures inside.
- Q. But after the truck was unloaded he didn't go down into the archives?  
 A. I think in the meanwhile when the truck was unloaded we were all in the archives, but after the truck was unloaded and was gone I think that Lt Robinson also was gone.

**Accused:**

- Q. Did we take the pictures directly into the archives from the truck?  
 A. They were taken out the truck--some were brought directly in--some were stood outside.
- Q. But they were all eventually brought in?  
 A. All were brought in but only one case. I think only one case was brought in the administration.

**Defense Counsel:**

- Q. For all you know the Pan and Nymphs could have been brought in?  
 A. The Pan and Nymphs was in the little car and then afterwards it was not in the archives.
- Q. Dr Rapp was very much disturbed about these two paintings being gone?  
 A. He was very much disturbed about paintings being gone.
- Q. He told you that night?  
 A. Yes.
- Q. You say you were not disturbed about it?  
 A. I was not so excited as Dr Rapp because it was his responsibility for the pictures. It was from his museum in Frankfurt, I think.

**Accused:**

- Q. Dr Rapp was also excited in Amerbach, wasn't he?  
 A. Yes, he is always nervous.
- Q. Did you make the comment to me that he is running around and doesn't know what he is doing and is confused?  
 A. He is a very clever man.
- Q. But was he confused at this time when he saw the paintings strewn about?  
 A. Yes.
- Q. And he was running from one room to the other?  
 A. Yes we looked at all the rooms, but I don't understand the question.
- Q. Was Dr Rapp running from one room to another in an excited manner?  
 A. We all ran after him. After he saw that his place there was plundered he was certainly nervous.
- Q. You said in the testimony asked by the Col that you rode with me in the car. If I show you a statement from Dr Rapp which states that he rode in the car, would you want to change your testimony?  
 (The witness was shown a signed statement by Dr Albert Rapp, consisting of four pages)
- A. It isn't true. I rode with Lt Robinson.

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Defense Counsel:

- Q. You are as sure that you rode with Lt Robinson as you are of the other testimony you have rendered in this case?
- A. I am more sure about that than any of the other testimony.
- Q. You had the keys to the archives after the pictures were stored there?
- A. Yes, as I said before, Schied was fetched but I got the keys I think before.
- Q. I say who kept the keys to the archives after the pictures had been stored?
- A. They were brought back to the treasury in the administration.
- Q. But who had access to the keys?
- A. I have access to my office, of course. They were put in the treasury of my office, but I don't have a key to the office. Mr Schied has a key and Inspector Kuntz has a key but I don't have a key.
- Q. Mr Schied is your employee?
- A. Yes, he is employed by me. It is not my private treasury, my personal money, but it is where all the keys are stored and, also, where numerous things are also stored--some documents--and it is not in my private office but in the business office. Mr Scheidt has his key for it and Mr Kuntz also has the key. All keys for the castle are also in there--for the library.
- Q. How long has Scheidt been working for you?
- A. I think forty years.
- Q. Is he a trusted man?
- A. Yes, he is a very trusted man.
- Q. You trust him?
- A. I trust him.
- Q. When Lt Robinson came back and got the other paintings, what time did he arrive on that day?
- A. I think it was in the afternoon, but he told me before that he would come. I think it was at 1 o'clock and so I fetched the keys and had the keys in my pocket and he wasn't quite punctual and I was waiting for him.
- Q. You got the keys and went to the archives and Lt Robinson took three, perhaps four or maybe five paintings? It could have been two?
- A. No, not two because I know this Lieberman, it was the cow or the horse, that was two; and this picture that the Col asked me was a Berchem with the Palace in Venice with the water in front. That's three. Three I know. If it was four, I don't know. But I think there were more than three because we were three persons who took the pictures outside.
- Q. Who was the other person?
- A. I don't know. In my first statement I said ~~my~~ it was my brother-in-law. But I corrected that statement and said that was not right. I only want to put in my place the third person and not the name Casimir.
- Q. But you are very sure of the three paintings?
- A. Yes.
- Q. It could be three paintings or it could be five paintings that were taken on that day?
- A. Possible.
- Q. Lt Robinson put these paintings in the trailer. Who was there then?
- A. The lieutenant, I and the third person.

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Q. The third person stayed behind and you and Lt Robinson drove off in a jeep?

A. Yes, we went to Lt Robinson's home.

Q. Then you two took them upstairs?

A. We took them upstairs, put them out of the trainler and I had to go twice and also an old man put them out.

Q. An old man?

A. Yes, an old man. I don't know his name, who was also working there. And then we took them upstairs on the second floor--I think it was a sort of a kitchen.

Accused:

Q. You say it was an old man who helped us?

A. Yes, he was an old man who was standing around there.

Q. It wasn't an old woman? Or it couldn't have been two young women?

A. The young women were in the house.

Defense Counsel:

Q. It was an old man who helped you take them in the house?

A. No he didn't take them in the house. I don't know what job he had there.

Q. Do you know his name?

A. No, but I could find out.

Q. He lived in Budingen all his life?

A. Yes, I think he is from the village here.

Q. No receipt was left for these paintings?

A. From Lt Robinson, no.

Q. Or anyone else?

A. Yes, later on Dr Rapp wanted a sort of receipt from Lt Robinson.

Q. You still weren't mad at Lt Robinson and still didn't feel bad about this?

A. No, I for myself wasn't--I couldn't quite think what I should think about it.

Q. But you and Lt Robinson were still on friendly terms?

A. Yes. Lt Robinson and Lt Bryant were the only officers from your army here. The third officer was here for a short time.

Q. But you continued on the same good relations as before?

A. Yes.

Q. Everything was good?

A. Everything was very good and we went on quite well together. I think I had to be asked, of course, what would be done there and there.

Accused:

Q. You continued to come into the office to see me?

A. Certainly.

Q. And there were many questions concerning your vast property holdings you wanted to see me on?

A. Yes.

Q. And you wanted passes for this member and that member of your family to go here and there?

A. At the moment I had a pass for the car.

Q. Any problems you had you came to me, is that so?

A. Mostly, yes.

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Q. You weren't particularly nervous when you saw me?

A. No.

Q. You didn't fear me did you?

A. No.

Q. When your famil came to me, I treated them exactly as I treated you?

A. Certainly.

Q. Did your family have any reason to fear me?

A. No.

Q. Then you had no fear that I would do anything to you or your family during this relationship?

A. No.

Defense Counsel:

Q. Do you recall Dr Rapp preparing a report to give to military government concerning these paintings?

A. I don't know.

Q. You don't know of any report he prepared for anyone connected with military government?

A. I only knew that he wanted Lt Robinson to give him some sort of receipt. He took these pictures in trust of the military government.

Q. But you don't know of any report he submitted to military government concerning these paintings.

A. No, perhaps it was after.

Q. You don't recall any kind of statement he gave to military government concerning these paintings?

A. I only knew that as these paintings were missing Dr Rapp wanted that Lt Robinson should subscribe a paper where was written that these pictures were taken from Lt Robinson to be stored in safety of the Military government. For the first time I took--

Q. Now what statement are you talking about that you took to Lt Robinson?

A. The statement that Dr Rapp wrote. I don't know what the text was. It was written there that pictures were taken to the military government.

Q. When was that?

A. A short time after Lt Robinson was the second time in our safe.

Q. You took this statement to Lt Robinson?

A. Yes.

Q. And he made some changes?

A. Yes, and I took it back to Dr Rapp and he changed it again and I don't know any more what happened.

Q. Lt Robinson changed the statement and gave it to you and you took it back to Dr Rapp who wrote another statement, is that correct?

A. Yes, he wrote another statement.

Q. Did you take the other statement back to Lt Robinson?

A. No, from that day he ran his own business.

Q. What kind of a change did Lt Robinson make--He struck out some sentences and wrote what he wanted on there?

A. I don't know what the words were.

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- Q. Lt Robinson made that change?  
 A. It is, of course, just as possible, and I think it was lik that. And it is also possible that he wrote a word or two, I don't know. You know, I can't swear that Lt Robinson changed it himself or he told me he wanted the sentence s to be changed and Rapp changed it afterwards, but I can't swear.

Investigating Officer:

- Q. Do you have anything further to say on this subject, anything that has been asked?  
 A. Only that what I wanted to say befor: As we arrived with the truck, Scheidt was fetched in his garden but I'm practically sure that I got the keys before Scheidt came because in the office was somebody else who could open the treasure and give me the keys. It is now too long ago that I say I waited until Scheidt came. It makes ten minutes difference in the time.

Defense Counsel:

- Q. State your Nazi Party affiliations before the Americans came. How were you connected with the Nazi Party?  
 A. Not very much then because I made a new Burgermeister as all the Nazis were gone here. Since 1934 nothing.
- Q. You have no affiliation at all?  
 A. I was no official at all. I was in the SA, in the rank of an SA Obersturmfuehrer. This was the highest rank in the SA, and was formerly leader of horseback--called Reitersturm--that was created out of horseback-- where peasants learn to ride, horse breeding, etc. <sup>And I had nothing to do with the party as an official</sup> And I had nothing to do with the SA for ten years. I was interregated about my political things several times. After I withdraw from the SA I didn't get out of the SA but practically nobody knew any more that I was in the SA. But I was SA Obersturmfuehrer, retired, I was not active any more.
- Q. You were still in the Nazi Party when the Americans came? When did you join the Nazi Party?  
 A. 1931.
- Q. Your wife was a member of the Nazi Party also?  
 A. She was pushed in as Partelanwarter. She had no paper that she was in.
- Q. You were also battalion commander in the Volksturm?  
 A. I was because I was the only officer of this ward who was living here.
- Q. Your partner in the pottery business was also a member of the Nazi Party.  
 A. Yes, he was a member of the Party.
- Q. Where is he now?  
 A. I think he was in an interment camp but now he is a heppital.

Note: See Page 74 for additional testimony by this witness:

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Witness - Franz, Prince of Sayn--Wittgenstein  
 Place - Hq Mil Gov Det 32-G, Budingen, Germany

9 October 1945

Investigating Officer:

- Q. What is your name?  
 A. Franz, Prince of Sayn--Wittgenstein.
- Q. Where is your home?  
 A. My home is here in Budingen now.
- Q. How long have you lived here?  
 A. Since April of this year.
- Q. Early or late April?  
 A. The 13th of April I came here.
- Q. Where do you live in Budingen?  
 A. In the castle.
- Q. In what castle?  
 A. In the castle of my brother-in-law, Prince Ysenburg.
- Q. Were you present in the castle one day when some pictures were brought there in an Army truck?  
 A. Yes, because I helped to unload the pictures and to put them away in the archives.
- Q. How many vehicles brought pictures into the castle?  
 A. One and a truck.
- Q. Any other?  
 A. No, there was only the car of Lt ROBINSON.
- Q. Did you see any pictures in that car?  
 A. No.
- Q. When did you see that car?  
 A. The car came with the truck then left for a short time and came back again.
- Q. How close were you to Lt ROBINSON's car when it first came with the truck?  
 A. It was standing in the middle of the courtyard and perhaps I was twenty or thirty meters away.
- Q. Did you have occasion to look into it and see anything in it?  
 A. No.
- Q. Do you know who came with him?  
 A. With him came Dr. Rapp, this museum man of Frankfurt, and my brother-in-law.
- Q. Do you know in which vehicle Dr. Rapp or your brother-in-law were riding?  
 A. I don't know which of them was sitting in the car of Lt ROBINSON.
- Q. Did you at any time see anything taken from Lt Robinson's car?  
 A. No, I don't think so.
- Q. Approximately what time of the day was it when the loading was completed?  
 A. It was still daylight in the evening--about 7 o'clock.
- Q. Was it daylight?  
 A. Yes, it was still daylight.
- Q. Were you at the castle on a later date when Lt Robinson came?  
 A. No.

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- Q. You didn't see him?  
 A. I saw him another day when I was at the court standing under the window of the administration building and I saw his car coming and my brother-in-law came up and asked for the keys to go into the archive, that Lt Robinson wants to go in the archive.
- Q. Did you go in the archive with him?  
 A. No.
- Q. Did you see them bring anything out of the archive?  
 A. No, because I left and went back into the house.
- Q. Do you recognize any of these pictures?  
 (The witness was shown four pictures, Numbers 1, 2, 3 and 4).  
 This one--have you seen the original of that picture? (#1)  
 A. Yes, it was standing in the corner when we unloaded the truck. We had a discussion about it.
- Q. What is the name of that picture?  
 A. It is painted by Lieberman. I can't remember exactly the name of the picture. I think it is the Orphan House, or something like that.
- Q. An where did you see this picture?  
 A. In the court after we unloaded the truck.
- Q. Did you see it taken into the archive?  
 A. Yes, because I helped take the pictures in the archive.
- Q. You don't remember seeing any of these others?  
 A. No.
- Q. After the unloading of the pictures was completed and the pictures were placed in the archive, what happened?  
 A. Then it was closed by key and we went back into the house.
- Q. Did Lt Robinson go back into the house with you?  
 A. No, he left before as well as I can remember. Before all the pictures were in the archive, he left.
- Q. Have you ever been to the house in which the military government officers lived?  
 A. No.
- Q. Since the day the truck arrived bringing the pictures have you ever been in the archive?  
 A. Yes, once more to make a list with Dr. Rapp.
- Q. How many days was this after the truck arrived with the pictures?  
 A. As I can remember it was the next day or the second day afterwards.
- Q. Was it before or after that you saw Lt Robinson come in?  
 A. I can't remember exactly.
- Q. You said that from the window you saw Lt Robinson come in on a certain day.  
 A. I don't know exactly but I would say before. It was in the morning that we had been in the archive to make a list. It can also be afterwards.
- Q. When you first came into the courtyard and saw the truck there with the pictures did you also at that time see Lt Robinson or his car?  
 A. Yes, I saw his car.
- Q. And did you stay in the courtyard?  
 A. No, I left immediately because I was on some errand there and went back to the house.

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- Q. And how long were you gone?  
 A. Perhaps it was just three or four minutes.
- Q. And when you came back was Lt Robinson's car there?  
 A. No, it was away then.
- Q. Did his car return again?  
 A. No.
- Q. I understand you to say that when you first arrived in the courtyard the truck was there and his car was there and almost immediately you went into the house.  
 A. I know; that was the second time that Lt Robinson came that I was standing in the courtyard. The first time when the truck came, the car of Lt Robinson was there, too, then left immediately afterwards and came back after a short time. I was in the courtyard the whole time.
- Q. You were in the courtyard the whole time from the moment you arrived until the finishing of the unloading?  
 A. Yes.
- Q. Did Lt Robinson leave at any time?  
 A. Yes, he left shortly before we had the pictures all brought in the archive.
- Q. And did he return?  
 A. He didn't return.
- Q. Do you know how long the truck had been there before you came into the courtyard?  
 A. It must have just arrived.
- Q. When you arrived in the courtyard, had there been any pictures unloaded?  
 A. That I can't remember. That I don't know, but I don't think so.
- Q. Was the archive door open when you arrived?  
 A. The archive door was--yes, it was open.
- Q. To your knowledge was anything taken out of Lt Robinson's car while you were in the courtyard?  
 A. I don't think so. At least I can't remember--it is so long ago already. I didn't see pictures taken out of his car. It might be but I won't say anything about it for I am not quite sure.
- Q. Did you see the driver of the truck?  
 A. Yes.
- Q. Was he a white man or black?  
 A. White man.
- Q. Did you see anyone give anything to him?  
 A. Yes.
- Q. What?  
 A. It was a pistol or something like that or a holster or something like that.
- Q. Who gave him this pistol?  
 A. Mr. Robinson.
- Q. Was anything else given to him?  
 A. No.
- Q. Do you know where the pistol or holster came from?  
 A. It was just a holster I think. Whether there was a pistol inside I don't know.

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Q. Did you see where Lt Robinson got this from?

A. He brought it out of the car when he came back.

*Defense Counsel:*

Q. Did you hear any discussion in the castle among the members of your family concerning some of these paintings being taken by Lt Robinson?

A. Yes. In the evening Dr. Rapp told us there are six paintings missing.

Q. Did you hear any discussion about any of the other paintings being taken later on?

A. Yes. This was of my brother-in-law.

Q. He discussed it with the whole family?

A. Yes.

Q. How long a period did you hear this discussion?

A. We spoke quite a little while.

Q. More than a day?

A. More than one day, yes; because Dr. Rapp was a bit nervous and didn't know what to do and so he always came back to this affair.

Q. When was the Prince Ysenburg taken to an internment camp?

A. It was the day after Pentecost, Monday.

Q. When is that?

A. In May.

Q. What time in May, approximately? What is that date approximately?

A. I can't remember exactly.

Q. What date, approximately?

A. The 10th of May perhaps.

Q. Are you acquainted with Lt Col James F. Wood?

A. Yes, afterwards, because he came in the house and set up his CP there.

Q. When did he come in?

A. The same day my brother-in-law was put in an internment camp.

Q. How long did he stay there with his CP?

A. Until July.

Q. What time in July, approximately?

A. The first half of July.

Q. Where did he go from there?

A. He went up to Schotten.

Q. Did he return to visit the castle?

A. Yes, he came back.

Q. How often?

A. Rather often.

Q. How many times a week?

A. He came several times; some weeks he came twice a week and sometimes more often, but always twice a week.

Q. Do you know who he came to see?

A. The whole family.

Q. Would he talk with the whole family?

A. Yes.

Q. Were you ever put under arrest or restraint by the CIC?

A. I have only been in a PW camp in June.

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- Q. When did you get out?  
 A. The 12th of June.
- Q. Who came after you when you got out?  
 A. The car of Col Wood came and fetched us at Geissen.
- Q. Who was driving?  
 A. His driver.
- Q. Was Col Wood there?  
 A. No.
- Q. Who was with his driver?  
 A. He came alone.
- Q. Who did he pick up at this PW camp?  
 A. He picked us up at the PW camp at Geissen.
- Q. Did he take anyone back besides you?  
 A. My wife and the Prince of Purssia.
- Q. Did they come with the car?  
 A. No, they left with me.
- Q. Did Col Wood come in that night when you got back?  
 A. Yes.
- Q. Did you have a celebration?  
 A. No. No wild parties.
- Q. When was this, approximately?  
 A. The 12th of June.
- Q. When did Col Wood leave that night, do you remember?  
 A. It might be midnight or 1 O'clock in the morning.
- Q. Were you there when he left?  
 A. Yes.
- Q. Did you see him leave?  
 A. Yes.
- Q. Did you have any drinks that night?  
 A. We had a little champagne.
- Q. Any toasts drunk?  
 A. No.
- Q. Do you know of any trips Col Wood made with the Princess Ysenburg?  
 A. Yes, he made a trip to Ettingen to fetch the father of my sister-in-law. They went to Bavaris.
- Q. How far is that from Budingen?  
 A. 200 Km.
- Q. One way?  
 A. Yes.
- Q. Whose car did they go in?  
 A. His car.
- Q. Whose car?  
 A. His car.
- Q. Col Wood's car?  
 A. Yes.

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- Q. How long were they gone?  
 A. All day. They left in the morning and came back in the evening.
- Q. Did Lt Robinson call at the castle after Col Wood had moved his CP in?  
 A. Yes, he has been there once but he came only in the courtyard.
- Q. Did he come any other time?  
 A. No, when I have been there.
- Q. Col Wood didn't like Lt Robinson did he?  
 A. He didn't speak about that but after this affair he occupied himself with the affair, too. Or to say it better, he helped Dr. Rapp because he asked him what to do and so on.
- Q. And Col Wood was very much concerned about it?  
 A. Not expecially concerned but he was interested in it.
- Q. Are you an art dealer?  
 A. No, I studied the history of art.
- Q. What is your occupation?  
 A. I worked before the war in Munich in the Historical Monuments Restoration and preserving things like that and I also worked in museums.
- Q. Are you a student of fine arts?  
 A. Yes, I took all that in my degree as Doctor.
- Q. Do you recall ever getting a pass to go to Munich to see about your art business?  
 A. Yes, in July.
- Q. Did you go?  
 A. Yes, I went.
- Q. Do you have paintings in this business which you speak of?  
 A. Yes, paintings--all kinds of things.
- Q. Then you actually engage in a business which concerns and is connected with paintings and other forms of art?  
 A. Yes, the same profession as Dr. Rapp.
- Investigating Officer:*  
 Q. Do you have anything further that you would like to say in connection with this case?  
 A. No.
- Q. Do you have any idea where these pictures which Dr. Rapp says are missing could be?  
 A. No, I have no idea. I didn't even see them.

Witness dismissed.

Witness - Felicitas, Princess Ysenburg  
 Place - Hq Mil Gov Det 32-G, Budingen, Germany

9 October 1945

Investigating Officer:

- Q. What is your full name, please?  
 A. Felicitas, Princess Ysenburg.
- Q. Where is your home?  
 A. Here in Budingen.
- Q. How long have you lived here?  
 A. Three years.
- Q. You were present at your home one day when some paintings were brought in?  
 A. Yes, I was there.

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- Q. How did it come to your attention first that these paintings had been brought to the castle?  
 A. I was told from my husband. I was in the castle and he came and fetched me.
- Q. Then what did you do?  
 A. I was curious and went out.
- Q. How quickly did you go out?  
 A. Directly.
- Q. Where did you find the truck?  
 A. The truck was in the first courtyard of the castle.
- Q. And what other vehicles were there?  
 A. I saw only the truck.
- Q. Did you, at any time, see Lt Robinson's car?  
 A. Yes, he came later on.
- Q. How much later, approximately?  
 A. I can't tell you--it may be ten minutes or a quarter of an hour.
- Q. By that time had the unloading of the truck begun?  
 A. Yes.
- Q. Did you see any pictures taken from Lt Robinson's car?  
 A. It may be. I really can't say whether they were taking pictures out of his car or not.
- Q. Did you see any pictures in his car?  
 A. No.
- Q. Were you present when the archives were locked?  
 A. Yes, the man was with the key to open it and put the pictures in.
- Q. And were you present when the door was locked?  
 A. Yes, it was taken over to the office and put in the safe.
- Q. Did you see anybody give anything to the driver of the truck?  
 A. Yes, Lt Robinson gave something. I can't tell you what. When he came back with the car, he gave something to the driver of the truck.
- Q. Why do you say "when he came back"?  
 A. He must have come back because my husband told me he was going with Lt Robinson in his car and Lt Robinson wanted to go home or something and fetch something.
- Q. After the unloading was finished and the archive door was closed, what happened to the truck?  
 A. It went away again.
- Q. And Lt Robinson?  
 A. He went first and said he wanted to show the truck the way.
- Q. Did he return again that day?  
 A. I really can't tell you.
- Q. Did he ever come back to the castle?  
 A. Yes.
- Q. How many days later?  
 A. It is so long ago--one or two days later. The next day he came back and looked at the pictures with Dr. Rapp because I was there, too, in the archive.

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- Q. Did he take anything away that day?  
 A. No.
- Q. And when did you next see Lt Robinson at the castle?  
 A. Then the next day he was there and I didn't see him but my husband saw him. I can't tell you now. A few days perhaps.
- Q. Were you there any day he was there and went into the archive with your husband?  
 A. No. I only know that he was there because my husband told me he fetched the key because Lt Robinson told him he wanted to look at the pictures again.
- Q. Do you recognize that picture? (#1)  
 A. The Orphans.
- Q. Do you know who painted it?  
 A. No.
- Q. Was it Lieberman?  
 A. Yes.
- Q. And where did you ever see this picture?  
 A. In the archive.
- Q. Did you see it the day the pictures were brought to the archive?  
 A. Yes, that day and the next day when I was in there.
- Q. Do you recognize that picture? (#2)  
 A.. Yes.
- Q. What is the name of that picture?  
 A. I can't tell you.
- Q. Who painted that picture?  
 A. I don't know.
- Q. Did you see it the day the truck arrived?  
 A. I can't tell you.
- Q. Was this picture one of those that was brought in or had it been in the archive before?  
 A. Brought in.
- Q. Do you recognize this picture? (#3)  
 A. No, I never saw it.
- Q. You don't know that picture?  
 A. No
- Q. Do you know this picture? (#4)  
 A. Yes, I saw it in the archive the other day, too--not when it came out of the truck but when I was in the archive.
- Q. Do you know the name of this picture?  
 A. It is Venice something--I can't tell you the name.
- Q. These pictures which you saw in the archive, which you recognize as having seen in the archive, when was the last time that you saw them in the archive?  
 A. This time.
- Q. How many days after the pictures were brought there did you see them in the archive?  
 A. This time. I only saw them once.

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- Q. Was this one time that you saw them one week or two weeks or how long after the day that you saw the truck being unloaded?  
 A. The next day or two days. I think, really, it was the next day--in the afternoon.
- Q. Were any of the pictures that were placed in the archive removed and placed in any other part of the castle?  
 A. Dr. Rapp took some out I think to make them clean and he put them in the castle.
- Q. And were they hung in the castle?  
 A. And now he hangs some in the castle.
- Q. Were any of these pictures which I have shown you those that are hanging in the castle?  
 A. No.
- Q. (Defense Counsel): When did you first come to know Lt ROBINSON?  
 A. The first day when he came into Budingen.
- Q. Was that late in March?  
 A. It was the last days of March.
- Q. And you also knew Lt BRYANT?  
 A. I didn't know him. I only saw him.
- Q. And you and your family were on friendly terms with Lt ROBINSON and the military government here?  
 A. Yes.
- Q. After this incident when the truck was unloaded, did you remain on friendly terms with Lt ROBINSON, you and your entire family?  
 A. Yes, I came there and my husband went as interpreter.
- Q. And you made frequent calls to the military government office in conducting your business?  
 A. Me, no.
- Q. You didn't make any calls to the military government office?  
 A. I don't think many. I never came to the military government office before my husband came to jail, I think it was in May.
- Q. Toward the end of May you made calls to the military government office?  
 A. Yes.
- Q. What business did you have at the military government office then?  
 A. I had to come for my financial affairs, etc., because everything was frozen and I had to go to Lt ROBINSON because he was finance Officer.
- Q. Did he do anything about unfreezing your funds?  
 A. No.
- Q. And when did you see him about those matters--the end of May would you say?  
 A. Yes, I think so.
- Q. When were your funds frozen, approximately?  
 A. With the moment when my husband came to jail.
- Q. A little before?  
 A. No, at the moment he was put in jail.
- Q. What was your income before that each month?  
 A. That I can't tell you.

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- Q. Approximately; about?  
 A. I can't tell you that.
- Q. Approximately?  
 A. I don't know. I don't understand the question anyway.
- Q. Would you say it was over 50,000 RM a month?  
 A. I really don't know because everything is going through our offices and I really don't know. I only make the business after my husband came in jail.
- Q. Would you say your income was over 25,000 a month?  
 A. I can't tell you.
- Q. Would it be over a thousand?  
 A. I don't know.
- Q. You don't know what your income is at all?  
 A. No.
- Q. It could have been 1,000 or 100,000 RM a month?  
 A. 100,000 is too much.
- Q. What was your income after it was frozen by military government?  
 A. 300 Marks for me. In the beginning maybe--was it 300 or 200. There were so many changes.
- Q. (Accused): Do you remember asking me to release 80,000 RM a month?  
 A. Yes.
- Q. (Defense Counsel): Then your income before the Prince went to the internment camp must have been at least 80,000 RM a month?  
 A. At least. It must have been. I don't think it was 80,000. I think it was 50,000 that came to us.
- Q. When did you hear any discussion about these pictures being missing?  
 A. The day they were fetched out of the castle.
- Q. And was that discussed frequently?  
 A. Yes.
- Q. Among the whole family?  
 A. Yes.
- Q. When did you first come to know Lt Col James F. Wood?  
 A. When he came into the house after Whitsuntide.
- Q. Was that about the same time or a little after when your husband went to the internment camp?  
 A. One day later I think.
- Q. How long did he stay there in the castle?  
 A. He had his office in the castle.
- Q. How long was his office there?  
 A. Until July or something like that.
- Q. He came to visit you and your family quite often?  
 A. He came out sometimes, yes.
- Q. About how many times a week?  
 A. I can't tell you.
- Q. Approximately?  
 A. I really can't tell you.
- Q. Well, approximately how many times a week did he come to visit you, to your knowledge, while you were there--average?  
 A. It would be a lie for me to answer that because I don't know.

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- Q. You don't have any ideas?  
 A. Yes, maybe two times one week, maybe three times, I really don't know.
- Q. Where did Col Wood go when he left the castle with his unit?  
 A. He told me that he was going to Schotten.
- Q. After moving to Schotten did he return to the castle to visit you and your family?  
 A. Yes.
- Q. Approximately how many times a week?  
 A. I can't tell you, really. He came often. The same answer I gave you before. He didn't come only to visit us because there was another colonel who came, too.
- Q. He was very unfriendly to Lt Robinson wasn't he?  
 A. I don't know.
- Q. Did he ever say anything to you about Lt Robinson?  
 A. He spoke about this affair with the pictures.
- Q. Did he ever describe Lt Robinson as a fifth-rate lawyer?  
 A. I can't tell you.
- Q. You don't know?  
 A. I don't know.
- Q. You never heard him make a statement that Lt Robinson was a fifth-rate lawyer?  
 A. I honestly can't tell you.
- Q. Did you ever hear him make such a statement?  
 A. I don't know, really. I wasn't interested in that so I don't know if he told that or not. It would not be honest to say yes because I don't know, really.
- Q. Did you ever make a trip with Col Wood outside LK Budingen?  
 A. I went in his car, yes.
- Q. When was this trip made?  
 A. This trip was made--I often went with him to our castle at Bechert (ph).
- Q. What period of time?  
 A. Maybe a fortnight because he visited my mother-in-law over there.
- Q. Did you make any other trips with him?  
 A. Yes, I made a trip with him.
- Q. When was that?  
 A. That was in August.
- Q. Where did you go?  
 A. Must I tell that? I went to Saxon with him because I was very anxious about that because the Russians are coming there and then my mother was in Eggerstadt and I had no news from her and I didn't know whether she would come here before the Russians came.
- Q. Did you make a trip to Bavaria?  
 A. Yes.
- Q. When was that?  
 A. It was to look after my father. It was in August. Wait a minute--it was in July.

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- Q. How many days were you gone on this trip?  
 A. Only one day.
- Q. How many days were you gone on the other trips?  
 A. The same--the morning we went, the evening we came back.
- Q. Whose car did you go in?  
 A. Col Wood's.
- Q. Any other trips with Col Wood?  
 A. No.
- Q. Are you sure you made no other trips?  
 A. To Echtashoh (ph) we made trips. Do you mean far trips? He took me once on our farm only five minutes away.
- Q. Any other trips?  
 A. Yes, maybe once in the woods.
- Q. In the woods?  
 A. Yes.
- Q. How many times did you make trips into the woods?  
 A. I can't tell you, really.
- Q. Was it more than one?  
 A. One or two maybe more times.
- Q. Maybe ten times?  
 A. I don't think so.
- Q. Just you and Col Wood made these trips?  
 A. To speak of trips, yes. And his driver.
- Q. Did his driver go on all these trips?  
 A. On these big trips, yes.
- Q. Did the driver go with you to the woods?  
 A. A few times, maybe.
- Q. A few times the driver did not go?  
 A. A few times, maybe.
- Q. When did you last see Col Wood?  
 A. When he left.
- Q. When was that?  
 A. It was the 10th of September or something like that.
- Q. Do you remember Col Wood sending his car up to Geissen to pick up Prince Franz at a Prisoner of War camp?  
 A. Yes.
- Q. Did you go with him?  
 A. No.
- Q. Did he come to see the family that night when Prince Franz got back?  
 A. Yes.
- Q. Did you have a little party that night, a little celebration?  
 A. No, we were just a little gay that they were back.
- Q. Did you have drinks?  
 A. Yes, I think so.
- Q. What did you have to drink?  
 A. I don't hope it was water, really; perhaps champagne.

124556

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- Q. When was this; approximately what date?  
 A. I can't tell you.
- Q. Sometime in June?  
 A. I don't know.
- Q. Any toasts drunk that night?  
 A. I don't know--what for toasts should we drink.
- Q. What time did Col Wood leave that night?  
 A. I don't know.
- Q. Did he leave at all that night?  
 A. Yes, I don't know if he left or not because his office was there but he left us. Us he left--I don't know whether he left the castle.
- Q. Do you recall Col Wood's drinking a toast to you, and, as a matter of fact he was in love with you, wasn't he?

(The investigating officer halted the line of questioning at this point).

Investigating Officer:

- Q. You have been interrogated once before on the subject of the missing pictures. Have you any information to offer on the subject other than what you have already furnished?  
 A. No.
- Q. Have you any suggestions on how the pictures could be located?  
 A. No.

Witness - Rudolf Schmuck

Place - Hq Mil Gov Det 32-G, Bùdingen, Germany

9 October 1945

Investigating Officer:

- Q. Please state your full name.  
 A. Rudolf Schmuck.
- Q. Where do you live?  
 A. Bùdingen.
- Q. How long have you lived in Bùdingen?  
 A. Forty five years.
- Q. Were you in Bùdingen last April?  
 A. Yes.
- Q. What did you do--what was your occupation in Bùdingen last April?  
 A. Police.
- Q. Had you been appointed by the military government?  
 A. Yes.
- Q. Did you know Lt Robinson?  
 A. Yes.
- Q. (Defense Counsel): Do you recall seeing Lt Robinson about the middle of April at the old German officer's Casino here in Bùdingen?  
 A. In the middle of April--it was the beginning of April. I don't recall exactly the date. It was the first or second Sunday.
- Q. Do you mean by that the first or second Sunday in April?  
 A. The second Sunday in April.

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- Q. Who was with Lt Robinson at the Casino then?  
 A. Me.
- Q. Anyone else?  
 A. No.
- Q. What did you and Lt Robinson do at the Casino that day?  
 A. We looked around at the Casino and we saw furniture, etc, smashed up.
- Q. And what else happened at the Casino that day?  
 A. Nothing happened.
- Q. Where did you go when you left the Casino?  
 A. I went up to the officer's house.
- Q. What was done at the Casino before leaving for the house?  
 A. There was a box of silverware. We took that along and about five or six pictures.
- Q. And where did you take these pictures and silverware?  
 A. We left two pictures in the military government office and the others were taken up to the officer's house.
- Q. And what did you do with the silverware?  
 A. Took those to the house.
- Q. To refresh your recollection did you also have candelabra along with the paintings and silverware taken to the house?  
 A. Yes, two with two arms and two with four arms.

Investigating Officer:

- Q. What vehicle did you and Lt Robinson ride in from the casino to the house?  
 A. A German car.
- Q. Who, if anyone, did you see at the house?  
 A. Two French girls.
- Q. No one else?  
 A. No one else.

Witness - Lieselotte Hinze

9 October 1945

Place - Hq Mil Gov Det 32-G (Officer's Quarters), Bundingen, Germany

Investigating Officer:

- Q. Please give your name.  
 A. Lieselotte Hinze.
- Q. Where do you live?  
 A. Bundingen.
- Q. What is your nationality?  
 A. German.
- Q. How long have you lived in Bundingen?  
 A. One and a half years.
- Q. What is your present occupation?  
 A. I work in the house here where the military government officers live.
- Q. Do you remember on what date you began to work in this house?  
 A. 15 April 1945.

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- Q. How many officers lived in the house at that time?  
 A. Two.
- Q. Do you know their names?  
 A. Lt Bryant and Lt Robinson.
- Q. To your knowledge did Lt Robinson ever bring any pictures in this house?  
 A. No, I never saw him bring any pictures in.
- Q. Have you ever seen any oil paintings in this house that were not hanging on the walls or part of the furniture of the house?  
 A. There was only one, of a castle, which came from the Casino.
- Q. How do you know it came from the Casino?  
 A. Because we told Mr. Kuhl it would be very nice if there would be some pictures here and they took that one from the Casino.
- Q. Who is Mr. Kuhl?  
 A. I don't know him; I just saw him here once.
- Q. Who brought that picture into the house?  
 A. I think that Mr. Kuhl.
- Q. Was that before or after the time that you came here to work?  
 A. That was in the beginning.
- Q. Before or after the time you came here to work?  
 A. After.
- Q. When you first came to this house to work were there any rooms locked to which you did not have access?  
 A. Here in the house, no.
- Q. How many rooms in the house are furnished as a kitchen?  
 A. Only one kitchen.
- Q. Is there a room on the next floor which has a cooking stove in it?  
 A. There is one in the ironing room, but it is out of order--it does not work.
- Q. Was this room open when you first came to this house?  
 A. Yes.
- Q. Did it show any evidence of being used?  
 A. There was only laundry in there--it was used as an ironing room.
- Q. Then the room appeared to have been used as a washing and ironing room prior to the time that you came?  
 A. Yes, as an ironing room.
- Q. Have you ever seen a painting of that (No. 2)?  
 A. No.
- Q. Have you ever seen this painting? (No. 3)  
 A. No.
- Q. Have you ever seen this painting? (No. 4)  
 A. No.
- Q. Have you ever seen this picture (No. 1)?

Defense Counsel:

- Q. Who else came to work with you on the 15th of April in this house?  
 A. Mrs. Stelz.

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- Q. Were there any other women or girls working in the house here with you two after the 15th of April?  
 A. Only Mrs. Wagner who worked a half day.
- Q. Where does she live?  
 A. Budingen.
- Q. Did any men work here at the house from the 15th of April on?  
 A. Only Mr. Wagner.
- Q. Where does he live?  
 A. Budingen.
- Q. Do you know Prince Ysenburg of Budingen?  
 A. Just by meeting him on the street.
- Q. Have you ever seen him in this house?  
 A. No.
- Q. Were you ever a member of the Nazi Party?  
 A. No.
- Q. Do you recall making a statement o/a 6 July 1945 concerning your work and acquaintance with Lt Robinson to Lt Col Wood?  
 A. Yes, that was the questioning.
- Q. And who questioned you?  
 A. Once a man from the CIC or CID and Col Wood.
- Q. Who acted as an interpreter when Col Wood questioned you?  
 A. When I was questioned by the CID man, it was an American sergeant who spoke German, and the questioning in the castle Mrs. Kalkuhn was supposed to act as an interpreter but then the princess acted as an interpreter.
- Q. What princess?  
 A. Princess Ysenburg, the owner of the castle.

## Investigating Officer:

- Q. Who are Frau and Herr Wagner?  
 A. The man and woman helping here in the house.
- Q. What is their relationship to the house—are they the people who formerly lived here?  
 A. No.

Witness - Maria Stelz

9 October 1945.

Place - Officers Quarters, Mil Gov Det 32-G, Budingen, Germany

## Investigating Officer:

- Q. Please give your name.  
 A. Maria Stelz.
- Q. Where do you live?  
 A. Budingen.
- Q. What do you do in Budingen?  
 A. House employee in the officers' quarters.
- Q. What is your nationality?  
 A. German.
- Q. How long have you worked in this house?  
 A. Since the middle of April.
- Q. How many officers lived in the house when you first came here?  
 A. Two officers.

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- Q. Do you know their names?  
 A. Lt Bryant, the commandant, and Lt Robinson.
- Q. Were they living in this house before you came?  
 A. Yes, as far as I know.
- Q. Since you have been in this house have any pictures, to your knowledge, been brought in?  
 A. It isn't known to me.
- Q. Have you ever seen any pictures taken out of the house since you have been here?  
 A. No.
- Q. During April did you see Prince Ysenburg in this house?  
 A. No.
- Q. A few moments ago I went upstairs and saw on the next floor a kitchen. Do you recall whether the door to this kitchen was locked or unlocked when you came to this house?  
 A. The door was open as far as I can remember.
- Q. What is that room used for?  
 A. Ironing and mending room.
- Q. When you first saw the room, did it appear to have been used for that purpose before or did it start being used for that purpose only when you first came here?  
 A. I cannot quite remember but it didn't look suspicious or anything to me. It was just a kitchen.
- Q. Did it look dusty and unused or did it appear to have been in daily use?  
 A. I am not so sure about that because I was not upstairs very often. Down here was my floor.
- Q. Have you ever seen this picture (No. 1)?  
 A. No.
- Q. Have you ever seen this picture (No. 2)?  
 A. No.
- Q. Have you ever seen this picture (No. 3)?  
 A. No.
- Q. Have you ever seen this picture (No. 4)?  
 A. No.

Defense Counsel:

- Q. Who else started to work here in the house in the middle of April when you started?  
 A. Nobody else. Mr and Mrs Wagner were here already when I started.
- Q. Did Fraulein Hinze start to work with you in this house?  
 A. Yes, on the same day and at the same hour.
- Q. Did any other women or girls work here in the house after the middle of April?  
 A. Only the older Mrs Wagner who came only recently.

Investigating Officer:

- Q. Who is she?  
 A. She is Mrs Hinze's aunt.

Defense Counsel:

- Q. Approximately what time was it that this lady came to work?  
 A. I think after Lt Robinson left she started to work here.

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 Entry Edine  
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Witness - Paul Wagner

9 October 1945

Place - Officers' Quarters, Mil Gov Det 32-G, Budingen, Germany

Investigating Officer:

Q. Please give your full name.

A. Paul Wagner.

Q. Where do you live?

A. Here in Budingen, 28 Obergasse.

Q. What is your nationality?

A. German.

Q. How old are you?

A. 46 years.

Q. How long have you lived in Budingen?

A. Since 1924.

Q. Have you always lived at 28 Obergasse?

A. I lived at Schlossgasse for about ten years.

Q. Have you ever lived in this house?

A. No.

Q. What is your occupation?

A. I used to work in Offenbach as a shoemaker in a factory.

Q. Was that since you have been living in Budingen?

A. I lived here and worked in Offenbach.

Q. When did you leave the shoe factory in Offenbach?

A. About a week before the occupation when the transportation by railroad stopped.

Q. Did you have employment in Budingen then?

A. No.

Q. What do you do now?

A. I am employed as a housemeister looking after the boiler, doing the shopping and any other work around the house.

Q. What house is that?

A. Here in this house where the military government officers live.

Q. How long have you been employed in that capacity?

A. Since either the 10th or 15th of April.

Q. Were there any servants in the house when you first came here?

A. I don't know whether there was anybody before me or not.

Q. Were there any civilians in the house doing the cooking, etc?

A. No, there was nobody cooking when I came.

Q. Were the military government officers living here when you first came here?

A. Yes, they were here.

Q. How many?

A. I think three.

Q. Did they later get some girls to help keep house and cook?

A. Only women who did the washing; nobody else.

Q. Were these German women?

A. Yes, my wife and the older Mrs Wagner, but she came later.

Q. To your knowledge was there a French girl and a Belgian girl working here in the house?

A. I thought they were two French women.

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 Entry EDUC.  
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Q. Were those two girls here when you first came here?  
 A. Yes.

Q. When did they leave?  
 A. About two weeks after I came here they left.

Q. And who came in their place?  
 A. Then Mrs Hinze and Mrs Stelz came.

Q. Do you know Prince Ysenburg?  
 A. No, I never saw him.

Q. Do you know what a painting is?  
 A. Is it a photograph? (The witness was shown a painting on the wall).

Q. Do you recognize that as being a painting?  
 A. Yes.

(The witness was shown a photograph)

Q. What is this?  
 A. A photograph.

Q. Have you ever seen any pictures brought into this house where the military government officers live?  
 A. No.

Q. How much of your time during the day do you spend around this house?  
 A. Mostly I am here from 7 o'clock in the morning until 7 or 7:30 at night, but I spend much of my time in town shopping, etc.

Q. Do you know any other German man who spends any time during the day on these premises?  
 A. Nobody, except the owner of the house when he comes to work in his garden.

Q. What is his name?  
 A. Fecher.

Q. Is he a young man or an old man?  
 A. He is an old man around sixty or more.

Q. Have you ever seen any paintings taken out of this house?  
 A. No, I never saw any.

Defense Counsel:

Q. You started to work here in this house when the military government officers first came here, is that right?  
 A. Yes.

Witness - Maria Wagner 9 October 1945  
 Place - Officers' Quarters, Mil Gov Det 32-G, Budingen, Germany

Investigating Officer:

Q. Please state your full name.  
 A. Maria Wagner.

Q. Where do you live?  
 A. Budingen, 28 Obergasse.

Q. How long have you lived here?  
 A. Since 1924.

Q. Do you help with the work in the house where the military government officers live?  
 A. Yes.

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- Q. What sort of work do you do?  
 A. In the rooms and doing the washing and in the kitchen.
- Q. And how long have you done this?  
 A. I started work on the 11th of April.
- Q. Who else worked here when you first started?  
 A. Nobody until the other Mrs Wagner came and two French girls, who were only here a short time.
- Q. How long after you came here did the two French girls stay?  
 A. I came on the 11th and they were here another few days and then they left.
- Q. And who came in their place?  
 A. Mrs Stelz and Mrs Hinze.
- Q. How many days elapsed between the time the two French girls left and the last-named persons came to work here?  
 A. They came here right away.
- Q. Have you been here every day since the first day you came?  
 A. I was here a half day most of the time but when there was a lot of work to do I stayed for the whole day.
- Q. Do you know the Prince of Ysenburg?  
 A. No, I don't know him.
- Q. Have you ever seen any paintings brought into this house?  
 A. No.
- Q. Have you ever seen any taken out of this house?  
 A. No.
- Q. Do you do the ironing too?  
 A. Yes.
- Q. Where is the ironing done?  
 A. In Mrs Brembach's kitchen.
- Q. Is that in this house?  
 A. Yes.
- Q. Who is Mrs Brembach?  
 A. Mrs Brembach used to live here in this house.
- Q. Where is her kitchen?  
 A. Just up the stairs.
- Q. When did you start using her kitchen for the ironing?  
 A. From the first day.
- Q. Have you ever found the door to the upstairs kitchen locked?  
 A. No, never.
- Q. Do you go in there every day?  
 A. Not every day, only when I'm doing the ironing.
- Q. Besides Mrs Stelz and Mrs Hinze and yourself and your husband, does anyone else work around this house?  
 A. About four weeks ago we got another woman to help us do the washing because there were more officers here.
- Q. But up until that time was there anyone else?  
 A. No.
- Q. Were there any civilians who came as visitors to anybody who worked here?  
 A. No, I never saw anybody.
- Q. Have you ever seen an old man on the premises?  
 A. Only Mr Fecher who goes in his garden. I never saw anybody else.

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Witness - Christine Heinbuch 9 October 1945  
 Place - Officers' Quarters, Mil Gov Det 32-G, Budingen, Germany

Investigating Officer:

- Q. Please state your name.  
 A. Christine Heinbuch.
- Q. What is your present occupation?  
 A. Interpreter and secretary.
- Q. For whom?  
 A. The military government in Budingen.
- Q. How long have you been so employed?  
 A. Since the 12th of April, 1945.

Defense Counsel:

- Q. What were the office hours of the military government office in Budingen in April, 1945?  
 A. From 8 o'clock in the morning until 5 o'clock in the afternoon, including Saturdays and Sundays for the first few months.
- Q. And who did you work directly under in the military government detachment in April, 1945?  
 A. For Lt Robinson.
- Q. What time did you come to work in the morning?  
 A. 8 o'clock in the morning.
- Q. What time did you leave?  
 A. 5 o'clock at night.
- Q. Do you recall the latter part of April Prince Ysenburg bringing a note, a report, to Lt Robinson's office which note or report concerned paintings which had been stored in the archives in the castle at Budingen?  
 A. No, I don't recall exactly that. I recall receiving a letter for Lt Robinson by either the Prince of Ysenburg or Dr Rapp. I don't know what was in the letter because I didn't open it. It was given to me and I was told that it was for Lt Robinson so I put it on his desk.
- Q. Did you later learn what this note contained?  
 A. No.
- Q. Do you know if Prince Ysenburg or Prince Franz Wittgenstein or Dr Rapp ever brought any other report or note in written form to Lt Robinson's office the latter part of April, 1945?  
 A. No, I don't. I only received one letter.
- Q. If another letter or note had been sent or brought to Lt Robinson from Dr Rapp or Prince Ysenburg, would you likely have known about it?  
 A. Yes, I suppose so, because everybody who came in had to come to me first to speak to me before I sent them into Lt Robinson, so if someone had been in with a note, I would have known about it.
- Q. All letters for Lt Robinson go through you?  
 A. Yes.

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Authority <u>NND 765038</u>
By <u>WDP</u> NARA Date <u>6/29/00</u>

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)  
 Property Division  
 Restitution Branch  
 Monuments, Fine Arts and Archives Section  
 APO 403  
 Karlsruhe, Germany

REPORT Dr. IRENE KUEHNEL  
 21 October 1948

The attached lists are a survey about the holdings and objects of the former Berlin State Museums, now at the Wiesbaden Central Collecting Point made on occasion of the release of bailleeship to the Hessian Minister President on 1 August 1948 and about the preservation work and storage of these objects in the Wiesbaden Central Collecting Point.

Inclosure I is a short summary report on the preservation measures and museal organization of the objects at the Wiesbaden Central Collecting Point performed with the assistance of the undersigned (January 1946 - September 1948).

The inspection was based on the Frankfurt Receiving List of the US headquarters on occasion of the transfer from the Kaiserroda saltmine on 22 June 1945 and on the Evacuation Lists of the former Berlin State Museums Administration.

A report of the results of the inspections (identification of the existing objects, their condition, etc.) has been made in any case by the undersigned. For establishing new lists the objects were compared with the printed Berlin Museums catalogs and inventories of the museums. The items acquisitioned since 1933 have exactly been identified.

Inspections were made of:  
 all paintings; all the rugs and gobelins;  
 all sculptures of the Department of Sculpture;  
 all items of the Department of Early Christian and Byzantine Art;  
 all drawings, miniatures, MSS, and books, and part of the  
 prints and engravings of the Department of Prints and Engravings;  
 part of the objects of the Museum of Decorative Art.

The cases of the following Departments were tested at random only:  
 Greek and Roman Art, Egypt, Museum of German Folklore, Ethnological Museum, Far Eastern Art, and Administration of State Castles and Gardens, as well as the portfolios of the State Library of Art.

In general, the condition of the objects was fair (with regard to the circumstances of evacuation). Restorations were made in urgent cases and for exhibitions only.

In consequence of the storage in the saltmine, saline deposit was found on a number of paintings and few sculptures. In some crates of the Ethnological Museum there were moth-eaten items.

One painting, Karl Blechen "Bathing Men" (Administration of State Castles and Gardens No. 1460) has been stolen in Wiesbaden.

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Inclosure II, in conclusion to the work of the under-  
signed concerning the inspection of the holdings, lists all  
crates and items not packed at the date of the release on 1  
August 1948.

2 Incls: a/s •

*Dr. Bruce Mitchell*

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 By WDP NARA Date 6/29/00

DATED 050400A

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SECRET  
ROUTINE

FROM : AGWAR FROM JOINT CHIEFS OF STAFF  
 TO : USFET FOR MCHADNEY, USFA FOR CLARK  
 INFO : OMCUS  
 REF NO : WX-99226

BOOK MESSAGE

1. This directive, received from the State, War and Navy Departments, is issued to you as Commanders in Chief, US Zone of Occupation in Austria and Germany and as US Members of the Allied Councils for Austria and Germany.

Subject directive applies to restitution from Germany and Austria to Italy, Hungary, Rumania, and Finland and from Germany to Austria. It supplements WX-85965, 29 Nov 1945.

You will seek to obtain agreement in the Control Council of the application in the other Zones of Occupation of the policies laid down in this directive. If, in your judgement, it appears impossible to obtain quadripartite agreement, you will explore the possibilities of a tripartite agreement, applicable to the 3 Western Zones and make appropriate recommendations to the Joint Chiefs of Staff. You will proceed with the application of this directive in your own zone even prior to a agreement, provided, however, that restitution of property defined in paragraphs 2-B and 2-E below will be effected only when the return of such property is certified by the appropriate representative of the claimant country to be urgently required for the rehabilitation and reconstruction of his country.

Items Subject to Restitution.

2. Without prejudice to the formulation of a definitive restitution program, the following categories of property shall as an interim measure, be subject to restitution in accordance with the provisions of this directive:

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S E C R E T

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REF NO WX-99226

A. Works of art and Cultural works of either religious, artistic, documentary, scholastic or historic value including, as well as recognized works of art, such objects as rare musical instruments, books and manuscripts, scientific documents of an historic or cultural nature and all objects usually found in museums, collections, libraries, and historic archives.

B. Heavy and power-driven industrial and agricultural machinery and equipment, rolling stock, locomotives, barges and other transportation equipment (other than sea-going vessels) and communication and power equipment.

C. Other goods, valuables (excluding gold, securities, and foreign currencies), materials, equipment, livestock and other property found in storage otherwise in bulk form.

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

4. Property mentioned in subparagraphs 2B and 2C above shall be restored to the government of the country from which it was taken only if:

A. The claimant government submits satisfactory proof that the property in question was acquired by Germany as the result of an act of force or was removed into Germany or Austria without compensation;

B. The property in question was taken from Italy during the period of 3 Sept. 1943 to 15 May 1945; from Hungary during the period of 20 Jan 1945 to 15 May 1945; from Austria during the period 12 Mar. 1938

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to 15 May 1945; from Rumania during the period of 12 Sept. 1944 to 15 Mzy 1945; and from Finland during the period 19 Sept. 1944 to 15 May 1945.

5. Restitution of rolling stock, locomotives, barges and other transportation may be deferred until you have formulated an over-all program phased so as not to reduce available transportation below that required for Mil. Deployment and for purposes of the occupation, including restitution to the United Nations, minimum requirements of the Austrian (German) economy, removal of industrial plant and equipment for reparations, as well as such recommendations as have been, or will be made, by European Central Inland Transport Organization. You will as soon as possible submit such a program to the Joint Chiefs of Staff for approval.

6. Restitution of any item mentioned in subparagraph 2C above need not be made if, in your judgement, restitution would jeopardize satisfaction of the minimum requirements of the Austrian (German) economy or would give rise to a need for additional US assistance to, or imports into Austria (Germany).

#### General Provisions.

7. The procedures and general provisions contained in paragraphs 3 through 9 of WX-85965, 29 Nov 1945, shall be applied in carrying out this directive.

WX-85965 - SCC IN 15174 3 Dec.1945.

INFORMATION : O/SS ECON FIN! LEGAL  
 IA&C TRANSP. POL AFF AF  
 AG RECORDS

SCC IN 22212 8 March 46 1040A JAK/wea REF NO WX-99226

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U S. GROUP C C (MAIN)  
 REPARATION, DELIVERIES AND RESTITUTION DIVISION  
 Monuments, Fine Arts and Archives Branch  
 APO 742

JNB/ejb

1 June 1945.

SUBJECT: Conversation with M. George Henri BOUSQUET, re  
 Restitution of Art Objects.

TO : D/Director, RD&R Division.

1. M. BOUSQUET is the newly appointed head of the Branch in the French Mission Militaire pour les Affaires Allemandes which corresponds to our MFA&A Branch. He was so appointed by General KOELTZ, head of the MMAA, on nomination of the Ministre de l'Instruction Publique. He also is representative of the Commission française de Protection et Récupération des Oeuvres d'Art (Henraux Committee) and in fact his name was suggested by M. HENRAUX and his office, such as it is, is in the Jeu de Haume Museum.
2. M. BOUSQUET is Professor of Law at the University of Algiers. He is not a Fine Arts specialist. He was chosen because his year of study at Harvard made him competent in the English language, because of his knowledge of German and because it was considered that his legal training would be of use.
3. The discussion first turned on the organization of the respective national elements. I outlined my understanding of the US and British plans both at the CC level and in the zones. M. BOUSQUET then discussed the French plans as far as he knew they had progressed, outlining the organization of his Branch, which he hopes will have 3 technical assistants one each for monuments and fine arts and archives, all under the Political Division (headed by M. de la TOURNELLE) of the MMAA. In the Zone there would be an operational organization known as AMFA (Administration Militaire Française en Allemagne), at army level.
4. Discussion was made relative to the legal implications of Restitution. Without at first saying what were our ideas on the subject, I was able to gain from M. BOUSQUET the understanding that in the eyes of the French any object which is identified as having been stolen should be returned to the nation of original situs as soon as practicable. On enquiry from me as to whether Objects of Art of private ownership should be returned promptly even though there did not exist any judgment by a Restitution Commission, M. BOUSQUET replied that he would favor as prompt a return to the Governments involved of all objects regardless of their previous ownership under the theory that if a stolen

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object can be found and identified it should be returned.

5. The further legal point was made that under French law there is a distinction made between "depot necessaire" and "depot volontaire". In the first instance the responsibility on the custodian is much less than on the second. An example was cited. If a house burns down and the owner stores certain objects next door with the neighbor, and later damage occurs resulting from a cause beyond the control of the temporary custodian, the custodian is not liable; whereas if the custodian accepts the custody voluntarily he is responsible even in the event of an act of God. The custodian would be in the position of a voluntary recipient if he refused to give up custody and refused to give up custody and refused to allow the owner to exercise his rights and privileges as owner.

6. M. BOUSQUET pointed out that one of the rights was the right of access. This came up in connection with the recent visit of French officials, notably Mlle VALLAND, to NEUSCHWANSTEIN, where allegedly are stored the loot from France, when the French officials were not allowed into the deposit.

7. It was suggested by M. BOUSQUET that in view of the difficulties of moving the objects due to military necessity, a way might be found to have French curators placed in charge of the deposits containing French objects even though the deposits might be in a zone not controlled by France. I pointed out what I considered the impracticability of such a scheme from the military point of view. M. BOUSQUET replied that approval by French experts would entirely relieve US (or Br) authorities of responsibility in case of subsequent damage.

8. It was agreed that in the case of objects of public ownership or provenance that an interim restitution should be effected as soon as possible. I pointed out after M. BOUSQUET had finished outlining his views, that I had run into serious objections on the part of the British to an interim restitution of privately owned objects except after adjudication by a Restitution Commission.

9. Throughout all the conversation a feeling of cordiality and friendliness was maintained.

COMMENT: As to point 6, the Supreme Commander and in consequence the commanding officer at the spot has complete authority to admit or exclude any one he chooses. cf. Lt Col REID on Responsibility vs Accountability.

In the absence of unanimous agreement by the four members of the CC, the Commander in the zone has the right to act unilaterally.

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Access to any zone by a national of one of the four occupying powers is obtained by authority of his CC member, i.e. an American can obtain access to the Russian zone by authority of Gen EISENHOWER. For any other national concurrent action by the CC jointly will be necessary. So reads Lt Col REID's suggested ordinance.

JOHN NICHOLAS BROWN  
Adviser on Cultural  
Matters.

Colonel JEFFERSON's Comment: 10 Jun 45

Noted: Last Par is not quite correct - Gen EISENHOWER can't authorize entrance into the Russian Zone unless OK with Russians, etc

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SOCIETY FOR PROTECTION OF ART & MONUMENTS.

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Introduction: Necessity of international protection.  
 Destruction during the war.  
 Necessity of preservation immoral actions in the  
 field of art and monuments.  
 Necessity of ~~observing~~ <sup>waiting</sup> any commercial action  
 dealing with art objects.

PURPOSE: Protection of art and monuments in peacetime and  
 during the war.  
 Preparation of plans for an international agreement  
 for protection of monuments.  
 Keeping a list of looted and stolen art objects.  
 Preparation of a plan of internationalisation  
 of the most important art objects and monuments.

MEMBERS: Sixty members of the Society. ~~Choosing~~ <sup>Election</sup> of the  
 members by vote. Membership is a honorary ~~function~~  
 function.  
 The members are obliged to avoid any action  
 disagreeing with the basic purposes of the Society  
 and with the professional ethics in the field  
 of art and monuments - even if ordered by their  
 authorities.  
 Personalities of any nationality may be admitted  
 as members of the Society qualified by their  
 outstanding merits in the field of monuments  
 protection and respected thanks to their  
 excellence of character. (scientists, man of art,  
 art dealers).  
 The president of the Society is chosen for a period  
 of 10 years.  
 The funds of the Society....  
 Residence.....  
 Meetings.....

*Karol Estreicher*  
*Cracow - Poland - University*

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INTERNATIONAL TREATY FOR THE PROTECTION OF THE WORLD'S ARTISTIC  
 AND CULTURAL PATRIMONY

The High Contracting Parties:

Having recognized that our artistic bibliographic and historic patrimony belong to the entire community of man and that it is important to preserve it for that community with an international agreement;

Bearing in mind that the loss of any part of this patrimony constitutes a damage for all society;

Recalling the treaties of the Hague of 1899 and 1907 concerning the protection of buildings dedicated to the arts;

Recalling the proposed Treaty for the protection of monuments and works of art in time of war - worked out by the International Office of Museums in 1938 and submitted for examination by the governments of all countries by the government of the Netherlands in January 1939 - ;

In view of the Preliminary Report made to the Executive Committee of the International Office of Museums by Prof. Carlo De Visscher on October 12, 1936;

In view of the report made by the International Office of Museums to the International Commission for Intellectual Cooperation (October 1936);

In view of the preliminary proposal of the International Convention for the protection of Monuments and works of art in time of war;

In view of the Executive Regulations of the Convention;

In view of the existing international conventions and government declarations regarding the protection of Monuments and works of art in case of war;

Recognizing that as a consequence of the development of technical instruments of war, works of art, monuments, archives and libraries are under constantly increasing danger of destruction and that it is the duty of the High Contracting Parties to adopt the necessary means for their safekeeping against the destructive effects of armed conflict;

Considering the decision of the United Nations to restore to those nations having lawful rights, the works of art, the archives, the libraries and general cultural objects, removed during the last war;

Considering that many of these objects have been lost or in any case have not yet been recovered;

Recognizing that protective action and recovery can only be efficacious if prepared and organized on an international plane,

have . . .

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have designated as their Representatives

.....  
 who, being duly invested with full powers, agreed on the following terms:

Article 1

The High Contracting Parties consider it an obligation on each State to organize the defense of monuments, works of art, archives and libraries against the predictable effects of war, and bind themselves, each for that which concerns it, to prepare this defense in times of peace.

Article 2

1. The High Contracting Parties bind themselves to issue, each within its own territory, regulations and instructions insuring the greatest possible immunity to monuments, works of art, archives and libraries against acts of war.

2. The Government of the High Contracting Parties and the Military Commands shall issue proper regulations so that military installations and troops are not quartered within buildings which are monuments or depositories of works of art, of archives and libraries.

3. The High Contracting Parties bind themselves to take the necessary steps in times of war to prevent the sack and depredation of monuments, and of works of art and archives and libraries.

4. They shall notify each other in turn of the texts of the legislation, regulations and instructions issued in application of the present article.

Article 3

1. Shelters, in as limited number as possible, will be established for works of art, archives and libraries, and may be constituted either by buildings especially constructed or from monuments or groups of monuments already extant.

2. In order to insure immunity from acts of war, the shelters shall conform to the following conditions:

- be situated far from the probable theatre of military operations, from the main arteries of communication and great industrial centers and in any event outside of the foreseeable range of war activities.
- be made known in times of peace
- not be used either directly or indirectly for military defense;
- be open, during hostilities, for whatsoever inspection may be desired by the proper international committee.

3. Military authorities shall have access to the shelters at all times in order to verify that they are being used in conformity with the purposes of the present agreement.

Article 4...

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Article 4

1. The shelters and buildings enjoying immunity from war action, as defined by the present treaty, shall be distinguished by appropriate protective markings.
2. This marking shall consist of a white disc, in which there is inscribed a blue triangle.
3. The placement and dimensions of the protective markings shall be regulated with appropriate rules by the international committee.
4. The High Contracting Parties bind themselves to forestall and if necessary to prevent any abuse of the protective signs.

Article 5

The High Contracting Parties agree to acknowledge the immunity, from all acts of reprisal, of monuments, works of art, archival and bibliographic material.

Article 6

1. In the event that one country at war with another country deems it its duty to put all, or part, of the works of art and archival and bibliographic material in its possession, for shelter, on the soil of another country, the High Contracting Parties agree to recognize the immunity of the transport utilized for this purpose, provided such transportation is effectuated under the supervision of the international committee.
2. The belligerent country will benefit from this immunity for the same works of art only once and only en route in the direction of the country which offers its hospitality.
3. While being transported and for the duration of their deposit abroad, the works of art and the archival and bibliographical material will be safe from all measures of confiscation and cannot be placed at the disposition of others than the depositor.

Article 7

1. The High Contracting Parties agree to inform each other whenever they consider it necessary, about the measures, taken, prepared or contemplated by their respective administrations, for the protection of works of art, of monuments and archival and bibliographical material.
2. The High Contracting Parties may, when they so desire, call for technical assistance from competent agencies of the interested countries, in individual cases.

Article 8

1. The representatives of the International Committee shall guarantee that no violations of the regulations of this Agreement be committed. . .

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