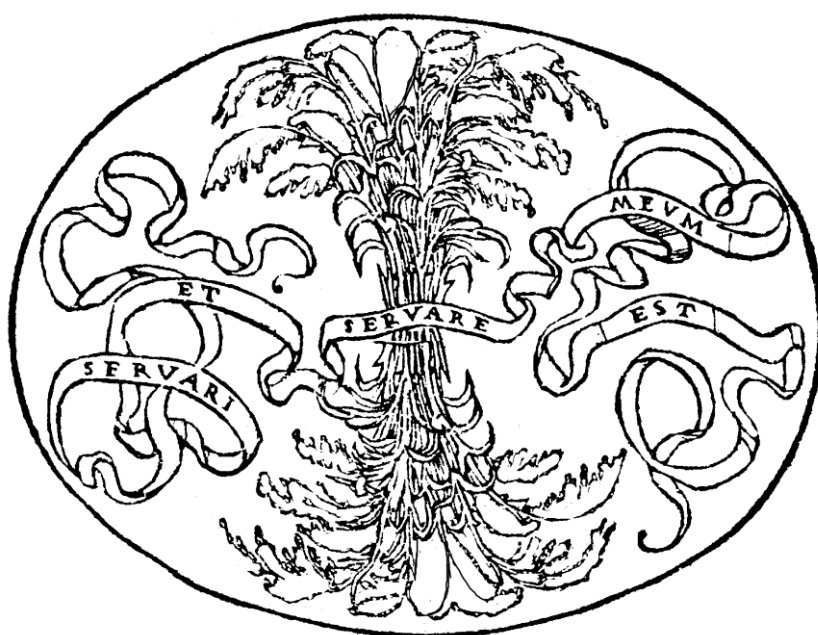


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INTRODUCTION

Open your museums. Provide real advice to your museums. And really help the victims pursue their cases, help them break down the roadblocks that have stopped them for the past decades¹.

On November 26th-28th, 2018, the German Lost Art Foundation hosted in Berlin an international conference entitled *20 Years of the Washington Principles: Roadmap to the Future*. Twenty years after the signing of the *Washington Principles on Nazi-Confiscated Art* by 44 countries, which marked a deeply significant moment in the development of cultural policy in the 20th and 21st centuries, the Berlin conference focused on new challenges and tasks in the implementation of the Washington Principles².

On the day of the conference opening the New York Times published the article «Five Countries Slow to Address Nazi-Looted Art, U.S. Expert Says» by William D. Cohan. The text reported the critical declaration made by Stuart Eizenstat, expert adviser to the U.S. State Department, on the efforts in five countries to return looted art in the past years³. One of the countries he singled out was Italy, along with Hungary, Poland, Greece and Spain. Regarding Italy, Mr. Eizenstat made a clear statement: «Unfortunately there has been no provenance research or listing of possible Nazi-looted art in their public museums by the Italian government». He continued to state that «Italy's cities and regions, where much of the country's art collection is maintained, have ignored the Washington Principles». As reported in the article, representatives of the criticized countries did not comment on Eizenstat's declaration.

Taking this criticism seriously, we would like to ask from the perspective of our ongoing HERA (Humanistic European Research Area) project TransCultAA - Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century⁴: What is the current state of affairs in Italy – in the field of research, in teaching, and with regard to museums and administrations? Is provenance research indeed unknown in Italy? Or is it a common practice, an activity regularly performed in public collections in Italy?

As far we can see, the international workshop that we convened at the IMT School for Advanced Studies Lucca on September 18th-19th, 2017 was the first major scholarly or academic event that explicitly targeted the many issues related to Fascist and National Socialist dispossessions in the Italian and non-Italian parts of the Alpe Adria Region⁵. The aim of the workshop was to take stock, i.e. to assess the field of research: What has been achieved, what remains to be done?

¹ Ambassador Ronald S. Lauder, Berlin conference, *20 Years of the Washington Principles: Roadmap to the Future*, November 26th, 2018.

The quote is taken from https://www.lootedart.com/web_images/pdf2018/KeynoteRonaldLauder.pdf, p. 7, which erroneously states «And really help the victims in pursue their cases» – this misspelling is corrected in the quote above.

² https://www.kulturgutverluste.de/Content/02_Aktuelles/EN/Foundation-Events/2018_20-years-washington-principles/Specialist-Conference-20-Years-Washington-Principles-Roadmap-for-the-Future.html, <June, 2019>.

³ <https://www.nytimes.com/2018/11/26/arts/design/five-countries-slow-to-address-nazi-looted-art-us-expert-says.html>, <June, 2019>.

⁴ <https://www.transcultaa.eu>; <http://heranet.info/transcultaa/index>, <June, 2019>.

⁵ <https://www.transcultaa.eu/2017/07/27/conf-the-transfer-of-jewish-owned-cultural-objects-lucca-18-19-sep-17/>, <June, 2019>.

Looking back today to the 2017 workshop, it seems that one of the reasons why provenance research into Jewish losses was – and is – rather slow or weak in Italy is that this effort inevitably raises larger questions of complicity and collaboration. Precisely because public discourse and scholarly research alike have somewhat bypassed the history of confiscation, seizure, dispossession and translocation of private Jewish property into mostly public and occasionally private collections, we believe in the appropriateness and urgency of publishing this special issue (as one of the outcomes of the collaborative HERA research project TransCultAA). In a sense, this issue of «Studi di Memofonte» is indeed one of the first scholarly activities that specifically addresses concerns raised more than 20 years ago in Washington DC.

Between November 30th and December 3rd, 1998, the U.S. Department of State and the U.S. Holocaust Memorial Museum of Washington DC hosted the conference «Washington Conference on Holocaust-Era Assets» addressing issues of *Nazi-confiscated Art*, insurance, and other assets such as communal property, archives and libraries and Holocaust education, remembrance and research.⁶ More than 400 people, 57 international official delegations from 44 governments and 13 non-profit organizations attended the conference.

The conference, chaired by Stuart Eizenstat, at that time Under Secretary of State for Economic, Business, and Agricultural Affairs of President Bill Clinton's Government, aimed to «provide a forum in which the international community can seek a consensus on means of addressing Nazi-era injustices as they related to specific asset categories» (as reported in the conference presentation).

The delegations, starting from what nations had already done in this field, agreed to intensify their efforts and to cooperate for keeping the memory of the Holocaust and the victims alive.

During the art panel session – called *Nazi-confiscated Art* –, the delegations discussed the efforts to protect cultural treasures during and after the Second World War and the attempts to retrieve stolen art objects during the war in Europe, despite gaps of ownership. Among the panelists of the *Nazi-confiscated Art* session were representatives from the most important European, Russian and American museums, such as Carla Schulz-Hoffmann, Deputy General Director of the Bavarian State Painting Collections of Germany, Sharon Page of the Tate Gallery of the United Kingdom, Françoise Cachin, Director of French Museums, Charlotte E. van Rappard-Boon, Head Inspector of the Ministry of Education, Culture and Science for the Netherlands, Earl A. Powell III, Director of the National Gallery of Art of Washington D.C., and Philippe de Montebello, Director of the Metropolitan Museum of Art of New York. Together with the museums directors, there were representatives of the commissions on «Nazi spoliation of Art» recently instituted by the Austrian, United Kingdom, Russia and U.S. governments; the latter was represented by the Association of Art Museum Directors of United States (AAMD). The aim behind the setting of the governmental art commissions was returning to their rightful owners or their legitimate heirs the cultural objects, mainly Jewish-owned, which had been seized during the Nazi-era and held by public institutions.

The guidelines created by AAMD together with ICOM and the American Association of Museums (AAM) concerning the «Unlawful Appropriation of Objects during the Nazi-Era» were adopted by the American art museums to deal proactively with the issue of art works confiscated during the Nazi-era. These guidelines were highlighted by the Washington panelists as an example of recent efforts on behalf of museums to provide guidelines and principles to address issues of unclear provenance. As a consequence, the guidelines formulated in the form of eleven questions were transformed into eleven non-binding

⁶ https://1997-2001.state.gov/regions/eur/wash_conf_material.html, <June, 2019>.

principles – named «Washington Principles» – aimed at strengthening provenance research and uncovering stolen art by governments, NGOs, museums, auctioneers and art dealers.

During the art panel session, Italy was often mentioned regarding the plundering of artworks from its museums and from its Jewish collectors that took place during the Second World War. It was also reported that Italy received 225,000 objects, including the historic library of the Collegio Rabbinico of Rome, from Austria since the end of the Second World War.

No delegate of the Italian Ministry of Cultural Heritage and Activities, at that time directed by Giovanna Melandri (Massimo D'Alema as President of the Council of Ministers), took part in the art panel session as representative of the thousands of Italian public museums and private collections in the country. Rather, Italy was represented at the conference by the Minister for Foreign Affairs Franco Tempesta, who in his speech (*Monetary Gold and Italian Participation in the International Fund for Needy Victims of Nazi Persecution*) shared some details about Italy's previous pledges to assist economically the neediest survivors of the Holocaust. Basically, the focus of Tempesta's intervention was not even close to the topic of cultural heritage.

However, it was exactly on that occasion that the Italian ministry, following the action of 21 European countries, announced the creation of a national Commission for research on the economic and financial aspects of racial persecution. In this commission, representatives of the Office of the Prime Minister, the Ministry for Foreign Affairs and the Ministry of the Interior with its State Archives, the Association of Italian Banks, the Union of Italian Jewish Communities (UCEI) and the Jewish Documentation Center of Milan (CEDEC) were to cooperate with a group of historians and other entities and/or NGO. This governmental decision was anticipated, a year before the Washington Declaration, by a law (Law no. 233, July 18th, 1997, *Disposizioni di solidarietà per gli appartenenti alle comunità ebraiche ex perseguitati per motivi razziali, ai fini della applicazione della legge 24 maggio 1970, n. 336, e successive modificazioni ed integrazioni*) enacting that the Jewish assets looted during the Second World War and not returned to the rightful owners or their legitimate heirs, due to their disappearance or unavailability and held by the Italian State at any title as unclaimed property, were assigned to the Union of Italian Jewish Communities. UCEI would then assign returned assets to a specific local Jewish community, taking into account the provenance of the looted assets and the places where the looting had been carried out (Article 2)⁷. During the Washington Conference, the Italian Government formally inaugurated the previously announced Commission (Presidential Decree dated December 1st, 1998). It named the body, chaired by Senator Tina Anselmi, as «Commission responsible for reconstructing the events concerning the acquisition of Jewish assets in Italy by both public and private bodies» (*Commissione per la ricostruzione delle vicende che hanno caratterizzato in Italia le attività di acquisizione dei beni dei cittadini ebrei da parte di organismi pubblici e privati*)⁸. After more than 2 years of intense activity the Anselmi Commission published its work, a short chapter of which is devoted to the «Seizure of Possessions of Artistic, Cultural and Religious Significance»⁹. It is worth quoting from the chapter's introduction: «Far-reaching and thorough investigation involved the central and regional offices of the Ministry of Culture and the Ministry of the Interior, as well as meetings

⁷ Published on «Gazzetta Ufficiale» no. 171, July 24, 1997.

⁸ The presidential decree dated May 21st, 1999, extended the Commission work by a further six months. The subsequent decrees of April 19th, 2000 and March 6th, 2001 set the completion of the works for March 31st, 2001. Another decree has definitively indicated the completion of the works on April 30th, 2001.

⁹ http://presidenza.governo.it/DICA/7_ARCHIVIO_STORICO/beni_ebraici/index.html, <June, 2019>.

with the Inter-Ministerial Committee for the Recovery of Works of Art and collaboration with the special Carabinieri division responsible for the protection of Italy's artistic heritage»¹⁰.

Indeed, the Anselmi Commission established an important cooperation with the Carabinieri Command for the Protection of Cultural Heritage, the special task force of the Italian Carabinieri responsible for combatting illicit art traffic, and with the Inter-Ministerial Committee for the Recovery of Works of Art¹¹. Although the Committee for the Recovery of Works of Art reassured the Anselmi Commission that no Italian museum held artworks looted from Jewish collectors and from private owners following the enactment of the racial legislation in 1938, the commission experts also went through the historical documentation used by the Committee itself¹². As a consequence, the Anselmi Commission decided to include in its final report the case of Federico Gentili di Giuseppe, an Italian Jew working for the Italian Ministry of Finance in Paris before the Second World War, whose extraordinary art collection was sold by force under the Vichy Government in 1941. After the decision taken by the Parisian Court of Appeals in 1999 that declared null and void the forced sale of 1941, few masterpieces displayed at Louvre Museum were returned to Gentili's heirs. After this first restitution, many others followed in the years. The Anselmi Commission threw light on the fact that two paintings from the Gentili collection – *Christ Carrying the Cross* by Girolamo Romanino and a *Madonna and Child* by Vincenzo Civerchio –, both claimed by Gentili's heirs, were conserved in one of the most important national museums, the Pinacoteca di Brera. Italy refused for a decade the Gentili heirs' requests for their return and only in 2011, while the Romanino's painting was on loan to an American exhibition, it was returned to the rightful owners¹³. However, notwithstanding the same provenance, the *Madonna and Child* by Vincenzo Civerchio is still part of the Brera collection¹⁴. It is in the light of these inconsistencies or perhaps outright contradictions between declared opinion and actual actions that Stuart Eizenstat's assessment (quoted above) becomes more understandable.

While the Anselmi Commission was conducting research, in October 2000 Senator Anselmi together with Dario Tedeschi, then President of the UCEI, and professor Michele Sarfatti, director of the CEDEC, presented a preliminary report on the loss of the bibliographic heritage of the Jewish Community of Rome looted in 1943 at the *International Vilnius Forum on Holocaust Era Looted Cultural Assets*. The Vilnius Forum, that took place under the auspices of the Council of Europe, was a follow-up to the Washington Principles of 1998.

Following the Vilnius Forum Declaration¹⁵ and the final recommendations of the Anselmi Commission, on November 26th, 2002, the Italian Government established another commission aimed at further investigating the fate of the library/libraries of the Jewish Community of Rome. The *Commission for the recovery of the bibliographic heritage of the Jewish Community of Rome*, looted in 1943, chaired by Dario Tedeschi, undertook archival research in several European countries, including Russia, and in the U.S., and published its final report only in 2009¹⁶. The report of the Anselmi Commission on looted possessions of artistic,

¹⁰ http://presidenza.governo.it/DICA/7_ARCHIVIO_STORICO/beni_ebraici/english_version/143_162_js.pdf, <June, 2019>.

¹¹ <http://www.carabinieri.it/cittadino/tutela/patrimonio-culturale/introduzione>, <June, 2019>.

¹² <http://www.cdec.it/dsca/restitu/2.4.5.htm>, <June, 2019>.

¹³ <https://www.latimes.com/entertainment/arts/la-xpm-2012-apr-24-la-et-italian-painting-20120424-story.html>; <https://www.lootedartcommission.com/PEU6YO77695>, <June, 2019>.

¹⁴ D. BRASCA, «Holocaust-Era Looted Art» nel contesto italiano: le collezioni private ebraiche tra rimozioni storiche e mancata coscienza nazionale, in *Counterlight. Gegenlicht. Controluce. Saggi sulla memoria della Shoah nell'arte e nel Museo*, edited by P. Coen, Macerata, 2018, pp. 83-92.

¹⁵ <https://www.lootedartcommission.com/vilnius-forum>, <June, 2019>.

¹⁶ http://presidenza.governo.it/USRI/confessioni/rapporto/rapporto_finale_attivita_Commissione2.pdf, <June, 2019>; D. TEDESCHI, *The Libraries of the Jewish Community of Rome and the Italian Rabbinical College Looted by*

cultural and religious significance ends with a paragraph of wishful thinking: «In conclusion to this outline report, one should insist upon the certainty that the information collected and presented here does not reflect the full scale of the seizures that occurred with regard to property of this type. It can only be hoped that attention will continue to be focused on the issue, and research will continue on the basis of the consolidated international guidelines»¹⁷.

Although the Anselmi Commission had issued fairly clear recommendations how Italy could comply with the Washington Principles, no Italian public museum has practically and systematically adopted them. As a matter of fact, Italian institutions and administrations seem to ignore the recommendations made by the Anselmi Commission.

After the publication of the report on the bibliographic heritage of the Jewish Community of Rome, no other commissions or research groups on looted Jewish cultural assets were established by the Italian Government – contrariwise to what was going on in other European countries. Today it is an international practice to establish governmental committees to return Nazi looted artworks, to promote museums activity on provenance research, to sponsor digitization projects of records on Nazi looting and auction catalogues – all measures aimed to adopt fair practices for identifying, recovering and restituting looted art. Austria, Britain, France, Germany and the Netherlands have established committees or commissions in this regard. However, despite these international efforts being made, the European Parliament on January 2019 voted on the *Draft Report on cross-border restitution claims of looted works and cultural goods* published by the European Parliament Committee on Legal Affairs on October 30th, 2018, noting that «insufficient attention has been paid at EU level to the restitution of works of art and cultural goods looted in armed conflicts, in particular in the fields of private law, private international law and civil procedure»¹⁸. These joint international activities face a lack of Italian participation in adopting fair practices regarding the recovery of Jewish cultural assets.

A few months after the twentieth anniversary of the Washington Principles, in early 2019, the Director of the Uffizi Galleries in Florence, Eike Schmidt, announced to the international press and to social media the official request of the museum for returning the painting *Vase of Flowers* by the 18th-century Dutch master Jan van Huysum, stolen by Nazi troops during the German occupation of Italy in 1944¹⁹.

For raising public awareness, a black and white framed photograph of the painting was hanged in the Salone dei Putti at Palazzo Pitti, where the painting had originally been placed, accompanied by the word ‘stolen’ in Italian, English and German, and a caption that explained that the work had been taken during the Second World War and was held by a German family²⁰. The painting indeed returned to Palazzo Pitti on July 19th, 2019, during an official conference chaired by the Italian Ministry of Cultural Heritage together with the Ministry for Foreign Affairs and at the presence of the German Ministry for Foreign Affairs²¹. This event was clear evidence of the importance given to the return of a stolen artwork by the Italian Government. The importance of the case is also well shown on the Uffizi web site, where a lot of information is provided on the looted *Vase of Flowers*. Strangely, however, the provenance research activity that the museum is conducting is not indicated anywhere. In comparison with what is being done in foreign museums, an ‘insufficient attention’ on

the Nazis: The Work of the Commission set up for Research by the Italian Government, in Restitution of Confiscated Art Works. Wish or Reality, edited by Mečislav Borák, Prague, 2008, pp. 114-122.

¹⁷ http://presidenza.governo.it/DICA/7_ARCHIVIO_STORICO/beni_ebraici/english_version/143_162_js.pdf, <June, 2019>.

¹⁸ <https://www.lootedartcommission.com/TIE1EE33497>, Section F 2, <June, 2019>.

¹⁹ <https://www.bbc.com/news/world-europe-46734393>, <June, 2019>.

²⁰ <https://www.uffizi.it/magazine/van-Huysum>, <June, 2019>.

²¹ <https://www.ilsole24ore.com/art/torna-uffizi-vaso-fiori-dipinto-trafugato-nazisti-ACJ5M2W>, <June, 2019>.

provenance research seems to be paid to the issue in Italy, so rich in public museums and galleries. As far as we can see, Mr. Eizenstat's conclusion that Italy cares predominantly or rather exclusively on «what the Italian government lost» seems to be entirely justified.

A very recent press release²² informs of the intent of the past Minister of Cultural Heritage, Alberto Bonisoli, to establish a new research group on Jewish looted assets, but due to a political change of government this intent has not been fulfilled.

It is against this larger, somewhat antagonistic background that the proceedings of the Lucca workshop *The Transfer of Jewish-owned Cultural Objects in the Alpe Adria Region*, held at IMT Lucca on September 2017 within the broader frame of TransCultAA activities, aim at improving fundamental knowledge about cultural artefacts looted from Jewish owners²³.

The proceedings, which include both the majority of the papers delivered to the audience and the posters exhibited during the workshop (<https://www.transcultaa.eu/exhibitions/lucca-exhibition-posters/>), are divided in four sections.

The first section aims to give an overview on guidelines and policies that have been issued for American museums since the Washington Principles and on the current practices applied to new acquisitions at the Museum of Fine Arts of Boston (Victoria Reed, *Museum Acquisitions in the Era of the Washington Principles: Porcelain from the Emma Budge Estate*). The second essay of the first section presents key examples of the archival documentation conserved in the Historical Archives of the Union of the Italian Jewish Communities on Alpe Adria territory and on plundered Jewish property (Gisèle Lévy, *Looting Jewish Heritage in the Alpe Adria Region. Findings from the Union of the Italian Jewish Communities (UCEI) Historical*).

The second and third sections are dedicated to different case studies of Jewish-owned art collections looted, dispersed, protected and returned in the Alpe Adria Region during and after the Second World War. While the second section focuses on the confiscation of Jewish-owned collections in Zagreb and the process of their musealisation in Croatian public museum in the after war (Iva Pasini Trzeć, *Contentious Musealisation Process(es) of Jewish Art Collections in Croatia*; Darija Alujević, *Jewish-owned Art Collections in Zagreb: The Destiny of the Robert Deutsch Maceljski Collection*; Antonija Milikota, *The Destiny of the Tilla Durieux Collection after its Transfer from Berlin to Zagreb*), the third section is entirely devoted to studies that investigate spoliation processes in Trieste. The six essays are thematically related and study the various processes of confiscation and protection of artworks and goods that took place in the city of Trieste during the German occupation. The first essay of the section explores the shadow areas in which authorities responsible with protecting the Jewish-owned cultural property operated during the German occupation in Trieste and its Province (Daria Brasca, *The Dispossession of Italian Jews: the Fate of Cultural Property in the Alpe Adria Region during Second World War*), the following three essays analyze three of the most important Jewish-owned collections in Trieste that were plundered during the war (Camilla Da Dalt, *The Case of Morpurgo de Nilma's Art Collection of Trieste: from a Jewish Legacy to a 'German Donation'*; Cristina Cudicio, *The Dissolution of a Jewish Collection: the Pincherle Family in Trieste*; Elena Franchi, «*The Chair with the Green Back and Yellow Flowers*». *Furniture and other Property belonging to Jewish Families in Trieste during the Second World War: the Frigessi Affair*). A specific contribution is dedicated to the property of the Jewish emigrants stored in the Free Port of Trieste during the war, in particular its seizure, sale, and transfer (Gabriele Anderl and Anneliese Schallmeiner, *Sequestered/Confiscated Assets in Trieste: A List of Austrian Jewish Owners in Viennese Archives. A Workshop Report*).

²² https://www.beniculturali.it/mibac/export/MiBAC/sito-MiBAC/Contenuti/MibacUnif/Comunicati/visualizza_asset.html_1008033831.html, <June, 2019>.

²³ <https://www.imtlucca.it/transcultaa2017/>, <June, 2019>.



The third section concludes with a contribution on the post-war trials for persecuting crimes of collaborationism committed during the German occupation of Trieste (Irene Bolzon and Fabio Verardo, *Postwar Trials in Trieste: Collaboration and Crimes against Jewish property during the German Occupation*).

The fourth and last section explores the art market and the dealers' activities between Italy and Germany during the war and the issue of post-war restitutions and the international agreements on cultural claims following the Peace Treaty (Antonia Bartoli, *Flagging a Red Flag: Contextualizing the Activities of Alessandro Morandotti between 1939 and 1945 in Light of the Art Looting Investigation Unit Report (1946-1947)*; Francesca Coccolo, *Rodolfo Siviero between Fascism and the Cold War: Negotiating Art Restitution and 'Exceptional Returns' to Italy after the Second World War*; Caterina Zaru, *The Affaire Ventura. Antiquarians and collaborators around the Second World War*).

As aforesaid, the international workshop was a stepping stone of a broader set of activities carried out within TransCultAA, led by the Zentralinstitut für Kunstgeschichte, Munich, Germany (Project Leader), the Department of Human Studies and Cultural Heritage of the University of Udine, Italy (as Principal Investigator for the Italian team, which includes also IMT Lucca and the Archivio Centrale dello Stato, Rome), the Croatian Academy of Sciences and Arts, of Zagreb, Croatia and the Research Centre of the Slovenian Academy of Sciences and Arts, France Stele Institute of Art History ZRC SAZU, Ljubljana, Slovenia, now University of Maribor²⁴.

The HERA project, concluding in November 2019, does not exclusively focus only on Jewish looted assets. Rather, the project sheds light on the broader issue of the transfer of cultural objects in the Alpe Adria Region between the First World War and the decades after the Second World War. However, as the Lucca workshop proceedings clearly testify, the issue of misappropriating and dispossessing Jewish cultural properties has been a key topic in the project. Considering the issue within the broader frame of TransCultAA has enabled us to better contextualize seizures, confiscations and art looting in the Fascist era and beyond.

²⁴ This project has received funding from the European Union's Horizon 2020 research and innovation program under grant agreement No. 649307.

MUSEUM ACQUISITIONS IN THE ERA OF THE WASHINGTON PRINCIPLES: PORCELAIN FROM THE EMMA BUDGE ESTATE

The Emma Budge Collection

In the spring of 2017, the Museum of Fine Arts, Boston (MFA) acquired seven pieces of eighteenth-century German porcelain from the estate of Emma Budge and promptly installed them in the European decorative arts galleries. The *commedia dell'arte* figures, made by the porcelain manufactories Höchst, Fürstenberg, and Fulda, were left to the Museum in a 2006 bequest from the New York-based porcelain collectors Edward and Kathleen Pflueger. While the other works of art from the Pflueger collection were immediately accessioned, or formally made a part of the Museum's permanent collection, the MFA withheld these seven figures and delayed accessioning them until the process of provenance research was complete¹. All of them had belonged to Emma Lazarus Budge (1852-1937), who built a large collection of decorative arts in her home in Hamburg, Germany; the figures are illustrated in the posthumous sale of her collection, which took place in Berlin in 1937. At the time of the bequest in 2006, an attorney representing the Budge estate contacted the Museum. He alleged that since Mrs. Budge and all of her heirs were Jewish, and none of the heirs had been able to realize the proceeds from this sale, the auction was invalid and therefore the porcelain figures still rightfully belonged to the estate, not to the MFA. The Museum could not bring the porcelain figures into the collection until these ownership issues had been fully resolved, and this process of research and assessment took approximately ten years.

It is unusual for any museum to wait a decade before formally accessioning a work of art that has been offered as part of a gift or bequest. Resolving a restitution claim for works of art that changed hands during the World War II and Nazi era, however, can take anywhere from months – in cases where the process of research is straightforward – to years, in cases where the historical issues are extremely complicated. The Budge claim fell into the latter category². Between 1933, when Adolf Hitler came to power in Germany, and 1945, when World War II ended, works of art in Europe were subject to different kinds of theft and acts of expropriation. Many works of art were stolen, often randomly, from cultural institutions or private homes during the upheaval of the war. Jewish collectors throughout continental Europe were robbed of thousands of works of art through outright confiscation by Nazi agencies; these objects were retained for state use, auctioned off, traded, or otherwise dispersed³. A third group of art objects can be broadly defined for having changed hands under equally insidious circumstances; these were sold or disposed of not at the behest of the state, but under duress, due to circumstances brought about by the racial persecution that is inextricable from the National Socialist era.

It is seldom possible to tell, simply from looking at its provenance, whether a work of art has changed hands under duress. Researching the question of a forced sale, as the Budge estate auction was alleged to have been, does not involve tracing the ownership history of an

I am most grateful to my colleagues Julia McCarthy and Laurie Stein for reading and commenting on a draft of this article.

¹ On the definition of accessioning, see MALARO 1998, pp. 60-64, esp. 60: «The word *collection* implies permanence; so should the word *accession*. A museum should accession only those objects that it intends to retain for the foreseeable future».

² Communication between the MFA and the Budge estate was suspended between 2006, when the law firm of Rosbach and Fremy (Berlin) wrote on behalf of the estate, and 2011, when the Law Offices of Mel Urbach (New York) began to correspond on the estate's behalf.

³ For an overview of art loss between 1933 and 1945, see NICHOLAS 1994.

object as much as it does analyzing the political, historical, and financial circumstances under which that object changed hands. At the Museum of Fine Arts, there are several questions the staff routinely asks as a means of guiding the research process in response to claims such as this⁴. First, would the work (or works) of art have been sold if the Nazis had not been in power? Second, did the seller have a choice about how and to whom to sell? And third, did the seller receive fair proceeds over which he or she had full and free disposal (as opposed, for example, to proceeds that were put into a blocked account, or used to pay discriminatory fines and taxes)? These questions are not intended to be comprehensive, nor is it always possible to answer all of them; but attempting to address them requires that, in addition to traditional art historical criteria, we consider previous owners' personal relationships, financial circumstances, biographical details, and, not least, the broader context of National Socialist history.

In the case of the *commedia dell'arte* figures, the provenance of all seven pieces of porcelain was known at the time of the bequest. The group included figures of the characters *Il Capitano*, *Harlequin*, and *Harlequine* by the Höchst manufactory (Figs. 1-2); *Ragonda*, *Colombine*, and *Scaramouche* by Fürstenberg; and a Fulda *Harlequin*⁵. They were securely in the collection of Emma Budge in Hamburg by the 1930s, and were probably acquired decades earlier⁶. Emma Lazarus had married Henry Budge shortly after meeting him in 1879⁷. Though they were both German-born, they attained American citizenship and lived in the United States until 1903, at which time they returned to Germany. The couple purchased a home on the Harvestehuderweg in Hamburg, which became known as the Budge-Palais (Budge Palace). There, Emma Budge built an extensive collection of porcelain and decorative arts under the guidance of Justus Brinckmann (1843-1915), first director of the Museum of Decorative Arts in Hamburg, as well as the art dealership J. Rosenbaum of Frankfurt.⁸ Henry Budge died on October 20, 1928; Emma Budge's death followed on February 14, 1937.

Mrs. Budge had revised her last will and testament in 1933, as she explained, due to the changing economic and political circumstances in Germany⁹. Between 1933 and 1936, she amended this will through five codicils. In the fourth codicil, written shortly after the so-called

⁴ These questions are based on the postwar Military Government Law 59 on the Restitution of Identifiable Property (U.S. Area of Control, Germany), available online at <http://images.library.wisc.edu/History/EFacs/GerRecon/PropControl/reference/history.propcontrol.i0034.pdf> <August, 2018>. According to Military Law 59, the transfer or relinquishment of property by a persecuted class of individuals between 1935 and 1945 was presumed to have been made under duress, unless it could be shown that the transfer would have taken place in the absence of National Socialism. This could be determined, in part, by whether the seller offered to transfer the property to the buyer, or whether the seller received a fair purchase price over which he or she had free disposal. As well, the presumption of duress could be rebutted if the transferee demonstrably protected the property interests of the claimant, as for example, by transferring the funds abroad on his or her behalf. While it is singularly useful as a guide today, Military Law 59 was by no means the only restitution law of the postwar period.

⁵ MFA accession nos. 2017.76 – 82.

⁶ Mrs. Budge probably built her porcelain collection in the decade of the 1910s. The Höchst figures of *Harlequin* (MFA accession no. 2017.76) and *Capitano* (2017.78) were sold at the Carl Jourdan auction, Lepke, Berlin, October 18-20, 1910; and *Harlequine* (2017.77) was in the Francis Baer auction, Helbing, Munich, March 12, 1913.

⁷ On Henry and Emma Budge and their art collection, see ARNSBERG 1972, KÖNKE 1991, HEUSS 1997; MÖLLER –BERSWORDT-WALLRABE 2001; HAUSCHILD–THIESSEN 2006; HEUSS 2008; WERNER 2011, pp. 243-248, 326-332; REUTHER 2014.

⁸ As noted by REUTHER 2014, p. 24, the Budges' relationship to the Decorative Arts museum was particularly strong when Max Sauerlandt (1880-1934) was director, beginning in 1919. Sauerlandt was forced to leave this position under the Nazi regime, in 1933.

⁹ Amtsgericht Hamburg (AG Hbg), 73 IV 1105/08, Nachlassakte Emma Budge. The will is dated October 5, 1933; the codicils followed on December 23, 1933; June 11, 1934; December 20, 1934; November 21, 1935; and February 10, 1936. What her earlier will specified is unknown, but she noted in the 1933 will that she had made dispositions to benefit the city of Hamburg.

Nuremberg Laws were passed in the fall of 1935, Mrs. Budge named four estate executors: Max M. Warburg (1867-1946), head of the Warburg Bank in Hamburg; Hermann Samson (1860-1940), a lawyer in Hamburg and relative of her late husband; Max Kronheimer (1875-1951), her nephew, in Hamburg; and Ludwig Bernstein (1878-1942), another nephew, also in Hamburg. Attorney Rudolf Samson (1897-1938) of Hamburg was named the alternate executor. Mrs. Budge specified that there should be no fewer than three executors in office at any one time, and that «all estate executors shall belong to the Jewish religion.» Regarding the disposition of her art collection, Mrs. Budge ultimately declared that

[T]he liquidation of possessions by the executors of my estate remains according to requirements of the provisions made earlier. I recommend, regarding the sale of my collections, that they avail themselves not only of the advice of the Rosenbaum firm, now only in Amsterdam, for the porcelain collection, but also the advice of Mr. Börner in Leipzig, especially for the paintings and the prints. A sale of all these objects within the German Reich will probably not be advisable¹⁰.

Despite her wishes, during the summer of 1937, the estate executors began preparing to sell the art collection through the auction house run by Paul Graupe in Berlin¹¹. At that time, however, Graupe, who had been expelled from the Reich Chamber of Fine Arts because he was Jewish, fled Germany and settled in Paris. His Berlin business was sold to Hans W. Lange, and though it kept the name Paul Graupe for a few months longer, by the fall, Lange was working as the auctioneer¹². Between October 4 and October 6, 1937, a large portion of the Budge art collection was sold at auction, including each of the porcelain figures now at the MFA.

The protocols from the 1937 sale make clear that Otto Blohm acquired all of the MFA figures¹³. Otto (1870-1944) and his wife Magdalena Blohm (1897-1950) were not Jewish; they lived near the Budes on the Harvestehuderweg in Hamburg and had a comprehensive collection of European porcelain¹⁴. Like the Budes, they had begun to build their collection under the guidance of Brinckmann. Both couples were members of the Justus Brinckmann Gesellschaft (the friends of the decorative arts museum) in Hamburg; they shared close friends in common, namely the Warburgs; and they may well have been friendly with one another. Many collectors, museum curators, and even friends and family members of the Budes acquired works of art at the 1937 auction. Some of the executors, as well as the Rosenbaum dealership, undertook purchases to support the estate and boost sales¹⁵. It is not

¹⁰ «[B]leibt die Verwertung Sache meiner Testamentsvollstrecker nach Massgabe der früher darüber getroffenen Bestimmungen. Bei der Verwertung meiner Sammlungen empfehle ich ihnen, sich nicht nur des Rates der Firma Rosenbaum, jetzt nur in Amsterdam, für die Porzellansammlung zu bedienen, sondern auch des Rates des Herrn Börner in Leipzig, insbesondere wegen der Gemälde und Stiche. Eine Veräusserung all dieser Gegenstände innerhalb des Deutschen Reiches wird voraussichtlich nicht ratsam sein». 4th codicil, November 21, 1935. Earlier stipulations had advised that the art collection should be distributed to museums in Germany and the United States.

¹¹ WERNER 2011, p. 331, has argued that this was done to make funds available to the heirs as quickly as possible.

¹² A second sale of the Budge collection was held December 6-7, 1937 at Hans W. Lange, Berlin. On the Aryanization of the Graupe auction house, see ENDERLEIN 2006, p. 107 and GOLENIA 2011; on Graupe more generally, GOLENIA–KRATZ–KESSEMEIER–LE MASNE DE CHERMONT 2016. Periodical notices about the Budge sales include FALKE 1937 and LAUTS 1938.

¹³ Files of the Reichskammer der Bildenden Künste: Landesleitung Berlin, Auktionshaus Hans W. Lange. Landesarchiv, Berlin, A-Rep 243-04, Nr. 28.

¹⁴ On the Blohms, see SCHMIDT 1953, SOTHEBY'S 1960-1961, JEDDING 1968, STILLER 2005.

¹⁵ HEUSS 2008, pp. 85-86, noted that the estate executors made «support purchases» in the amount of RM 30,260. Also see the REPORT OF THE SPOLIATION ADVISORY PANEL 2014 regarding the acquisition of an object at the sale by Max Kronheimer, one of Mrs. Budge's estate executors. These reports can be downloaded at <https://www.gov.uk/government/policies/museums-and-galleries>, <August, 2018>.

possible to know for sure the Blohms' intentions; six of the seven objects that are now at the MFA sold at prices around 25 percent below their estimated valuation¹⁶.

The Blohms had business interests in Venezuela and considered themselves Venezuelan citizens, but they made their home in Germany where they kept their porcelain. They are said to have hidden it away during World War II. Otto Blohm died in 1944 and Magdalena shipped the collection to the United States with the assistance of Eric Warburg (1900-1990), Max Warburg's son. Eric had become a U.S. citizen in 1938 and was an officer in the military during the war (he was, in fact, a close friend of both the Budes and the Blohms)¹⁷. Once the collection was in New York, Edward M. Pflueger (1905-1997) and his wife, Katherine «Kiyi» Powers Pflueger (1915-2006) – likewise avid porcelain collectors – acquired the figures, some in the 1940s, directly from Mrs. Blohm, and others in the 1960s, when the collection was publicly auctioned through Sotheby's, London¹⁸ (Fig. 3).

The documented ownership history of the seven pieces of porcelain was, therefore, complete between 1937 and 2006. To assess the Budge estate's claim, the questions that remained to be answered related not to their provenance, but to the issue of whether and to what extent racial persecution played a part in the sale of the Budge collection, and if and how the proceeds from the sale were realized. The research process was facilitated by the copious secondary literature on the Budes; the willingness of the Budge estate attorneys to share primary source documentation; and the availability of resources pertaining to National Socialist legislation that was intended to strip Jewish residents of Europe of their economic and financial autonomy.

The sale held in October 1937 brought a total of RM 912,089, above the collection's appraised estimate¹⁹. There is no specific documentation of what happened to the proceeds from the sale, although it is very likely that the money was credited to the estate's account at Warburg Bank²⁰. For that reason, it is not possible to separate neatly the money brought by the sale of the art collection from the funds held in the estate account more generally. But how to prove a negative, that is, that Mrs. Budge's heirs never received this money? Understandably, the attorneys for the Budge estate were unable to supply documentation to that effect. The Museum had, therefore, to change the questions it asked, turning its attention instead to when any payments from the estate account would likely have been made to the heirs and whether, at that time, they would have been able to utilize the proceeds.

After the autumn of 1937, the situation for the executors and heirs of Emma Budge worsened drastically. In 1938, Max Warburg fled Germany and Warburg Bank was Aryanized,

¹⁶ Otto Blohm purchased lots 849-856 for RM 4600 (estimated at RM 6400); lot 906 for RM 600 (estimated at RM 800); lot 908 for RM 580 (estimated at RM 800); lot 909 for RM 540 (estimated at RM 800); and lot 974 for RM 1250 (estimated at RM 1000). The Blohms made a total of 43 purchases at the Budge sale; of these, 15 were acquired at prices above their estimates; two were acquired at their estimates; and 26 were below their estimates.

¹⁷ Eric Warburg would be responsible for revitalizing the Budge Foundations in Hamburg. On April 22, 1971, he recalled of the couple: «Henry und Emma Budge habe ich persönlich gekannt, war aber damals sehr jung. Ich habe sie als alte, sehr gütige Menschen in Erinnerung, die viel Gutes taten und für die Künste, insbesondere die Musik, sehr aufgeschlossen waren». ARNSBERG 1972, p. 64. Cai von Rumohr, grandson of Otto Blohm (telephone interview, April 25, 2011) confirmed that Eric Warburg was also a good friend of the Blohm family, and that he had the porcelain collection shipped to New York for them. Eric had been the former boyfriend of Otto and Magdalena's daughter, Beatrice; see CHERNOW 1993, p. 351.

¹⁸ MORLEY-FLETCHER 1993, I, pp. 116-117, 126-127, 134-135, 138-139, 144-145, 219-219.

¹⁹ Graupe had appraised the collection at RM 716,650; December 12, 1938 Accounting Report for the Budge estate (provided to the MFA by the Law Offices of Mel Urbach).

²⁰ WERNER 2011, p. 331, noted that the funds went to Warburg Bank along with the other estate assets. The REPORT OF THE SPOLIATION ADVISORY PANEL 2014 has written that the «sum was paid into a blocked account in M.M. Warburg, a formerly Jewish bank by then controlled by Nazi supporters and the heirs had no access to it».

or sold to non-Jewish owners²¹. Estate executors Max Kronheimer and Ludwig Bernstein likewise fled, and as a result were forcibly dismissed from their duties on October 12, 1938 because as «Jews and Trustees of a Jewish estate [they were] hardly in a position to take into account German needs from abroad»²². Alternate executor Rudolf Samson died of a heart attack. Finally, the Devisenstelle, or the National Socialist foreign exchange office, ordered Hermann Samson to transfer all of Mrs. Budge's Swiss bank accounts to the Warburg Bank, where the funds would be converted from francs into Reichsmarks. If he did not comply, he was told, he too would be expelled from his role. He was eventually dismissed in March 1939 when he emigrated to England.

The settlement of the Budge estate was deliberately delayed until the Third Reich could successfully bring Mrs. Budge's Swiss bank accounts within the borders of Nazi Germany²³. To leverage its position, the Devisenstelle not only threatened Mrs. Budge's estate executors, it ordered the confiscation of the passports of several of her heirs, so that they could not leave the country. Gottfried Francke, one of Mrs. Budge's bookkeepers, who was not Jewish, was instrumental in this process of expropriation. Mrs. Budge's heirs were coerced into giving him their powers of representation. In March of 1939, Francke went to Zurich on behalf of the Devisenstelle. With none of the appointed executors in Germany, and three of the four dismissed from their roles entirely, Francke was able to remit about two-thirds of what Mrs. Budge had stored in Switzerland to the account of the Budge estate at Warburg Bank. Francke himself was then put in control of this account, at which point, Bernstein and Kronheimer were reinstated as executors. Max Warburg, however, irrevocably lost his role and Francke was appointed in his place. In May of 1939, with Mrs. Budge's funds finally at the disposal of the Third Reich, and with Francke administering the estate's account to benefit the government, Mrs. Budge's heirs were given back their passports and allowed to leave. Only then did the Nazi state recognize a partial settlement of the estate.

If payments from this estate account were remitted as early as the spring of 1939, would the heirs have had free disposal over the proceeds? Mrs. Budge left some thirteen beneficiaries (and several charitable foundations) as heirs upon her death²⁴. In 1939, some heirs were in Nazi Germany but many had left. Those heirs who were abroad in 1939 would not have had easy access to funds in Germany and, in any event, would not have been able to utilize Reichsmarks²⁵. Draconian financial laws were in place in Nazi Germany by this time. As of 1935, Germany's Law on Exchange Control authorized a license for acquiring foreign currency with Reichsmarks, or for transferring Reichsmarks abroad. A license was required to make payments to a foreigner, and had to be made via a blocked account, which inevitably

²¹ The city of Hamburg insisted that the bank keep its name after it was Aryanized. In 1941, it became Brinckmann, Wirtz, and Co. For further on the process of Aryanization see CHERNOW 1993, pp. 466-470 and the website of Warburg Bank <https://www.mmwarburggruppe.com/en/history/>, <August, 2018>.

²² «Juden und Verwalter eines jüdischen Nachlasses [...] schwerlich geneigt, vom Ausland aus auf die gesamtdeutschen Notwendigkeiten Rücksicht nehmen». ARNSBERG 1972, p. 30 and KÖNKE 1991, p. 660; also see Landgericht Hamburg, 1 WiK (Wiedergutmachungskammer 1), 51/57 Z. 487 5, Public Hearing, September 30, 1960, pp. 6-7 (under para. 3).

²³ For information about the forcible transfer of Swiss assets, see ARNSBERG 1972, REUTHER 2014, and Landgericht Hamburg, 1 WiK, 51/57 Z. 487 5.

²⁴ In December of 1938, Francke drew up appraisals of the Budge estate at the instruction of Dr. Samson. The heirs listed were Gertrud Lascar; Walter Lascar; Marie Lascar; Ludwig Bernstein; Herbert Kronheimer; Albert Rothbart; Siegfried Budge; Rudolf Ganz; Erich Ganz; Frieda Feisenberger; Marie Adler; Henny Reichenbach; Martha Ganz; Charitable Societies of the city of New York; Henry and Emma Budge Foundation, Hamburg; Emma Budge Foundation, Hamburg; and the Henry and Emma Budge Foundation, Frankfurt.

²⁵ Some of the heirs who had already fled Germany were, in fact, able to receive their portion of the Swiss inheritance in foreign currency; see KÖNKE 1991, and U.S. District Court, Eastern District of New York, *In Re: Holocaust Victim Assets Litigation*, case nos. 09-160 and 12-5798 (ERK) (JO). There is no indication, however, that they received shares of the money that was held in Germany.

limited the holder's ability to access the payment. Any foreign currency received in the Third Reich automatically had to be «offered» to the Reichsbank²⁶. Collectively, this historical evidence suggested that the heirs outside of Germany would not have been able to access any funds remitted from the Hamburg account. The heirs who remained in Germany were subject to increasing persecution and, by 1939, had little economic freedom²⁷. Any payments to those in Germany were mediated through Gottfried Francke. For example, in 1940 Francke requested authorization to make a monthly payment of RM 550 to heir Martha Ganz of Frankfurt. The amounts were to go into a restricted-access account from which Mrs. Ganz could only withdraw funds with the permission of the Devisenstelle²⁸. There was thus no indication that the heirs in Nazi Germany would have had «free disposal» over whatever money was paid to them from the estate.

One final question remained, which was whether the heirs had been able to recover the objects from the Budge estate sale after World War II, or whether any financial settlements were reached with subsequent owners. The MFA's seven objects are known to have remained in the Blohm collection, and were not restituted; nor was there any indication that Mrs. Blohm had been approached in the postwar period about her acquisition of these figures. Yet, the heirs did attempt to challenge the legitimacy of the sale. Hugo Emmerich (1884-1961), a New York-based attorney working on behalf of Holocaust victims after the war, sent copies of the Budge auction catalogue to the Allied collecting points in West Germany, asking if asking if any of its contents could be found²⁹. A silver drinking cup, which Berlin's Schlossmuseum purchased, was located at the Wiesbaden Central Collecting Point, and Emmerich asked for its return³⁰.

Berlin did not return the cup, and the matter was brought to trial in the 1950s. Emmerich represented Mrs. Budge's heirs Frieda Feisenberger and Marie Adler, both of whom remained in Germany through the spring of 1939. They stated that the 1937 sale was the result of needing to pay discriminatory fines; in other words, as Jews in Nazi Germany they did not have control over the auction proceeds. The Senator for Education in Berlin, Joachim Tiburtius, provided a statement in which he suggested that:

as far as we know, it was a straightforward estate auction, which took place by order of the heirs. We are not aware that the proceeds from the auction were not distributed to the heirs. Nor has this been asserted by the other side. [...] In our view, the preparation of the catalogue by Berlin museum employees may be seen as an extraordinary promotion of the financial interests of the Budge family. Moreover, I should note that the silver cup in question is not an object of very great value³¹.

²⁶ BAJOHR 2002, p. 155.

²⁷ Under the Decree for the Utilization of Jewish Property (December 3, 1938), Jewish residents of the Reich were subject to forcible sales of industrial enterprises; required to deposit their securities at a government-controlled foreign exchange bank; forbidden to buy or sell gold, silver, or precious stones (unless those sales were to agents of the Reich); unable legally to acquire real estate, or to sell real estate without authorization. An English translation of the law can be found at <http://avalon.law.yale.edu/imt/1409-ps.asp>, <August, 2018>.

²⁸ Letter from the Oberfinanzpräsident Hamburg (Devisenstelle) to Gottfried Francke, February 3, 1940 (supplied to the MFA by the Law Offices of Mel Urbach).

²⁹ Emmerich himself had fled Nazi Germany and settled in New York; his son, André Emmerich (1924-2007), became a well-known art and antiquities dealer.

³⁰ National Archives and Records Administration, College Park, MD, Microfilm Publication M1947 (RG 260, Records Concerning the Central Collecting Points [«Ardelia Hall Collection»]: Wiesbaden Central Collecting Point, 1945-1952), Roll 48, Claim: Budge (heirs).

³¹ «Bei der Versteigerung der Sammlung Budge handelte es sich nach unserer Kenntnis der Sachlage um eine reine Nachlassversteigerung, die im Auftrage der Erben erfolgte. Es ist uns nicht bekannt, dass der Erlös aus der Auktion den Erben nicht zugeflossen ist. Dieses wird wohl auch von der Gegenseite nicht angeführt. [...] Nach unserer Auffassung kann daher die Bearbeitung des Kataloges durch die Berliner Museumsbeamten als eine aussergewöhnliche Förderung der Vermögensinteressen der Familie Budge angesehen werden. Im übrigen darf

Gottfried Francke himself was called for testimony. He stated that he had been one of Emma Budge's estate executors since 1939, and had been working for her as a bookkeeper since before 1937. He attested that «The auction of a portion of the estate [...] is not the result of the estate having to pay discriminatory taxes. [...] Persecution played no role in the quick disposition of the estate»³². Adler and Feisenberger's claim was ultimately rejected on June 23, 1954. The court ruled that

Because of the credible testimony of the estate executor Francke, the chamber sees it as proven that, at the time of the auction of a portion of the estate, no discriminatory fees were to be paid; the auction took place only because the inheritance taxes had to be paid and other liquid assets were not available³³.

Some compensatory payments were, however, made to the heirs in subsequent years, and the Budge estate was closed out. Though the matter of the art sale had been litigated, the MFA found it difficult to agree with the court that a «just and fair solution» should rest on the testimony of Francke, who was working to benefit the Nazi state³⁴.

At this stage in the research process, the Museum returned to its initial questions: would the sale have taken place had the Nazis not been in power, and did the sellers have a choice about how to dispose of the collection? It is still difficult to answer these questions with certainty. Emma Budge passed away of natural causes, and left her estate executors to dispose of the collection as they saw fit. They were not necessarily forced into selling the collection, although they auctioned it quickly, presumably in order to bring in funds for the heirs to use. The more critical question in this instance was whether the sellers obtained the proceeds fully and freely. Although the estate, as an entity, received the sale proceeds, it is also true that as the direct result of Nazi persecution, any money that was distributed from that estate account would not have been truly realized by the individuals who were owed it. Those heirs who were abroad would have had no access to funds in Germany in 1939. Any funds disbursed to the heirs who remained in Germany would have been kept in accounts tightly controlled by a Nazi-appointed administrator. The Museum could not conclude that the sellers were able to access this money freely and, for that reason, agreed with the claimants that the 1937 sale was invalid.

ich darauf hinweisen, dass es sich bei dem fraglichen Silberbecher um kein sehr grosses Wertobjekt handelt». Hauptstaatsarchiv, Wiesbaden, Abt. 519/A, Nr. Wi 5157 S.

³² «Die Versteigerung eines Teiles des Nachlasses insbesondere von Wertsachen im Dezember 1937 ist nicht deswegen erfolgt, weil der Nachlass diskriminatorische Abgaben zu leisten gehabt hätte. [...] Etwaige Verfolgungsgründe spielten für die schnelle Verteilung des Nachlasses keine Rolle», *ibidem*.

³³ «Aufgrund der glaubwürdigen Aussage des Mittestamentsvollstreckers Francke sieht die Kammer als erwiesen, dass zur Zeit der Versteigerung eines Teils des Nachlasses keinerlei diskriminatorische Abgaben zu zahlen waren, die Versteigerung vielmehr nur deshalb erfolgte, weil die Erbschaftssteuer bezahlt werden musste und andere flüssige Mittel dafür nicht vorhanden waren», *ibidem*. In the December, 1938 schedule of distribution of the estate (see above, note 19), based on an appraisal of the estate at RM 4.5 million, Francke had calculated estate taxes for the heirs and deducted that amount from what they were to receive. The total amount due to the heirs after inheritance taxes was about RM 2.4 million.

³⁴ In 1958, Frieda Feisenberger and Marie Adler brought a claim against Germany for 100 pieces of Socony Vacuum Oil Co. Inc. stock for DM 1,340,141.73. The lower court denied their claim, but the appellate (Hanseatic) court overturned this decision on May 12, 1960. The court found that the plaintiffs suffered a loss of rights, and that their assets were expropriated when they were turned over to Francke. The fact that they were made to cede power of representation to Francke was also considered a persecutory measure. The court acknowledged that the German heirs were only able to emigrate once a (partial) settlement of the estate was recognized, and that Francke only served the interests of the Reich. Landgericht Hamburg, 1 WiK, 51/57 Z. 487 5.

In settling with the Budge estate in 2017, the Museum of Fine Arts effectively purchased the seven figures from their rightful owners, an arrangement that allowed the Museum to accept them into the collection legally and ethically. The figures are now in public view for perhaps the first time since the 1937 sale, and they are accompanied by annotations that discuss their Nazi-era history, so that their provenance is available to museum visitors.

Policy and guidelines

In 2006, the seven figures from the Emma Budge collection were identified and claimed before they could be accessioned, but the rest of the Pflueger bequest was given accession numbers, photographed for the MFA website, and formally accepted into the Museum's permanent collection, to be exhibited, lent, and published. To this day, the process of researching and documenting the provenance of these more than 350 objects is ongoing³⁵. This situation raises two critical questions. First, why did the MFA not accession the Budge objects with the rest of the collection in 2006, with the goal of sorting out their ownership issues at a future date? Second, the corollary question: why was the rest of the collection accessioned if the process of provenance research was not complete?

It should be self-evident that the Museum did not accession the Budge objects because they were subject to a legal restitution claim. On the most practical level, it is simpler for a museum to make decisions about the future disposition of a work of art – returning it to its rightful owners, if need be – without accessioning it and then, later, having to go to the additional step of deaccessioning it from the collection. There was, more critically, the possibility that the porcelain figures would be considered stolen property under United States law, in which case the Museum would not have been able to take title or valid ownership. The word *stolen* can apply not only to property that was taken during a burglary or plundered by Nazi forces; it can also apply to works of art that were included in a Holocaust-era duress sale³⁶. In 2007, Rhode Island judge Mary Lisi ruled, regarding the forcible auction of Jewish art dealer Max Stern's gallery stock, that «[t]he Nazi party's actions in this instance are ... properly classified as looting or stealing»³⁷. Even if a work of art stolen in this way was acquired in good faith, Lisi wrote, a basic tenet of American law is that once a theft occurs, the item continues to be considered stolen, until the break in its chain of ownership is repaired: a thief cannot convey title³⁸.

Putting aside these logistical and potential legal issues, which are not inconsiderable, the Museum would also be particularly hard-pressed to defend the ethics of its collecting practices if it accessioned works of art that were believed to have been lost to a Jewish owner during the Holocaust, especially without researching the matter first. To safeguard against acquiring stolen art, the MFA has specific wording in its acquisition and collection policy, which serves as an internal governing document for matters pertaining to the collection³⁹. The policy states:

³⁵ The provenance information that the MFA received in 2006 was based on information in MORLEY-FLETCHER 1993.

³⁶ YIP-SPENCER 2008.

³⁷ *Vineberg v. Bissonette* 2007, 529 F. Supp. 2d 300 (D.R.I. 2007).

³⁸ «Defendant's predecessor-in-interest, Wilharm, however, as a result of the acquisition of the Painting through the forced sale, did not acquire good title to the Painting. [...] Legal title to the Painting remained in Dr. Stern and was transferred to the Stern Estate upon Dr. Stern's death. Because Defendant's predecessor-in-interest did not have title to the Painting, Defendant cannot lay valid claim to ownership of the Painting. This Court concludes, therefore, that Defendant is in wrongful possession of the Painting», *ibidem*.

³⁹ On collection management policies, see MALARO 1998, pp. 45-57.

As part of its standard procedure for all proposed acquisitions, the Museum will [...] undertake [...] research to ensure that the proposed acquisition has not been illegally appropriated (without subsequent restitution). The Museum will not acquire a work of art if there is evidence of illegal appropriation without subsequent restitution or other satisfactory resolution of title⁴⁰.

As a matter of policy, the MFA could not acquire the Budge porcelain as long as there was evidence of illegal appropriation, such as a forced sale.

Language provided by the AAMD (Association of Art Museum Directors) and AAM (American Alliance of Museums), the two leading museum associations in North America, informs this statement in Boston's collection policy. The AAMD guidelines, for example, mandate:

Where the Nazi/World-War-II-era provenance is incomplete for a gift, bequest, or purchase, the museum should search available records and consult appropriate databases of unlawfully confiscated art [...] (a) In the absence of evidence of unlawful confiscation, the work is presumed not to have been confiscated and the acquisition may proceed. (b) If there is evidence of unlawful confiscation, and there is no evidence of restitution, the museum should not proceed to acquire the object and should take appropriate further action⁴¹.

These guidelines were issued in 1998, shortly before the United States signed the Washington Conference Principles on Nazi-Confiscated Art and the country affirmed its commitment to identifying art that had been lost during the Holocaust. Rather than work to implement legislation, the museum associations issued these guidelines to outline best practices in collecting. This solution is sensible, given that most museums in the United States are, like the MFA, privately run and privately funded, and are therefore not subject to state governance the way that many European institutions are⁴².

The scope of the AAM and AAMD guidelines (and the MFA's policy after them) is not limited to new acquisitions. Both sets of guidelines specifically address the need to conduct research on existing collections, applying rigorous scrutiny to works of art that museums may have held for years, if not decades:

If [...] a member museum should determine that a work of art in its collection was illegally confiscated during the Nazi/World War II era and not restituted, the museum should offer to resolve the matter in an equitable, appropriate, and mutually agreeable manner⁴³.

Typically, this means if a work of art is determined to have been stolen during Nazi era, either deaccessioning the object for a return to its rightful owner, or, as in the case of the porcelain, reaching a financial settlement to compensate for the initial loss.

Under these guidelines, the MFA has reached several resolutions for works of art that had been in the collection for years before provenance research uncovered a loss due to Nazi persecution⁴⁴. In 2000, the MFA arranged a settlement for Corrado Giaquinto's *Adoration of the*

⁴⁰ See <https://www.mfa.org/collections/provenance/acquisitions-and-provenance-policy>, <August, 2018>.

⁴¹ REPORT OF THE AAMD TASK FORCE 1998, available for download at <https://aamd.org/standards-and-practices>. For the AAM standards on Unlawful Appropriation of Objects During the Nazi Era, see <https://www.aam-us.org/programs/ethics-standards-and-professional-practices/unlawful-appropriation-of-objects-during-the-nazi-era/>, <August, 2018>.

⁴² For example, in order to facilitate restitution from state-run museums, in 1998 Austria passed the Art Restitution Law (amended 2009); in 2009 the United Kingdom passed the Holocaust (Return of Cultural Objects) Act.

⁴³ REPORT OF THE AAMD TASK FORCE 1998.

⁴⁴ For more information on each of these resolutions, see <https://www.mfa.org/collections/provenance/nazi-era-provenance-research>, <August, 2018>.

Magi (acquired 1992), which had been part of the 1941 forced sale of Federico Gentili di Giuseppe's estate. In 2009, the MFA reached another settlement for four eighteenth-century Italian tapestries from the Barberini collection (acquired in the early 1950s), which had been part of the liquidation sale of the Jewish-owned gallery Altkunst Antiquitäten in 1935. In 2011, Eglon van der Neer's *Portrait of a Man and Woman in an Interior* (acquired 1941) was the subject of a financial agreement after research revealed that it had almost certainly been lost to Walter Westfeld, a persecuted Jewish art dealer, between 1936 and 1938⁴⁵. Each of these works of art had been exhibited and published on numerous occasions, and was well-known in scholarly literature. Only recent efforts to document fully their provenance in the 1930s and 1940s allowed the Museum to clarify their ownership. The MFA now holds these works of art legally and ethically.

In 2004, in addition to these resolutions, the MFA also deaccessioned and returned a Polish *Madonna and Child*, which had been plundered during the Warsaw Uprising; and, in 2010, it did the same for an embroidered panel depicting the *Death of Saint Vigilius*, stolen from the Museo Diocesano Tridentino during World War II⁴⁶. Although the AAM and AAMD guidelines do not specifically address types of loss beyond the Nazi period and World War II, the MFA has also deaccessioned and returned items that research showed had been otherwise stolen or smuggled before they reached the museum⁴⁷. For example, in 2006, thirteen unprovenanced classical antiquities were removed from the collection and repatriated to the Italian State. In 2011, the infamous «Weary Herakles», an ancient marble torso long claimed to have been looted from Turkish soil, was returned to Turkey.

This large number of settlements and returns raises the question of how the Museum of Fine Arts had acquired these illicit items in the first place. There are a number of complex factors contributing to the unlawful trade of art, not least of which is the privacy and opacity that pervades the art trade in general, and that allows stolen and smuggled items to slip more easily through the cracks. Even the most diligent participants on the market may find themselves in inadvertent possession of stolen goods. Nevertheless, the acquisitions listed above were all made long before the Washington Conference Principles were drafted, there were no AAM or AAMD acquisition guidelines at the time, and the MFA itself did not have a formal collection policy until 1996. Indeed, for many years, there was a relative lack of diligence in the art world when it came to legal ownership. When making acquisitions, museums, dealers, and collectors asked few questions about provenance, and presumed that works of art were on the market legitimately unless they had specific reason to believe they were not.

This point bears upon the second question posed above: why, if the process of provenance research was still incomplete, was the rest of Pflueger collection accessioned in 2006? Did the MFA presume that every work of art in the bequest could be accessioned legally and ethically, lacking evidence to the contrary? Even in the years immediately following the Washington Conference, the answer to this question is a qualified yes. In addition to the *commedia dell'arte* figures, one other Pflueger collection object was withheld from accessioning: a Meissen figure of Augustus the Strong, which was believed to have been stolen from the Porzellansammlungen of Dresden during World War II. Once curatorial staff verified this

⁴⁵ On this settlement, see REED 2015.

⁴⁶ REED 2011.

⁴⁷ Both the AAM and AAMD have issued guidelines on the acquisition of ancient and archaeological objects; the AAM urges research on existing collections, but neither organization has offered guidance on analyzing or redressing instances of archaeological looting. For the MFA returns, see <https://www.mfa.org/collections/provenance/antiquities-and-cultural-property>, <August, 2018>.

information, the figure was returned to Dresden in 2006⁴⁸. The rest of the collection was accessioned, and the process of provenance research continues today.

Going forward

Since 2010, in order to uphold MFA policy, the museum guidelines, and the Washington Principles – and to minimize the likelihood of new restitution claims emerging in the future – the MFA has instituted a system of provenance questionnaires, which are required for new acquisitions. The questionnaires are filled out by curatorial staff and must be approved by the Director of Collections before the any gift, purchase, or bequest can be accepted. The questions range from an object's publication and exhibition history to whether it has been run through art loss databases, and the form prompts an examination of any relevant legislation that would govern the object's movement across international borders. Finally, the questionnaires require a curatorial justification for the acquisition based on the cumulative facts about its provenance.

While there is no way for the Museum to eliminate risk completely in the acquisition process, the questionnaires allow staff to consider very carefully what becomes part of the permanent collection, and they require the institution to keep a record of its research and decision-making. As a result, acquisitions proceed more cautiously and carefully than in previous years. In exceptional cases, museum staff have uncovered evidence of theft and looting in the history of works of art offered to the Museum, and those objects have been returned to their rightful owner or country of origin⁴⁹. The Museum has also been offered works of art that were not obviously claimable, but which had undeniable «red flags» in their provenance requiring further research and clarification. Unlike the situation with the porcelain from the Budge collection, in most cases the Museum does not have years to conduct research, but must make a decision about whether to acquire a work of art within just a few weeks. This means that the MFA must turn certain acquisitions down for lack of clear information.

In other cases, the questionnaire process allowed the Museum to document as fully as possible works of art that had been plundered by Nazi forces from Jewish collectors, but were returned to their rightful owners in the years following World War II. In these instances, proactive provenance research made it possible to tell the story of the objects in the galleries and online almost immediately. In 2015, for example, the MFA received the donation of 186 works of art that had been looted in 1938 from Alphonse and Clarice de Rothschild of Vienna. The works of art were returned to the Rothschild family at various dates after the war, and were given to the MFA by their descendants. The Museum marked the occasion of this generous gift with an exhibition that displayed a selection of these objects, and told the story of the Rothschild family and the fate of their art collection⁵⁰. In 2017, the porcelain figures from the Budge estate were installed in the Museum next to selected objects from the Rothschild gift. Both groups of objects are accompanied by labels discussing their Nazi-era histories. Indeed, provenance research should not be conducted solely to resolve potential legal disputes; it should be done to uncover the stories that works of art tell. It is, arguably, difficult to appreciate any work of art fully without an understanding of where it came from.

⁴⁸ See <https://www.mfa.org/collections/provenance/nazi-era-provenance-research>, <August, 2018>.

⁴⁹ After a stolen 17th-century German pendant was offered to the MFA in 2011, it was returned to Schloss Friedenstein, Gotha; see REED 2013, pp. 368-369. In 2014, the MFA repatriated to Nigeria eight stolen or smuggled antiquities that it had received in a bequest; see EDGERS 2014.

⁵⁰ *Restoring a Legacy: Rothschild Family Treasures*, MFA Boston, March 1-July 5, 2015.

To that end, the research any museum undertakes on Nazi-era provenance is not a burden, but it is a responsibility. Collecting institutions are responsible to their Boards of Trustees, to the local public who visit their galleries, and to the art world as a whole. The most important goal of provenance research is not necessarily restitution, but rather, sharing the results of the research process, whatever the outcome. Works of art, whether or not they were sold under duress or looted during World War II, all bear witness to certain memories. Provenance research uncovers these memories and allows museums to preserve and share them through curatorial records, gallery labels, exhibitions, and online. As long as museums are careful about researching the new works of art they acquire, they can be confident that they will be able to care for these objects, and share the stories they tell, well into the future.



Fig. 1: *Figure of Harlequin*, Höchst Manufactory (Germany), about 1752, Hard-paste porcelain. * Kiyi and Edward M. Pflueger Collection – Bequest of Edward M. Pflueger and Gift of Kiyi Powers Pflueger, from the Estate of Emma Lazarus Budge. * Photograph © Museum of Fine Arts, Boston



Fig. 2: *Figure of Harlequine*, Höchst Manufactory (Germany), about 1752, Hard-paste porcelain. * Kiyi and Edward M. Pflueger Collection – Bequest of Edward M. Pflueger and Gift of Kiyi Powers Pflueger, from the Estate of Emma Lazarus Budge. * Photograph © Museum of Fine Arts, Boston



Fig. 3: Underside of *Figure of Harlequin* (Fig. 1) showing a handwritten, nineteenth-century label; a round Budge («H.E.B.») collection label; the lot number from the 1937 auction (854); and a partially-hidden Pflueger collection label. Photograph by the author

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ABSTRACT

In the spring of 2017, the Museum of Fine Arts, Boston (MFA) acquired seven pieces of eighteenth-century German porcelain, all of which had been included in the 1937 estate auction of collector Emma Budge of Hamburg. These *commedia dell'arte* figures were left to the Museum in a 2006 bequest, but the MFA waited to accession them until the process of provenance research was complete. At the time of the bequest, the Museum was contacted by an attorney who alleged that the 1937 auction was a Nazi-era duress sale, and therefore that the figures still rightfully belonged to the Emma Budge estate, not the MFA. In this article, I examine the process of conducting research on the Budge porcelain in particular and on Nazi-era sales more generally. I discuss the guidelines and policies that have been issued for American museums since the Washington Conference on Holocaust-Era Assets of 1998, which mandate careful provenance research for new acquisitions. Finally, I look at current practices at the MFA, which are intended to diminish the likelihood that the Museum will accept looted works of art into its collection in the future.

Nella primavera del 2017, a Boston, il Museum of Fine Arts (MFA), ha acquisito sette figurine in porcellana di manifattura tedesca risalenti al XVIII secolo e donate al museo nel 2006. Le statuette della commedia dell'arte rientravano tra le proprietà della collezionista amburghese Emma Budge vendute all'asta nel 1937. Gli avvocati della proprietaria avrebbero contattato il museo al tempo della donazione, asserendo che la vendita altro non era se non una misura forzata dovuta alle politiche persecutorie messe in atto dalle autorità nazionalsocialiste, e che, per questo motivo, le statuette sarebbero sempre appartenute alla collezionista di Amburgo. Questo articolo ripercorre il processo di accertamento sulla provenienza delle figurine e, più in generale, le regole di condotta e i procedimenti messi in atto dal MFA per risolvere e prevenire la presenza di questo tipo di oggetti nelle proprie collezioni.

LOOTING JEWISH HERITAGE IN THE ALPE ADRIA REGION. FINDINGS FROM THE UNION OF THE ITALIAN JEWISH COMMUNITIES (UCEI) HISTORICAL ARCHIVES

Sources and research questions today

Important documents produced under the Allied Military Government (AMG) from 1943 to 1947 are kept in the Historical Archive of the Italian Union of the Jewish Communities (Unione delle Comunità Ebraiche Italiane, UCEI). This paper aims at illustrating some of these documents relating to the Alpe Adria territory and to cases already mentioned in the proceedings of the so called Anselmi Commission. It also presents documents dating from 1987 that until today have not yet been inventoried and still wait for proper consideration.

This paper intends to hint at the variety and importance of the historical archive of the Union for research on Jewish provenance. The selected cases also attest to the great difficulty Jews met in recovering their properties. This is true in particular of the members of the Jewish Community of Trieste¹. However, in Trieste one of the first actions of the AMG was to abrogate the racial laws (General Order no. 3 of July 3rd, 1945).

Historical overview

Across Europe, the devastation caused by the Holocaust left deep scars: where once there was the pulse of millions of Jews, only the trauma of the few survivors remained with the memories of entire communities lost.

Also in Italy, the diabolical plan of the ‘spoliation’ of Jews started before the war, resulting in mass plundering and the destruction of property belonging to Jewish citizens. The racial laws put into place in 1938 sought to control their behaviour and economic life, forcing many Jews into exile. Those who emigrated attempted to carry their furniture, linen, work tools, art objects and so on, with them.

Foreseeing the imminent exodus of the Jews and their property, the Circular no. 43, dated March 4th, 1939, issued by the Ministry of National Education, encouraged Custom Offices to make the export of art objects more complicated. Customs officers were supposed to overestimate the value of the objects in order to demand a higher export tax. Under those conditions, many who were forced to flee for their lives had to leave their property in Italy. This situation gave origin to the myth of the ‘treasure’ of the Jews.

The Italian Police were unrelenting in preventing the ‘expatriation’ of jewels and money by persecuted Jews. The Police focused their activities on seizing goods of high value, such as gold, precious currency, securities in the form of stocks and bonds, as well as valuable works of art.

After September 8th, 1943, occupied Northern Italy was divided into two Operational Zones. Their Supreme Commissioners – the *Gauleiter* of Carinthia, Friedrich Rainer, who became head of the Operational Zone Adriatic Littoral, and the *Gauleiter* and *Reichsstatthalter* of Tyrol Franz Hofer, who was appointed head of the Operational Zone Alpine Foothills – received orders directly from Hitler. The occupation of Trieste by the German troops

¹ Rome, Archivio Storico dell’Unione delle Comunità Ebraiche Italiane (from now: AUCEI), UCII dal 1934, box 65A, folder 7 *Commissione Alleata 1946*, which contains correspondence between the Jewish Community of Trieste and the AMG.

occurred soon after the signing of the Armistice between Italy and the Allied forces. The Supreme Commissioner issued a law stating that all Jewish assets were confiscated and taken by the Reich. The assets were looted, the furniture removed from the houses, and the bank deposits blocked, while the Jewish population was captured in the streets.

On November 24th, 1943, the Council of Ministers of the Italian Social Republic (Repubblica Sociale Italiana, RSI) that continued Fascist politics in Northern Italy under control of the German occupation forces, approved a first provision on Jewish property: a legislative decree of Mussolini ordered that Jewish owners report their cultural assets, which (at the request of the interested superintendents and according to the procedure of the law of war, when compatible) were to be seized by the heads of the provinces. This decree, which affected both private Jews and Jewish institutions, never came into force² (Fig. 1).

On November 30th, 1943, the RSI established the seizure of all assets belonging to Jews - 'the enemies of the homeland' - and then on January 4th, 1944, the definitive confiscation of all their property took place. A special body for the management of Jews' properties (Ente per la Gestione e Liquidazione dei Beni Ebraici, EGELI) had already been established in 1939 after the promulgation of racial laws of 1938.

By April 1944 the spoliation was sharpened with the arrest and deportation of Jewish citizens. In addition to seizures under the regulatory framework, there were uncontrolled thefts of property by plundering and raiding.

In North-Eastern Italy, in the Operational Zones, the Nazis also ordered the seizure of rare books and entire libraries, a field which until then had not been particularly targeted by the Italian provisions. Rather, the assets of communities, synagogues or cemeteries were often targeted and devastated by fascist squads, as in Trieste, Alessandria, Florence, Ferrara, Split, Padua, Gorizia, Vercelli and Bologna, whereas the synagogues of Leghorn and Turin were devastated by bombing³. German authorities looted the valuable volumes of the libraries of Jewish Communities in Trieste and Rome, where they also seized the library of the Italian Rabbinical College⁴.

One of the first orders of the German occupying authorities in Trieste, on October 7th, 1943, was the one addressed to the local branches of banks, such as the Banca Commerciale Italiana and the Credito Italiano. The banks were requested to verify all bank accounts and security boxes entitled to Jews; after that, all their accounts were closed and the money transferred into the *Oberkasse* of the Supreme Commissioner. With an order dated November 24th, 1943, the same happened at Rijeka and Pula⁵; bank deposits confiscated in Opatija were transferred into the bank account of the Reichskreditkasse of Rijeka⁶. In order to identify the accounts of the Jews, recourse was made to the personal data of registers; the safety deposit boxes were opened, while all the expenses for the blacksmith work were charged to the owners.

² On the 1st of December 1943, the Circular n. 665 of the Ministry of National Education, General Direction of the Fine Arts, signed by Bottai, was addressed to the heads of provinces, superintendents and heads of revenue offices. It ordered the seizure of all real estate, securities, artistic, historical and bibliographical assets of private Jews and Jewish institutions. It is to be found in the Prefecture archive groups of the Italian State Archives.

³ *RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM] 2001*, pp. 148; 154-156.

⁴ AUCEI, AUCII dal 1934, box 35C, folder 10, *Biblioteche, Archivi-1943* contains documents on the Library of the Jewish Community of Rome looted by the Nazis on October 14th, 1943, and on the Library of the Rabbinical College, both known for their inestimable value. The shipping company Otto & Rosoni loaded with materials from these libraries two freight trains coming directly from Munich, marked with the abbreviations DPRI Munchen 97970 G and DPRI Munchen 97970 C. Another part of the Library of the Rabbinical College was shipped on December 22nd and 23rd, 1943. After the end of the war, this latter was found by the Allies and transferred to the Offenbach deposit. See also AUCII dal 1934, Box 65A, folder 9 *Comunità 1944-1945*. See SARFATTI 2003; TEDESCHI 2004, 2007.

⁵ *RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM] 2001*, p. 216.

⁶ *Ibidem*, pp. 229-30.

Looting increased over time, as well as blackmailing and extortion by way of threats, either at the moment of the arrest of Jewish persons or when they tried to cross the borders and were offered false promises of salvation⁷. Often, Jews had to escape by abandoning their homes, which were looted also by neighbours, or other people they trusted. Sometimes the properties, like linen or pieces of furniture, were distributed among the victims of air raids. It is to be noted that after the war, the Italian State did not acknowledge any compensation in these cases.

While the Nazi administration required accurate registration and identification of the seized assets, there also were many cases of looted goods used for personal purposes both among the Italian policemen and in the German army. This is the reason why much of the stolen heritage has been dispersed or disappeared.

When the war was over, and restitutions were demanded, Jewish organizations and individuals met great difficulties in identifying the owners of objects or their heirs⁸. In Trieste the Office of the Jewish Property Control worked until April 1st, 1949. Its aim was carrying out the return of the assets to the owners: the bank accounts and the valuable effects were examined.

Allied Military Government documents reported that a lot of progress was made regarding the recovery of bank accounts and jewels: however, despite the accuracy of Nazi administration in recording confiscation, it was very difficult to identify owners and in the dossiers we frequently find typical generic remarks such as: «this amount is resulting from the sale of objects belonging to the Jews». Many compensations could not be carried out by the AMG. In 1946 AMG informed the Union of Jewish Communities that in Trieste many steps had been taken to recover bank accounts and jewels belonging to Jews; however, some large sums confiscated by the Germans did not mention the owner's name but only the generic description mentioned above. The funds resulting from the sale of objects belonging to the Jews remained blocked in the bank by AMG, as it is mentioned in a letter dated August 19th, 1946⁹ (Fig. 2). Finally, these amounts were returned to the Trieste Jewish Community after the expenses for researches made by AMG were deducted¹⁰.

Therefore, while information related to bank accounts seized by the Germans had been recorded in detail – listing accounts by name –, it was nearly impossible to reconstruct the fate both of those who attempted to escape across the border and of their looted property. In September 18th, 1945, Giuseppe Nathan, Commissario Governativo of the Union of Jewish Communities, wrote to the Governor of the Bank of Italy in order to research jewels and values seized by the Fascists and deposited in the Vicenza branch of the Bank of Italy. At the beginning of the summer, he had already alerted the Head of the Government, Ferruccio Parri, about the difficult situation of the Jews of Trieste, many of them displaced, and asked for a provision to allow them to settle in apartments occupied by Fascists, as it had been already done in favour of partisans¹¹. In August the same Parri was further requested by the Union of the Jewish Communities to ease in general restitutions of assets and goods which had been confiscated by Fascists and had been given in use to local prefectures¹² (Figs. 3-4).

⁷ ZABLUDOFF 1995; ZABLUDOFF 1998.

⁸ WEINBAUM 1995. See also, *Moral and Material Restitution: An Interim Report* by the Institute of the World Jewish Congress, Policy Dispatch No. 54, September 2000, kept at the Library of UCEI.

⁹ AUCEI, AUCII dal 1934, box 65 folder 7, *Commissione Alleata*, 1946.

¹⁰ AUCEI, AUCII dal 1934, box 65 A, folder 7, *Commissione Alleata*, 1946. Letter by the Jewish Community of Trieste to UCII, September 12th, 1946; letter to AMG, 13th Corps, September 24th, 1946.

¹¹ AUCEI, AUCII dal 1934, box 83B, folder 6 *Ministeri 1945-1946*. Letter from Nathan to Parri of June 26th, 1945.

¹² AUCEI, AUCII dal 1934, box 83B, folder 6 *Ministeri 1945-1946*. Letter from the Union of the Jewish Communities to Parri of August 9th, 1945.

Trieste books restitution

A letter dated August 12th, 1949 by the Italian Diplomatic Mission for the Restitution of Works of Art in Germany reported that 147 books of the Jewish Community of Trieste were found at the Studienbibliothek in Klagenfurt¹³. The Head of the Diplomatic Mission and responsible for restitutions, Rodolfo Siviero, was also called to examine the collections in the Offenbach and Wiesbaden storages, while an additional warehouse of books had been discovered in Grundlsee.

Plunder activity in Alpe Adria

Many documents relate to pieces of evidence offered by Jews who suffered lootings and deportation. Many private apartments were looted. As for Gorizia, Massimo Della Pergola and Marcello Morpurgo reported that their houses had been raided. In Rijeka Andrea Emodi had all his belongings looted, whereas Teodoro Morgani reported that the Moorish style Temple of via Pomerio and the Jewish cemetery had been set on fire. In Trieste the owner of villa Spiegel was deported and killed in Auschwitz after having been robbed of all his goods.

Some examples of confiscations or pillages of art collections¹⁴

In Trieste most of the seizures were carried out by German authorities, among them the property belonging to Bruno Pincherle, Arnaldo Frigessi and Mario Morpurgo.

In Meran Mr. Julius Berman, back in the town after the war, denounced the looting of his apartment and the fact that many of his goods had been given to private individuals. When he found some of them, the new owners declared in trial that they had legally bought and paid for these goods, and that they did not know who the previous owner was¹⁵.

The restitution of looted assets and the role of UCEI

The restitution of property was submitted to a very complex process that depended on a number of circumstances: whether the owners had been killed in camps, whether they had heirs, whether they were members of Jewish communities or had abjured, etc.

On May 11th, 1947 a decree was issued integrating an article of the Civil Code on matters of inheritance. It regulated the succession of heirless Jews, deceased following racial persecutions after September 8th, 1943. The beneficiary was no more the State, as in the Civil Code, but the Union of Jewish Community. The essential conditions for the application of the law are: that the Tribunal has issued a declaration of presumed death and that the deceased Jew had not abjured his faith (according to art. 5 of the RD October 30th, 1930, n. 1731). The inheritance was transferred free of charge.

Later, according to the Law n. 336 of 1970, which refers to the rights and benefits of formerly persecuted people, and its subsequent modification with Law n. 233 of July 18th, 1997, dealing with goods stolen because of racial persecution to Jewish citizens, detained by the Italian State, it was established that such goods are to be assigned to the Union of Jewish

¹³ RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM] 2001, pp. 157-158.

¹⁴ For a general overview see FELICIANO 2001.

¹⁵ For further information on this case see RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM] 2001, pp. 195-196.

Italian Communities which has the task to distribute the proceeds to the individual communities.

A large bulk of archival documentation exists at the Historical Archive of the UCEI on these matters. Most of it has not yet been ordered and needs further investigation.

One case is that of Bernardo Czopp, a vet active in Bolzano, born in Ukraina in 1879, who was arrested in December 1943 and never came back. Before being arrested, he had left his money to a friend, Giovanni Battista Baggio of Bassano del Grappa. After the war, as attested by some documents in the UCEI, his friend returned the money he had received from Bernardo to the Union of Jewish Communities. His legacy could be transferred to the Union because he was a member of the Jewish Community¹⁶ (Fig. 5).

Different is the case of Malvina Weinberger married name Lehmann. She lived in Merano, but was a German citizen. Her belongings did not go to the Union because the lady, deported and presumably killed soon after her arrest, had previously abjured to the Jewish religion; therefore the Union had no right to receive her property¹⁷.

A third significant case is that of Anneliese Herzberg Körpel. In 1990, the Merano Jewish community communicated to Tullia Zevi, President of UCEI, the existence of a security box in the Banco di Roma in Bolzano under the name of Anneliese Herzberg Körpel. Some of the gold coins it contained had been sold by order of the District Court of Bolzano in order to pay charges on the deposit box during the years. Moreover, these coins had been sold at a time when the price of gold was low. In this case the situation was more complex because research carried out on the lady's family origin revealed that she was originally a refugee in Merano and Polish citizen married to a German. However, she was registered in the Jewish Community of Merano, where she resided. On September 15th, 1943, she and her two children, Rolf and Ellen, were arrested and killed. Thus, she died heirless.

After the discovery of the security box UCEI lawyers obtained by the General Advocacy that its contents would be returned to the Union of the Italian Jewish Communities. The criterium of the lady's affiliation to the Jewish Community was fundamental for the decision. The amount received was transferred to the Community of Merano and used for charity activities¹⁸.

'Bisacce' of Trieste - The Trieste Saddlebags

According to the German documentation found after the war, more than 131 houses belonging to Jews in Trieste were plundered and their assets – having a value of more than 186 Million Lire of the time – were partially transferred to the Reich.

During an investigation dating back to 1962, it emerged that the looted Jewish goods from Trieste, shipped to Carinthia in five trucks, were stored in different places: the basement of the office of the *Gauleiter* Rainer in Klagenfurt, the castle of Osterwitz, the elementary school of Pörtschach and the cellars of an abandoned brewery of Silberegg. These Jewish goods were recovered in 1946. Saddlebags, containing personal objects, were traced in an auction house in Graz by Manlio Cecovini, who was at that time the legal advisor of the Allied Military Government.

After these objects had returned to Trieste, they were showed to the victims of Jewish persecution of the city at the Monte dei Pegni of the Cassa di Risparmio of Trieste on

¹⁶ RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM] 2001, p. 193; AUCEI, AUCII dal 1948, box 166, folder 1 *Patrimonio di deportati che va all'Unione per mancanza di eredi*, subfolder *Czopp Bernardo*.

¹⁷ RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM] 2001, p. 194.

¹⁸ AUCEI, Box n. 211: 1987-1990 file 66; Box n. 312: 1994-1997, file 66. All archival documentation relating to the years after 1987 has not been inventoried and therefore not available to the public.

November 23rd, 1952. Few people were able to identify their property. Goods were personal items such as: wedding rings, cigarette boxes, photo frames, and mismatched pieces of silverware¹⁹. Although these personal objects did not have a monetary value, they are strong material evidence of the harsh persecution against the Jews that took place in Trieste and clearly show the suffering of human beings to whom life has been denied.

The objects which have not been recognized were transferred to the Central Treasury Bureau (*Tesoreria Centrale dello Stato*) in via XX Settembre in Rome in 1962. Here, in the ministerial bureau, they stayed unnoticed for 35 years, until February 3rd, 1997, when they were 're-discovered'. There were five bags, with the acronym number 1117, which in the press were labeled as «Jewish Treasure».

After the finding, the Ministry of the Treasury appointed a commission to ascertain the legitimate property of the goods.

In the end the unclaimed objects were given to the Union of the Jewish Communities to be returned to the Community of Trieste. The official ceremony of the return of the unclaimed goods to the Jewish Community of Trieste took place in the Great Hall of the Ministry of the Treasury in Rome on Monday, August 4th, 1997, at the presence of the Minister of Treasury, Carlo Azeglio Ciampi, of Tullia Zevi, President of the Union of the Italian Jewish Communities, and of the members of the Commission that had investigated²⁰. Only a couple of weeks before, a law entitled *Provisions in favour of members of the former Jewish communities persecuted for racial reasons* was approved by Parliament for its moral and social relevance²¹.

In the year 2000 the objects were restituted to the Community of Trieste, which decided to exhibit a great part of them in its Museum entitled to Carlo and Vera Wagner. A small significant selection is today also exhibited at the Risiera di San Sabba and at Yad Vashem in Jerusalem²².

¹⁹ An article on the newspaper «La Nazione» dated February 21st, 1997, mentions that the 'bisacce' contained eye glasses, gold dental prostheses and simple personal objects.

²⁰ http://www.tesoro.it/ufficio-stampa/comunicati/1997/comunicato_0059.html, <May, 2019>.

²¹ Law 233 of July 18th, 1997.

²² <https://moked.it/triestebraica/luoghi-ebraici/il-museo-ebraico/>, <May, 2019>.

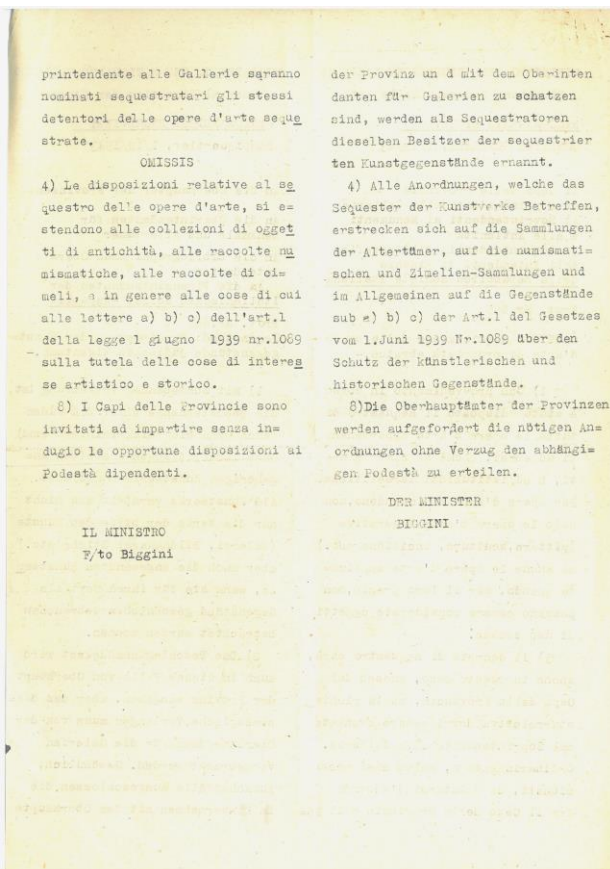
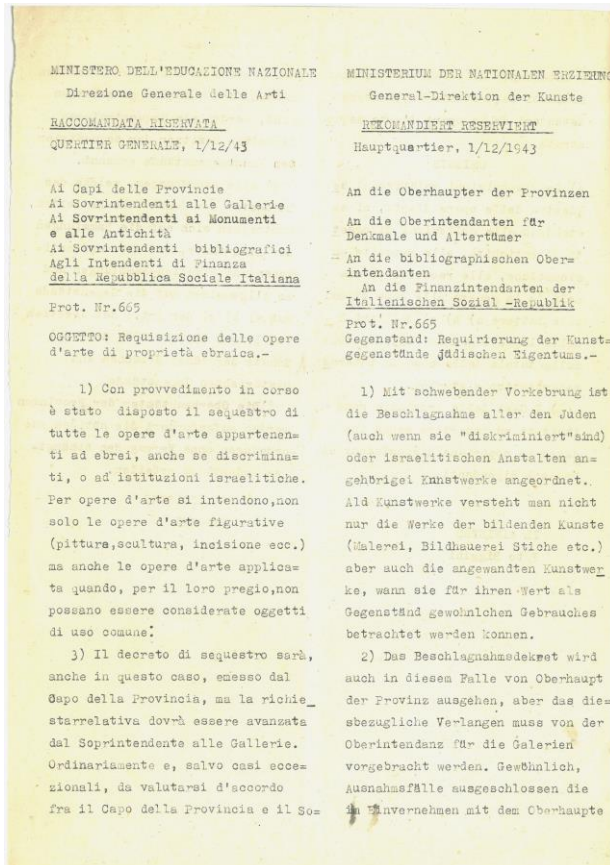


Fig. 1: Ministerial Circular no. 665 on the Requisition of Jewish-owned Artworks, December 1st, 1943. AUCEI, AUCII dal 1948, Box 65 A, Folder 6 *Rapporti coi Ministeri 1944-1945*

Looting Jewish Heritage in the Alpe Adria Region. Findings from the Union of the
Italian Jewish Communities (UCEI) Historical Archives

1946-65 HEADQUARTERS
ALLIED MILITARY GOVERNMENT
FINANCE DIVISION
13. CORPS
65

TELEPHONE: Nr. 29701/EXT. 18 Property Control

REF : 136/AMG/CP/229
TO : COMUNITA' ISRAELITICA.
MUSEO EVIDENZE STORICHE 9. ROMA A.
SUBJECT : Jewish property.

19 AUGUST 1946
R 30/8
C. Trunk

1. By A.M.G. Area Order No. 3 issued by the AREA Commander under date 20 AUGUST 46 a special administration was appointed for the Jewish Community of TRIESTE.

2. This Administration has done very good work and amongst others has made exhaustive examination into the question of Bank accounts, securities, bonds, jewellery and other valuables sequestered and/or confiscated by the German authorities.

3. As a direct result of their work many hundreds of Bank accounts, securities and pieces of personal jewellery have been definitely identified and returned to their rightful owners by this office.

4. A considerable sum, amounting to several millions of lire cannot be definitely identified for the moment and this sum remains in a blocked account under control of this A.M.G. To a very great extent this balance represents the proceeds from sales of furniture, valuables, etc. by the German authorities, but in respect of which no detailed records are available. For example there are many entries such as "sales of Jewish property say L.2,000,000.-" There are no records whatever to indicate whose property was sold nor whether this is a gross or net sum after deducting commission expenses etc.

./.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
FINANCE DIVISION
13. CORPS

TELEPHONE: Nr. 29701/EXT.

REF :
TO :
SUBJECT :

5. To carry out this investigation it was necessary for the Administration to employ expert and other assistance, and the question of payment has arisen.

6. Your Committee has undoubtedly met a somewhat similar position in Italy and your comment on how and from what source such expenses have been met there would be appreciated.

H. T. BEARD
H. T. BEARD, Lt. Col.
CHIEF FIN. OFFICER

Fig. 2: Letter by AMG to Italian UCII, August 19th, 1946. AUCEI, AUCII dal 1934, Box 65 A, Folder 7 Commissione Alleata, 1946

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26 Giugno 1945
----- 52-397

597.

A Sua Eccellenza
Il Prof. FERRUCCIO PARRI
Presidente del Consiglio dei Ministri - Ministro dell'Interno

R O M A

Eccellenza,

Da un ufficiale ebreo triestino, che ha partecipato alla campagna di liberazione dell'Alta Italia e che ha avuto recentemente la possibilità di recarsi a Trieste, mi è stato riferito che in quella città, ove la Comunità Israelitica si componeva di oltre cinquemila aderenti prima dell'applicazione delle inique leggi razziali, tutte le abitazioni degli ebrei sono state, senza eccezione, spogliate di tutto il contenuto da parte dei tedeschi e gli ebrei, che sono riusciti a sfuggire alle persecuzioni e alle deportazioni, non sono in grado di rientrare a Trieste non sapendo dove potrebbero trovare alloggio. D'altra parte a una larga proporzione di triestini, che avevano assunto la cittadinanza italiana nel 1919, questa fu tolta con le leggi razziali ed essi pertanto oggi si vengono a trovare nella posizione di essere apolidi.

Data la incerta sorte che si prospetta per quanto concerne la delimitazione del confine orientale, a me sembra che sia, sotto ogni punto di vista, conveniente di far ogni possibile manifestazione a favore di questi connazionali così duramente colpiti dalle leggi fasciste, offrendo loro una equa riparazione mediante un'ordinanza prefettizia che autorizzi, come è già stato fatto per i partigiani, gli ebrei triestini che rientrano nella loro città di occupare alloggi sotto sequestro per l'avvicinazione dei profitti di regime o posseduti da fascisti. Siffatta di-

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sposizione dovrebbe essere sottoposta all'approvazione del Comando Alleato su proposta di questa Unione.

Voglia gradire, Eccellenza, gli atti del mio ossequio.

IL COMMISSARIO GOVERNATIVO:
(Giuseppe Nathan)

Fig. 3: Letter by Giuseppe Nathan to Ferruccio Parri, June 26th, 1945. AUCEI, AUCII dal 1948, Box 83 B, Folder 6 Ministri 1945-1946

83

9 Agosto 1945

802.

N/1

Sig. Prof. FERRUCCIO PARRI
Presidente del Consiglio dei Ministri - Ministro dell'Interno

R O M A
Palazzo Viminale

Mi prego di portare alla Vostra conoscenza che, in parecchie città le Autorità Comunali e Prefettizie esercitano un'azione se non ostruzionistica certamente non di assistenza per gli ebrei, i quali sono stati vittime di furti e spoliazioni dei loro beni da parte dei fascisti.

E' stato riferito da parecchie fonti a questa Unione che, appunto in diversi casi, sono stati rintracciati mobili ed oggetti personali trafugati a ebrei presso le locali Prefetture e non è stata autorizzata la restituzione dei beni stessi ai legittimi proprietari, sulla base che non esistevano istruzioni al riguardo.

In altri casi, in cui notoriamente mobili ed oggetti personali di proprietà di ebrei erano stati trafugati da locali gerarchi fascisti, le proprietà di questi ultimi sono state sequestrate e trasportate al Municipio o alla Prefettura ma, alla richiesta dei legittimi proprietari di poter esaminare questa roba per vedere se vi si trovava quanto era di loro pertinenza, è stato risposto che o mancavano le istruzioni, o non vi era il tempo per fare l'inventario di questi oggetti sequestrati.

Ritengo che, dopo quanto è avvenuto in Italia, sia legittimo da parte degli ebrei di attendersi maggiore comprensione e assistenza da

./.

802. 2.

parte delle Autorità e, sono certo, che la S.V. non mancherà di richiamare opportunamente i Capi delle Provincie e dei Comuni all'osservanza di questo elementare dovere.

Porgo gli atti del mio ossequio.

IL COMMISSARIO GOVERNATIVO:
(Giuseppe Nathan)

Fig. 4: Letter by Giuseppe Nathan to Ferruccio Parri, August 9th, 1945
AUCEI, AUCII dal 1948, Box 83 B,
Folder 6 Ministri 1945-1946



Fig. 5: Wallet-sized photograph of Bernardo Czopp and his bearer passbooks of the Cassa di Risparmio di Verona e Vicenza, bank branch of Bassano del Grappa. AUCEI, AUCII dal 1948, Box 166 Folder 1 Patrimonio di deportati che va all'Unione per mancanza di eredi, Subfolder Bernardo Czopp

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ABSTRACT

After the dreadful catastrophe that struck Europe, the Second World War and the persecution carried out against the Jews, first against their properties and then against their lives, the few survivors faced many difficulties in recovering their rights and (part of) their properties. Through archival documentation this essay shows that in North Eastern Italy even Jewish communities did not fully succeed in overcoming the bureaucratic obstacles that represented an additional barrier to justice.

Dopo la terribile catastrofe che si era abbattuta in Europa, la Seconda guerra mondiale e la persecuzione contro gli Ebrei, prima sui loro beni e poi sulle loro stesse vite, i pochi superstiti tentarono con molte difficoltà di rientrare in possesso dei loro diritti e di parte delle loro proprietà. In questo saggio si evidenzia attraverso la documentazione archivistica come anche le Comunità Ebraiche del Nord Est Italiano spesso non riuscirono neanche dopo decenni a superare gli ostacoli burocratici che rappresentavano un'ulteriore barriera alla giustizia.

CONTENTIOUS MUSEALISATION PROCESS(ES) OF JEWISH ART COLLECTIONS IN CROATIA*

Soon after the establishment of the Independent State of Croatia (the 10th of April 1941), alongside a number of anti-Jewish laws and rules¹, an array of legal regulations for the protection of cultural heritage was decreed². These regulations were also used as a 'legal basis' for the appropriation of artworks in Jewish ownership. This legal framework was created by the State's Ministry of Religion and Education, and the National Conservation Institute in Zagreb. According to the *Provision on the prohibition of removal and exporting ancient artistic, cultural, historical and natural monuments from the territory of the Independent State of Croatia*, it was «prohibited to remove, and especially export from the territory of the State any ancient artworks, cultural, historical and natural monuments, without the knowledge and approval of the Ministry of Religion and Education»³. Moreover, «all national government and religious institutions» were encouraged to safeguard their (ancient) artworks, cultural, historical and natural monuments⁴. The same pertained to private persons and all their artworks, even those that «have a specifically familial and personal character»⁵. If any institution or private person could not properly care for an artwork or natural monument, they were obliged to submit them to «one of Croatia's national museums»⁶. Any neglect or lack of maintenance would be punishable by a prison sentence and financial penalty. On the basis of this provision, the Conservation Institute passed a decree according to which «all objects of artistic, cultural, historical and natural value that are currently in personal ownership [...] must be inspected, catalogued and, in case of their improper protection, transferred to a suitable institution»⁷.

In line with this decree, the Institute published a *Warning to owners of antiques*, in which it explains the purpose of this kind of cataloguing: «Owners of these kinds of objects can freely, and without fear, allow their cataloguing and inspection, as they will remain in their ownership. Therefore, not only will the owners suffer no damage, but they will become better informed about the value of their possessions and instructed in the ways in which best to preserve them»⁸. Also, the publication stresses the inviolable right of ownership over the artworks: «Even in case the owner is not able to care for the object himself, and submits it to the care of a Croatian national museum, he will remain the owner of the object, and will be able to take it back to his home in better circumstances»⁹. Finally, «owners of antiques» are warned «not to avoid the cataloguing process, but to cooperate with the Institute's representatives and facilitate their assignment»¹⁰.

The Conservation Institute requested a police agent from the Police Directorate in case an owner should «elude and procrastinate the cataloguing process through various

* Research for this paper has been carried out in the framework of the HERA project 15.080 TransCultAA (Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century, see <http://www.transcultaa.eu>). This project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 649307. Translation into English by Janja Čulig.

¹ See GOLDSTEIN 2001; KOLANOVIĆ 1996.

² See JURANOVIĆ-TONEJC 2009-2010.

³ *LEGAL PROVISION* 1941.

⁴ *Ibidem*.

⁵ *Ibidem*.

⁶ *Ibidem*.

⁷ Decree, Mai 17, 1941. Ministarstvo kulture Republike Hrvatske – Uprava za zaštitu kulturne baštine, Središnji arhiv, Zbirke starije građe / The Administration for the protection of cultural heritage at the Ministry of Culture of the Republic of Croatia, MK-UZKB/SA-ZSG, 1941, 1-300, 84/1941.

⁸ Warning to owners of antiques. MK-UZKB/SA-ZSG, 1941, 1-300, 90/1941.

⁹ *Ibidem*.

¹⁰ *Ibidem*.

excuses»¹¹. Under the pretext that «it is precisely these private collections that, with their more copious financial means, usurp important artworks and historical objects»¹² from museums, the Conservation Institute and the Croatian National Museum of Arts and Crafts in Zagreb requested the establishment of more control over seized/appropriated and confiscated objects. This was in order to prevent «objects from being used for lesser purposes than their being deposited in a museum for eternal preservation for the people»¹³. Furthermore, permission was sought very carefully for the inspection of former Jewish houses and apartments under German and Italian jurisdiction, «even though no one suspects that the Germans or Italians would ever touch these objects»¹⁴.

An array of documents kept in the archives of the Ministry of Culture confirm that the most important Jewish private collections in Zagreb were catalogued during the months of May and June of 1941. Announcements about the commencement of the cataloguing process and its duration have been preserved, with a footnote on the delivery of a notarized copy of the list¹⁵. However, an original list of the catalogued objects is a rare find¹⁶.

Nevertheless, it is still possible to trace certain lists of private Jewish collections, that is, reveal the fates some collections faced during the Second World War. An especially valuable source of archival material for this research is found in the Croatian State Archives in Zagreb. A *Report on the implementation of the legal provision* from July of 1941 provides information about the provision's desired effect – the surrender of objects from private collections into the hands of museums during the cataloguing process¹⁷. However, this effect was not achieved to a large extent, which prompted the conclusion that «favourable results could not be obtained in Zagreb at this time»¹⁸. Meanwhile, by that time, objects from the collections, or «remains», of some deceased, absent or displaced owners were delivered to the Croatian National Museum of Arts and Crafts¹⁹. The collection of the deceased grand industrialist, Artur Marić, is emphasized as the most important intake²⁰. However, the pace of the transfer of objects to the Museum of Arts and Crafts was unsatisfactory, regardless of the fervent attempts to accumulate artworks from private collections into the Museum's holdings. A telling example of these attempts is the collection of the Jewish connoisseur and coin collector, Hinko Lederer. His collection was kept in the Gypsotheque of the City of Zagreb, and «steps were

¹¹ Conservation Institute to Police Directorate, a request for assistance, Zagreb, May 23rd, 1941. MK-UZKB/SA-ZSG, 1941, 1-300, 87/1941.

¹² Ancient artworks, cultural, historical monuments in private collections, Conservation Institute to Ministry of Religion and Education, Zagreb, May 10, 1941. MK-UZKB/SA-ZSG, 1941, 1-300, 82/1941.

¹³ Letter by Božidar Murgić, high official at the Ministry of Education on behalf of the Conservation Institute and the Croatian National Museum of Arts and Crafts, Zagreb, May 26th, 1941. Hrvatski državni arhiv / The Croatian State Archives, The Božidar Murgić Collection of museum activities from 1920's till 1940's, HR-HDA-1149, box 1.

¹⁴ *Ibidem*.

¹⁵ See Receipt of cataloguing process in the apartment of Ervin Weiss. MK-UZKB/SA-ZSG, 1941, 1-300, 89/1941.

¹⁶ Lists of the catalogued objects from the collections of Camilla Radovan, Nazorova 56, Albert Deutsch Maceljčki, Jurišićeva 24/II, and Julije König, Palmotićeva 18/I are preserved. MK-UZKB/SA-ZSG-DGKU, 1941, 1-300, 93/1941, 94/1941, 120/1941.

¹⁷ See Report on the implementation of the legal provision on the prohibition of removal and exporting ancient artistic, cultural, historical and natural monuments from the territory of the Independent State of Croatia, LXXVIII-135. Z.p. 1941, Zagreb, July 26, 1941. HR-HDA-1149, box 1.

¹⁸ *Ibidem*.

¹⁹ See Order for transfer of artworks from the apartment of Julije König in Zagreb to the Museum of Arts and Crafts, July 21st, 1941. Hrvatski državni arhiv, Ministarstvo narodne prosvjete Nezavisne Države Hrvatske / The Croatian State Archives, Ministry of National Education of NDH, HR-HDA-216, box 1454.

²⁰ Report on the implementation of the legal provision on the prohibition of removal and exporting ancient artistic, cultural, historical and natural monuments from the territory of the Independent State of Croatia, LXXVIII-135. Z.p. 1941, Zagreb, July 26th, 1941. HR-HDA-1149, box 1.

taken» to transfer it to the holdings of the Museum of Arts and Crafts, «since only national museums were qualified to preserve these kinds of collections», as we learn from the report on the implementation of the legal provision²¹. This is how a sort of collecting point for 'safeguarding' confiscated private artworks was established in Zagreb during the Ustasha Regime, well before the end of the war when the Allied Forces established Collecting Points e.g. in Germany.

A reconstruction of the arrival of certain Jewish collections to the Museum of Arts and Crafts during the Second World War is challenging, since the Museum's archived documents on storage are closed for research. However, inquiries into documentation from the Ministry of Education of the Independent State of Croatia and the Ministry of the Treasury, the Office for Nationalized Property, have revealed a clearer picture of the systematic implementation of musealisation methods of nationalized artworks²². Despite thorough categorizations of sections within the *Form for the mandatory registration of property*, carried out on the basis of the *Statutory provision regarding compulsory reporting of Jewish property and enterprises* from July 5th 1941²³, the form field for registering artworks was not planned²⁴. Therefore, these were registered under the number XI (Furniture, foodstuffs, clothing, and other household assets) only in rare cases (if at all)²⁵. Some forms have notes written on them, or inserted separate sheets of paper, that add information about the cataloguing process of artworks, or about the end of the process and the sealing of the collection on behalf of the Museum of Arts and Crafts and the Conservation Institute²⁶. In rare cases, the transfer of artworks into the holdings of the Museum is evidenced²⁷. This is a valuable source of information about the storage of artworks during the first half of 1941.

The second *Statutory provision regarding nationalization of Jewish properties*, implemented on October 30th 1942, which regulated the complete confiscation ('nationalization') of the entirety of Jewish property²⁸, undoubtedly contributed to the even greater accrual of artworks from Jewish collections by the Museum of Arts and Crafts, whose representatives even received written approval to «inspect, catalogue and take over the objects from the holdings and repositories of the National Treasury's Office of Nationalized Property, that considering their value, fall under the said legal provision»²⁹.

An appeal for the assignment of additional space to the Museum of Arts and Crafts, under the explanation that «the current space is filled with accumulated cases of acquired material in such a quantity that all exhibition rooms needed to be turned into storage areas»³⁰, indirectly tells us of the volume of artworks delivered to the Museum at the time. Moreover,

²¹ *Ibidem*.

²² See HR-HDA-216; Hrvatski državni arhiv, Ministarstvo državne riznice NDH. Odjel za novčarstvo, državnu imovinu i dugove. Ured za podržavljeni imetak (PONOVA) / Ministry of the NDH State Treasury, the Office for Nationalized Property (Ponova), HR-HDA-1076.

²³ See BRANDL 2016.

²⁴ See Forms for the mandatory registration of property, carried out on the basis of the Statutory provision regarding compulsory reporting of Jewish property and enterprises from June 5th, 1941. HR-HDA-1076.

²⁵ See Information about the sealing of the collection of Albert Deutsch Maceljski by the Museum of Arts and Crafts. Albert Deutsch Maceljski, Form of mandatory registration of Jewish property, June 23rd, 1941. HR-HDA-1076, box 665.

²⁶ See Zora Marić, Form for the mandatory registration of Jewish property, June 25th, 1941. HR-HDA-1076, box 686.

²⁷ See Receipt by the Museum of Arts and Crafts about the transfer of Melanija Löwy's paintings to the museum, June 16th, 1941. Form of mandatory registration of Jewish property, June 28th, 1941. HR-HDA-1076, box 686.

²⁸ See BRANDL 2016.

²⁹ The City Government of Zagreb informs the Ministry of National Education on the decision of the State Treasury about artworks. HR-HDA-216, box 1454.

³⁰ Appeal for the assignment of additional space, Museum of Arts and Crafts to the Ministry of Education, June 15th, 1942. HR-HDA-216, box 1454.

some objects from Jewish collections were also used as decoration for various offices and government bodies of the Independent State of Croatia³¹. Considering their direct transfers and frequent changes of location, the fates and histories of these objects are much harder to reconstruct.

After the Second World War and with the establishment of the Federal People's Republic of Yugoslavia, a redistribution of artworks from the storage of the Museum of Arts and Crafts to other museum institutions was organized, according to their type and kind. Considering the reluctance of other institutions to research their own histories, the backbone of this research of the provenance of artworks are the paintings of Old Masters from the Strossmayer Gallery of Old Masters of the Croatian Academy of Sciences and Arts in Zagreb. During the post-war period, until the 1960s, the Gallery's holdings received around fifty previously 'disinherited' artworks through various channels. In 1947 cultural objects and artworks from the storage rooms of the Museum of Arts and Crafts were transferred to the Yugoslav Academy of Sciences and Arts, that is, the Old Masters' paintings to the Strossmayer Gallery³². The greatest number of artworks comes from the collection of Robert Deutsch Maceljiski.

In 1947 a large number of artworks arrived also from the warehouse of the Commission for the gathering and protection of cultural monuments and antiquities, the so-called KOMZA, which were marked solely by the Commission's inventory number. KOMZA was founded by the Ministry of Education of the National Republic of Croatia on June 28th 1945, on the basis of the Cultural Monuments and Antiques Protection and Conservation Act, and the legal provision for gathering, preserving and the distribution of books and other cultural, educational, and art objects that became national property³³. Namely, all enemy property was considered to be national property – including the property of absent persons and sequestered assets forcibly taken by the occupying government. KOMZA's mission was to collect information about objects with historic characteristics, and extract those objects of artistic value. Experts from Zagreb's museums who made up the KOMZA, presided over by Vladimir Tkalčić, Director of the Museum of Arts and Crafts at the time (who had also held this function during the NDH regime), wrote minutes and reports containing the names, objects and addresses of former owners, as well as the total number of confiscated assets. In some cases, it was possible to trace the provenance of artworks of Jewish heritage. For example, the paintings *Coronation of the Virgin* and *Horse-shoeing* came into the holdings of the Strossmayer Gallery with KOMZA number K III-7/1945³⁴. Under this administrative marking cultural and historical objects from the villa in Tuškanac 15, Zagreb were listed by the representatives of the Commission in June 1945³⁵. The villa once belonged to Oskar Fröhlich, whose home was during the NDH regime the residence of general Slavko Kvaternik³⁶.

³¹ See Albert and Matilda Deutsch request to see those state buildings where they think their confiscated artworks are, July 1945. Hrvatski državni arhiv, Zemaljska uprava narodnih dobara Narodne Republike Hrvatske / The Croatian State Archives, Territorial administration of national property, HR-HDA-313, box 377.

³² See Handover protocol of paintings and other art objects from the Museum of Arts and Crafts and the depository of the Commission for the Gathering and Protection of Cultural Monuments and Antiquities (KOMZA) to the Yugoslav Academy of Sciences and Arts and to the Strossmayer Gallery. Archive of the Croatian Academy of Sciences and Arts, 1947, 500-1462, 762/1947; Archive of the Strossmayer Gallery, (1944-1952), 1948.

³³ See Government Presidency to City People's Committee, April 3rd, 1946. HR-HDA-313, box 5. See also CROATIA DELEGATION STATEMENT 1999.

³⁴ Juan Soreda, *Coronation of the Virgin*, oil and tempera on panel, 170,2x110,5 cm, Zagreb, Strossmayer Gallery of Old Masters, inv. no. SG-377, Pieter van Bloemen, *Horse-shoeing*, oil on canvas, 45,6x54,3 cm, Zagreb, Strossmayer Gallery of Old Masters, inv. no. SG-147.

³⁵ See MK-UZKB/SA-ZSG-KOMZA, 7/45.

³⁶ See The authorized person on behalf of absent Oskar Fröhlich, Form of mandatory registration of Jewish property, June 28th, 1941. HR-HDA-1076, box 670.

Apart from the redistribution of artworks from the holdings of KOMZA and the Museum of Arts and Crafts, the Strossmayer Gallery received artworks of Jewish heritage on several other occasions. An interesting example is the collection of industrialist Ervin Weiss, a Jew who converted to Catholicism in the year 1925 before his marriage to Branka née Huth³⁷. It seems that his art collection managed to remain preserved in the couple's apartment in Boškovićeva Street 2/1 during the NDH regime. After the war in 1945, the art collection had already been protected, and quickly gained the status of a private collection of public interest; this ensured the protection of comprising art objects, as well as the preservation of the apartment as a whole and also prevented residential authorities from assigning a new tenant to the apartment³⁸. However, in the year 1949, the property of Ervin Weiss was sequestered and then confiscated and distributed to several museum institutions in Zagreb. Fifteen paintings of Old Masters were given to the Strossmayer Gallery in the year 1952³⁹.

During the 1950s, the Strossmayer Gallery received several 'leftover' sequestered Jewish artworks – a painting by Jacopo Palma Jr., *The Entombment of Christ*, which the Jewish Eduard Polak gave to the Bishop of Rijeka during the war for safekeeping, and paintings of former owner Eugen Kaufmann from Donja Dubrava in Međimurje, which the owner deposited in the Croatian National Bank before the war, and which remained there after the war, since their owner «was taken by the occupier in 1944»⁴⁰.

Despite discussions on «the resolution of the legal question about the so-called storage of nationalized artworks»⁴¹ taking place as early as 1945, it was over a decade later that a settlement was reached on «what to do with those artworks [...] that owners had abandoned during the occupation, and that were stored in museums, galleries, and other institutions»⁴². At the incentive of the Museum of Arts and Crafts, the National Secretariat for Legal Administration of the Croatian People's Republic published an announcement on April 9th 1958, based on the *Legal provision for managing property left behind by its owners during the occupation, and assets taken from them by the occupier and their helpers* in 1946⁴³. This announcement stated that: «Accordingly, if close relatives of the deceased or missing owner of the abandoned property have not started the inheritance process (for which the deadline is one year), the objects in question will become national property, disabling any successor from successfully starting an inheritance process in the future in order for those objects to be returned to them. Therefore, there is no impediment for museums and other institutions that have stored artworks abandoned by their owners during the occupation to list those objects in their inventories, as they have become national property»⁴⁴.

Only a small part of the almost endless sea of objects of Jewish moveable cultural heritage originally in private collections was presented as an example of expropriation process, which enabled the transfer of these artworks into the holdings of the former Croatian National

³⁷ See Ervin Weiss to Directorate of the Ustasha Police, May 28th, 1941; June 18th, 1941. The Croatian State Archives, Directorate of the Ustasha Police. Jewish section. HR-HDA-252, box 3.

³⁸ More in PASINI TRŽEC 2018.

³⁹ Handover protocol of paintings from the collection of Ervin Weiss according to list of his property of March 3rd, 1949, and no. 330/50 to the Strossmayer gallery, January 19th, 1952. Archive of the Strossmayer gallery, 1952.

⁴⁰ More in PASINI TRŽEC–DULIBIĆ 2017.

⁴¹ Modern Gallery to the Ministry of Education, Zagreb, August 20th, 1945. Hrvatski državni arhiv, Ministarstvo prosvjete Narodne Republike Hrvatske / The Croatian State Archives, Ministry of Education of the People's Republic of Croatia, HR-HDA-291, box 58.

⁴² Protocol on how to treat cultural objects left by their owners during the occupation, Council of Culture and Education to various cultural institutions (archives, libraries, museums), April 21st, 1958. Hrvatski državni arhiv, Savjet za prosvjetu, nauku i kulturu Narodne Republike Hrvatske / Croatian State Archives, Council of Culture and Education, HR-HDA-1599, box 97.

⁴³ More in ANIC 2007; MATICKA 1992.

⁴⁴ Protocol on how to treat cultural objects left by their owners during the occupation, Council of Culture and Education to various cultural institutions (archives, libraries, museums), April 21st, 1958. HDA-1599, box 97.

Museum of Arts and Crafts. This transfer that took place in both war time and in post-war circumstances, led to the distribution of these artworks, which were nationalized, thus becoming 'national property', to other museum institutions, with Old Master paintings ending up in the holdings of the Strossmayer Gallery.

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ABSTRACT

Based on archival research conducted in the framework of the TranscultAA project the author presents the mechanisms of disempowerment and dispossession, that is, the seizing of artworks from the private collections of Jewish families in Zagreb during the regime of the Independent State of Croatia and reveals the complex context of the musealisation of those artworks after the Second World War.

Grazie ai risultati delle ricerche archivistiche condotte nell'ambito del progetto HERA TransCultAA, l'autore affronta il tema della confisca delle collezioni d'arte di famiglie ebraiche a Zagabria durante il regime dello Stato Indipendente di Croazia, satellite e alleato delle dittature nazi-fasciste. L'articolo descrive quindi il complesso processo di musealizzazione delle opere confiscate che avrà luogo dopo la fine della Seconda guerra mondiale.

JEWISH-OWNED ART COLLECTIONS IN ZAGREB: THE DESTINY OF THE ROBERT DEUTSCH MACELJSKI COLLECTION

Among the Zagreb economic elite active at the end of the 19th century and the beginning of the 20th century, there were many Jewish families. During that period, the Zagreb art scene and art market were slowly growing, and artistic life generally was developing. A crucial moment in the development of the Zagreb art market was the foundation of the first private art gallery, Salon Ullrich¹, opened by Antun Ullrich² in 1909, where numerous domestic and foreign solo and group exhibitions were held. The exhibitions were commercial and the gallery also sold art on commission. The new economic elite – bankers, lawyers, and industrialists – supported young artists by buying their art works and by ordering family portraits from them. Within this economic elite, we find a large number of art collectors, from those who bought both Old Masters and applied arts at European markets (mostly in Vienna) to those who collected young contemporary artists. Among the famous Jewish art collectors of the first decades of the 20th century there were the members of the Deutsch Maceljiski family: Robert Deutsch Maceljiski and his uncle Albert Deutsch Maceljiski.

The Deutsch Maceljiski Family History

Engineer Robert Deutsch Maceljiski (1884-1943) was a descendent of a very prominent and old Zagreb Jewish family. In 1860, Robert's grandfather Filip Deutsch (1828-1919) opened a small woodshop in the center of Zagreb (Vlaška street) out of which, over the years, a large company developed. Filip Deutsch had three sons, Vilim, Benko and Albert; the eldest one - Vilim (1855-1926) - was Robert's father. The Deutsch brothers developed a successful timber company first named *Filip Deutsch i sinovi* (Filip Deutsch and sons); when their father retired in 1894 it changed its name to *Filipa Deutsch sinovi* (Filip Deutsch sons). From 1884, the company specialised in oak timber and made use of several woods around Zagreb (Hrvatsko Zagorje, around Bjelovar). In 1908, the company bought a large wood Turopolje close to the railway Zagreb-Sisak and in 1911 they founded a great steam sawmill. The business grew and developed even outside the borders of the state. In 1910, the family was granted nobility and was named Maceljiski, from Macelj, the place where they owned a large wood³. Vilim Deutsch had three sons, Gustav, Vladimir (Vlatko) and the youngest Robert, and a daughter, Jelka. Gustav, the eldest son, was the one that had been mostly involved in the family business and had led the company together with his uncle Albert; however, all the sons were members of the company, and Robert was the procurator. The family business was very successful due to good family tradition which has started with Robert's grandfather and was harmoniously continued by next three generations. The Deutsch Maceljiski family built and owned dozens of houses in Zagreb, and they were also known for their philanthropy and charity activities⁴.

¹ <http://dizbi.hazu.hr/ullrich/>, <May, 2018>.

² Antun Ullrich (1872 -1937) in 1898 he opened a glazier's and framing workshop in Ilica 54 and in 1909 together with his old business he opened a gallery. His son Edo Ullrich (1897-1952) opened a gallery in Ilica 40 in 1926 and soon took over his father's business since Antun closed his gallery in 1927.

³ KOLAR DIMITRIJEVIĆ 1993, pp. 343-344.

⁴ GOLDSTEIN 2005, pp. 269-270.

Robert Deutsch Maceljiski as an Art Collector

Robert could have inherited his passion for art and art collecting from his uncle Albert who had a large art collection himself, which during the period of the Independent State of Croatia (1941-1945) had a destiny similar to that of Robert. Until 1923, when Robert and his brother Vlatko built their own house, they lived in the same house as their uncle in the city center (Jurišićeva street 24), a house which had been built by their father Vilim and their uncle Albert in 1902, and redesigned in 1924⁵.

Thanks to the archives of the art gallery Salon Ullrich, and handwritten invoice and inventory books preserved at the Fine Arts Archives of the Croatian Academy of Sciences and Arts⁶, it is possible to attain an insight into the Zagreb art market from 1910, when the gallery began its activity, until 1948, when the gallery was nationalized. The buyers were descendants of the new elite – industrialists, bankers and lawyers. Since its beginning, among the buyers at the gallery there was Robert Deutsch Maceljiski⁷: he was buying both from the exhibitions and directly from Salon Ullrich. Over 30 years Robert bought more than eighty artworks at Salon Ullrich – from the first entry in 1911, at the exhibition of the Croatian painter Menci Clement Crnčić, until 1939, when the last record of his name is found at the exhibition of the Serbian painter Bora Baruh. The destiny of all of these artworks today is unknown. In addition to his collection of contemporary art works, Robert Deutsch Maceljiski owned a large collection of Old Masters and icons, but also sculpture and applied arts, as is seen on the photo taken at his apartment (Fig. 1). Today part of the old masters collection and icons are in the collection of the Strossmayer Gallery of Old Masters of the Croatian Academy of Sciences and Arts.

The Artist and his Patron: Milivoj Uzelac - Robert Deutsch Maceljiski

When painter Milivoj Uzelac⁸ arrived in Zagreb from Paris in 1919, he didn't have a studio to work in. Before he got his own studio from the Society of Artists (*Društvo umjetnika*), Deutsch Maceljiski ceded him a company warehouse in the center of the city to use as a place of work. Soon after that, in 1920, Uzelac painted two large oil portraits of Robert's mother and father, Charlotte (Šarlota) and Vilim Deutsch Maceljiski, which were probably ordered by Robert himself. Both paintings are held today at the Modern Gallery in Zagreb⁹.

In 1923, the brothers Vlatko (Vladimir) and Robert built their new three-story house at Square N no. 2 (today Trg žrtava fašizma) which was designed by architect Aladar Baranyai¹⁰. They lived there with their families until the proclamation of the Independent State of Croatia in 1941. Robert's newly-built and decorated apartment was presented in the contemporary press with the title *Pictures from Noble Zagreb* in the magazine «Hrvatska metropola» on April 11th, 1925¹¹. There we see photos of the luxurious salon of Robert's apartment with two large Uzelac paintings, *Allegory of Work* and *Allegory of Beauty* (Fig. 2). Along with these, Uzelac made

⁵ ALADAR VLADIMIR BARANYAI 1999, p. 12. The house was built by famous Zagreb architects Hönigsberg and Deutsch, and in 1924 it was redesigned by Aladar Baranyai.

⁶ Salon Ullrich Archives.

⁷ VUJIĆ 2010, pp. 78-80.

⁸ Milivoj Uzelac (1897-1977), Croatian painter and graphic artist; he attended Zagreb Academy of Fine Arts. He lived in Paris 1923-1963. His artworks are expressionistic but also under the influence of P. Cézanne and A. Lhote.

⁹ VRANČIĆ 1991, p. 35.

¹⁰ ALADAR VLADIMIR BARANYAI 1999, p. 57.

¹¹ IZ OTMJENOG ZAGREBA 1925.

two smaller paintings *Allegory of Music* and *Allegory of Echo*, so in the salon there were four paintings in total.

The third time Uzelac and Deutsch Maceljski met was in 1935, while Uzelac was spending some time in Zagreb. That time Robert ordered a series of portraits¹² of his twelve-year-old daughter Vanja: 18 drawings made using different techniques, showing the girl as a ballet dancer, while reading a book, etc.¹³ (Fig. 3). Meanwhile, Uzelac made a portrait of the girl, a large oil painting, which is now held, along with other drawings and all the other Uzelac works from the Deutsch Maceljski art collection, at the Modern Gallery in Zagreb¹⁴.

It is difficult to reconstruct the story of how all of Uzelac's art works entered the Modern Gallery collection, because there is no written evidence of their movements. We find data about Robert Deutsch Maceljski in Josip Vrančić's monograph on Milivoj Uzelac, based on his dissertation from 1973. Vrančić had the opportunity to talk to Milivoj Uzelac in person, and to Robert's nephew Velimir who survived the Holocaust in Zagreb, and their version of the events was that Deutsch Maceljski and his wife Hilda foresaw the danger and decided to store part of their collection at the Modern Gallery¹⁵.

We find a few sentences about the Deutsch Maceljski collection of Milivoj Uzelac paintings in Igor Zidić's book *Croatian Modernist Painting 1880-1945 in Private Collections*¹⁶. Zidić believes that there was probably a gentlemen's agreement between Robert Deutsch Maceljski and Ivo Šrepel, the director of Modern Gallery during the period of Independent State of Croatia¹⁷. As these paintings were the most intimate part of Robert's collection, he is likely to have tried to keep them until the end, before eventually deciding to store them at the Modern Gallery. The rest of the Deutsch Maceljski collection was subjected to the *Provision on the prohibition of removal and exporting ancient artistic, cultural, historical and natural monuments from the territory of the Independent State of Croatia*, and was deposited mostly in the Museum of Arts and Crafts and its repositories in Zagreb.

Independent State of Croatia, 1941-1945

Immediately after the proclamation of the Independent State of Croatia (NDH) on April 10th, 1941, antisemitic measures were implemented in Zagreb. The next day the Gestapo occupied the building of the Jewish Community (Palmotićeva street 16) and the cash register was sealed and the archives looted¹⁸. The new regime very soon began implementing antisemitic legislation, which began with the *Statutory provision regarding compulsory reporting of Jewish property and enterprises* (Zakonska odredba o obveznoj prijavi imetka Židova i židovskih poduzeća) of June 5th, 1941. And then a series of laws were implemented that created a legal framework for the confiscation of Jewish property in the name of the state, so that it legally became the «property of the state».

The Deutsch Maceljski brothers Gustav, Vlatko and Robert were among the fifty eminent Zagreb Jews arrested by the Gestapo and brought to Graz, where the Einsatzgruppe for Yugoslavia was located, for interrogation about the Jewish Community in the territory of

¹² IZLOŽBE IZ FUNDUSA GALERIJE - MILIVOJ UZELAC 1969.

¹³ Modern Gallery, Zagreb, inv no. MG-1022 - MG-1039. VRANČIĆ 1991, p. 106.

¹⁴ *Ivi*, p. 37.

¹⁵ *Ivi*, p. 35.

¹⁶ ZIDIĆ 2006, p. 23.

¹⁷ In 1941 the Modern Gallery was moved to another building at Draškovićeva 23 because the building has been given to the Italian embassy. It consisted of only two rooms and one large hall, so the whole collection was deposited in different warehouses during the whole Second World War period. After the war, the Gallery moved back to its present pre-war address, Hebrangova 1.

¹⁸ GOLDSTEIN 2001, p. 106.

NDH¹⁹. Most of these people were released, but did not avoid the same destiny as the other Jews in Zagreb.

During the NDH period 1941-1945, due to the dangers of the war, a series of legal acts on the conservation and preservation of the monuments were passed by the Ministry of Religion and Education and the Conservation Institute in Zagreb. The first of these was the *Provision on the prohibition of removal and exporting ancient artistic, cultural, historical and natural monuments from the territory of the Independent State of Croatia* (statutory no. LXXVII-135 Z.p./1941)²⁰ which made the legal framework for moving the private collections to the museum. Except for the legal ban of exporting the art objects, institutions and private owners that couldn't take proper care of their art collections were obliged to give them to the Croatian National Museum of Arts and Crafts²¹, and the museum provided them with a written receipt. The Conservation Institute issued a *Warning for the owners of the valuable art objects*, a sort of appeal to private owners of cultural and artistic objects to declare them to the Conservation Institute in Zagreb²². After these declarations the employees of the Conservation Institute went to private apartments and houses to list the art objects. However, this listing didn't mean the same thing for Jews and non-Jews, if we take into consideration the *Statutory provision regarding compulsory reporting of Jewish property and enterprises*. Under the cover of protection, the art objects were taken from Jewish families forever.

In May 1941, as we see in the official approval of the lists²³ of the rare art objects of the Conservation Institute in Zagreb²⁴, their committee of experts, responsible for the listing of art objects, had already been in Robert Deutsch Maceljski's apartment at Square N no. 2 (Fig. 1).

From the next official letter²⁵ regarding Robert Deutsch Maceljski's collection, we find that the art objects were being packed and prepared to be brought to the basement so they would be safe in the case of air attacks. One month later, in June, the committee was still at Deutsch's apartment. In a letter of June 21st, 1941²⁶, the committee evaluated which art objects exceeded the value of 5,000 Dinars and determined the financial value of the whole collection. The monetary value of the collection was also important for the obligation of the *Statutory provision regarding compulsory reporting of Jewish property and enterprises*.

As stated in a letter no. 795-1942., sent on September 10th, 1942²⁷, from the Croatian National Museum of Arts and Crafts to the Ministry of Education, on August 28th, 1942, the Ministry of Education had ordered the Croatian National Museum of Arts and Crafts to take all of the art objects and the objects of cultural and historical value from the Robert Deutsch Maceljski collection into the museum. That letter gives details about the commission present

¹⁹ GOLDSTEIN 2001, p. 108.

²⁰ *Provision on the prohibition of removal and exporting ancient artistic, cultural, historical and natural monuments from the territory of the Independent State of Croatia* was passed at the suggestion of the Minister of Religion and Education on May, 12th 1941.

²¹ During the period of the Independent State of Croatia the name of the Museum of Arts and Crafts changed to Croatian National Museum of Arts and Crafts. After 1945 the old name was returned.

²² JURANOVIĆ TONEJĆ 2009-2010, pp. 15-18.

²³ Approval of the lists of art objects no. 42 -1941 dated May 31st, 1941, Ministry of Culture of the Republic of Croatia - Documentation of the Conservation Institute 1941, 1-300 (Ministarstvo kulture, dokumentacijska građa Konzervatorskog ureda).

²⁴ The list was approved by Gjuro Szabo, director of the Conservation Institute, and Vladimir Tkalčić, director of the Croatian National Museum of Arts and Crafts.

²⁵ Approval of the list of the art objects no. 115 -1941 dated June 23rd, 1941, Ministry of Culture of the Republic of Croatia - Documentation of the Conservation Institute 1941, 1-300.

²⁶ Approval of the list of the art objects no. 113 -1941 dated June 21st, 1941 Ministry of Culture of the Republic of Croatia - Documentation of the Conservation Institute 1941, 1-300.

²⁷ The Croatian State Archives (further: HDA), Ministry of National Education of NDH (Ministarstvo narodne prosvjete NDH) - HR-HDA- 216, box 1454.

at the takeover and the whole procedure, describing how the owner was cooperative and handed over almost all the art objects, even the ones that were not on the list. The order for the takeover of the collection was addressed to the director of the museum himself, from Dr. Josip Balen, the chief mayor of the District (*poglavni župan*), and that order was based on the *Provision on the prohibition of removal and exporting ancient artistic, cultural, historical and natural monuments from the territory of the Independent State of Croatia*. After that order all the art objects were taken from Robert's sealed apartment on the second floor in Solovljeva street 10 and moved to the museum, at the cost of the museum itself. The reason for Robert moving to another address has been explained by his niece Vlasta: her father Vlatko and Robert had to move from their house at Square N no. 2, as they had to empty their apartments within 24 hours, so that the officers of the government of the Independent State of Croatia could move in as their apartment was confiscated²⁸.

Only one week after the takeover of the collection, in September 1942, Robert Deutsch Maceljski wrote a letter to the Croatian National Museum of Arts and Crafts, a copy of which was forwarded to the department for High Education and Scientific Institutes of the Ministry of Education²⁹. In that letter he said that his collection had been overtaken, as proven in takeover report no. 795-1942, dated September 10th, 1942, and he offered to help the museum which stored most of his collection:

[...] I am prepared to provide the museum with all the information for all the art objects and pictures of my collection about their place of purchase, as well as all the information available to me that can serve the work of the museum and the art history in general. Because in my collection with small exceptions are the artworks of local old craftsmen from various parts of our homeland, especially Dalmatia, Zagorje and others - I believe that all the facts and my knowledge would be important for the scientific classification of the said artworks [...]³⁰.

The management of the museum, led by Vladimir Tkalčić, accepted this offer in a letter dated September 19th, 1942³¹, with the explanation that this offer was to be accepted as it was an «urgent museum need» to have an «accurate and credible classification of the museum materials»³².

The destiny of the members of the Deutsch Maceljski family, despite being a part of one of the richest Jewish families in Zagreb, was very much like that of other Jewish families: part of the family survived, and part of the family was taken to the concentration camps. Archival documents do not show any requests by the family for the granting of Aryan rights or for permission to not carry a Jewish sign³³. Robert Deutsch Maceljski was baptized in July 1941, but that didn't save him from a tragic end. He was deported together with his wife Hilda to Auschwitz in May 1943³⁴. Only their daughter Vanja, born in 1923, survived the war. She did so by escaping to Italy and then to Israel. Afterwards she moved to Switzerland, and then to the United States, where she died in 1996.

His brother Vlatko was taken to the concentration camp Jasenovac one year before Robert, together with his wife Marga. Both of their children Velimir and Vlasta were saved and survived. The only one of Robert's siblings to survive the war was Robert's eldest brother

²⁸ GOLDSTEIN 2001, p. 199.

²⁹ Letter dated September, 17, 1942 -The Croatian State Archives, Ministry of National Education of NDH, HR-HDA- 216, box 1454.

³⁰ *Ibidem*.

³¹ Letter dated September, 19, 1942 - 811 -1942, The Croatian State Archives, Ministry of National Education of NDH, HR-HDA- 216, box 1454.

³² *Ibidem*.

³³ GOLDSTEIN 2001, pp. 138, 140.

³⁴ GOLDSTEIN 2001, p. 190.

Gustav, who was baptized and married to an Aryan woman - Marija, which probably saved his life. Robert's sister Jelka Deutsch Maceljiski (married name Benedik) also ended tragically; soon after the proclamation of the Independent State of Croatia in 1941 she committed suicide³⁵.

After the war – The transfer of Old Masters to Strossmayer Gallery of Old Masters of Yugoslav Academy of Sciences and Arts

As we read in the proceedings³⁶ kept at the Archives of the Croatian Academy of Sciences and Arts, it is possible to reconstruct the postwar destiny of some parts of the collection of the late Robert Deutsch Maceljiski. In the proceedings we find information about a handover of cultural and historical objects which took place on August 14th, 1947, between the Commission for Collection and Preservation of Cultural Heritage and Antiquities of the Ministry of Education – Department of Culture and Arts in Zagreb (KOMZA), the Museum of Arts and Crafts and the Yugoslav Academy of Sciences and Arts. At that time the objects were held at the warehouse of KOMZA (Basaričekova 24, Harambašićeva elementary school etc). The Yugoslav Academy of Sciences and Arts claimed 60 various objects with artistic value to be delivered from KOMZA depots and the claim was approved by the Ministry of Education. Ordinal numbers from 1 to 15 on that list were the objects that had once belonged to Robert Deutsch Maceljiski and in the remarks it is explained that these objects were deposited at the Museum of Arts and Crafts during the war.

These were the paintings that today are still held at the Strossmayer Gallery of Old Masters. Today there are 27 paintings that once were part of Robert Deutsch Maceljiski's collection. Some of them are easy to detect: on the back side of the paintings they have the stamp of the Conservation Institute of the Independent State of Croatia, and the initials «RD» written in red and accompanied by the ordinal numbers which were probably assigned during the listing in 1941 (Figs. 4-5). These paintings range from unknown Italian masters from the 16th century to German painters of the 17th century, to paintings of saints and the Virgin by Dalmatian and Italo-Cretan masters.

As there are no more than 27 paintings from the Deutsch Maceljiski Collection at the Strossmayer Gallery, it is likely that the rest of the collection remained at the Museum of Arts and Crafts, or was lost or stolen. Evidence that parts of Robert Deutsch Maceljiski's and his family belongings and art works are still at the Museum of Arts and Crafts is to be found even on the online platform Athena Plus. Here, by searching the name 'Deutsch Maceljiski', it is possible to find objects that not only have that name in their titles, but also in their metadata. However, some artworks could have belonged to Albert or Gustav Deutsch Maceljiski. In this collection there are photos, the family coat of arms and ceramic art objects³⁷. Unfortunately, the list of the Robert Maceljiski collection made in 1941 at his apartment is still yet to be found.

Inheritance and reclaim trial

In 1958, Vanja Bird, born Vanja Deutsch Maceljiski, Robert's only child, tried to recover her family properties, as we see in a document kept at the Strossmayer Gallery of Old Masters

³⁵ GOLDSTEIN 2001, p. 119.

³⁶ Proceedings no. 762/1947 dated September 4th, 1947 - The Archives of the Croatian Academy of Sciences and Arts (Arhiv HAZU - Pismohrana).

³⁷ <http://athena.muio.hr/?object=list&find=deutsch+maceljiski>, <May, 2018>.

Archives³⁸. The Institute of Fine Arts of the Yugoslav Academy of Sciences and Arts received a letter from the Public Attorney's office of the People's Republic of Croatia (letter IV-R-577/58 dated September 17th, 1958) with the notification that Vanja Bird, the only heir, had filed a claim to recover artworks that once belonged to her late father, that were stored at the Museum of Arts and Crafts during the war and afterwards partly delivered to the Strossmayer Gallery of Old Masters.

The director of the Institute of Fine Arts of JAZU, Zlatko Herkov, asked the Strossmayer Gallery of Old Masters their opinion on the case, with the list of artworks from Robert's collection that entered the museum inventory. As some of the artworks had become part of the permanent exhibition and were of great value, they were hoping to protect them with the law of *Protection of the cultural monuments and natural rarities of the Federal People's Republic of Yugoslavia (Zakon o zaštiti spomenika kulture i prirodnih rijetkosti Federativne Narodne Republike Jugoslavije)* of October 4th, 1946. Other than that, the claim referred to other art objects, such as carpets and furniture from Robert Deutsch Maceljski's inheritance, so an internal revision had to be made at the Yugoslav Academy of Sciences and Arts in order to detect whether further objects were to be found at the Academy.

At the request of the Museum of Arts and Crafts, the case of Vanja Bird was also discussed at the Council for Culture and Science of People's Republic of Croatia. The Council sent a letter to the State Secretariat for Judicial Administration dated March 20th, 1958³⁹, in which it introduced both the issue of the storage of museum objects abandoned during the war and the specific case of Robert Deutsch Maceljski's property. In another document dated January 22nd, 1958⁴⁰, addressed to the Council for Culture and Science we find more detailed legal discussion of the specific case of Robert Deutsch Maceljski. In 1946 there were probate proceedings, and the result was that the only heir was his daughter Vanja Deutsch Maceljski, married name Bird, as it was stated in the judicial conclusion dated December, 10th 1947. In 1947 she was in Tel Aviv but still had Yugoslav citizenship and was registered with the Yugoslav diplomatic representative. In 1958 she still had Yugoslav citizenship although at that time was married and lived in Switzerland. Therefore, as it is explained in the document, although the court had put a ban on her property rights, especially on the collection of paintings, the ban wasn't applicable, because the *Law for the shift of enemy property under state administration to state ownership over the property of absent persons and the sequestration of property forcibly removed by occupying authorities* could be applied only to people who no longer had Yugoslav citizenship. In 1946 the court had ordered the listing and exstimation of the art objects once belonged to Robert Deutsch Maceljski, but this wasn't carried out because the art objects were still packed and stored in the warehouses. The order was repeated in 1958 but postponed again for the same reasons.

The issue raised by the Museum of Arts and Crafts to the State Secretariat for Judicial Administration was whether there was a legal framework for art works from the Robert Deutsch Maceljski collection to be part of the museum collection and become «public property». The answer was that the art objects could be kept by the museums on the basis of the general law of *Protection of the cultural monuments and natural rarities of the Federal People's Republic of Yugoslavia* of October 4th, 1946, and according to the decision of the Institute for the Conservation and Protection of Cultural Heritage. This law had put all the cultural monuments and art works under protection of the State with no regard to their ownership⁴¹.

³⁸ Letter no. 14/13 1958, October, 28th, 1958 – Zlatko Herkov to the Strossmayer Gallery of Old Masters – Archives.

³⁹ Croatian State Archives, Council of Culture and Education (Savjet za prosvjetu, nauku i kulturu Narodne Republike Hrvatske) HR-HDA-1599, box 97.

⁴⁰ *Ibidem*.

⁴¹ DERANJA CRNOKIĆ 2013-2014, p. 27.

In such cases the owner didn't have the rights to the art works or the right to take them outside the country because all the monuments were under the protection of the State. In some cases the owner was entitled to compensation equivalent to the value of the expropriated items.

The last document⁴² concerning the Vanja Bird case found in the Archives of the Croatian Academy of Sciences is the Judicial settlement from the Municipal Court in Zagreb dated January 31st, 1967, which shows that Vanja Bird's claim for the return of her father's art collection from the Museum of Arts and Crafts, the Modern Gallery, and the Strossmayer Gallery of Old Masters was resubmitted. This time the court rejected her claim because she had American citizenship and thus she had no more right to repossession of her properties⁴³. Since 1941, Jewish families had lost the right to their properties in the Independent State of Croatia. In the new political regime, the Yugoslav legal system created a framework to nationalize Jewish property as well. Once their collections had entered the museums, they were subjected to several protection laws, such as the law of *Protection of the cultural monuments and natural rarities of the Federal People's Republic of Yugoslavia* of 1946, thus becoming public property. Today parts of Deutsch Maceljiski art collection are kept in three different institutions in Zagreb: the Museum of Arts and Crafts, the Strossmayer Gallery of Old Masters of the Croatian Academy of Sciences and Arts and the Modern Gallery, but it is very difficult to reconstruct the whole collection.

The case of the Robert Deutsch Maceljiski art collection emphasizes the complexities of the destiny of Jewish property during the period of the Independent State of Croatia and afterwards in Yugoslavia, but also all the problems and difficulties of this kind of provenance research. The destiny of the collection at issue has been partially reconstructed here thanks to the documents held at three different institutions: the Strossmayer Gallery of the Old Masters, the Archives of the Croatian Academy of Sciences and Arts and the Croatian State Archives. Some crucial documents are still missing and it's still impossible to reconstruct the collection itself. In Croatia provenance research is still in its early stages, and museums and institutions have still to acknowledge the need for such studies. Although it's sometimes rather complicated and impossible to completely reconstruct private Jewish collections and to identify all the art and cultural artifacts now in the museum collections, it would be correct to search out their provenance and, when possible, make this kind of information immediately available.

⁴² Judicial settlement dated January 31st, 1967 – Archives of the Croatian Academy of Sciences and Arts.

⁴³ BRANDL 2016, p. 117.



Fig 1: Part of Robert Deutsch Maceljski's collection in his apartment, inv.no. 1709. Ministry of Culture of the Republic of Croatia – Directorate for the Protection of Cultural Heritage, Zagreb, photo: Rudolf Firšt



Fig. 2: Robert Deutsch Maceljiski's apartment at Square N n. 2 (today Trg žrtava fašizma) with Milivoj Uzelac paintings - *Allegory of Work* (left) and *Allegory of Beauty* (right), 1925. Fine Arts Archives of the Croatian Academy of Sciences and Arts, Zagreb



Fig 3: Milivoj Uzelac, *Vanja Deutsch Maceljiski*, gouache on paper, 1935. Modern Gallery Zagreb (inv. no. MG-1032), photo: Goran Vranić



Fig 4: Unknown master, *Virgin and the Child* (Virgin with Eight Saints), oil on wood. Strossmayer Gallery of the Old Masters of the Croatian Academy of Sciences and Arts, Zagreb (inv. no. SG-400)



Fig 5: Stamp of the Conservation Institute of NDH and ordinal number with Robert Deutsch initials on back side of Unknown Master, *Virgin and the Child* (Virgin with Eight Saints), oil on wood. Strossmayer Gallery of the Old Masters of the Croatian Academy of Sciences and Arts, Zagreb (inv. no. SG-400)

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ABSTRACT

Among the Zagreb economic elite at the end of the 19th century and the beginning of the 20th century, there were many Jewish families. Within this economic elite we find a large number of art collectors – one of them was the engineer Robert Deutsch Maceljski (1884-1943). He is remembered as a patron of the Croatian painter Milivoj Uzelac and we find him among the buyers at the gallery Salon Ullrich since its beginning in 1910 until 1939. In addition to his collection of contemporary art works, Robert Deutsch Maceljski owned a large collection of Old Masters and icons, but also sculptures and objects of applied arts. During the period of the Independent State of Croatia (1941-1945), due to the risk of war damages, a series of legal acts on the conservation and preservation of the monuments were passed by the Ministry of Religion and Education and the Conservation Institute in Zagreb. Art objects of private houses were listed and, within a legal framework, removed – for Jewish families it meant forever. Robert Deutsch Maceljski collection was transferred to the Croatian National Museum of Arts and Crafts and after the war, in 1947, parts of his collection were moved to the Strossmayer Gallery of Old Masters. Robert and his wife Hilda were deported and killed in Auschwitz in 1943; only their daughter Vanja (1923-1996) survived by escaping from the country. After the war she twice tried to recover her family property from the museums: in 1958 and 1966, but unsuccessfully. Today the art objects of the Robert Deutsch Maceljski's collection are part of the collections of three museums of Zagreb: the Museum of Arts and Crafts, the Strossmayer Gallery of Old Masters and the Modern Gallery.

Nella Zagabria di fine secolo, molte delle famiglie ebraiche parte dell'élite economica cittadina vantavano la presenza di importanti collezionisti. Tra questi, Robert Deutsch Maceljski (1884-1943) era noto per essere stato il committente del pittore croato Milivoj Uzelac e tra i clienti della galleria Salon Ullrich tra il 1910 e il 1939. La vasta collezione di Maceljski, che comprendeva non solo importanti dipinti, ma anche icone, sculture ed esempi di arti decorative, fu oggetto dei provvedimenti di confisca emanati dal governo dello Stato Indipendente di Croazia (1941-1945) e trasferita al Museo nazionale croato delle arti e dei mestieri. Nel 1947 parte della collezione veniva poi trasferita nella Galleria Strossmayer. La figlia di Robert e Hilda Maceljski, deportati e infine uccisi ad Auschwitz nel 1943, tentò più volte di ottenere la restituzione della collezione di famiglia, nel 1958 e poi nel 1966, senza successo. Gli oggetti sono ora conservati in tre diversi istituti della città: il Museo delle arti e dei mestieri, la Galleria Strossmeyer e la Galleria di arte moderna.

THE DESTINY OF THE TILLA DURIEUX COLLECTION AFTER ITS TRANSFER FROM BERLIN TO ZAGREB

Tilla Durieux

Tilla Durieux was born on August 18th, 1880, in Vienna, as Ottilie Helene Angela Godeffroy. She was the daughter of Richard Godeffroy, a Chemistry professor, and of his second wife, Adelheid Ottilie Augustine Godeffroy, maiden name Hrdlička¹, a Hungarian pianist. Early on, her parents didn't support her acting career, so she shortened her name to Tilla and changed her last name to Durieux² after her French grandmother. Later on, she became a famous actress and she worked with Max Reinhardt, Otto Brahm, Leopold Jessner, and Erwin Piscator, among others. She played in many theatres across Germany and Europe and became the most famous German theatre actress, a big star, an uncrowned queen³. During her long life, Tilla Durieux was portrayed by many popular painters and sculptors, photographed by many important photographers; many companies published and sold postcards with images of Tilla Durieux and famous fashion designers made clothes for her. All that was without doubt evidence of her popularity. Even today, one can find a lot of postcards with the images of Tilla Durieux, wearing various costumes from her plays, in her fashionable clothes or in fancy interiors of her apartments (Fig. 1). Newspapers and magazines published a lot of articles about her life; journalists of that time wrote about her glamour, her popularity, her sense of style and fashion, her charismatic glow, her attractiveness, her talent, her life, as well as about the intellectual circles she frequented; «yellow press» reported her several affairs throughout her life. Tilla Durieux was adored by men and women, she was a true diva, a real star of many plays and silent movies, famous across Europe and America. During her interesting life, Tilla Durieux was married three times; first in 1904 to the painter Eugene Spiro, then in 1910 to the art dealer and editor Paul Cassirer, and, for the third time, since 1930, to the industrialist Ludwig Katzenellenbogen⁴.

The Art Collection and the Second World War

Tilla Durieux was not a professional art collector, but art had a major impact on her destiny and her life. Even though she was married to Egon Spiro, a secessionist painter, she discovered her true passion for art while she was married to her second husband, Paul Cassirer, a very influential person politically and socially as well as a successful art dealer, critic and editor. He had built a large art collection featuring some Old Masters; however, his collection mostly consisted of French paintings of the second half of the 19th and of the first decades of the 20th century. In addition to portraits of Tilla's family members, the Tilla Durieux and Paul Cassirer Collection included many 'modernist' works of art⁵. Since Paul Cassirer was involved in promoting impressionist and postimpressionist art and artists in Germany, one could conclude that he might have had a collection of these works, too. After

The research was conducted within the frame of HERA project/15.080 TransCultAA (Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century, www.transcultaa.eu).

¹ ŠTERK 2006, p. 10; DURIEUX 2001, p. 9.

² DURIEUX 2001, p. 19.

³ MGZG-DTD (for abbreviations see Bibliography), www.mgz.hr, about Tilla Durieux; ŠTERK 2006; DAMJANOVIĆ 2016; DURIEUX 2001.

⁴ DURIEUX 2001, pp. 316, 426-43; JOVETIĆ 2001, p. 15.

⁵ DAMJANOVIĆ 2016, p. 139.

years of a very turbulent marriage, in 1926 this famous and successful couple decided to divorce. When Paul Cassirer was about to sign the divorce papers, he got up from the table where he was sitting, went into the room next door and killed himself⁶. Due to financial trouble she faced during her third marriage, she sold most of the paintings, including one by Van Gogh. Other than that sale, there is no other record of such paintings⁷.

Tilla Durieux remarried again in 1930 to the industrialist Ludwig Katzenellenbogen. After Hitler's rise to power and also because of a court case brought against her husband, they emigrated from Germany in 1933. They took the family jewelry and the art collections with them, or at least what was left of them after the court had seized her assets during the legal case against her husband⁸. They first moved to Switzerland, but then changed their residence several times. One of those residences was Zagreb. In her memoirs, Tilla wrote how much she loved Zagreb, especially since this was the city where her mother and father had been schooled⁹. Indeed, she was a little afraid of living in a small city, but she soon learned to love Zagreb¹⁰. She continued to act in the theatre, but she tried to avoid Germany since a warrant had been issued for arresting her husband. During her stay in Zagreb, after one of the plays at the opera, she met Countess Zlata Lubinski, a very important member of the Croatian aristocracy at that time, and they became good friends. Later they even established that they were some distant relatives; as Tilla wrote in her memoirs « indeed, kinship goes back to my grandfather and her granduncle, the bishop Strossmayer »¹¹.

Following their arrival in Zagreb, Tilla and Ludwig rented an apartment with the help of friends, the Croatian architect Zdenko Strižić and his wife, whom they had met earlier in Switzerland¹². Earlier, her husband had invested in a bus-manufacturing company in Yugoslavia. However, eventually the company went bankrupt and Ludwig Katzenellenbogen, together with some of his financial partners, bought the Hotel Kristal (with 106 beds) in Opatija, on the Adriatic Coast. Due to the lack of money, Tilla went to Paris to sell one of the paintings from her collection¹³. The couple moved to Opatija in 1936 and seemed to be doing well for a while. The hotel business was fine, and they even shipped furniture and books from Germany to Opatija as they thought that the future was promising¹⁴. This good period in Opatija didn't last long since the repression exerted by fascist Italy was increasing day by day. They were forced to sell the hotel in 1938 and move back to Switzerland, and from there in the same year back to Zagreb where they lived in Zlata's villa on Jurjevska Street 27. Upon arrival, the couple settled down in an apartment on the first floor of the villa.

Since the repression against the Jews in Yugoslavia was increasing as well, in 1941 they tried to flee Europe. For them, as Jews, it was not possible to travel through Italy, so they decided to go to Belgrade in order to get visas and then to go to America through Greece and Turkey. At that time the couple had Honduran passports. While waiting for visas, they decided to wait in Skopje in Macedonia, since the city was closer to the Greek border than Belgrade. In April 1941 the couple split, for reasons that are unclear: Tilla went back to Belgrade to get visas and Ludwig remained in Skopje with their belongings (including her valuable jewelry collection and almost all of their money), expecting her to come back in a day or two. Even though he had money, he couldn't travel anywhere without his passport which

⁶ DURIEUX 2001, p. 306.

⁷ DURIEUX 2001, p. 330; DAMJANOVIĆ 2016, p. 139.

⁸ DURIEUX 2001, p. 139.

⁹ DURIEUX 2001, p. 329; ŠEMBERA 1977A, pp. 37-39.

¹⁰ DURIEUX 2001, p. 332; BOGLIĆ 1982, p. 8.; ZAMODA 2006, pp. 104-113; ŠEMBERA 1977B, pp. 80-83.

¹¹ DURIEUX 2001, p. 332.

¹² DURIEUX 2001, p. 331.

¹³ DURIEUX 2001, pp. 330-334. She wrote in her memoirs that most of the paintings had already been sold, but she did not mention which one she sold in Paris; JURIČIĆ 2003, p. 10.

¹⁴ DURIEUX 2001, pp. 334-335.

Tilla had with her in Belgrade¹⁵. However, the day she arrived in Belgrade bombings started and she couldn't get back to Skopje. After traveling back and forth through Serbia, she managed to get back to Zlata in Zagreb¹⁶. Somehow, Ludwig Katzenellenbogen was arrested by the Gestapo agents in Thessaloniki and deported to Berlin where he died in the Jewish hospital in 1943¹⁷. Tilla didn't know of his tragic death until 1944¹⁸.

Following her return to Zagreb in 1941, Tilla Durieux lived at Jurjevska Street 27 once again, but on the ground floor since their apartment on the first floor was already occupied. Tilla and Zlata became very close friends and, although German officers and officials were living in the villa, they were very actively involved in the Yugoslav antifascist resistance movement. Their resistance code names were Cougar (*Puma*) and Red Countess (*Crvena grofica*) respectively¹⁹. Afterwards, Tilla Durieux wrote a play entitled *Zagreb 1945*, illustrating her life in Zagreb during the Second World War. It was successfully performed in Luzern in 1946²⁰.

The Tilla Durieux Collection and Its Protection in Yugoslavia

The chronology of the protection of the Tilla Durieux Collection in Yugoslavia goes back to November 13th, 1945, when the Commission for Gathering and Protecting of Cultural Monuments and Antiques proclaimed that the Zlata Lubienski Art Collection, at that time including Tilla Durieux's collection, was a 'protected' collection under the Section for Museums of the Department of Art and Culture of the Ministry of Education of the Federal Republic of Croatia²¹. Before taking that decision, on October 30th, 1945, the Commission had inspected the collection on Jurjevska Street 27, listed the art works and other valuable items in the apartment of Zlata Lubienski and provisionally decided that it deemed 'protection'²².

Later on, in 1946, the Tilla Durieux Collection received protection as well²³. The order for the formal protection of the two collections was issued on November 20th, 1946, on the basis of the Protection and Collection of Cultural Monuments and Antiques Act of October 4th, 1946²⁴.

Zlata Lubienski and Tilla Durieux both personally appealed on August 30th, 1948, for the protection of their collections also as 'private collections of public interest'²⁵. Surprisingly, their appeal was denied²⁶. In their explanation for the denial, the Commission, consisting of Vladimir Tkalčić, the Director of the Arts and Crafts Museum in Zagreb, Ljubo Karaman, the Director of the Conservation Institute, and Draginja Zdenčaj, the Representative of the Department of Art and Culture, Section for Museums, stated that the collections of Zlata Lubienski and Tilla Durieux couldn't get the status of 'private collection of public interest' due

¹⁵ ŠEMBERA 1977A; ŠEMBERA 1977B; ŠEMBERA 1977C; ŠEMBERA 1977D.

¹⁶ DURIEUX 2001, p. 348.

¹⁷ N.N., 1970.

¹⁸ DURIEUX 2001, p. 370.

¹⁹ ŠTERK 2006, p. 44; DAMJANOVIĆ 2016, pp. 106-119, 120-152.

²⁰ The play was written in German and some decades later translated and published in Croatian too, see: DURIEUX 2001; *ZAGREB 1945* 1946 (page number unknown, copy of the article is preserved in MGZG-DTD).

²¹ MK-UZKB-KOMZA, Privatne zbirke, Zlata Lubienski Collection, document no. 25406-III-1- 1945, of November 13th, 1945.

²² MK-UZKB-KOMZA, Privatne zbirke, Zlata Lubienski Collection, document no. 315-1945; SLADE ŠILOVIĆ 1995, pp. 73-81.

²³ GZZSKIP-DTD, document no. 02-1028/1-1967. Decision of registration of Tilla Durieux collection in *Nation register of moveable Cultural Heritage*, of November 9th, 1967. In 1948 a list of items in the collection was made.

²⁴ *Ibidem*.

²⁵ HR-HDA, archive group 291, box 65, doc. no. 69570-VI-3-1948; archive group 1095, box 93 (for these documents I thank my colleague Iva Pasini Tržec).

²⁶ HR-HDA, archive group 291, box 65; Minutes of the Commission of November 4th, 1948.

to «overcrowding and housing in the four rooms where these items are». The Commission noticed that «the collection does not give a real impression and is not so arranged as should be a collection of public interest under the control of the State»²⁷. However, it was important for Zlata and Tilla to get the status of 'private collection of public interest' because in that case they were not at risk of being sent by housing authorities to live in spare rooms, as it was often the case after the Second World War in Zagreb due to the shortage of housing. Indeed, the owners would receive yearly income from the State for maintaining the collection and keeping it open to the public. Concluding the report, the Commission forbade any kind of relocation of any part of the collection, even its relocation to another room of the Villa Lubinski. It was also forbidden to place the collection into storage. The collection should remain exactly in the state it was when the Commission visited the apartment²⁸. They also remarked that the collection contained some art works which were unique in Zagreb, such as Chinese ceramics, Egyptian artefacts, wooden sculptures from the Pacific, many items from the late bishop Josip Juraj Strossmayer, as well as many modern German works of art. The Commission also noticed that many students and critics were interested in this collection and that it also included a large library with many art books and graphic materials²⁹.

Since there should be an open day for public viewing of the collection, Zlata and Tilla picked Sunday as the visiting day. On those mornings, Tilla was able to recreate something of that lost pre-war artistic and intellectual world she had experienced in Germany before the Second World War: her collection inexorably contained and mirrored her life and the artistic atmosphere of Berlin before 1933³⁰. Among others, many members of the art field and of the intellectual elite of Zagreb (writers, artists, conservators, art historians, painters, poets and other intellectuals) visited Villa Lubinski. At the same time, organizers of thematic exhibitions would borrow items for exhibitions. Some of the items played authentic mute roles in film co-productions³¹. The collection, with its educational and spiritual characteristics, placed a special and distinctive stamp on the City of Zagreb. After the end of the war, many friends and guests from abroad as well as many amateurs and artists also came to see the Zlata and Tilla art collections, such as the sculptor Henry Moore and the infamous national socialist art historian Bruno Lohse³².

The Tilla Durieux Collection in Zagreb

Since Tilla Durieux had some problems extending her Honduran passport, in 1950 she decided to take the Yugoslav citizenship: «I have chosen Yugoslavia, the country which took me in and shielded me in time of need, the country I learned to love»³³. She decided to continue her life in Zagreb after the Second World War. Since she didn't speak Croatian well enough to act in theatres, she took a job as a seamstress at the Puppet Theatre in Zagreb. In

²⁷ *Ibidem*. «However, due to overcrowding and housing in the four rooms where these items are, the collection does not give a real impression and is not so arranged as should be a Collection of public interest under the control of the State, therefore we think that it should not be officially recognized as a Collection of public importance, but only ask the housing authorities to make, as before, the collection available to visitors in the name of public cultural interests».

²⁸ *Ibidem*.

²⁹ *Ibidem*.

³⁰ LUGARIĆ 1963, pp. 28-30; LAZAREVIĆ 1966, pp. 21-28.

³¹ MGZG-DTD, www.mgz.hr.

³² DAMJANOVIĆ 2016.

³³ DURIEX 2001, p. 372; GZZSKIP-DTD, document no. 14-3/1-10430/1-1968, Letter from City administrative bodies of Public safety to City Institute for Protection of Monuments of Culture and Nature, of March 27th, 1968, it stated that Tilla Durieux took a Yugoslav citizenship on April 21st, 1950, under no. 4149-IV-1950; before that she had a Honduras citizenship.

1951 she published an article in Croatian language entitled *Seamstress at the Puppet Theatre (Krojač u kazalištu lutaka)*³⁴. Tilla Durieux worked there from 1945 to 1951. At times, her income was so low that she needed to knit and sell socks and mittens to get by, since she was not allowed to sell anything from her collection, at least not legally³⁵.

In 1951 the news that Tilla Durieux had survived the war hit Germany. She found out that theatrical circles still were interested in her and in her life. Therefore, she moved back to Berlin. In 1952, after nineteen years of what she called 'exile', at the age of seventy-two, she landed at Tempelhof Airport in Berlin where she was greeted by many journalists of newspapers; radio and TV stations reported her return as major news. She realized she had not been forgotten³⁶. Tilla used her husband's last name, Katzenellenbogen, until 1953, and then changed it back to Durieux. Perhaps her plans to move back to Germany and continue her professional career were the reason why she did so after so many years³⁷. During those years she lived between Zagreb and Berlin, but in 1955 she decided to permanently move back to Germany.

As for the collection, at that time it remained in the same rooms in the apartment on the ground floor of Villa Lubienski. The collection was not transferred to a museum, possibly because Tilla and Zlata had been actively involved in the antifascist resistance movement during the Second World War. Most privately owned artworks in the former Yugoslavia were collected from their original locations and transferred to museums and galleries after the war. During the following decades many items were proclaimed missing, and most of those objects are still missing (in total more than thirty objects)³⁸.

As mentioned above, during the first years following the Second World War, the collections of Zlata Lubienski and of Tilla Durieux had been exhibited in four rooms on the ground floor of Villa Lubienski (three for the first and one for the second) and were initially registered as the Zlata Lubienski Collection. The first list was made in the months after the end of the war in 1945. In 1948, the Tilla Durieux Collection was separated from the Zlata Lubienski Collection and a new list was made with a total of 52 works of art. Number 53 listed a collection of 3000 books. The list was signed by Tilla Durieux and by the Commission members Vanda Pavelić and Greta Surin³⁹. Later, when the legal battle started, The Institute for Conservation of Cultural Heritage made an inventory list and found some new items that had not been registered earlier. The final list contained 68 items⁴⁰. Later, some authors indicated that the Tilla Durieux Collection included 84 art items and 3000 books⁴¹. The problem with the incorrect registration of items was that until 1948 the Tilla Durieux Collection was registered as the Lubienski-Durieux Collection. Many items were wrongly

³⁴ DURIEUX 1951, pp. 95-115.

³⁵ PREUSS 2001, p. 395; HR-HDA, archive group 1095, box 93, doc.no. 9549/54 of December 8th, 1954, documentation regarding Tilla Durieux's request of exporting a work by Marc Chagall and explanation for the denial of the request.

³⁶ PREUSS 2001, p. 394.

³⁷ GZZSKIP-DTD, document no. 14-3/1-10430/1-1968, Letter from the City administrative bodies of Public Safety to the City Bureau for Protection of Monuments of Culture and Nature, of March 27th, 1968; it stated that Tilla Durieux changed her last name from Katzenellenbogen to Durieux on March 27th, 1953.

³⁸ ŠTERK 1987, p. 8. Slavko Šterk was the first curator of the Tilla Durieux Collection in Zagreb; he stated that 30 items were stolen, missing or destroyed from her collection. He also published two books about Tilla Durieux and her collection in Zagreb: see ŠTERK 1986; ŠTERK 2006. Nowadays the curator is Vesna Vrabec, whom I would like to thank for help with documentation. See also: DAMJANOVIĆ 2016, p. 149, who affirms that thirty-two objects are missing.

³⁹ GZZSKIP-DTD, List of art objects from 1948; the list was made on February 24th, 1948, document no. 96-1948.

⁴⁰ DAMJANOVIĆ 2016, p. 146.

⁴¹ ŽIC 2002, 89-94, pp. 94, writes that collection holds more than 80 art items and 3000 books; GZZSKIP-DTD, List of art items from 1948; ZCM-DTD, copy of the list of art items from 1948.

registered in both collections, either as a part of the Lubienski or of the Durieux Collection⁴² (Fig. 2).

A new list of works of art in the Durieux Collection was made in 1969 and it was established that many items were missing, such as very valuable works of art by Marc Chagall and Paul Klee⁴³. In June 1970, Herta Kučera took over as the assignee of the Tilla Durieux Book Collection.⁴⁴

The Collection remained in Villa Lubienski, even after Zlata Lubienski passed away in March 1969 and Tilla Durieux died in 1971⁴⁵. Four years earlier, in 1967, Tilla Durieux had started a legal battle (later continued by her heir Erika Dannhoff) to export the art items and the book collection from Yugoslavia to Germany⁴⁶. In the same year, the collection was registered with the National Register of Mobile Cultural Heritage (as RZG-9)⁴⁷. The request for the export of the art collection was denied. Tilla and her legal representative Leo Rotter went to the Supreme Court, but the verdict remained unchanged⁴⁸. Due to the legal process, the collection was closed and sealed on March 26th, 1969, in the same room where it was at the end of the Second World War. An inspection of the collection had established that many items were missing, such as Paul Klee's watercolour *Befestigter Ort*, Marc Chagall's gouache *Murder*, a few valuable sculptures, six small sculptures by August Gaul, etc.⁴⁹ (Fig. 3).

After Zlata Lubienski's funeral, the representatives of the Institute visited the Villa. Zlata's heirs, her daughter Vlasta Scholz and the lawyer Mijo Repar, gave them the list of jewelry from the late archbishop Josip Juraj Strossmayer, inherited by his niece Vlasta Lubienski. They stated that the jewelry was taken as a pledge by Tilla Durieux for her art collection left in Villa Lubienski when she moved to Germany. Mijo Repar, the family lawyer, insisted that the Tilla Durieux Collection, even though it was separated from the Lubienski Collection in 1948, had to be registered as the estate of deceased Zlata Lubienski until her family gets the family jewelry back.⁵⁰ He informed the representatives that he had sealed the room with the Tilla Durieux Collection. Even though the court requested access to the collection, Mijo Repar didn't answer. It was only after the verdict was announced on April 10th, that the Tilla Durieux Collection was included in the estate of deceased Zlata Lubienski and the access to the collection was permitted.

Later, an engineer named Franjo Liszt was authorized by Zlata's heirs to be the custodian of the Lubienski and Durieux collections⁵¹. Even though it was forbidden to sell the house or relocate the collection without permission from the Institute for the Conservation of Cultural and Natural Heritage, Franjo Liszt packed and removed the Tilla Durieux Collection from the sealed room and only informed the Institute about his actions at a later date. Art

⁴² GZZSKIP-DTD, Copy of list of objects of the Tilla Durieux Collection from 1948, 1968 and 1969.

⁴³ BALIJA 2014, pp. 22-23.

⁴⁴ GZZSKIP-DTD, document about the handover of the Tilla Durieux library dated June 10th, 1970, and signed by Franjo Liszt, Vlaho Kučera, Herta Kučera and Jeanette Reitmair. Part of the Tilla Durieux Book Collection was later donated to the City Museum in Zagreb.

⁴⁵ LAZAREVIĆ 1969, p. 19.

⁴⁶ GZZSKIP-DTD, document no. 02-1028/1-1967 of November 9th, 1967, Decision on registering the Tilla Durieux Collection.

⁴⁷ GZZSKIP-DTD, document no. 02-1028/1-1967, dated November 9th, 1967. Tilla Durieux Collection was registered under number RZG-9; Report on Court revision on the Tilla Durieux Collection of April 24th, 1969. The author of the report was Ivy Lentić Kugli, a representative of the Institute for the Conservation of Cultural and Natural Heritage. The report was written a day after the revision.

⁴⁸ GZZSKIP-DTD, document no. 02-639/1967, dated November 1st, 1967; document no. 02-1028/1967, dated November 10th, 1967; document no. 1290/4-1988.MM/K, dated June 13th, 1968.

⁴⁹ GZZSKIP-DTD, document no. 02-639/93-67, dated October 5th, 1967; document no. 02-491/8-1969, dated May 5th, 1969.

⁵⁰ GZZSKIP-DTD, record about Tilla Durieux Collection, document no. 479/2, of August 15th, 1969.

⁵¹ GZZSKIP-DTD, record of the meeting of January 8th, 1985.

works, the book collection and other personal and valuable objects previously owned by Tilla were packed in boxes and stored in the attic of Villa Lubienski and in the small room in the garden, where they remained for the next eight years. The condition of those items was poor, and they were not safe at all.

Aftermath and the Court Settlement

The problem was not just Tilla's request to export the art collection; there was also a legal dispute between Zlata Lubienski's heirs and Tilla Durieux over Zlata's family jewelry collection that she took with her to Germany as a pledge for her art and book collection that she had left in Zlata's villa in Zagreb⁵². An official settlement between Tilla and Zlata's heirs was reached on February 10th, 1977⁵³. One of the documents attests that Zlata's heirs got reimbursed for the value of the jewelry⁵⁴.

The Consul of the Federal Republic of Germany visited the City Institute for the Conservation of Cultural and Natural Heritage and informed that a settlement had been reached. There were no more claims made by Zlata's son Boris Lubienski against Erika Dannhoff, Tilla's heir, and the pledge was no longer an issue.

A few years later, on February 17th, 1982, the City Institute for the Conservation of Cultural and Natural Heritage for the City Council in Zagreb gave a permit for the export of the Tilla Durieux Collection. A decision was made to divide the collection as Erika Dannhoff had suggested; 40% of the collection would remain in Zagreb and 60% would be exported to Germany⁵⁵. The importance of Tilla Durieux and the presentation of her life and legacy in Germany through her collection was an argument used by Erika Dannhoff. She stated that the collection would be used in Germany to establish a 'memorial' to Tilla Durieux. That was the main reason why the request was resolved, but it was also because the collection was taken from Germany as the owners fled the prosecution by the Nazi government, as well as the fact that the legal heir of the collection was a foreign citizen⁵⁶. A Commission for the takeover of the donated part (*Komisija za preuzimanje darovanog dijela*) of the Tilla Durieux Collection was established; its members were Ida Slade Šilović (City Institute for the Conservation of Cultural and Natural Heritage for the City Council in Zagreb), Zdenko Kuzmić and Zdenka Kazmar (City Museum in Zagreb), Dubravka Osrečki (Committee for Public Affairs) and Ljiljana Poljak (from City Administration). Tilla Durieux's heir Erika Dannhoff was also present with her legal representative from Zagreb, Eugen Zadavec, as well as the former custodian of the collection, engineer Franjo Liszt, together with two members from the former Commission for the selection of art works from the Tilla Durieux Collection (that will remain in Zagreb) Zdenka Munk and Nada Križić⁵⁷.

On the same date, the Commission visited the villa for the last time, and the Tilla Durieux Collection was formally divided and handed over according to the previous agreement. Nineteen art works remained in Zagreb as a part of the newly formed Tilla

⁵² GZZSKIP-DTD, record about the Tilla Durieux Collection, document no. 479/2, of August 15th, 1969.

⁵³ GZZSKIP-DTD, Letter from the City Institute for the Conservation to City Council in Zagreb about the Tilla Durieux Collection, of February 1st, 1982. Document no. 03-UP/I-833/14/ISŠ: DAMJANOVIĆ 2016, p. 147, suggests the possibility that one of Chagall's work could be offered as a reimbursement for the value of the jewelry.

⁵⁴ GZZSKIP-DTD, document no. 03-UP/I-164-2, dated March 30th, 1978.

⁵⁵ MGZG-DTD, copy of the draft of the agreement between Erika Danhoff and the City of Zagreb; ŠEPAROVIĆ 1982, p. 8; ZIMA 2002, pp. 11; SUŠANJ 2002, pp. 70-71; KADIĆ 1984, p. 2.

⁵⁶ MGZG-DTD, copy of the documentation about dividing and taking over the T. Durieux collection.

⁵⁷ MGZG-DTD, Minutes from the collection takeover on February 17th, 1982 at 1PM.

Durieux Collection at the City Museum in Zagreb and 58 items were exported to Germany⁵⁸. However, the memorial in Germany to Tilla Durieux was never established and most of the collection was sold. Most of the items from the Tilla Durieux Collection that had went missing during the period they were in Zagreb were never found, except Paul Klee's watercolour *Befestigter Ort*, which was recently discovered in a private collection in Germany⁵⁹ (Fig. 4).

⁵⁸ ŠTERK 1983, p. 4-5; KUSIN 1986, p. 14; MIHALIC 1995, pp. 82-108; BRAJCIC PASARIC 1998, p. 20-21; MIHALIC 2008, p. 70-74.

⁵⁹ NOVAK 1969A; NOVAK 1969B.



Fig. 1: Postcard of Tilla Durieux as Königin Odatis in the play *Herr und Diener*, by Ludwig Fulda (Première, Deutsches Theater, Berlin, 1910). Photo Becker & Maas



Fig. 2: Zlata Lubienski in Tilla's former living room in Jurjevska 27 in Zagreb, with *Befestigter Ort* by Paul Klee on the wall, from: DAMJANOVIĆ 2016, p. 150



Fig. 3: Paul Klee, *Befestigter Ort*, bw and color photo, Zagreb, Archive of City Institute for the Conservation of Cultural and Natural Heritage. The color photo is from P. LUGARIĆ, *Louvre u Jurjevskejoj ulici*, «Globus», March 31st, 1963, p. 28

• VEČERNJI LIST • - 30. IV, 1, 2, 3. V 1969.

Prije nešto više od mjesec dana umrla je Zlata Lubiensky, vlasnica velike kuće i zbirke umjetnina u Jurjevskoj ulici 27. Pokojna Z. Lubiensky, osim velike kuće, ostavila je svojim nasljednicima, sinu, koji živi u Boliviji i kćerki, koja živi u Zapadnoj Njemačkoj znatnu količinu umjetnina iznimne vrijednosti, od posuda do pokućstva.

TKO JE UKRAO KLEEA

Na misteriozan način iz kuće Lubiensky nestalo je nekoliko slika: Prvi je nestao Klee, a zatim Chagall i jedna kineska plastika

Ova dragocjena zbirka radi svoje vrijednosti bila je dugo godina prisluškana i javnosti, tako da su se ljudi koji su željeli pogledati ovu zbirku svake nedjelje ugodna prolazila u zbirku Jurjevskom ulicom i posjet zbirci Lubiensky bila je omiljena razonoda mnogih Zagrepčana.

Osim zbirke umjetnina i pokućstva, smještenih u tri sobe u jednadžbi, stao je na naličje se još jedna zbirka - vlasništvo Otilije Durieux, državljanke Zapadne Njemačke, koja je odmah nestala poslije zbirke Z. Lubiensky, ostavivši umjetnine kod svoje prijateljice Z. Lubiensky s kojom je i nastojala.

Između ostalih umjetnina, koje su se nalazile u ovoj zbirci, našla se jedna slika Paula Kleea, "Befestigter Ort", četiri Chagalla i dr. Od svih, svakako je najvrednija bila slika Paula Kleea jednog moćna i najvećeg njemačkog slikara, novijeg doba. Otilije Durieux živjela je prije rata u Parizu i bila prijateljica mnogih velikih slikara, a između ostalih i Paula Kleea, pa je logično bila ne samo strastvena prijateljica slikara nego i strastvena kolekcionar slika.

Tristom stotina iz, naše zemlje Otilije Durieux ostavila je slike čit se po našem zakon, umjetnine, na način izvesti, a u zalogu je od Z. Lubiensky uzela Stojančevićov nakit, između ostalog s jedan elastičasti nakit neprocjenjive vrijednosti.

U listopadu prošle godine Z. Lubiensky se razboljela i zbirka je zatvorena za javnost. Od tog dana kćer Lubiensky posjećivala da samo najintimnije prijateljice i naravno, kućne pomoćnice. Osim njih u posjet je došla i kćerka Vlasta Scholz iz Z. Njemačke.

Kada je nestao Klee?

Prošli mjeseca 27. ožujka u 11 sati prije podne SUP-u je prijavljen nestanak Kleeove slike "Befestigter Ort" iz Otilije sobe, odnosno zbirke, a istoga dana, u jutro, u 7.30 Vlasta Scholz je otpisala kolima u Zapadnu Njemačku. Ovo naravno, u istrazi nije nigdje naznačeno kao neka indicija ili sumnjiva okolnost nego se ključno kao slučajnost koja to može biti, ali i ne mora. Započela je istraga, s mnogo misterioznih indicija, nedostatak ni jedan put ne vodi k objašnjenju misterija. Prije svega, nemoguće je ustanoviti dan kada je slika nestala i u tom pogledu posto-

je mnoge kontradiktorne izjave izjavile pokojna Z. Lubiensky koje su je često posjećivale za vrijeme bolesti naravno u svojem iskazu većina različitih datuma kada su posjetili put vidjeli Kleea. Jedna svjedokinja tvrdi da ga je posljednji put vidjela 21. kolovoza, druga nedjelje u rujnu prošle godine, a stružnjaci Zavoda za zaštitu spomenika (to je najveći dokaz fotografirali su sliku u mjesecu rujnu. Od tog mjeseca dalje, ne može se tačno utvrditi kada je slika nestala. Niti tko je posljednji vidio sliku. Najvjerovatnije je slika kuće pomoćnice N. H. koja tvrdi da je posredno, jer stoji uoči Božića posredno, a ona Otilije Durieux i između ostalog odšla i Kleeovu sliku. Ona čak tvrdi da su prijateljice Z. Lubiensky pokušale na nju djelovati da ona sliku uoči Božića nije mogla vidjeti. (?)

Slika vrijedna 50 milijuna starih dinara

Mogućnost iznošenja Kleea iz stana odnosa sobe, bila je zaista više nego povoljna. Ova slika, koja je iz 1928. godine (tempera na papiru) formata je 30x30, dakle mogao bi se, ovisno o izvedbi, doći do 50 miliona starih dinara. Na dan kad je slika posljednji put vidjena nije istražnom 195. utvrdjen. Preko istražnim sudcem Mr. Vjekoslavom Tadićem stoji zaista velika zagonetka, jer osim krade, postoje i mnoge druge mogućnosti.

Od svega je najzanimljivije da nestanak te slike zaista nije bilo teško utvrditi jer soba Otilije Durieux nije bojadisana godinama, tako da je mjesto na kojem se nalazila slika potpuno bijelo u odnosu na ostali dio zida koji je sasvim potamnio. Da je onaj, tko je sliku odnio, znao vrijednost slike, o tome nema sumnje, jer su se iznad Kleea nalazile još četiri Chagallove slike, a neznatno ili neznatno se opredjeljuje upravo baš za Kleea za kojega stružnjaci Zavoda za zaštitu spomenika tvrde da ima veliku vrijednost, da se Kleeove slike, za svjetlošću, prodaju veoma dobro, da bi nestala slika mogla imati na jednoj takvoj aukciji početnu vrijednost od najmanje 50 milijuna starih dinara.

Golem je labirint kojim bi trebalo doći do istine na koji način je slika nestala. Stoga sve nalazi u kući Lubiensky znalo se i u inozemstvu. Primjera radi, prošle jeseni, kad je Z. Lubiensky već bila bolesna, dobio je jedan Talijan s molbom da mu se prodaju dva venecijanska stolca, nudeći za svakog po 10 milijuna starih dinara, iako su stolci bili kopije, a ne originalni rad. Međutim,

je mnoge kontradiktorne izjave izjavile pokojna Z. Lubiensky koje su je često posjećivale za vrijeme bolesti naravno u svojem iskazu većina različitih datuma kada su posjetili put vidjeli Kleea. Jedna svjedokinja tvrdi da ga je posljednji put vidjela 21. kolovoza, druga nedjelje u rujnu prošle godine, a stružnjaci Zavoda za zaštitu spomenika (to je najveći dokaz fotografirali su sliku u mjesecu rujnu. Od tog mjeseca dalje, ne može se tačno utvrditi kada je slika nestala. Niti tko je posljednji vidio sliku. Najvjerovatnije je slika kuće pomoćnice N. H. koja tvrdi da je posredno, jer stoji uoči Božića posredno, a ona Otilije Durieux i između ostalog odšla i Kleeovu sliku. Ona čak tvrdi da su prijateljice Z. Lubiensky pokušale na nju djelovati da ona sliku uoči Božića nije mogla vidjeti. (?)

Da li je Klee već u inozemstvu?

Što se tice Kleea, to je jedina slika u Zagrebu i današnji čovjek vjerojatno ne bi imao nikakve koristi od nje, jer je ne bi smio nikome ni pokazati, a slika skrivena na tavanu nije slika. Sljedeći logičan korak je jedino put u inozemstvo, gdje se već možda "Befestigter Ort" i nalazi to više što znamo da je preko naše granice mnogo lakše prenijeti jedno Kleea nego 10 dolara, jer koji bi

PAUL KLEE: "BEFESTIGTER ORT" (Tempera na papiru, 1928. g.)

se naš carinik osvrtno da neokazuje opatraknu snabavlja na papiru.

I druge okolnosti za iznošenje Kleea iz naše zemlje su dosta idealne. Will Grohmann izdavao je od 1954. godine nekoliko izdanja Kleeove monografije a poplorn njegovih radova, međutim u tom poplornu nijedne slika "Befestigter Ort" jer je u tu sliku vjerojatno Otilije Durieux došla ili kupila od samog autora. I budući da u monografiji slika nigdje nije registrirana, pa prema tome ni njen vlasnik, onaj kod koga se slika nalazi ima idealne uvjete da se preko nje obogati. Vjerojatno SUP nije učinio ono što je moglo bilo najlakše, da obovijesti "Interpol", jer je više nego sigurno da se ta slika ne bi mogla prodati nigdje u Jugoslaviji, naravno ne za takve novce kao vani u inozemstvu.

Poslije Kleea nestao i Chagall

No, nije Klee jedini koji je nestao iz zbirke Lubiensky odnosno Durieux. Ovih dana nestala je i jedna Chagallova slika i jedna veoma vrijedna kineska plastika iz 17. stoljeća. Gledajući prema vrijednosti, sve dosadašnje provale i osiguranje. Komisija koja su sitnodisparatnošću karakterizirala svom. Krada u sva rad pa čemo javnost obavijestiti o rezultatima. U sljedećem broju, od 6. svibnja objavit ćemo nastavak: DA LI JE CHAGALL PRESAO GRANICU

vrijednost umjetnina zašto nije insistirao na čuvanju kuće poslije smrti Z. Lubiensky. Istina je, da se krivnja ne bi mogla pripisati ovom zavodu, jer je nekoliko dana Zavod plaćao iz svojih sredstava čuvara "Sigurnosti" ali je Gradska skupština veoma blagodisno odnosa prema tome kako nešto glodati pečati na vratima ove zbirke zalata nisu nikakvo osiguranje. Komisija koja procjenjuje vrijednost jedne i druge zbirke upravo završava rad pa čemo javnost obavijestiti o rezultatima. U sljedećem broju, od 6. svibnja objavit ćemo nastavak: DA LI JE CHAGALL PRESAO GRANICU

poštu za ekonomsku propagandu adresirajte ovako:

VJESNIK ekonomska propaganda ZAGREB P P 27

Fig. 4: V. Novak, *Tko je ukradio Kleea*, «Večernji list», April 30th-May 5th, 1969, p. 5, about the theft of Paul Klee's painting in Zagreb

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MGZG-DTD – Muzej grada Zagreba, Dokumentacija zbirke Tilla Durieux/Zagreb City Museum, Tilla Durieux Collection, www.mgz.hr.

GZZSKIP-DTD, Gradski zavod za zaštitu spomenika kulture i prirode, Dokumentacija zbirke Tilla Durieux/City Institute for the Conservation of Cultural and Natural Heritage; Documentation of Tilla Durieux Collection.

MK-UZKB-KOMZA, Ministarstvo kulture, Uprava za zaštitu kulturne baštine, Komisija za sakupljanje i očuvanje kulturnih spomenika/Ministry of Culture, Directorate for the Protection of Cultural Heritage, Commission for Gathering and Protecting of Cultural Monuments and Antiques.

ZG-HDA, Hrvatski državni arhiv u Zagrebu/Croatian National Archive in Zagreb.

ABSTRACT

The article deals with the art collection of Tilla Durieux, a famous German actress (born in Vienna), and with her life in Zagreb. Her art collection was amassed by her second husband, Paul Cassirer, an art dealer and editor. After their divorce and Cassirer's suicide in 1926, Tilla married Ludwig Katzenellenbogen, a Jewish industrialist. In 1933 they emigrated from Germany and found shelter in Zagreb, in former Yugoslavia. The article is focused on her destiny and the fate of her art collection before and after the Second World War.

Questo contributo esamina le vicende della collezione d'arte appartenuta all'attrice tedesca Tilla Durieux e in particolare i suoi legami con la città di Zagabria. La collezione era stata raccolta dal suo secondo marito, il mercante d'arte ed editore Paul Cassirer. Dopo il divorzio e il suicidio di Cassirer nel 1926, Tilla sposò l'industriale ebreo Ludwig Katzenellenbogen, con il quale nel 1933 fuggì dalla Germania per riparare a Zagabria, nell'ex Yugoslavia. L'autore si concentra quindi sul destino dell'attrice e della sua collezione prima e dopo la Seconda guerra mondiale.

THE DISPOSSESSION OF ITALIAN JEWS: THE FATE OF CULTURAL PROPERTY IN THE ALPE ADRIA REGION DURING SECOND WORLD WAR

On November 29, 1943, the Superintendent for the Monuments and Galleries of Venezia Giulia and Friuli, Fausto Franco, sent a list of Jewish-owned art collections located in the area to the Head of the Province of Trieste, Bruno Coceani¹.

This list included books, artistic objects and musical instruments that the Superintendence of Trieste judged to have prized artistic value. These collections were owned by Andrea Pollitzer, Mario Morpurgo de Nilma, Aldo Mayer, Count Salvatore Segrè Sartorio, Arturo Castiglioni, Enrico and Alberto Schott and the Valmarin family². The collectors were part of the Art Collectors' Community of Trieste, acting as promoters of exhibitions and patrons of local contemporary artists in the years preceding the war³.

A few days before sending the list, the same Superintendent Franco invited his officials to supplement the list with more names of Jewish collectors in Trieste with the aim of requesting that the Prefecture proceed with 'any form of seizure and detention' of the reported collections⁴.

The collections listed in the report sent to the Prefecture were verified by Silvio Rutteri, Director of the Civic Museum of Art History of Trieste, providing details about their location and status⁵. While the Segrè Sartorio collection was already considered a non-Jewish collection, since Count Sartorio had submitted the request to be declared not belonging to the Jewish race, the status of the Morpurgo de Nilma and Aldo Mayer collections was 'resolved' or 'in the process of being resolved'⁶.

Despite his investigation, Rutteri was not able to provide information about the location of the bronzes collection owned by Alberto Schott, and of the collection of musical instruments owned by Enrico Schott.

Together with the first list, another list was compiled detailing only the collections in Trieste that were protected by Article 1 of the Law on the *Protection of Historic and Artistic Heritage* (Law no. 1089, June 1st, 1939). Of the fourteen collections included in this list, three were Jewish-owned collections well known to the Superintendence of Trieste: the archeological collection of Aldo Mayer, the collections of «paintings, antique Japanese prints,

¹ BON 2001, p. 59; SPAZZALI 2000, p. 356; Trieste, Archivio di Stato di Trieste (here referred to as: ASTs), Prefettura di Trieste, Gabinetto, Affari Generali, 1944, b. 470, f. «Sequestro di opere d'arte di proprietà ebraica», Letter from Franco to Coceani, November 29, 1943. In the essay, I use the term 'Superintendence of Trieste' to refer to the Superintendent for the Monuments and Galleries of Venezia Giulia and Friuli.

² The name Valmarin is probably referring to Giuseppe Walmarin and his collections. Rutteri noted, on the same list, that: «more than two years ago the collections had to be sold» [translation by the article's author].

³ BASILIO 1934; CRUSVAR 1979; *LA GALLERIA NAZIONALE* 2001, pp. 20-29. The Superintendence of Trieste's list was composed by the Art Collectors Community of Trieste (*Comunità dei Collezionisti d'Arte di Trieste*). The Art Collectors Community was directed, for many years, by Baron Morpurgo de Nilma joined by Alfredo Pollitzer, Aldo Mayer, Alberto Schott, together with Oreste Basilio (1887-1965) and Lodovico Braidotti (1865-1939), who organized many local exhibitions with their personal art collections.

⁴ Trieste, Archivio Storico Soprintendenza Archeologia, Belle Arti e Paesaggio del Friuli Venezia Giulia (here referred to as: ASDSABAPFVG), Archivio Istria, b. 44, f. 2808, Letter from Franco to Vigni, November 27, 1943; *Iniz*, Letter from Franco to Coceani, November 29, 1944.

⁵ *Iniz*, Rutteri Report, December 11, 1943.

⁶ Rome, Archivio Centrale dello Stato (here referred to as: ACS), Ministero dell'Interno, DGDR, Div. Razza, fasc. personali, b. 41, 1941, b. 26, f. 3650 Salvatore Segrè Sartorio. BON 2000, p. 250. The Law no. 1024, July 13, 1939 on the supplementary norms on the defense of the Italian race law, admitted the figure of the «discriminati». A special Court of Race, appointed by the Ministry of the Interior, could declare as not belonging to the Jewish race and in contrast to the results of the civil status records, those applicants who could boast «Special merits» or «Fascist merits» [translation by the article's author]. They enjoyed a privileged treatment compared to Jews. On the 'discrimination' requests in Trieste, see: BON 2000, pp. 177-180.

miniatures, crystals and rare book editions» of Mario Morpurgo de Nilma; and the «painting from the Friuli school, the wooden Tuscan statue depicting “Madonna with Child” and the collection of ancient artistic objects» owned by Augusto Pollitzer (1861-1940)⁷.

The speed with which the Superintendence of Trieste mobilized its officials and other civic administrative authorities continued to verify the conditions of the most important art collections in the area was due to the fact that the German authorities had already begun the process of confiscating Jewish property in the first months of occupation⁸.

As required by Circular no. 665 titled the *Requisition of artworks Jewish-owned* issued by the Ministry of National Education on December 1, 1943, Jewish owners had to report all the artworks they owned to the superintendence in charge of their area, by mid-December 1943⁹. Circular no. 665 appears to be quite articulate and trenchant, clearly expressing the intention to exploit self-disclosures on soon-to-be-seized works of art to obtain as much information as possible: quality, a short description, author and location. The Circular defined artwork as including all of the figurative arts (paintings, sculptures, engravings, etc.) and applied arts which, due to their value, cannot be considered objects of common use. This information naturally helped in including more works of art in the confiscation orders to be issued in accordance with the Italian Racial provisions, provisions that were in the process of being enacted (*New provisions concerning assets owned by citizens of Jewish race*, RD no. 2, January 4, 1944)¹⁰.

The superintendence could then perform all the necessary inspections in order to verify not only these self-disclosures, but also the actual amount of the declared cultural property. In fact, the superintendence was to select the items of high artistic value («pregiato valore artistico») which were to be seized from among the sum of declared cultural property, distinguished from those regarded as everyday objects.

In spite of these intentions, the correspondence between the Superintendence of Trieste and the various prefectures operating in the area, shows that self-disclosures of the possession of artworks were scant, even in cities known to host art collectors. There were no self-disclosures for the Provinces of Gorizia, Rijeka, Laurana and other towns, while from Opatjia the Superintendence received only few self-disclosures, mostly listing modern paintings without proper historical or economical appraisals¹¹. The owners of these art works declared to the authorities were first imprisoned at Risiera di San Sabba by the Germans in June 1944 and then deported to Auschwitz, from where they never returned¹².

⁷ ASDSABAPFVG, Archivio Istria, b. 44, f. 2808, List of the Jewish owners of protected artworks, no date [translation by the article's author].

Augusto Pollitzer was the father of Andrea Pollitzer and an important art collector of Trieste; <https://www.alinari.it/it/dettaglio/ACA-F-040159-0000?search=020e1d8a527b026f74f59d9911c34732&searchPos=15>, <January, 2019>.

⁸ *Ivi*, Letter from Superintendence of Trieste to the Ministry of National Education, July 22, 1944.

⁹ *Ivi*, Circular no. 665, Ministry of National Education, December 1, 1943; «Il Piccolo», November 26, 1943.

¹⁰ As consequence of the Circular no. 665, the corresponding law regarding the confiscation of the cultural property Jewish-owned dated March 2, 1944 never entered into force and was absorbed by the RD no. 2, January 4, 1944.

¹¹ ASDSABAPFVG, Archivio Istria, b. 44, f. 2808, Letter from the Prefecture of Carnaro to the Superintendence of Trieste, February 29, 1944.

¹² *Ivi*, Mrs. Frida Reimy (1876-Holocaust) declared to own a German automatic organ and a small wooden statue depicting *Saint George*, together with two old paintings (January 13, 1944). Mrs. Reimy was arrested on June 1944, and deported to Auschwitz where she was killed shortly after her arrival; Mr. Giovanni Cohm (?) reported, without indication of author and value, the pictures existing in her house. Mrs. Ilona Glück (1883-Holocaust) reported to own a lithography depicting a *Head of a man* with the indication «1693-1784» (January 12, 1944). Mrs. Glück was arrested on June 1944 by the Nazis and imprisoned at San Sabba. In the same month she was deported to Auschwitz where she was immediately killed. Mrs. Dora Gépész (?-Holocaust), reported to own two paintings of the Hungarian artist Herman Lipót depicting a *View of Opatjia* and *Idyll* and another view by the local painter Lia Litrov (January 10, 1944). Mrs. Gépész, together with her sisters and brothers (except his brother

In Udine the only reported good was a wrought iron stair railing from the second half of 16th century, which was disclosed by Rodolfo Brunner (1859-1956), a Jewish textile businessman from Trieste. The antique stair railing was part of Villa Antonini-Brunner located at Campolongo Topoglianò (UD), an agricultural estate that had been used as a prestigious countryside residence since the end of the 16th century¹³ (Fig. 1).

When Rodolfo Brunner bought the entire complex, including buildings constructed for agricultural use, from the Antonini family at the end of the 19th century, the estate enjoyed great prosperity, especially following the economic policy put in place by the Fascist Regime to make Italy self-sufficient in grain production (referred to as the 'Battle of Grain')¹⁴. In this context, renovation was carried out in 1926 to enrich the main villa, already adorned with 16th century frescos, by adding stucco decorations and new frescos by Edmondo Passauro in its salons, decorations that featured the Brunner emblem¹⁵. The villa, today in a state of total abandonment, was also sure to have been decorated with fine furnishings and artworks in line with its countryside location¹⁶. When it was occupied by German artillery troops, the porcelain and crystal sets together with fine furniture were removed, as reported by the villa administrator appointed by the Supreme Commissioner of *Adriatisches Küstenland* to manage the Jewish agricultural estates in the area¹⁷. Other estates owned by Rodolfo Brunner were occupied by German troops and partially robbed of their movable assets, as in the case of Tenuta Panigai of Regina Segré (1867-1948), wife of Rodolfo and sister of the Italian Senator and Count Salvatore Segré Sartorio (1865-1949)¹⁸.

In was during the period in which these self-disclosures were being submitted and the Superintendence of Trieste went about verifying the reported artworks that the situation quickly deteriorated and the dispersion of the artistic heritage of Jewish owners largely took place. By then, Germans authorities were issuing countless confiscation orders for Jewish properties through which the movable assets contained in houses, villas, and rural estates were inventoried, confiscated and removed.

On January 15, 1944 the Supreme Commissioner of the *Adriatisches Küstenland* gave to the various local prefectures the order to forward the self-disclosures they had received and maintain the artworks they had already seized¹⁹. Although in Ministerial Circular no. 5 of April 13, 1944 the Ministry of National Education appointed the superintendents as sequestrator of the Jewish-owned artworks protected by Law no. 1089/1939 to avoid «any dispersion of the cultural private property existing in the country», Superintendent Franco clarified that it was impossible to exercise any form of protection in the area given that neither he nor his office were involved in any confiscations, these being conducted exclusively by the occupation forces²⁰.

The Revenue Office of Trieste requested the Superintendence of Trieste to provide a list of Jewish-owned artworks to be seized at the end of December 1943, but even though the Superintendence responded promptly, it was already too late²¹. The Superintendent Franco

Michele), were deported to Auschwitz in June 1944 where they were killed. https://www.bh.org.il/jewish-spotlight/fiume/?page_id=282, <January, 2019>.

¹³ *Ivi*, Letter from the Prefecture of Udine to the Ministry of National Education, January 24, 1944.

¹⁴ SEGRÉ 1982.

¹⁵ DEL TORRE 2006.

¹⁶ <https://www.fondoambiente.it/luoghi/villa-antonini-brunner-krcvoj?ldc>, <January, 2019>.

¹⁷ ASTs, Fondo Casa, b. 3, Tenuta di Cavenzano (ex Rodolfo Brunner), f. 13, Letter from the administrator of the villa Augusto Zanolla to the German general administrator Oscar Casa, March 15, 1945.

¹⁸ *Ivi*, b. 1, Tenuta di Panigai – Aquileia – (Regina Segré in Brunner), f. 7.

¹⁹ ASDSABAPFVG, Archivio Istria, b. 44, f. 2808, Letter from the Prefecture of Udine to the Ministry of National Education, January 24, 1944.

²⁰ *Ivi*, Circular no. 5, April 13, 1944; *Ivi*, Letter from Franco to the Ministry of National Education, May 7, 1944 [translation by the article's author].

²¹ *Ivi*, Letter from the Revenue Office of Trieste to the Superintendence of Trieste, December 20, 1943.

invited the Revenue office, as he had done previously with the Prefecture, to adopt whatever the measures it believed were still feasible: «Praticamente in questa zona le disposizioni [...] trovano difficile applicazione, essendo le proprietà ebraiche già state poste sotto sequestro e sigillate dalla Polizia tedesca. In ogni modo si trasmette a questa Intendenza l'elenco dei cittadini ebraici già proprietari di oggetti d'arte, per i provvedimenti ch'essa ritenga di poter adottare al riguardo»²². The new list the Superintendence of Trieste submitted included only three of the eight names listed one month earlier: Anita Pollitzer Pollenghi, Alberto Schott, and Arturo Castiglioni.

Before analyzing these three collectors, it is worth dwelling on those that had been removed from the first list. While the Walmarin collections were considered to have been sold prior to the war, the status of the collections owned by Baron Morpurgo de Nilma and Aldo Mayer were considered 'resolved' or 'in the process of being resolved'. The Director of the Civic Museum of Trieste, Rutteri, used the word 'resolved' to synthesize the fact that both collections were already at the disposal of the Italian authorities in that they had been donated to the City of Trieste.

Although the Morpurgo de Nilma donation, signed by Mario Morpurgo de Nilma himself (1867-1943) on November 26, 1943, a few weeks before his death, was revealed in advance by provisions of his will authenticated as early as 1941, this act was a shrewd choice that allowed most of the collection to be preserved in Trieste, and protected it from the German confiscation²³.

The agreement on the placement of Morpurgo's collection, made by the Italian local authorities and the Supreme Commissioner, also allowed to take back the confiscated assets transported to the Free Port of Trieste on November 16, 1943 by the German Finance Department (*Finanz-Abteilung*)²⁴. The objects confiscated, consisting of pieces of furniture, a safe, few marble and bronze statues, candlesticks and 44 paintings of different dimensions, from the Morpurgo city palace (today site of the Civic Museum Morpurgo), were already equipped with the pass issued by the port customs office to be shipped out of Trieste²⁵.

Despite the return of the confiscated objects, in early November 1943 German soldiers looted certain artistic objects: Japanese prints, porcelain sets and a large group of antique carpets. The latter were thrown from the windows because of their weight and then loaded onto a truck. When the Morpurgo palace was occupied by a German police command, only the direct intervention of the High SS and Police Commander Odilo Globočnik following the Supreme Commissioner request, had prevented future uncontrolled plundering: «Ich erhalte Bericht dass ein Polizeikommando in die Wohnung gelegt wurde und dass die Wagen der Kunstschatze ohne Bedenken ziemlich rücksichtslos beiseitegestellt worden sind. Ich bitte, unverzüglich dafür zu sorgen, dass durch die Einquartierung der Polizei die Kunstsammlungen nicht beschädigt werden und dass nichts wegkommt»²⁶.

The looting that took place in the Morpurgo city palace is just the most well-known of the cases involving Morpurgo properties. The Morpurgo countryside estates were located in S. Andrea of Pasiano (province of Udine) and in Sacile (today province of Pordenone)²⁷. Both

²² *Ivi*, Letter from the Superintendence of Trieste to the Revenue Office of Trieste, January 4, 1944.

²³ See the essay by Camilla Da Dalt published in this «Studi di Memofonte» issue.

²⁴ Trieste, Historical Archive of the Jewish Community of Trieste (here referred to as: ACETr), Ju/12, c. 1, confiscation inventory, November 8, 1943.

²⁵ *Ivi*, c. 4, Report of Finanz-Abteilung, December 3, 1944. The safe was the only object not returned, it was transferred to the *Adriatisches Küstenland* headquarters located at Court Palace of Trieste. The gold and silver that was found in the same safe by Elsenwenger was deposited to the Finance office on November 10, 1943.

²⁶ *Ivi*, c. 8, Letter from Rainer to Globočnik, November 11, 1943.

²⁷ ACS, Ministero Pubblica Istruzione, AABBA, Div. III, 1940-1960, b. 258 TER, f. «Collezioni di quadri dei sigg. Morpurgo, Pollitzer di Trieste asportati dai tedeschi», Letter from Franco to the Ministry of National

rural estates soon become agricultural models in the area due to their having adopted modern cultivation systems in the second half of the 19th century²⁸. The S. Andrea property maintained its rural character, while that of Sacile was transformed in an exclusive place for the family's leisure and entertainment. Villa Varda of Sacile had been seriously damaged during the Great War, but was made even more splendid thanks to the substantial restoration work commissioned by Mario Morpurgo de Nilma in 1926²⁹. As a consequence, the villa was converted into a rich bourgeois countryside mansion, including artistic objects, crystal and porcelain sets, an important library of European and Jewish texts, and furniture reflecting the tastes of the Morpurgos, as expressed so well in their palace in Trieste³⁰ (Fig. 2).

The Superintendence of Trieste began to pay attention to these properties too late, after the seizure of the Morpurgo city palace and when the properties had already been managed by the administrator appointed by the Supreme Commissioner, Oscar Casa³¹. And it is important to mention that part of the art collections hosted in Trieste, the paintings in particular, had been hidden among the farmhouses of S. Andrea at the beginning of 1943 and later at Villa Varda³².

Antonino Rusconi, Superintendent of the Monuments and Galleries of Trento, alerted his colleague Franco about the collection that might be on display at Villa Varda. Although Rusconi did not have a precise overview of it, he pointed out the valuable porcelain and crystal sets, together with the Japanese prints and precious Persian carpets that Mario Morpurgo de Nilma had used to collect. The chance that some of these valuable pieces might have also been stored in the countryside, was enough for Superintendent Franco to send Someda de Marco, director of the Civic Museum of Udine, on a mission to verify the collections hosted there³³.

After the visit, Someda reported that there were no artistic objects significant enough to alert the Superintendence of Trieste, as the villa was mostly furnished in 19th century objects lacking in any cultural value. Or rather, that there were no objects that could have been turned into a museum collection: «[...] l'arredamento di detta villa è costruito da un complesso di

Education, November 20, 1943; ASDSABAPFVG, Archivio Storico, b. 291, f. «Eredità Morpurgo», Relation of the Superintendence of Trieste, November 19, 1943.

²⁸ BALBO 1930; *LA VILLA VARDA* 1898; BARTOLIN 2009. The countryside estates of S. Andrea of Pasiano and Villa Varda in Sacile were bought respectively by the brothers Giacomo (1836-1884) and Carlo Marco Morpurgo (1826-1899) in the sixties of the 19th century.

²⁹ Villa Varda, like the palace of Trieste, was donated by Fanny Mondolfo (1848-1940) to his son Mario Morpurgo de Nilma in 1923. The estate of S. Andrea was inherited equally by Mario and her sister Matilde Colonna dei Principi di Stigliano (1869-1961). Mario Morpurgo de Nilma donated Villa Varda to the Diocesan Seminary of Concordia (today province of Pordenone) in 1943 and half-property of S. Andrea to the City of Trieste together with his city palace and the collections conserved in it. On Villa Varda today, see: <http://www.villavarda.it>, <January, 2019>.

³⁰ CRUSVAR 1990, pp. 24-30; RESCINITI 1998.

³¹ The administrator Oscar Casa was appointed on January 21, 1944.

³² Rome, Archivio Ministero Affari esteri, Ex-Archivio Siviero, prat. 3/208, Letter from the Superintendence of Trieste to Capitan Enthoven, Regional MFAA officer, November 23, 1945. Among the artworks safeguarded in Villa Varda were: the *Nymphs surprised by the satyr* by Arnold Böcklin, coming from the collection of the architect Augusto Guidini, the *Head of a Young woman* by Domenico Morelli purchased in 1929, a canvas of Emma Ciardi bought in Trieste in spring 1938 and displayed in the posthumous exhibition dedicated to the artist (See: Trieste, Archivio Civico Museo Morpurgo, Fondo Mario Morpurgo de Nilma, Serie 7, b. 116, f. 3, Certificate of authenticity of the Böcklin painting, October 30, 1928; *Ivi*, f. 4, Galleria Sciarra receipt of the Morelli painting, March 20, 1929; *Ivi*, f. 28, 29, Receipts of Galleria d'Arte Trieste for the Emma Ciardi paintings, April 25; May 15, 1938). In a handwritten list (*Ivi*, Serie 3, b. 11, f. 70, List of paintings sent to S. Andrea, unknown handwriting, no date) are reported the paintings deposited at S. Andrea including a *Portrait of a nun* by Mosé Bianchi bought by Morpurgo for Lire 3,000 in 1935 (*Ivi*, serie 7, b. 116, f. 14, Receipt for the Mosé Bianchi painting, January 1, 1935), together with the *Female portrait* by Ingres, and the *Scene of War* by Gerolamo Induno.

³³ ASDSABAPFVG, Archivio Storico, b. 291, f. «Eredità Morpurgo», Letter from Rusconi to Franco, December 27, 1943.

mobili e quadri dell'Ottocento del più pessimo gusto, un Museo che si rispetta se viene in possesso di detta roba non farà che riempire le sue soffitte di quadri e mobili senza alcun valore [...] pochi pezzi destano interesse artistico [...]»³⁴. Erika Hanfstaengl of the Department of Monument Protection (*Abteilung Denkmalschutz*) of the Supreme Commissioner made the same comments on the collection when she inspected Villa Varda at the time it was occupied by *Luftwaffe* officials. While on one hand she reported that the movable assets in the villa were well preserved (and inventoried), her comments on the collection's value were disparaging: «Die augenblicklich im Schloss vorhandene Einrichtung entspricht ganz dem Stil des Palazzos in Udine ohne besondere Kunstwerke zu enthalten»³⁵.

More than a collection with cultural value, therefore, this case appears to involve a group of artistic objects furnishing a bourgeoisie residence according to the trends of the time³⁶. These comments are not surprising, having been repeated in the majority of the confiscations of Jewish houses in the area, for example, in relation to the collections hosted in Palazzo Morpurgo in Trieste themselves. On that occasion, the commentator highlighted that the collection – albeit composed of sumptuous pieces of furniture, rich damask draperies and curtains and sophisticated objects – had the primary purpose of furnishing rather than creating a unique collection that could enrich a museum's collection, if not only a museum of modern furniture: «Es handelt sich fast durchwegs um prunkhafte Einrichtungstücke von Ende des vergangenen Jahrhunderts. [...] Diesen Gegenständen kommt kein kunstgeschichtlicher Wert zu, Bedeutung hätten sie lediglich für ein Möbelmuseum, das insbesondere Möbel des 19. Jhdts. sammelt»³⁷.

However, the grand piano of Villa Varda was requested by the *Luftwaffe* hospital (March 1944) while the valuable furniture, porcelain and crystal sets of the dining room and the carpets of the music room were looted by the *Luftwaffe* officials of Sacile and Fontanafredda³⁸. It wasn't only the *Luftwaffe* officials who looted objects from Villa Varda, but also different gangs, which made raids in the villa and in S. Andrea to take the harvest and the wine. A large part of the furniture and the silk tapestry of Villa Varda was destroyed during a raid that took place at the end of October 1944, while the artistic harquebuses were looted few months later³⁹.

In all of the Morpurgo estates, however, art experts noted the high quality of the libraries featuring a general overview of European literature and art history. At Villa Varda, two medium-sized cabinets displayed a notable library composed of Italian, French and German 19th century editions of Goethe, Lessing, Goldoni, and Molière, that captured the interest of Erika Hanfstaengl, leading her to try to verify their market value: «Bibliophile Werte wurden bei der flüchtigen Durchsicht nicht festgestellt»⁴⁰.

The Superintendence of Trieste soon understood that donating to a civic institution just might be the best legal tool for avoiding German confiscations of Jewish-owned art and book collections: «[...] potrebbe essere generalizzata a tutte le proprietà artistiche di cittadini di

³⁴ *Ivi*, Letter from Someda de Marco to Franco, December 31, 1943. Part of the collections of the city palace was packed in twelve crates – containing paintings, ceramics and crystal sets – and transferred to S. Andrea. Of these, three crates were transferred to Villa Varda, before the administrator of the villa escaped (Nov. 1943) due to the war events.

³⁵ Vienna, Bundesdenkmalamt Archiv, R. 14, Italian Jüdischer Besitz, no. 6, Letter from Hanfstaengl to Frodl, December 15, 1943.

³⁶ CRUSVAR 1990.

³⁷ Vienna, Bundesdenkmalamt Archiv, R. 14, Italian Jüdischer Besitz, no. 6, Letter from Frodl to *Finanzabteilung*, November 14, 1943.

³⁸ ACETr, f. Ju/12a, c. 39, Letter from Casa to Fischbach, July 1, 1944.

³⁹ *Ivi*, c. 46, Letter from Casa to Fischbach, October 10, 1944.

⁴⁰ Vienna, Bundesdenkmalamt Archiv, R. 14, Italian Jüdischer Besitz, no. 6, Letter from Hanfstaengl to Frodl, December 15, 1943. About the Morpurgo library, see: MILLO 1989, pp. 195-196.

razza ebraica che preferiscano fare dono alla propria città di quanto altrimenti andrebbe certamente disperso»⁴¹.

Following Superintendent Franco's idea, Rutteri looked into fulfilling the desire of his friend Salvatore Sabbadini (1873-1949), professor of ancient Greek and Latin and a significant Jewish studies scholar, to donate his book collection to the city of Trieste⁴². Thanks to this stratagem, part of the Sabbadini's library, together with a pair of silver candelabra, a *hanukkah* lamp and two paintings that had already been put in 'temporary storage' under the safekeeping of the Civic Museum of Trieste on May 1940, remained in Rutteri's custody⁴³. Nevertheless, his library suffered a considerable loss: the component that remained in the Sabbadini house was plundered and some of it marked to be pulped. This fact is confirmed by the testimonies of the neighbors that Sabbadini himself reported in 1946 and by the sale receipt of what considered only 'old paper': «Le ss tedesche dapprima suggellarono l'appartamento già da me abitato, poi lo invasero e ne asportarono tutto ciò che vi era contenuto (mobili e vestiario, biancheria da letto e da mensa, libri e manoscritti, ogni corrispondenza epistolare e ricordi di famiglia [...]) tutto quanto c'era di cartaceo nell'appartamento fu gettato alla rinfusa in sacchi e destinato al macero [...]»⁴⁴.

A receipt by the shipping company *Kühne & Nagel* dated March 14, 1944 confirmed the transfer of 'crates of books' from his house⁴⁵. At the end of the war, some books from the Sabbadini's library were found in the Synagogue of Trieste among many others from plundered Jewish libraries⁴⁶. The Synagogue was the main storage site in Trieste the Germans authorities used to collect books and artworks confiscated from the Jewish houses of Trieste and its surroundings.

As in the case of the Morpurgo collection, the Mayer one was likewise, to quote Rutteri, 'in the process of being resolved'.

In fact, while the Morpurgo de Nilma donation was being formalized, Aldo Mayer (1882-1953), son of the famous Teodoro (1860-1942), founder of the Trieste newspaper «Il Piccolo», made a massive donation of books and archeological objects to the Civic Museum of Trieste, the last of many made in prior years⁴⁷. Mayer's passion for collecting archeological objects was a familial interest that he shared with the family of his wife, Aglae Geiringer (1883-1969), and his sister Marcella (1884-1977), married name Sinigaglia⁴⁸. The collections were displayed in the exclusive Villa Mayer in Via Commerciale, the same villa that was requisitioned by the Italian Royal Navy on June 1943, and in other real estates⁴⁹.

⁴¹ ASTs, Prefettura di Trieste, Gabinetto, b. 427, Letter from Franco to Coccani, November 18, 1943.

⁴² ANDREATTA-MORGAN 2003 pp. 22-23; MORGAN 1998.

⁴³ SEGRÈ 1998.

⁴⁴ *Ivi*, p. 24; HALL-KÖSTNER 2006, p. 457; ACETr, f. Ju/260, Sale receipt of old paper for Lire 700.

⁴⁵ ACETr, Box 2 Miscellanea, *Kühne & Nagel* receipt, March 14, 1944.

⁴⁶ *Ivi*, p. 22. Sabbadini made many notes to his book register: «Found in the Jewish Community 1944-45» or «Found by Rutteri» [translation by the article's author].

⁴⁷ VOLPATO 2009-2010, pp. 15-18. The Mayer donations are dated: September 29, 1909; February 22, 1928; September 15, 1931; January 12, 1932; April 18, 1933; December 3, 1943 and May 4, 1956. The last one was made by his sister Marcella Mayer Sinigaglia. The Mayer books collection was marked with an *ex libris* having triangular shape like a xylography (signed PG) executed on rough paper depicting a naked man standing against a boat and observing a waterfall. I would like to thank Livio Visieri, Cultural Heritage Assessor of the Jewish Community of Trieste, for the archival reference given.

⁴⁸ The archeological collection of the builder-architect Eugenio Geiringer (1844-1904), father of Aglae, was displayed at Villa Geiringer on the Scorcola hill of Trieste. Today the villa, the *European School of Trieste*, still shows, in its external structure, the ancient tombstones and coat-of-arms that were walled in by Geiringer; <https://quiritrieste.it/eugenio-geiringer-2/>, <January, 2019>.

⁴⁹ PARCHI E GIARDINI STORICI 2004, p. 454. ASTs, Fondo Prefettura di Trieste, Gabinetto, 1923-1952, 1943, b. 449, f. «Villa Senatore Teodoro Mayer. Requisizione, 1943, no. 2443», Request of requisition submitted by the Italian Royal Navy to the Prefecture of Trieste, June 17, 1943. The request was accepted on June 21, 1943 and confirmed on October 15, 1943.

As reported in the entrance register of the Civic Museum, on December 3, 1943, 30 crates filled with 1,353 books plus a series of archeological items (vases, objects, clay figures, etc.), the latter packed in seven crates, were brought to the Civic Museum of Antiquities in Trieste. A letter by the director of the museum, Piero Sticotti and dated December 18, confirms that the Mayer collections were immediately taken into custody⁵⁰.

Mayer donated part of his book and archeological collections, the latter protected by Law 1089/1939, to the City of Trieste on December 31, 1934⁵¹. The Sticotti declaration, dated at same day, showed that the removal of the museum display cases, bulky and difficult to transport, together with some books, and a number of archeological objects including vases, sculptures, and lances, was postponed: «[...] più viva riconoscenza per la tua offerta in dono a questi musei della tua preziosissima collezione archeologica, nonché dei moderni mezzi espositivi di vetrina e di scansie. [...] Conviene che una sala sia dedicata tutta alla magnifica raccolta [...]. Devo però a malincuore rimandare a quell'epoca il ritiro della preziosa suppellettile sia scientifica che espositiva perché non saprei come collocarla degnamente [...]»⁵² (Doc A).

When the German confiscations took largely place in Trieste in the last months of 1943, the Mayer collections donated to the City of Trieste nine years earlier were taken to be safeguarded in the museum. The Finance Department of the Supreme Commissioner, while confiscating the Mayer real estates, requested to Sticotti a self-declaration that the Mayer collection was donated: «Dichiaro che come direttore del Museo Comunale di Trieste nel 1934 ho ricevuto come regalo dall'ebreo Mayer una collezione d'antichità per il museo. [...]»⁵³. By the way there is no evidence that all the donated objects and books, including new museum display cases, were transferred to the museum⁵⁴.

In fact the furniture and the ornaments, including porcelain, crystal sets, vases and wooden statues, together with some museum display cases preserved in the Mayer's apartments, were confiscated by the Finanz-Abteilung on February 15, 1944⁵⁵. In the next months (March-June) the objects, packed in 230 crates, were sold to private buyers, the «Adria» firm (a German firm instituted for buying and selling the Jewish assets on the region) and Istrian troops of Pula⁵⁶. It would be risky to hypothesize about the destiny of all the Mayer collections, but there is no question that today only about half of the books listed in the 1943 donation are held at the Civic Museum of Trieste. Surely a part of the books distributed in 12 crates were transferred from the Mayer property to the Synagogue of Trieste⁵⁷.

Instead, the Villa Mayer's furniture was exclusively used by the Italian Navy command of Trieste, situated in the villa. It is interesting to notice a handwritten note in Italian without date and conserved in the Mayer German folder, in which were listed various modern paintings (followed by an inventory number ?) of local painters and few marbles fragments with wooden works, all conserved in Villa Mayer (as was noted)⁵⁸.

⁵⁰ VOLPATO 2009-2010, p. 15.

⁵¹ ASDSABAPFVG, Archivio Storico, b. 262, f. «Collezione Mayer», Letter from the Superintendence of Trieste to the City of Trieste, January 30, 1934.

⁵² ACETr, Ju/89, c. 12, Letter from Sticotti to Mayer, December 31, 1934.

⁵³ *Ivi*, c. 13, Sticotti self-declaration, February 19, 1944. I would like to thank Dr. Claudia Crosera of the Superintendence of FVG for the information given.

⁵⁴ ASDSABAPFVG, Archivio Storico, b. 262, f. «Collezione Mayer», De Grassi Report, January 26, 1944. The new museum display cases were bought by Mayer after the inspection made by the Superintendence Inspector De Grassi. On that occasion the inspector observed that the archeological objects were kept too crowded inside the display cases, not adequate for their dimension.

⁵⁵ ACETr, Ju/89, c. 15, Confiscation's inventory, February 15, 1944.

⁵⁶ BON 2001, pp. 338-339.

⁵⁷ ACETr, Ju/89, c. 2a, *Kühne & Nagel* sale receipt, March 28, 1944.

⁵⁸ *Ivi*, c. 12a, Handwritten note, no date. The paintings listed were: Amalia Besso, *Beach*; Giovanni Zangrado, *Village*; Santo Lucas, *Two heads of youngsters*; Amato, *Landscape (arcades)*; *Lion head* by V.O.; *Reflected light* and *Female*

Most likely the last name – Enrico Schott – not included in the list sent by the Superintendence of Trieste to the Revenue Office was eliminated because his property had already been seized by the Germans.

Enrico Schott (1872-1943) was a rich industrialist with Austrian and Romanian roots, who ran an eminent wool washing company inherited from his father Maximilian. He was driven by a great passion for art and music in particular⁵⁹. Schott held many positions in the city's artistic circles, including in the Schilleverein, Società di Minerva and the Società dei Filarmonici and he was the founder, together with Count Segré Sartorio, of the committee – *Comitato per le grandi esecuzioni musicali* – organizing musical performances to be played in Trieste's main theaters⁶⁰. He was also one of the greatest advocates of the foundation of the Trieste Conservatory, supporting countless musicians. Alongside this active participation in the musical life of the city, he also collected rare musical instruments and objects, including two Guernieri violins, and a Wagner manuscript⁶¹. It seems that an important sheet of music by the Austrian composer Gustav Mahler, held by the Conservatory of Trieste (no. 3327), had been a gift from Enrico Schott although there is no entry to tell us when the sheet of music was added to the Conservatory's collection⁶². Enrico Schott was arrested in Trieste on November, 1943 and shortly after he was released, died of natural causes in Trieste⁶³.

As mentioned above, the three names of collectors the Superintendence of Trieste submitted to the Revenue Office were Anita Pollitzer Pollenghi, Alberto Schott, and Arturo Castiglioni.

Although Alberto Schott's name is included, we have little evidence to indicate what ultimately happened to his bronze collection and other property. An undated note by the Superintendence of Trieste suggests that everything was seized by the Germans⁶⁴. In fact, the confiscation inventory of his property was made by the Finanz-Abteilung on June 8, 1944. Although the inventory included many paintings (more than thirty), valuable pieces of furniture and ancient clocks, it did not list artistic bronzes⁶⁵. Alberto Schott (1880-Holocaust) was a prominent figure in the Jewish bourgeoisie of Trieste, having married Lea Brunner (1891-1991), a member of the leading Brunner family, and being distinguished by his charity activities and philanthropy for children. In recognition of his commitment to charity he was bestowed with the titles «Knight of the Italian Crown» (1914) and later «Commander of the Italian Crown» (1934)⁶⁶. Although he was nominated councilor of the Fascist National Federation of Traders of Trieste and had been declared 'Aryan' by law, his name is included in the list of the deportees to Auschwitz⁶⁷.

figure by Glauco Cambon; *Street* by R.V.; Carlo Rossi, *Campfire*; *Horse* by [...] Naples; *Mask* by [...] Jellovick; Onza, *Oysters*; photography of the *Fire at «Il Piccolo»*; a copy of a work by Guglielmo Oberdan and a series of works made by unknown painters (*A Greek saint*; *Jewish head*; *Lion head*; *Priest*; *Flowers*). Among the objects there were: a *Head of Christ* carved on wood, a *Christ on mirror*, seven marble and stone fragments, four small Florentine lamps, a cross and a rosary in box and a parchment in wooden frame.

⁵⁹ PAVLOVIĆ 2006-2008, p. 33, footnote no. 8; MILLO 1989, p. 197.

⁶⁰ *Ivi*, p. 34.

⁶¹ *Ibidem*.

⁶² *Ivi*, p. 132.

⁶³ The proof of his death is a letter sent by Ulrica Tschalakoff, wife of Enrico Schott, to the Financial Department which indicated that she was already a widow on February 8, 1944 (see: ACETr, Ju/2019).

⁶⁴ ASDSABAPFVG, Archivio Storico Istria, b. 291, f. 148, Undated note of the Superintendence of Trieste.

⁶⁵ ACETr, Ju/111, Schott's inventory, June 8, 1944.

⁶⁶ ACS, Ministero dell'Interno, DGPS, Div. Razza, fascicoli personali, b. 44, f. 3727, Alberto Schott, Attachment no. 4. Alberto Schott was for a long time the Italian Vice Consul in Trieste (1905-1913) and the Director of the Banca d'Italia in Trieste (1911-1915). I would like to thank Dr. Luca Saletti of the State Archive of Rome for the archival reference given [translation by the article's author].

⁶⁷ *Ivi*, Attachment no. 10. Schott was declared 'Aryan' on March 13, 1939 (*Ivi*, Letter the Minister of Interior to the Prefecture of Trieste, April 16, 1939). <http://digital-library.cdec.it/cdec-web/persone/detail/person-8337/schott-enrico.html>, <January, 2019>.

When at the end of the Second World War, the Schott's attorney informed the Property Control of the American Military Government that he was searching the looted property of his client, he listed the objects that were still missing, including the collection composed of bronze pharmacy mortars: «[...] mancano tre vassoi grandi d'argento, due cassette contenenti vari oggetti artistici di valore, tre orologi da tavolo, una raccolta di mortaretti di bronzo da farmacia, una raccolta d'orologi d'oro [...]»⁶⁸.

In the case of Arturo Castiglioni (1874-1953) and his collection of antique pharmaceutical vases, the Superintendence of Trieste report indicates that he probably left this collection in storage at the Milanese branch of Banca Commerciale before fleeing Trieste to the United States⁶⁹.

Castiglioni was an eminent Italian medical historian who held chairs in that field at universities in Siena, Padua, and Perugia and served as chief medical officer for various steamship lines, including Lloyd Triestino⁷⁰. In 1938, due to Italian Racial legislation, he was ousted from his teaching posts (October 16, 1938) at Italian universities and dismissed from his positions as medical officer⁷¹. As a consequence, his medical publications were also outlawed from the libraries⁷². After he moved to United States, he became a research associate and lecturer in the History of Medicine at the Yale School of Medicine between 1940 and 1947, after which he returned to Milan⁷³.

What is sure is that, before leaving Trieste, he sent seven crates containing 350 Italian pharmaceutical vases dating from the 15th to the 18th century to the pharmaceutical firm Prodotti Roche S.A. in Milan (and not to the bank): «Le casse sono ben custodite e non corrono rischi di sorta: s'intende però che io non sono responsabile per eventuali incerti, quali incendi, rischi di guerra o simili»⁷⁴. The collection was appraised for sale in April 1939 by the art historian and expert in antique majolica, Gaetano Ballarini: «Si tratta circa di 350 capi per la quasi totalità di produzione italiana, dal sec. XV al XVIII (alberelli, brocche, boccie, pillolieri ed altre forme), la quale mostra all'evidenza lo spirito scientifico e d'arte, con cui fu messa insieme, di certo in molti anni di ricerche e di cure»⁷⁵ (Fig. 3).

Castiglioni had mainly purchased his pharmaceutical majolica vases from Italian private collections and Roman art dealers (Salvadori, Sangiorgi, Jandolo). Some of the pieces were bought at European art auctions, such as those of the collections of Emerich Pekár from Budapest and of Adolf von Beckerath⁷⁶.

Together with the collection of ancient pharmaceutical vases, the paintings were also appraised. Despite the fact that the collection was considered only a set of paintings without

⁶⁸ ACETr, Box 2 Miscellanea, c. 24, Letter from the Schott's attorney to AMG, November 20, 1945.

⁶⁹ *CATALOGO ILLUSTRATO* 1924, pp. 9-10.

⁷⁰ ASTs, Fondo Arturo Castiglioni, Letter from the Ministry of Interior to Arturo Castiglioni, November 27, 1925.

⁷¹ *Ivi*, Letter from Università degli Studi di Padova to Castiglioni, October 10, 1938; Letter from Lloyd Triestino to Castiglioni, October 26, 1938; ACS, Ministero dell'Interno, DGPS, Div. AA.GG.RR, Cat. A1, 1941, b. 26, f. Arturo Castiglioni; *LA POSIZIONE DEI PROFESSIONISTI* 1940.

⁷² *Ivi*, List of the books outlawed from the libraries of Trieste, no date.

⁷³ FULTON 1953. Castiglioni was an Associate in History of Medicine (1940-1943), and a Lecturer in History of Medicine in the after war (1946-1947). On his career at the Yale University, see: Yale University Library, Manuscripts and Archives, Arturo Castiglioni Papers, MS 1286, 1930-1949.

⁷⁴ ASTs, Fondo Castiglioni, b. 1, f. Varie, Letter from Prodotti Roche S.A. to Castiglioni, September 19, 1939.

⁷⁵ For the inventory and evaluation, see: *Ivi*, sf. «Parere intorno all'acquisto di una importante collezione di circa 450 Vasi da Farmacia in maiolica Italiana dei sec. XV-XVIII», April 7, 1939. There is no evidence that the collection was sold or recovered at Banca Intesa San Paolo of Milan for the information given.

⁷⁶ *DIE SAMMLUNG EMERICH V. PEKÁR* 1922; *DIE MAJOLIKASAMMLUNG* 1913. BODE 1911, pp. 15, 28 (respectively no. 1 and 14 of the Castiglioni inventory).

importance, it did include some valuable pieces from the Venetian School and many portraits of Castiglioni by the local painter Gino Parin⁷⁷.

Unfortunately the Superintendence of Trieste did not take into account Castiglioni's large library containing medical writings (pamphlets and books) and photographs together with a valuable Dante volume dated 1490 and other rare incunabula. This library, which represented Castiglioni life's work and passion, had been destined to be a gift to Yale University. When Castiglioni transferred his pharmaceutical vase collection to Milan, he stored his large library in the care of the Cimadori firm in Trieste, and that collection was confiscated by the Germans on August 7, 1944.

In fact, as Castiglioni's administrator reported to the Superintendence of Trieste at the end of the war, she tried to transfer the library's crates to Ditta Exner, but due to a lack of transportation 61 crates remained at Cimadori warehouse⁷⁸. After that the Finance Department of the Supreme Commissioner made a more detailed inventory of the goods contained in the stored crates – an arduous task as all the crates were large and compactly placed – and decided to transport the large painting to the *Adriatisches Küstenland* headquarters located at Court Palace of Trieste together with a crate containing porcelain & crystal sets, house linen, vases and a few paintings. The remaining 59 crates filled with books were transferred to the Synagogue of Trieste⁷⁹. Supposedly, after that the Castiglioni library that was stored at the Synagogue was transferred out of the city. It is no coincidence then that some of the Castiglioni books left in the city were later found in the Synagogue of Trieste after the war⁸⁰.

A large component of the Pollitzer collections was also relocated to the Synagogue. In this case, there were two houses from which art objects and libraries were confiscated, registered to Andrea Pollitzer (1892-1972) and his wife Anita Morpurgo Pollitzer (1908-1987)⁸¹. The Pollitzer collections had been assembled by the head of the family, the industrialist Augusto (1831-1896), founder of the famous soap company «Adria», and then enriched by his son Alfredo (1861-1940), a well-known Trieste art collector, and later by his nephew Andrea⁸².

Their collections were well known to both local critics and the Superintendence of Trieste for their pieces of handcrafted inlaid furniture (wardrobes, chests, chairs, etc.), all from Friuli and Istria⁸³. They had also collected many religious objects from local churches such as kneelers, bishop's armchairs, and statues of saints⁸⁴. As in the case of the Morpurgo de Nilma collection, the many examples of applied arts together with the antique and contemporary paintings were distributed and positioned to decorate a prestigious bourgeois house.

⁷⁷ ASTs, Fondo Castiglioni, b. 1, f. Varie, List of paintings owned by Castiglioni, no date. The paintings were: Venetian School, *Mythological painting (Rape of Europe?)*, 17th century; School of Palma il Vecchio, *Portrait of old man with white bear*, panel, 24x31 cm, on the back was written: *Portrait of Prospero Colonna*, provenance from the Roman art dealer Mariani, 1920; German School (?), *Portrait of a blonde young man*, panel, 17x25 cm, provenance from Trieste; a copy by Cristoforo Allori, *Judith and Holofernes*, oil on canvas, 120x92 cm, provenance inherited; School of Piazzetta, *Bishop carrying a cross*, oil on canvas, around 17th century, 50x42 cm, provenance from Trieste; Spanish School, *St. Giovannino*, oil on canvas, 40x32 cm, provenance from Trieste; Rosa di Tivoli, *Hunting Scene*, oil on canvas, 90x70 cm, provenance Vienna; Flemish School, *A doctor examining a sick person*, oil on canvas, in bed condition; Gino Parin, *Portrait of Arturo Castiglioni*, 1926; other portraits made by Gino Parin.

⁷⁸ HALL-KÖSTNER 2006, p. 457; ASDSABAPFVG, Archivio Istria, b. 44, f. 2808, Report made by Franco, February 12, 1946. The crates were selected by German experts and transferred to various places on August 9, 1944.

⁷⁹ ACETr, Ju/906, Receipt of the Cimadori firm, August 9, 1944.

⁸⁰ BON 2001, p. 59.

⁸¹ ABRAMI-RESCINITI 1992, pp. 121-123.

⁸² MASTROLONARDO 1921.

⁸³ CESARI 1931, p. 8.

⁸⁴ *Ivi*, pp. 5-10.

The most valuable of the paintings' series were taken into custody by the Superintendence of Trieste together with the most significant private (Segré Sartorio, Basilio, Economo, Torre e Tasso, etc.) and public collections found in the area⁸⁵.

On March 28, 1943, twenty-three paintings and two antique frames packed into twelve crates were selected and transferred to Villa Manin in Passariano, one of the places identified as enjoying wartime cultural heritage protection⁸⁶ (Doc B).

The paintings of the Pollitzer collection included many 16th-17th century Italian School works that illustrated one of the Pollitzers' collecting trends. Some of the canvases safeguarded were also displayed at the art exposition organized in Trieste in 1925, such as the canvas depicting *St. John* by Giuseppe Angeli, and originally attributed to Piazzetta, and *David and Abigail* by Antonio Zanchi (?)⁸⁷.

The only works from the collection to be selected were paintings, leaving aside other valuable pieces such as a unique 16th century Flemish tapestry depicting the *Cambrai Peace* (the Peace treaty signed in 1529 between Francis I of France and the Holy Roman Emperor Charles V) which was later confiscated by the German authorities and today listed among the Italian artworks missing from the Second World War⁸⁸.

The Pollitzer collection was not the only Jewish collection taken into custody by the Superintendence of Trieste at Villa Manin (then transferred to San Daniele del Friuli after September 1943); there was also a 13th century fresco depicting *Saint Catherine of Alexandria* from the Arnstein collection and a group of modern and antique paintings from the Lekner collection, singled out by the Superintendence of Trieste for their high artistic and historical value⁸⁹.

It was a few years later that Elisabetta (1900-?) and Federico Arnstein (1894-?) took refuge in South America in 1938, while their real estates, including the villa in Via Bellosguardo, were occupied by different civil and military Fascist institutions⁹⁰. Although the most valuable pieces of furniture together with the artistic objects were exported to South America, the old furniture and the everyday tablewares were confiscated by the Germans on December 9, 1944⁹¹. In March 1945 the few objects found were sold to the Supreme Commissioner canteen of Trieste⁹².

The Arnstein fresco was then returned on August 17, 1949, while the Lekner paintings were given back on November 4, 1943, in the same months in which many artistic objects

⁸⁵ <https://www.dolmenweb.net/somedademarco/page.php?l=it&id=1>, <March 2019>.

⁸⁶ BRASCA 2017, p. 102; ASDSABAPFVG, Archivio Istria, b. 35, f. 1468, no date. In most of the documents is indicated the month of March, in others February.

⁸⁷ LA GALLERIA NAZIONALE 2001, pp. 20-29, figures no. 13, 14, 15. The subject of the canvas *David and Abigail* looks more like an allegorical scene depicting *Musical and Amorous Enchantment*. In the last decades, alternately the critic attributed the painting to Antonio Zanchi or to Pietro Negri or again Ruschi. On it, see: CATALOGO ILLUSTRATO 1925, no. 204.

⁸⁸ L'OPERA DA RITROVARE 1995, no. 195; <https://www.alinari.it/it/dettaglio/ACA-F-040156-0000?search=c3d0eb5492ad92282f45b7dc7a943e5e&searchPos=13>, <January, 2019>.

⁸⁹ For Arnstein collection, see: ASDSABAPFVG, Archivio Istria, b. 35, f. 1468, no date, Box 20, inv. no. 176: Unknown author, *St. Catherine of Alexandria*, 13th century, fresco on canvas. The fresco was taken into custody on April 7, 1941. CROSEIRA-SPAGNOLETTI 2020. For Lekner collection, see: *Ivi*, Box 1, inv. no. 492: Ribera (attr.), *Head of St. Peter*; School of Tiepolo, *Sleeping putto*; Gino Parin, *Interior with figures*; Alfredo Tominz, *Running horses*; Neapolitan school and *Head of Moses*; Neapolitan School, *Head of an Apostle*; Guido Guidi, *Figure in front of a mirror*; Albert Stolz, *A choir*; L. A. Blanc, *The escape (three figures)*; Flocc, *View of Ragusa*.

⁹⁰ The Villa Arnstein in Via Bellosguardo no. 12, is better known with the appellation of Villa Trieste having been used as headquarter of the Police Special Inspectorate for Venezia Giulia ('Banda Collotti').

⁹¹ ASDSABAPFVG, Archivio Storico, b. 275, f. «Esportazione 1936/1940», export declaration no. 19, August 12, 1939. Four modern paintings by Albin Egger-Lienz, Michele Cascella and Luigi Crisconio were exported to South America in 1939.

⁹² ACETr, Ju/1225, Sale receipt of the objects bought by the German canteen, March 8, 1945.

were returned from Villa Manin storage to their rightful owners due to the military operations in the area⁹³.

Given the elevated risk associated with the attempt to transport artworks through active conflict zones, the Istituto Credito Fondario delle Venezie opted to confirm the Superintendence of Trieste's custody of three portraits⁹⁴. The paintings, owned by Teresa Handler (1875-?) and her son Dr. Carlo Horvat (1896-?), both foreign Jews of Yugoslav nationality who had been residing in Opatjia since 1924, had been seized following the War Law issued in 1938 (RD No. 1415, July 8, 1938)⁹⁵. The estates owned by Horvat and his family, such as the *Sanatorium* with its park, the nursing home directed by Dr. Horvat, and the villas Flora and D'Annunzio with their annexes, were quite prestigious. After Italy entered the war on June 10, 1940, the assets of individuals whose countries of citizenship were considered 'enemies' for the nation by the Fascist Regime, were seized (RD No. 566, June 10, 1940, Articles 292-313).

The seizures were headed by a public institution called Real Estate Management and Liquidation Institution (*Ente di Gestione e Liquidazione Immobiliare*), also known as EGELI (RD No. 665, March 27, 1939)⁹⁶. This institution, depending on the Ministry of Finance, was founded in the framework of the Racial Laws of 1938, to manage and liquidate the Jewish assets confiscated in the course of implementing RD No. 126 of February 9, 1939. EGELI was nominated the sequestrator of the seized assets and it delegated some of its functions to national credit institutions scattered all over the country with a view to maximizing its results. EGELI appointed the Istituto Credito Fondario delle Venezie, headquartered in Verona, to cover the provinces of Venezia Eugenea, Trieste, Pula, and Rijeka, and the Credito Fondario di Gorizia to cover Gorizia and its province. Surprisingly, the Horvat family paintings were the only artworks held by Istituto Credito Fondario delle Venezie that were given into the custody of the Superintendence of Trieste to guarantee better safekeeping than could be provided by the bank itself⁹⁷. We might well wonder whether there were really no other collectors among the 107 names of foreign Jews whose property was seized by the bank. In Opatjia alone, the seized movable assets of villas Celestina and Waldhein owned by US citizen Carolina Keppelmann were recorded as having the considerable value of Lire 181,616 in 1942⁹⁸. Both the Horvat and Keppelmann properties were handled by the Yugoslav authorities at the beginning of July 1945⁹⁹.

Most of the Pollitzer collections not held by the Superintendence of Trieste, were confiscated and sent to various scattered locations according to the destinations decided by the Finanz-Abteilung. While the Pollitzer house was being plundered, the «Adria» factory was also taken by the Supreme Commissioner through an Austrian sequestrator it had appointed:

⁹³ KNEZ 2016.

⁹⁴ ASDSABAPFVG, Archivio Istria, b. 35, f. 1468, Letter from the Istituto Credito Fondario delle Venezie to the Superintendence of Trieste, December 21, 1943.

⁹⁵ *Ini*, no date, inv. no. 515: Unknown author, *Portrait of an Archduke*, 42x57 cm; Unknown author, *Portrait of a prelate*, 66x76 cm; Unknown author, *Portrait of a woman in white*, 50x63 cm. The paintings returned to the sequestrator nominated by Istituto Credito Fondario delle Venezie on June 26, 1956.

About the family, see: <http://www.annapizzuti.it/database/ricercafiume.php?a=view&recid=0>, <January, 2019>; <http://www.annapizzuti.it/database/ricercafiume.php?a=view&recid=25>, <January, 2019>. Despite the research that I have conducted with the support of the Archival Superintendence of Friuli Venezia Giulia, UniCredit Historical Archive and Dr. Elena Franchi, it was not possible to find the EGELI archive group of Istituto Credito Fondario delle Venezie.

⁹⁶ LEVI 1998.

⁹⁷ *RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM]* 2001, pp. 209-210. The bank seized in total 3,400 assets, 127 of these were referred to foreign Jews.

⁹⁸ http://augusto.agid.gov.it/gazzette/index/download/id/1942029_P2, <January, 2019>.

⁹⁹ College Park (MD), National Archives, AMG, Property Control, RG 331, b. 3476, f. 251, Property in Yugoslav Territory, July-Sept. 1945, List of Allied Proprieties in Area occupied by Yugoslav authorities, c. 2, July 5, 1945.

«Nell'autunno del 1943 il Comando tedesco delle truppe di occupazione impose alla fabbrica un commissario, tale Hans Brunner di Klagenfurt. Il direttore dello stabilimento Giovanni Miletta e numerosi altri dipendenti furono imprigionati. Ebbero allora inizio lo spoglio e il saccheggio sistematico [...]»¹⁰⁰.

After the confiscation of the two family houses (April 12 and July 7, 1944), the movable assets were selected and removed. The first confiscation inventory (April 12, 1944) was splitted in different sections according the destination of the confiscated items¹⁰¹. Most (but not all) of the furniture, divided among 216 crates, together with 4 crates full of silverware, crystal and porcelain sets, were assembled in warehouses no. 25 and no. 2, respectively, of the Free Port of Trieste, to be re-distributed¹⁰². The relevant artistic pieces with the books were instead deposited at the Synagogue of Trieste (three crates). The items taken to the port, among them different packages of paintings, were forcibly auctioned off to the highest bidder, within more than 180 lots being sold on May 1944¹⁰³. Others crates of furniture, mainly wardrobes, were sold to the Supreme Commissioner itself and other private local buyers, while the photographic materials along with a few carpets were taken to the *Adriatisches Küstenland* headquarters.

The second inventory (July 7, 1944), instead, was divided in three sections: the first one listed the objects to be sold, and the other two parts the artistic objects that had to be given to the local museum or to Klagenfurt museums. According to a handwritten note added on the second confiscation inventory, the Pollitzer collection was firstly evaluated by Mrs. Pommerhanz, sister of Globočnik and German informer during confiscation of Jewish property in Trieste¹⁰⁴.

After the agreement between the Superintendence of Trieste and the Abteilung Denkmalschutz to preserve the works of Venetian art or pieces of local interest in the museums of Trieste and Udine and to earmark the others to be sent to the public museums of Klagenfurt, the Pollitzer art collection was sorted and split into two parts in March 23-27, 1944.¹⁰⁵ The Museum of Trieste received a group of statues, furniture, paintings and ornaments, while bookcases, other paintings and some works of applied arts, taken from the Pollitzer houses, were shipped to Klagenfurt¹⁰⁶ (Fig. 4).

The few artworks selected for Klagenfurt's public museums included an oil panel depicting an *Adoration of the Magi*, two fragments of a 15th century wooden bust (*Saint with tunic* and *Saint*) and three small wooden carved boxes representing local craftsmanship¹⁰⁷. The fact that these these pieces had arrived in Klagenfurt was confirmed by MFAA officers in July 1945¹⁰⁸.

The Pollitzers' *Steinway & Sons* piano (no. 122736) had been appraised by professor Robert Kehldorfer of the Conservatory of Klagenfurt on October 16, 1944; he was frequently in Trieste to search for sheets of music among the looted Jewish assets that had been taken to

¹⁰⁰ MIAN 1997, pp. 71-72. A painting of Carlo Sbisà, *The soap factory* (oil on canvas, 1945, 134x190 cm, private collection), reproduced the «Adria» factory in 1945 when it had started working again despite the difficulties of the post-war period.

¹⁰¹ ACETr, f. Ju/27, c. 1, Confiscation inventory, April 12, 1944.

¹⁰² *Ivi*, c. 2, the objects were transferred to the Port of Trieste by *Kühne & Nagel* on April 15, 1944.

¹⁰³ *Ivi*, c. 9, 16, 18, Sale receipts dated from the end of May to the end of June 1944.

¹⁰⁴ ACETr, Box 2 Miscellanea, Annotation on the confiscation inventory.

¹⁰⁵ BRASCA 2017.

¹⁰⁶ ACS, Ministero Pubblica Istruzione, AABBA, Div. III, 1940-1960, b. 258 TER, f. «Collezioni di quadri dei sigg. Morpurgo, Pollitzer di Trieste asportati dai tedeschi, Report made by Franco for MFAA, July 14, 1945.

¹⁰⁷ *L'OPERA DA RITROVARE* 1995, no. 49; 68; *Ivi*, b. 309, f. «Relazione sulle attività dei tedeschi nel periodo 1943/1945 nella Zona d'Operazioni Costiera dell'Adriatico, nel campo delle arti, biblioteche ed archivi», August 14, 1946, Attachment no. 12, Letter from Hanfstaengl to the Supreme Commissioner, March 17 1945.

¹⁰⁸ MAE-S, prat. 3/208, Letter from Perkins to the Ministry of Public Instruction, July 31, 1945.

the Synagogue of Trieste¹⁰⁹. The piano was then sold one month later (November 28) to a local buyer for an extraordinary price¹¹⁰. Instead, the Grenzland Konservatorium bought some wardrobes used to conserve musical instruments on October 28, 1944.

Despite research conducted after the war and the various restitutions of the objects that had been identified and located, several pieces of furniture are still missing, including one of five Istrian art inlaid chairs with decorative elements in the back depicting spirals of leaves and flying birds together with a large carved wardrobe, a 15th century table, antique chests, a pair of inlaid bed side tables and several armchairs upholstered in red damask¹¹¹.

Regarding the Pollitzer library, divided into an impressive 53 crates, it was transported to the Synagogue of Trieste on July 15, 1944: «Im Ganzen sind 47 Kisten Buecher und 6 Kisten mit ganz neuen Buechern von Pollitzer»¹¹².

Most of these 20,000 volumes of European literature, philosophy, art, poetry, music and science written in four languages that had been displayed on the walls of three rooms in the Pollitzer house, were shipped to Austria. Today, between 15,000 and 17,000 volumes are still missing¹¹³ (Fig. 5).

Despite the huge losses, a small component of the library, assembled by Alfredo and Andrea Pollitzer, namely 762 volumes comprising the series of commercial acts issued in Trieste when the city was an Habsburg emporium, together with books about the history of photography, and art criticism, was donated to the City of Trieste in 1972. The donation was supplemented by 234 books owned by Elda Luzzato (1868-1962)¹¹⁴.

While in most of the cases the interventions carried out by the Superintendence of Trieste were, as we have seen, aimed at stemming the dispersion of the Jewish-owned 'prized collections', in the end too little was saved and too many shadowy doubts about the fate of seized cultural assets have yet to be resolved. Unquestionably, the collections that the Superintendence of Trieste reported to the Prefecture and Revenue Office of Trieste were only a small part, the most well-known, of the larger cultural heritage adorning the many bourgeois houses, villas and palaces of the region owned by Jewish families. At this point we should ask what happened to the rest of them, the lion's share. How many goods were forcibly sold, as in the Pollitzer case? How many libraries and artworks were piled up to be looked over in the Synagogue of Trieste? How much of what was looted is still located somewhere in the region and how much is outside the country? To these and many other questions, the research currently being conducted will attempt to provide answers.

¹⁰⁹ HALL-KÖSTNER 2006, p. 449.

¹¹⁰ ACETr, Box 2 Miscellanea, Annotation on the confiscation inventory.

¹¹¹ MAE-S, prat. 3/208, Pollitzer declaration, 1966 (?); <https://www.alinari.it/it/dettaglio/ACA-F-040169-0000?search=020e1d8a527b026f74f59d9911c34732&searchPos=22>, <January, 2019>. Many pieces of the collection were sold between the collection inventory made around 1929 and the legacy of the collection by Andrea Pollitzer in 1940.

¹¹² ACETr, Box 2 Miscellanea, Annotation on the confiscation inventor.

¹¹³ BDA-Archiv_RestMat_K.40-2_Luzzato-Pollitzer, Elda, The Elda Luzzato *ex libris*, designed by the Viennese *Angerer & Göschll*, represents a maple leaf with the motto *Sinceritas in corde in ore veritas*.

¹¹⁴ <http://www.bsts.librari.beniculturali.it/patrimonio3.asp>, <January, 2019>.

APPENDIX¹¹⁵

Doc A

List of the archeological items to be donated to the Civic Museum of Antiquities of Trieste by Mario Mayer, December 31, 1934 (ACETr, box Miscellanea 2, c. 12).

30 Box Roman lanterns	1 Classic sculpture
27 Archaeological	1 Sculpture fragment
29 Archaeological	40 Cuspids and lance
32 Archaeological	1 Lance
33 Archaeological	Small animal on a hoof
37 Archaeological vessels	Showcase with three statuettes
35 Archaeological	Tombstone with epigraph
34 Archaeological	2 Briefcases with fibulas
38 Archaeological vessels	4 Bas-relief fragments
46 Assyrian idol	6 Fragments
40 Archaeological clays	12 Books
36 Archaeological vessels	16 Books
42 Vessels, bronzes	23 Books
41 Clays figures	5 Books
45 Clays vessels	7 Books
39 Archaeological vases	18 Books
44 Fragile vessels	1 Showcase in two parts
1 Wall showcase	1 Cabinet with shelves painted in blue
1 Showcase	1 Showcase in two parts
1 painting <i>Fire at «Il Piccolo»</i>	3 Showcases with shelves
1 Small showcase	1 Blue painted shelf
1 Showcase	1 Small showcase
1 Showcase with idol	1 Large showcase divided in more parts

¹¹⁵ Author's translations from Italian documents.

1 Small showcase with fibulas	1 Showcase painted inside in red
2 Showcases	1 Corner showcase
1 Showcase painted inside in red	1 Blue shelve with rack
1 Archeological bust	Archeological no. 25
1 Woman head	2 Tables and small showcases
1 Capital	No. 24 Package with Egyptian fragments
1 Wall showcase	No. 18 Lamps for the showcases
6 Shelves	3 Stone fragments
3 Black wall shelves	No. 26 Archeological
2 Showcases	No. 19 Archeological
1 Showcase	1 Tiny showcase
3 Shelves	2 Panels fragments
1 Marble sculpture	1 Wall showcase painted inside in red
1 Archaic sculpture	16 Boxes of books
1 Ancient Florentine Lamp	

Doc B

List of the paintings of the Pollitzer collection deposited at Villa Manin in Passariano and San Daniele del Friuli, March 28, 1943-April 2, 1948. (ASDSABAPFVG, Archivio Istria, b. 35, f. 1468).

BOX 1, inv. no. 498

- School of Friuli, *St. Michael with St. Laurent and St. Anthony*, 16th century, panel, 168x121 cm, modern wooden frame¹¹⁶.

The panel was protected by law 1089/1939 since November 3, 1923.

BOX 2, inv. no. 494

- Francesco Ruschi, *David and Abigail*, 1630-1661, canvas, 120x116 cm, gilded frame¹¹⁷.
- *Woman playing a harp with a listening warrior*.

¹¹⁶ <https://www.alinari.it/it/dettaglio/ACA-F-040140-0000?search=c3d0eb5492ad92282f45b7dc7a943e5e&searchPos=4>, <January, 2019>.

¹¹⁷ <http://catalogo.fondazionezeri.unibo.it/scheda/opera/61140/Ruschi%20Francesco%2C%20David%20e%20Abigail>, <January, 2019>.

BOX 3, inv. no. 495

- *Still Life*, canvas, 117x83 cm.

BOX 4, inv. no. 496

- *Madonna with Child and God*, altar panel, 77x145 cm.

BOX 5, inv. no. 503

- Guercino, *A young Bacchus*, oval canvas, 95x73 cm, ancient gilded frame.

BOX 6, inv. no. 499

- Palma il Giovane (attr.), *Two old men with two naked women; one tied to a tree*, canvas, 55x82 cm, golden frame.
- An ancient richly carved gilded frame, 62x48 cm.
- An ancient richly carved frame, 23x31 cm.

BOX 7, inv. no. 500

- Bartolomeo Schidone (?), *Madonna with Child and Saint*, canvas, 41x48 cm, ancient gilded frame.
- Andrea del Sarto (?), *Madonna with Child and Saint*, canvas, 64x85 cm, carved gilded frame.
- Neapolitan School, *Head of an old woman with a head scarf*, canvas, 17th century, 49x61 cm, carved frame of 17th century.

BOX 8, inv. no. 505

- *Old woman with a scarf on her hair*, canvas, 41x53 cm, richly carved gilded frame.
- *Madonna with Child*, canvas, 32x43 cm, richly carved gilded frame.

BOX 9, inv. no. 501

- Gino Parin, *Portrait of Alfredo Pollitzer*, 1925-1928, oil on panel, Trieste, Private Collection¹¹⁸.
- G. B. Piazzetta (?), *Saint John the Evangelist*, canvas, 72x55 cm gilded frame.
- *Man with child*, canvas, 55x60 cm, ancient gilded frame.

BOX 10, inv. no. 504

- *Madonna with Child and two saints*, panel, 61x41 cm, gilded frame.
- Lombard School, *Christ head*, copper, 35x45 cm.
- Boltraffio (?), *Portrait of woman with red hair*, canvas 46x57 cm, richly gilded frame.
- *Violinist*.

BOX 11, inv. no. 497

- Roman School, *Country dance*, panel, 17th century, 44x36 cm, ancient gilded frame¹¹⁹.
- *View of St. Mary of Health in Venice*, canvas, 33x43 cm, carved gilded frame.

¹¹⁸ RAGAZZONI 2003, cat. no. 185 or 186. Alfredo Pollitzer was portrayed two times by Gino Parin. Also his wife, Elda Luzzato Pollitzer, was portrayed in 1942 (cat. no. 326).

¹¹⁹ <https://www.alinari.it/it/dettaglio/ACA-F-040163-0000?search=020e1d8a527b026f74f59d9911c34732&searchPos=17>, <January, 2019>.

BOX 12, inv. no. 502

- *Madonna with Child*, canvas, 20x24 cm, richly carved frame of 16th century¹²⁰.
- *Christ with a sphere in a hand*, panel, 20x25 cm, ancient gilded frame.

¹²⁰ <https://www.alinari.it/it/dettaglio/ACA-F-040141-0000?search=020e1d8a527b026f74f59d9911c34732&searchPos=5>, <January, 2019>.



Fig. 1: Wrought iron stair railing, second half of 16th century, former Villa Antonini-Brunner, Campolongo Topoglianò (UD). © 2019 Archivio Fotografico Storico SABAPFVG. Riprodotto su concessione del Ministero per i Beni e le Attività Culturali, Soprintendenza Archeologica, Belle Arti e Paesaggio del Friuli Venezia Giulia, n. inv. ud 55310. Ogni diritto riservato



Fig. 2: Villa Varda, Sacile (PN), around 1930. © 2019 Comune di Brugnera (PN), Villa Varda. Riprodotto su concessione del Ministero per i Beni e le Attività Culturali, Soprintendenza Archeologica, Belle Arti e Paesaggio del Friuli Venezia Giulia, n. inv. ud 55310. Ogni diritto riservato

- 2 -

Foglio di seguito N.

26	Albarelllo Casa Piretta 1500		
27	Albarelllo ispano-moresco (Firenze)	L.	500.=
28	Albarelllo Abruzzi (Sangiorgi)	"	1.500.=
29	Boccia toscana, Leda col cigno	"	800.=
30	Albarelllo faentino 1600 (Roma)	"	600.=
31	Albarelllo Caltagirone o Venezia (Antica farmacia di Palermo)	"	500.=
32	detto	"	800.=
33	Boccia detto	"	800.=
34	Vaso toscano datato 1562 "Ol. Sambuci" (Roma - Disegni)	"	1.400.=
35	Albarelllo Casa Piretta (Faenza privato)	"	2.500.=
36	Vaso toscano tentativo di riflesso metallico Venezia Guggenheim	"	2.000.=
37	Boccia toscana datata 1558 (Aqua ungulae cabaline "Firenze")	"	500.=
38	Albarelllo faentino a doccie (Firenze privato)	"	1.000.=
39	Albarelllo toscano "Ung. molificativo" (Firenze privato)	"	300.=
40	Albarelllo con decorazioni arabiche in blu scuro v. coll. Wallis: The Albarelllo, pag. 23. L'unico esemplare identici si trova nel South Kensington Museum, Londra (Dry Monaco M. 2.000.-		10.000.=
41	Albarelllo " Dia seminib" 1551 (asta Pesaro-Milano)	"	2.200.=
42	Albarelllo gotico v. Beckerath (Drey Monaco) M. 2.000.-	"	10.000.=
43	Grande vaso "M. Damocrate" Faenza 1600	"	2.500.=
44	Vaso 1618 "Sy iuleb. res" (Coll. Ceci, Todi)	"	1.000.=
45	Vaso faentino con stemma: Lupa S.P.	"	800.=
46	Albarelllo "Sine quibus"	"	700.=
47	Vaso grande con l'Annunciazione di Maria (Urbino 1500)	"	2.000.=
48	Albarelllo faentino "Da. Cassia cum manna"	"	500.=
49	Albarelllo "zucaro rosa" toscano 1500	"	400.=
50	Vaso datato 1665 "Ossi-sacai"	"	300.=
51	Albarelllo toscano "Ell. de Sebeste"	"	500.=
52	Vaso faentino a piume di pavone (asta Pesaro-Milano)	"	3.000.=
53	Vaso toscano a doppia ansa coll. Imbert (Asta Pesaro-Milano)	"	3.000.=

Fig. 3: Excerpt from the inventory of the Castiglioni collection of ancient pharmaceutical vases (ASTs, Fondo Castiglioni, b. 1, f. Varie, April 7, 1939, p. 2). © 2019 Archivio Stato di Trieste. Riprodotto su concessione dell'Archivio di Stato di Trieste, ogni diritto riservato

The Dispossession of Italian Jews: the Fate of Cultural Property in the Alpe Adria Region during Second World War

<p>ELenco DELLE RACCOLTE POLLITZER (via Savana 15) depositate al Civico Museo di storia ed arte</p> <p><u>QUADRI</u></p> <p>Testa di vecchio - Fiancetta - tela ad olio con cornice - 0.34 x 0.235 Scena fiamminga popolare (Ostade) - tela fiamminga con cornice 104 x 0.70 Piazza S. Marco - tela ad olio con cornice - 112 x 0.82 Ritratto di Abramo '600 veneziano - tela ad olio senza cornice 128 x 0.95 Soggetto nudo - Pittschi - tela ad olio 0.74 x 0.74 Diana su nube '600 - tela ad olio con cornice - 0.91 x 0.69 Adorazione - scuola del Franco - tela ad olio con cornice - 121 x 0.64 Adorazione - scuola bolognese - tela ad olio con cornice - 119 x 0.64 Madonna fanciullo ad Angelo '700 veneziano - tela ad olio senza cornice 0.59 x 0.68 Ritratto di Donna - Giovanni Barchig - tela ad olio con cornice e vetro 0.32 x 0.41 Due angioletti - sec. XVI tela ad olio con cornice - 0.44 x 0.34 Battaglia di Costantino - tela ad olio con cornice - 171 x 0.84 Apostolo che fa la carità - tela ad olio con cornice 194 x 160 Scena storica romana - Saniaza del '600 - tela ad olio con cornice - 160 x 2.40 Ritratto di signora - Scuola del Longhi - tela ad olio con cornice 0.72 x 0.88 Madonna-santo barto - 700 veneziano tela ad olio con cornice 0.41 x 0.52 Scoltrice - 700 veneziano tela ad olio con cornice - 0.56 x 1.05 Samana e il vecchio - 600 veneziano tela ad olio con cornice 1.15 x 0.81 Santa con bambini - tela ad olio con cornice (retta) - 500 - 0.74 x 0.54 Filosofo - Giordano - 800 tela ad olio con cornice - 0.68 x 0.31 Flautista con compagni - 800 imitazione fiamminga - 0.39 x 0.47 Adorazione - secolo XVI olio su tavola con cornice dell'epoca 0.52 x 0.40 Santa con croce - 800 tela ad olio senza cornice - 0.40 x 0.48 Testa barbata - tela ad olio senza cornice - 0.29 x 0.43 Ritratto di signora - Gino Paris - tela ad olio senza cornice 0.54 x .73 Madonna con Bambino - tela ad olio con cornice del 500 - 0.18 x 0.36 Giudizio di Salomone - concorno del secolo XVIII - con cornice 0.91 x 0.39 "La cacciata dei mercanti dal tempio del secolo XVIII - con cornice 0.35 x 0.45</p>	
<p>Allegoria pagana con la Fortuna - stampa acquarrellata - 0.50 x 0.3 (con cornice)</p> <p><u>STATUE</u></p> <p>Fanciulla crociata statua in legno del 500 posteriormente con h.1.15 Busto in gesso - statua in legno del 600 - h.0.71 Annunciazione " " " - h.0.60 Annunciazione " " " - " 0.51 Madonna delle Grazie " " " - " 0.73 Busto barbuto " " " - " 1.21 Busto con fiore - busto " " " - " 0.90 Busto con saio - statua " " " - " 0.94 San Francesco " " " - " 0.86 Madonna delle Grazie " " " - " 0.42 San Giovanni " " " - " 0.99 Donna " " " - " 0.68 Gesù battezzato " " " - " 0.40 Santa " " " - " 0.37 (colorata)</p> <p>4 capitelli intagliati in legno 3 rosetti di colonne intagliati con gruppi d'uva</p> <p><u>MOBILI</u></p> <p>1 Armadio a tre cassetti - sec. XVI 1 Scrivania in risesso noce (moderna) 1 tavolo in risesso noce (moderno) 1 Sedile in tappezzeria a fiori a fondo violaceo (moderno) 2 poltrone in tappezzeria a fiori a fondo verde " " 2 sedie " " " " " 1 Seggiolone rotondo " " " " 2 Armadietti a tre cassetti stile "Hiedelayer" 1 Armadietto a due portelle del secolo XVII 1 tavolo in legno bianco dipinto in rosso (moderno) 2 Armadietti " " " " 1 tavolo ovale a tre gambe a treccia - sec. XVII 1 poltrona in legno nero intagliato 2 Sedie in legno nero intagliato</p>	
<p>1 Seggiolone in legno (moderno) 1 colonna in marmo 1 colonna dello scomparso busto di Beethoven</p> <p><u>Suppellettili</u></p> <p>2. Candelieri in ottone argentato 2 Candelieri con paralume (latte) 1 Lanterna cieca 2 Baldini in rame 1 Specchio con cornice intagliata con angeli (barocco) 1 Vaso metallico dipinto 1 Bacinella in terracotta dipinta popolare 1 Tabernacolo in legno intagliato d'oro con portelle dipinte 1 Cofanetto con intarsi in avorio 1 Cofanetto con applicazioni in ferro</p>	

Fig. 4: List of Pollitzer's artistic objects deposited at the Art History Museum of Trieste, March 1945 (ACS, Ministero Pubblica Istruzione, AABBA, Div. III, 1940-1960, b. 258 TER, f. «Collezioni di quadri dei sigg. Morpurgo, Pollitzer di Trieste asportati dai tedeschi, Report made by Superintendent Franco for MFAA, July 14, 1945). © 2019 Archivio Centrale dello Stato, Roma. Riprodotto su concessione del Ministero dei Beni e delle Attività Culturali e del Turismo, ogni diritto riservato (Archivio Centrale dello Stato, 2019, 2453/28.10.13)

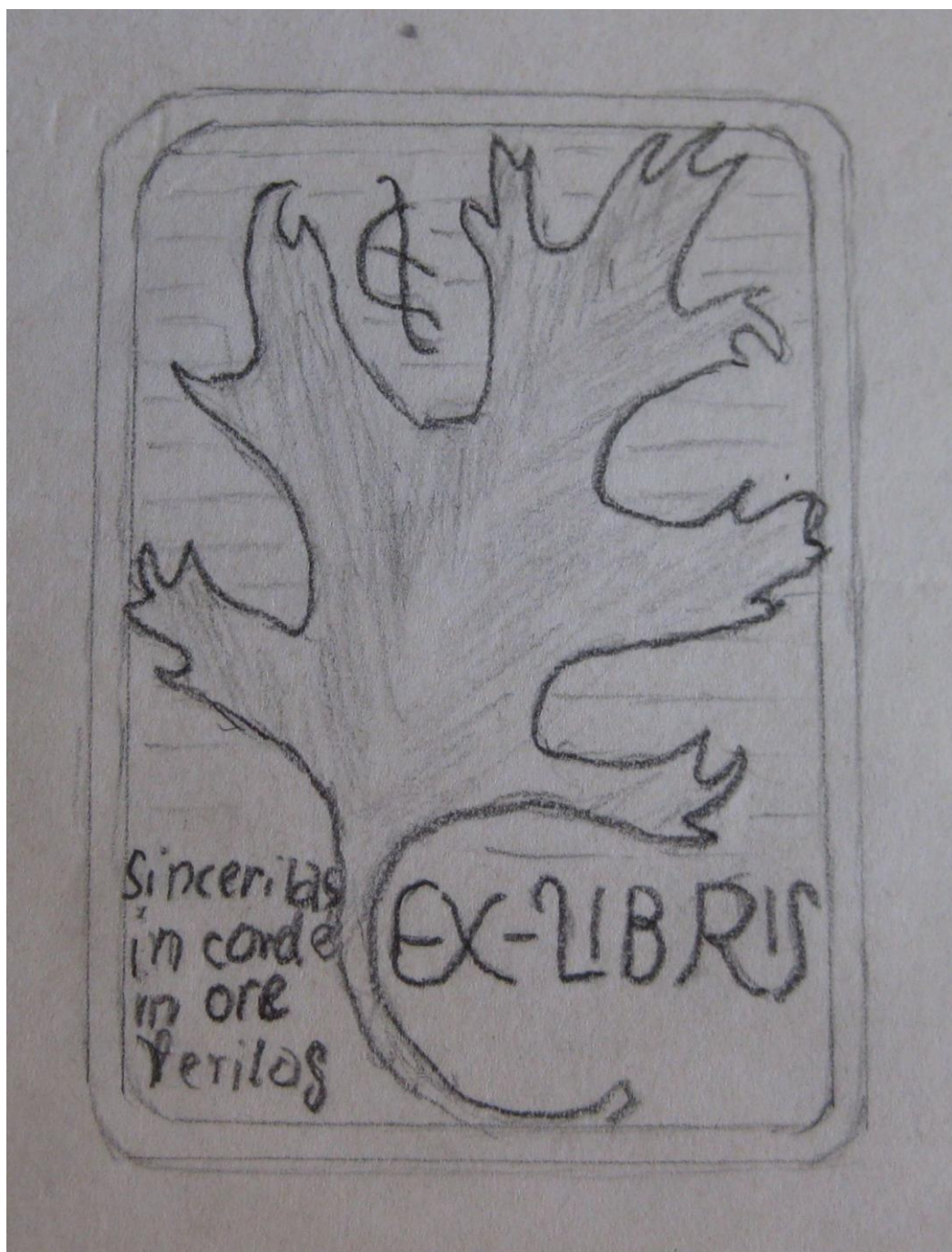


Fig. 5: Luzzato Pollitzer *ex libris* (BDA, Archiv Rest. Mat., K.40-2, f. Luzzato-Pollitzer, Elda). © 2019 BDA-Archiv Wien

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ABSTRACT

The author illustrates Jewish-owned art and book collections in the Alpe Adria region, notably in Trieste and its vicinity, which, due their high artistic value, were reported by the Superintendence for the Monuments and Galleries of Venezia Giulia and Friuli to the Italian Social Republic authorities after the establishment of the *Adriatisches Küstenland* in September 1943. The archival research conducted for this essay reveals the shadow areas in which authorities responsible for protecting the Jewish-owned cultural property operated.

L'autore affronta le collezioni d'arte e librerie di proprietà ebraica aventi particolare interesse storico ed artistico ed esistenti nel territorio Alpe Adria che vennero segnalate dalla R. Soprintendenza ai monumenti e alle gallerie della Venezia Giulia e del Friuli alle autorità della Repubblica Sociale Italiana dopo l'istituzione della *Zona d'Operazioni del Litorale Adriatico* nel settembre 1943. L'articolo, attraverso la ricerca d'archivio condotta, pone in evidenza le zone d'ombra entro le quali hanno agito le autorità predisposte alla tutela del patrimonio culturale di proprietà ebraica.

THE CASE OF MORPURGO DE NILMA'S ART COLLECTION IN TRIESTE: FROM A JEWISH LEGACY TO A 'GERMAN DONATION'

On the 22nd of February 1941, the Jewish Baron Mario Morpurgo de Nilma¹ (Fig. 1), in the presence of the Notary Silvio Quarantotto, wrote his will², naming the Municipality of Trieste as heir of both his art collection and his library, as evidence of love from its «figlio affettuoso e devoto».

The city should have provided the collections, which included paintings, carpets, prints, potteries, glasses and majolicas, with a proper location under the name of «Collezione Mario Morpurgo de Nilma»³.

1. The confiscation and the removal of the art collection

With the establishment of the Operational Zone of the Adriatic Littoral (*Operationszone Adriatisches Küstenland*, OZAK, 1943-1945), headed by Friedrich Rainer⁴, holder of all the public and civil authorities in the area⁵, and in accordance with the Nazi racial laws, the validity of the will was contested.

On 22nd October 1943, the Baron's residence in Trieste was confiscated and, in November, some SS soldiers began the removals: almost all carpets, «quadri, mobili e porcellane di considerevole valore» were taken away⁶.

At this point, it is important to remember that with the outbreak of the Second World War, Morpurgo had transferred several paintings, Japanese prints (Fig. 2) and potteries to his property in Sant'Andrea di Pasiano⁷, most likely to protect them from war damages⁸.

¹ Giuseppe Mario Morpurgo de Nilma (Trieste, 1867-Pordenone, 1943) was a member of an important family of bankers from Gorizia. He was also a collector and philanthropist. An active figure in the cultural life of Trieste, he was member of various associations, such as the Società di Minerva and the Comunità dei Collezionisti d'Arte di Trieste; within this latter, he collaborated in organizing several exhibitions in the 1930s. In 1934, fearing the promulgation of the racial laws also in Italy, he was baptized in Rome. After the promulgation of the racial laws in 1938, the Baron tried to obtain the certificate of *discriminazione*, a fascist provision that allowed distinguished Jews to avoid certain persecutory forms. In 1943, with the German occupation of Trieste, this attestation would have been in any case useless due to the implementation of the German racial law (BENEDETTI 1977, pp. 13-22, MILLO 1989, pp. 169, 180; BORTOLIN 1999, p. 65; BON 2000, pp. 131-132).

² AMM, Serie 1, 6/14, Trieste, 29th November 1943. Attachment B of *Verbale di richiesta di registrazione di testamento pubblico*.

³ The library, too, was part of the legacy, and was intended for the Civic Library as Morpurgo's gift. The will also provided that his patrimony should be constituted as moral body for charitable purposes. Due to this reason, the Fondazione Mario Morpurgo de Nilma was established on 25th October 1947.

⁴ Since 1941, Friedrich Rainer (Sankt Veit an der Plan, 1903-Ljubljana, 1947) was Governor and Lieutenant of Carinthia (STUHLPFARRER 1979, p. 62).

⁵ ASTs, Prefettura, Gabinetto, b. 465, f. *Frigessi Arnaldo*, document entitled *Foglio ufficiale delle ordinanze del Supremo Commissario nella Zona di operazioni Litorale Adriatico*, Trieste, 15th October 1943. The OZAK, part of the Third Reich, included the provinces of Udine, Pordenone, Trieste, Gorizia, Pula, Ljubljana and Rijeka. For further information on the condition of the Jews and their properties during the Third Reich and, especially, in the OZAK: WALZL 1991; LA NORMATIVE ANTIEBRAICA 2001; LA SPOLIAZIONE 2001.

⁶ ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 19th November 1943. Unsigned report of the Superintendent Fausto Franco.

⁷ *Ivi*, Trieste, 10th January 1943. Letter from Pagnini to Schranzhofer. Both this property and the one in Varda were in the province of Udine in Friuli.

⁸ AMM, Serie 3, 70/11. *Quadri depositati a S. Andrea*, undated and unsigned draft of the Baron Morpurgo himself (his handwriting is recognizable thanks to a comparison with other autograph letters).

After the Armistice of Cassibile on the 8th of September 1943, some of these artworks were moved by the Germans to Villa Varda, another Baron's property in Friuli that had been confiscated since November. This residence, whose furnishings had already been inventoried by Jeschke of the Financial Department of the High Commissioner⁹, was occupied by a Luftwaffe Kommando¹⁰.

Knowing Morpurgo's intention well¹¹, and having been informed of the pillage and the removals, the local authorities implemented a series of initiatives to recover the objects which had already been taken away and to protect the unity and the integrity of the collection.

The complex negotiations only ended on the 4th of July 1945, after the liberation of Trieste and the abrogation of the racial laws. The Municipality of Trieste could officially accept the legacy, once removed «l'impedimento legale che fino ad allora vi ostava», that is, the impossibility to recognize the lawfulness of the will of a Jew¹². The steps towards the resolution were long and winding.

2. Autumn-Winter 1943: the intervention of the local authorities

On 14th November 1943¹³, after an inspection of the art contents of Morpurgo's residence on behalf of the Financial Department¹⁴, the *Beauftragter für Denkmalschutz* Walter Frodl¹⁵ wrote to the Superintendent of Monuments and Galleries of Venezia Giulia and Friuli Fausto Franco¹⁶ about the matter. Aware of the Baron's intention, because «ripetutamente espressa», he asked for a written statement as to the donation of the collections to the City. Only in this way could all measures aimed at their transfer to the Civic Museums be taken.

The Superintendent promptly acted, involving the people closest to the Baron and recommending to Rainer and Frodl, pending the statement requested, «voler tutelar le opere d'arte», with the implementation of all needed procedures¹⁷.

Among the people involved was Professor Piero Sticotti, Director of the journal «Archeografo Triestino»¹⁸, published by the Società di Minerva. He updated his old friend Morpurgo¹⁹, then at the hospital of Pordenone, on the events following the confiscation.

⁹ This Department was responsible for the management of Jewish properties in the OZAK.

¹⁰ Bundesdenkmalamt Archiv, Wien, Italien Jüdischer Besitz, Udine, 15th December of 1943. Letter from Hanfstaengl to Frodl.

¹¹ ASTs, Prefettura, Gabinetto, b. 467, f. *Morpurgo Mario asporto oggetti artistici*, Trieste 22nd November 1943. Letter from Coceni to Hinteregger.

¹² AGCTs, Deliberazioni, 1947, Trieste, 24th October 1947. Report of the municipal deliberations.

¹³ ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, 14th November 1943. Letter from Frodl to Franco.

¹⁴ Bundesdenkmalamt Archiv, Wien, Italien Jüdischer Besitz, Trieste, 14th November 1943. Letter from Frodl to Financial Department.

¹⁵ The art historian Walter Frodl (Strasbourg, 1908-Vienna, 1994), *Gaukonservator für Kärnten* and Director of the *Reichsgaummuseum* of Klagenfurt, was responsible for the protection of artworks and monuments in the OZAK. After the Nazi annexation of Austria he had already been commissioned to choose artworks in Polish private collections and for Hitler's museum in Linz (WEDEKIND 2012, p. 156; BRASCA 2017, p. 100).

¹⁶ The architect Fausto Franco (Vicenza, 1899 - Venice, 1968) was Superintendent of Monuments and Galleries of Venezia Giulia and Friuli from 1939 to 1952 and was also responsible for the provinces of Pula and Fiume. After the German surrender, in the immediate post-war period, he took care of the restoration of the historical-artistic heritage of Venezia Giulia (LIGUORI 2011, pp. 275-284).

¹⁷ ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 19th November 1943. Letter from Franco to Frodl and Rainer.

¹⁸ Piero Sticotti (Dignano d'Istria, 1870-Trieste, 1953), Honorary Inspector of the Superintendency, headed the Civic Museums of Trieste from 1919 to 1940.

¹⁹ ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 19th November 1943. Letter from Sticotti to Morpurgo.

Despite his precarious health conditions, the Baron promptly replied that his wishes in favor of Trieste were already clearly expressed in his will of 1941, certified and deposited at Notary Quarantotto's office²⁰.

Meanwhile, the Superintendent wrote to Carlo Alberto Biggini, the Minister of National Education of the Italian Social Republic, about the issue²¹. Pointing out that he didn't intend to dispute the validity of German racial law in the Italian territory but to stay within the limits of art protection, he requested that an agreement with the occupying forces be established in order to suspend the removal of artworks and temporarily entrust them to the civil authorities responsible for artistic matters, hoping for future specific regulations which could preserve the unity of Morpurgo's collection. Germans authorities seemed willing to keep it in the city, provided that an official donation was made to the Municipality of Trieste.

Franco's commitment obviously included what had been brought to Morpurgo's properties in Friuli: the Honorary Inspector (ispettore onorario) Carlo Someda de Marco²², Director of the Civic Museums of Udine, was entrusted with protecting, as far as possible, the works of art and objects of Villa Varda²³.

Thus, the protection mechanism was put into action outside of Trieste as well. Here the Head of the Province, Bruno Coceani²⁴, and the Mayor of the City, Cesare Pagnini²⁵, had already been alerted and had taken initiatives to protect the collection.

On the 22nd of November, Coceani drew the attention of the High Commissioner²⁶ proposing the same temporary solution that Franco had suggested to Biggini. He mentioned, as a reference, the circular on the safeguarding of art heritage he was in train to diffuse among local Italian authorities²⁷. Relying on collaboration with the occupying authorities, with the circular he aimed at preventing or putting an end to any military operation in buildings of artistic value. A few days later, Frodl told Franco²⁸ that the assignment to the Civic Museums of History and Art of Trieste (*Civici Musei di Storia ed Arte*) of the collection seemed certain and that Rainer's official confirmation was imminent. However, as we will see below, the process turned out to be very long.

Due to this positive but ambiguous response, on November 25th, at the Mayor's office, a meeting was held relating to the rescue of Morpurgo's collections. The meeting was attended

²⁰ *Ivi*, Pordenone, 21st November 1943. Letter from Morpurgo to Sticotti.

²¹ AGCTs, Segreteria Generale, 4-28/1943, f. *Morpurgo de Nilma*, Trieste, 20th November 1943. Letter from Franco to Biggini and, for information, to Coceani and Pagnini.

²² Carlo Someda de Marco (Mereto di Tomba, 1891-Udine, 1975) was Director of the Civic Museums of Udine from 1932 to 1958. During the Second World War, he was commissioned by the Superintendent for the protection of artworks in Friuli Venezia Giulia (SOMEDA DE MARCO 1949, p 124).

²³ ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 19th November 1943. Letter from Franco to Someda de Marco.

²⁴ Bruno Coceani (Monfalcone, 1893-Trieste, 1978), a prominent political figure in the Fascist circles of the region, was also active in the cultural field: he worked for the reorganization of the Società di Minerva and was associated with the Università Popolare of Trieste. He directed «La Porta Orientale», a journal of politics, art and history with a distinct racist imprint. Rainer chose Coceani as Head of the Province of Trieste both for his long political militancy in the National Fascist Party and for his links with the business circles of the city (http://www.treccani.it/enciclopedia/bruno-coceani_%28Dizionario-Biografico%29/, <May, 2018>).

²⁵ Cesare Pagnini (Trieste, 1899-1989), a politician and a lawyer, made considerable contributions to research on the history of Trieste, in particular on the period of the Risorgimento and of the Irredentism (http://sa-fvg.archivi.beniculturali.it/fileadmin/inventari/altri_archivi_publici/Pagnini_Cesare_Antonio_Trampus_9.1_2.2014_.pdf, <May, 2018>).

²⁶ ASTs, Prefettura, Gabinetto, b. 467, f. *Morpurgo Mario asporto oggetti artistici*, Trieste, 22nd November 1943. Letter from Coceani to Hinterreger.

²⁷ ACMSATs, Atti non protocollati 1943, Trieste, 25th November 1943. Circular from Coceani to local authorities (Police, Carabinieri, Mayor, Prefect's Commissioners of the Province) and, for information, to Deutschen Berater of the province of Trieste.

²⁸ ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, 24th November 1943. Letter from Frodl to Franco.

by Pagnini, Franco, the Notary Quarantotto and Professor Sticotti. From the report written by the Superintendent²⁹, we learn that Silvio Rutteri, Director of the Civic Museums of Trieste³⁰, would soon be authorized to collect and transport the collections in the museums, but it was necessary that the Baron formalized the donation according to his intentions, «fermo restando, per il resto, il testamento». Indeed, the will, in addition to being revocable and coming into effect only in force with the Baron's death, couldn't constitute a legal title for the Municipality of Trieste. Therefore the Municipality was not entitled to use it as a basis for its own requests. The best solution was that Morpurgo immediately donate his collection to the city, thus endowing it with a title of current validity.

This donation never took place: on the 18th of December Mario Morpurgo de Nilma died³¹, a fact which further complicated an already difficult situation, and which didn't help a quick and positive conclusion, despite the constant assurances from the German authorities³².

After having deposited the death certificate, on December 29th, the Notary Quarantotto registered Morpurgo's will in the presence of Pagnini, «in rappresentanza del Comune di Trieste, [...] avente interesse nella successione»³³.

On the 31st of December, Someda de Marco updated Franco about the situation in Varda: the villa, actually hosting a German commando, was in good order and the contents had already been listed and kept by the occupants. Soon he intended to inform Frodl as well³⁴.

3. January-July 1944: the slow evolution of the situation, between bureaucracy and protection

During the first months of 1944, informed by the German Advisers (Deutsche Berater)³⁵ about how the High Commissioner intended to handle the Morpurgo affair³⁶, Pagnini and Cocceani made special efforts in favor of the collection.

Rainer still had to examine the matter in order to decide whether and to what extent the artworks should be entrusted to the City of Trieste, and this only if Pagnini and Cocceani, through their respective Deutsche Berater Schranzhofer and Lange, expressly requested it.

Thus, from January 10th onwards³⁷, they wrote several times to the German Advisers, and therefore to Rainer, requesting that the Baron's goods be consigned to the Municipality.

The letters emphasized the obligation for the heir «di destinare le rendite della sostanza a scopi di beneficenza e le raccolte artistiche alla costituzione di una speciale collezione», and therefore, to «fini [...] di esclusiva utilità pubblica»³⁸.

²⁹ *Ivi*, Trieste, 25th November 1943. Report by Franco.

³⁰ Silvio Rutteri (Trieste, 1895-1982) began his career in 1921 as Curator of the Civic Museums of Trieste, under the direction of Sticotti; from 1940 to 1963 he was Director. At the same time, he taught ancient history and history of modern art at the Liceo Petrarca and at the Università Popolare (RESCINITI 2004, p. 272).

³¹ ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*. Death certificate in «Testamento pubblico e codicilli del signor Mario Morpurgo de Nilma, 1943».

³² *Ivi*, 11th December 1943. In a report, Rutteri wrote that, according to Frodl's assistant Erika Hanfstaengl, the will was accepted and the collections were made available to the Director. In a note of the same day, Rutteri wrote that the Morpurgo case was still «in corso di risoluzione».

³³ AMM, Serie 1, 6/14, 29th December 1943. *Verbale di richiesta di registrazione di testamento pubblico*.

³⁴ ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Udine, 31st December 1943. Letter from Someda de Marco to Franco.

³⁵ The Deutsche Berater were the German administrative advisers who acted as intermediaries between the Italian officials and Rainer. Hinteregger and, then, Lange were the German Advisers for Cocceani, Schranzhofer for Pagnini.

³⁶ ASTs, Prefettura, Gabinetto, b. 467, f. *Mario Morpurgo asporto oggetti artistici*, Trieste, 6th January 1944. Letter from Lange to Cocceani.

³⁷ *Ivi*, Trieste, 10th January 1944. Letter from Pagnini to Schranzhofer.

³⁸ *Ivi*, Trieste, 5th February 1944. Letter from Pagnini to Schranzhofer; *Ivi*, Trieste, 25th February 1944. Letter from Cocceani to Lange.

The City of Trieste was now considered the incontestable holder of the art collections. Their confiscation due to racial rationale no longer had any grounds as the new 'owner' wasn't a Jew. Pagnini and Coceani therefore required to lift the restrictions placed by the German authorities on the property and to take possession of it. Time was running out: it was necessary to certify the transfer of ownership within the terms established by the law³⁹.

However, despite many requests, on March 20th, Pagnini had to admit that «la questione [...] non ha approdato finora ad alcun risultato concreto neppure parziale»⁴⁰.

Meanwhile, waiting for answers from the High Commissioner, Franco and Someda de Marco continued to take care of the objects transferred to Friuli, where there had been some progress.

Indeed, the Honorary Inspector Someda de Marco had discovered that some boxes of Morpurgo materials, which were previously thought to be lost, were indeed in Villa Varda⁴¹. He had informed Frodl, who, though interested in the issue, had answered making it clear that very little could be done without «la possibilità di correre dietro alla roba sparsa qua e là»⁴².

3.1. 20th of June 1944: the order of High Commissioner Rainer

According to archival documents, the long-awaited turning point took place between June and July 1944 when, following the umpteenth request by Mayor Pagnini⁴³, the Deutsche Berater Schranzhofer communicated the decision of the High Commissioner⁴⁴.

On June 20th, 1944, Rainer's order established that, «riguardo alla proprietà sequestrata del defunto ebreo Mario Morpurgo de Nilma, [...] la metà della stessa, di cui egli era proprietario» was to be given to the city of Trieste. The same for «la seconda metà di questa proprietà, [proveniente] dal patrimonio sequestrato della sorella»⁴⁵. Along with Morpurgo's flat in Trieste (via Imbriani 5), the Municipality of Trieste became the official owner of his art collections and of his library. Schranzhofer assured that, as far as possible, the objects transferred to Villa Varda and to S. Andrea would also be recovered. According to Rainer's order, the art objects should not form an autonomous collection, but had to be scattered among the several museums of Trieste, in order to prevent that they should be associated with Mario Morpurgo. Rainer aimed evidently at suppressing the Jewish identity of the collection⁴⁶.

Thus, according to this order, the paintings were temporarily divided between the Revoltella museum and the Civic Museums of History and Art, while the books were placed in the Civic Library⁴⁷.

4. Silvio Rutteri's role in the transfer of the collection

The Director of the Civic Museums of Trieste, Silvio Rutteri, was in charge of the transfer and the inventory of Morpurgo's collections, including the artworks in Friuli. Two

³⁹ See footnote 37.

⁴⁰ ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 20th March 1944. Letter from Pagnini to Franco.

⁴¹ *Ivi*, Udine, 17th January 1944. Letter from Someda de Marco to Franco.

⁴² *Ivi*, Udine, 25th January 1944. Letter from Someda de Marco to Franco.

⁴³ ASTs, Archivio Pagnini, b. 5, f. 3, Trieste, 13th July 1944. Letter from Pagnini to Schranzhofer.

⁴⁴ ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 19th August 1944. Letter from Schranzhofer to Pagnini.

⁴⁵ The Princess Matilde, wife of the Prince Fabio Colonna di Stigliano.

⁴⁶ According to the order, the Mayor had to contact Fischbach, member of the Financial Department, to assume the assignment.

⁴⁷ ASTs, Archivio Pagnini, b. 5, f. 3, Trieste, 29th July 1944. Letter from Pagnini to Schranzhofer.

reports of his, one of January 1944 addressed to Schranzhofer⁴⁸ and the other of July 1945 addressed to the Superintendent Franco and forwarded by him to the Allies⁴⁹, allow to reconstruct what happened in 1944 as regards the protection of the Morpurgo objects. The Director uses the definition «donazione tedesca» in his second report: ironically, according to Rainer's order, this was the new condition of Morpurgo's legacy, deprived of its Jewish identity.

However, even before Rainer's order, when in April 1944 – despite the efforts of Pagnini and Coceani – the acquisition issue was still ongoing, Rutteri had managed to exploit the concomitant war events to put into practice a simple, but effective stratagem for the protection of Morpurgo's collections. On the 23rd of that month a partisan attack took place against the Casa del Soldato Tedesco in Via Ghega⁵⁰. Therefore, for security reasons, the local branch of the Todt Organization, as responsible for buildings, had forbidden the access to the nearby Casa del Combattente that also housed the Museo del Risorgimento. This last had thus been forced to move elsewhere. At this point, the Director, supported by Pagnini, had the idea, approved by Rainer, to move the Risorgimento collections to Morpurgo's apartment: in this way he succeeded in controlling the Baron's art objects. Soon afterwards he obtained from the Financial Department officer Fischbach the keys of Via Imbriani, thus preventing their use by the Germans.

In spite of Rainer's order of June 20th, the donation could not be immediately certified through an official act. Nonetheless, on July 22nd, following a joint meeting at the offices of the Financial Department⁵¹, Fischbach and Frodl entrusted Rutteri with the task of inventorying the objects of the residence and of safeguarding the collections. Two months later, the office of the High Commissioner acknowledged the receipt of the inventory, which had previously been signed by Frodl. Although Rainer had promised to return all things which had been illegally removed in November 1943, many art objects were never recovered: specifically the whole collection of local prints, about 200 Japanese prints, all carpets and several majolicas⁵².

Regarding the prints and the paintings from Friuli, two letters by Erika Hanfstaengl are of fundamental importance in order to integrate Rutteri's reports: one, addressed to Frodl, is dated 15th of December 1943⁵³, the other, to Zojer⁵⁴, head of the Financial Department, is dated the 7th of February 1944.

It appears that at Sant'Andrea there were 13 boxes of art objects. Of these, ten were moved to Villa Varda by Jeschke, official of the Financial Department, on December 13th 1943; eight of them were further moved to Udine at Palazzo Pontoni, venue of the local Deutsche Berater. The three other boxes from Sant'Andrea were also stored in Udine, but their specific destination is not documented. On October 22nd, 1944, these eleven boxes were transferred to Trieste at Fischbach's office and soon entrusted to the Civic Museums⁵⁵. We

⁴⁸ *Ivi*, Trieste, 17th January 1944. Letter from Pagnini to Schranzhofer, as an attachment the report of Rutteri, dated January 10th.

⁴⁹ ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*. Report undated but probably written for the Superintendent Franco who, with modifications and additions, sent it to the Colonel Ward-Perkins on 14th July 1945.

⁵⁰ G. Liuzzi, *Episodio di via Ghega Trieste 23-4-1944*, in *Atlante delle stragi naziste e fasciste in Italia*, http://www.straginazifasciste.it/?page_id=38&id_strage=5352, <May, 2018>.

⁵¹ In an official note by Frodl of 14th August 1944 (Bundesdenkmalamt Archiv, Wien, Italien Jüdischer Besitz), it appears that the meeting, also attended by Hanfstaengl, had taken place two days earlier. Furthermore, in the note it is specified that the Director was asked for three copies of the inventory: one for the Financial Department, while the other two were probably for Frodl and Rutteri.

⁵² See footnote 49.

⁵³ Bundesdenkmalamt Archiv, Wien, Italien Jüdischer Besitz, Udine, 15th December 1943. Letter from Hanfstaengl to Frodl.

⁵⁴ *Ivi*, Udine, 7th February 1944. Letter from Hanfstaengl to Zojer.

⁵⁵ See footnote 49.

have a list of the artworks of three of these boxes: «Ingres: Porträt einer Dame (Fig. 3) [...] Delacroix: Hexenverbrennung [...] Luca Giordano: Schlafender Putto in Landschaft [...] G. Induno (sign.): Soldatenszene [...] Paul Baudri (sign.): Putto in einem Wald [...] Mosé Bianchi (sig.): Nonne (Brustbild) [...] Unbekannt (vielleicht Tominz d. J.) [...] Damenportrait» and two coloured Japanese prints⁵⁶.

We also have the list of the two boxes (out of the 13 from Sant'Andrea) which had remained in Varda: «A. Böcklin: Badende Nymphen und Faun [...] Daubigny: Landschaft mit Haus [...] Gerome (sig.): Löwenpaar [...] (ohne Rahmen) D. Morelli (sig.): Weibl. Kopf (blond) Emma Ciardi: Rokokoszene (2 Damen vor geschnitt. Hecken) [...] [Emma Ciardi]: Rokokoszene auf einer Treppe» and three coloured Japanese prints⁵⁷. On October 25th, 1944, these boxes were consigned to Pietro Opiglia, archivist of the Civic Museums of Trieste, who represented Rutteri, who was busy due to war damages occurred in the meanwhile at Villa Basevi, venue of the Museo di Storia Patria⁵⁸. All the boxes were brought to the anti-air stores of the Civic Museums of Trieste, thus dismembering the collections, as indeed required by Rainer's order.

The original arrangement of the Morpurgo's collection was thus completely destroyed. Besides the storage of the 13 boxes, the contents of the flat of Via Imbriani were mingled with the archival materials of the Museo di Storia Patria and with the objects of the Museo del Risorgimento; moreover, many of the Morpurgo's artworks were inventoried among other objects of the municipal collections, temporarily deposited in the apartment for safety. In order to protect the municipal heritage, it was deemed more effective to scatter art works in different deposits, instead of concentrating them in a single place which, if damaged or destroyed, would have caused «la totale perdita dei valori museali».

«Così, la raccolta Morpurgo si incorpora nelle altre e si divide fra le varie sezioni di questi musei»⁵⁹.

5. The liberation of Trieste and the end of the negotiation. The intervention of the Subcommission of Monuments, Fine Arts, and Archives

On the 1st May 1945 the German occupation of Trieste ended and, consequently, so did the dispute that involved the Morpurgo's collection. On May 12th, the order no. 13 of the Trieste Commando of the Yugoslav army abrogated all the Nazi-Fascist laws and decrees with retroactive effect. Thus, the affair of Morpurgo's legacy became current again⁶⁰: «ora soltanto il Comune [poteva] liberamente registrare il lascito»⁶¹. Thus, on July 4th, the Municipality of Trieste resolved to accept Mario Morpurgo's will with a provision published two days later by the Civil Affairs Officer of the Allied Military Government of the occupied territories (AMGOT), according to the Belgrade agreement of 9th June 1945⁶².

The collections of art objects, prints, porcelains, paintings, glass, and majolicas were assigned to the respective municipal museums of Trieste, where they would be kept under the name of «Collezione Mario Morpurgo de Nilma», as requested by the Baron. The same thing happened for the library: the books should be included in the Civic Library under the same denomination; only much later they will be transferred to the Civic Museums of History and

⁵⁶ See footnote 54.

⁵⁷ See footnote 54.

⁵⁸ See footnote 49.

⁵⁹ See footnote 49.

⁶⁰ AGCTs, Deliberazioni, 1945, Trieste, 4th July 1945. Report of the municipal deliberations.

⁶¹ ACMSATs, Atti non protocollati, 1945, draft of *Relazione sulle collezioni Mario Morpurgo de Nilma* by Rutteri.

⁶² *Accordo per l'amministrazione provvisoria della Venezia Giulia, 9 giugno 1945*, (http://aestovest.osservatoriobalcini.org/documenti/Accordo_Belgrado_1945_Morgan.pdf, <May, 2018>).

Art⁶³. On July 27th, Director Rutteri could officially declare the Baron's apartment in Via Imbriani as one of the venues of the Civic Museums of History and Art⁶⁴. In the days following the municipal deliberation, as requested by the Allies⁶⁵, the Superintendent Franco sent reports on the Jewish collections Pollitzer and Morpurgo to the Colonel John Bryan Ward-Perkins, Deputy Director of the MFAA Subcommittee⁶⁶.

During his interrogation by the Carinthian Department of the Subcommittee, Frodl provided a detailed list of the Jewish assets of artistic interest confiscated in the OZAK. It was transmitted by Major John Forrest Hayward, official of the section, to the Colonel, specifying the current locations of the artworks⁶⁷. The list is divided into seven parts, each of one referring to specific owners and/or seats. Artworks coming from the Brunner, Luzzato, Jeserum, Morpurgo (Enrico) and Jacchia families are included, as well as the Morpurgo paintings and prints coming respectively from Sant'Andrea di Pasiano and Varda di Sacile⁶⁸. The Carinthian Department of the Subcommittee also later sent photographs of some of the listed objects, including the paintings from Sant'Andrea.

As soon as in possession of the list, Major Norman Thomas Newton, regional officer of the MFAA⁶⁹, checked whether the pieces of information provided by Frodl were correct: were the artworks at the Civic Museums of Trieste⁷⁰? The response from the Superintendent Franco arrived on November 20th⁷¹. According to the comparison carried out by Rutteri as regards Morpurgo's collection, both the artworks coming from Sant'Andrea and then temporarily deposited in Udine, and those coming from Varda and taken over by Opiglia, coincided with Frodl's lists, except for G  r  me's painting, whose research was unsuccessful⁷². On 28th November, Newton thanked Franco for the information; the missing painting of G  r  me was to be considered stolen⁷³.

6. Conclusions

Although probably non-exhaustive, the (mostly unpublished) archival documentation examined here is important not only in order to reconstruct the events regarding Morpurgo's collection since its seizure in October 1943, but also to better understand the role played by the several personalities involved in the affair and their mutual relationships.

⁶³ In 1964 the book collection was finally assigned to the Civic Museums of Trieste, after a review of the holdings made by Sauro Pesante, Director of the Civic Library.

⁶⁴ ACMSATs, Atti non protocollati, 1945, Trieste, 27th July 1945. Letter from Rutteri to Ufficio II-Personale del Municipio.

⁶⁵ ASDSABAPFVG, b. 291, f. *Eredit   Morpurgo*, Trieste 14th July 1945. Report from Franco to Ward-Perkins.

⁶⁶ John Bryan Ward-Perkins (Bromley, 1912 - Cirencester, 1981), British archaeologist, was appointed Deputy Director of the MFAA Subcommittee in Italy in March 1944 (<http://www.monumentsmenfoundation.org/intl/it/the-heroes/the%20monuments-men/ward-perkins-lt.-col.-john-bryan>, <May, 2018>; COCCOLI 2017, p. 41). For the role played by the MFAA Subcommittee in Venezia Giulia, see COCCOLI 2017, pp. 386-390.

⁶⁷ ACS, ACC, HAC, MFAA, coil 153D, frame n. 37.0-38.0, 28th July 1945. Letter from Hayward to Ward-Perkins.

⁶⁸ ASDSABAPFVG, b. 291, f. *Eredit   Morpurgo*, Trieste 14th July 1945. Report from Franco to Ward-Perkins.

⁶⁹ In 1943, the American landscape architect Norman Thomas Newton (Corry, 1898-Cambridge, 1992), was sent to Italy as a member of the MFAA. Until the 10th of August 1945 he was a regional officer for Veneto and Venezia Giulia (<http://www.monumentsmenfoundation.org/intl/it/the-heroes/themonuments-men/newton-lt.-col.-norman>, <May, 2018>; COCCOLI 2017, p. 46).

⁷⁰ ACS, ACC, HAC, MFAA, coil 153D, frame n. 37.0-38.0, 6th August 1945. Letter from Newton to Franco.

⁷¹ *Ivi*, Trieste, 20/11/1945. Letter from Franco to Newton.

⁷² *Ivi*, Trieste, 19th November 1945. Letter from Rutteri to Franco.

⁷³ *Ivi*, 28th November 1945. Letter from Newton to Franco. In the same document there are also references to the Pollitzer collection.

First, it has been possible to highlight the attitudes of the Mayor Pagnini and of the Head of the Province Cocceani: both of them fervent fascists, despite their duties towards the German authorities, they appear to have been fully committed first of all in protecting a collection to which they attributed a high cultural value for the City of Trieste.

Furthermore, we can't forget the work carried out by the Superintendent Franco. During the German occupation, he promptly sought to ensure that the Jewish collections remain in Trieste and, though unsuccessfully, asked the Minister of Education, Biggini, to allow their confiscation in favour of the city's institutions. He also was constantly in contact with local authorities such as Someda de Marco, Sticotti and Rutteri, as well as with Frodl, his German counterpart. The latter, in charge of the protection of monuments in the OZAK, ensured, as far as possible, the preservation of the Jewish collections in the local museums and in some cases apparently complied with the desire of local authorities to avoid the dispersal of the art objects.

Finally, the Director Rutteri played an essential role and to him we owe both the decision of not considering the Baron's apartment and his collections simply as one of the several venues of the Civic Museums of History and Art, and the idea to establish a specific Morpurgo Museum⁷⁴. This choice not only respected the Baron's will, but also assumes a symbolic meaning as it constituted exactly the opposite of what the High Commissioner Rainer would have wanted: to delete the remembrance of the Baron and, in general, of Jewish cultural identity.

Luckily, thanks to the efforts of local institutions and of the people at their heads, this didn't happen.

⁷⁴ For further information on the museum: RESCINITI 1999.



Fig. 1: Photograph of Mario Morpurgo de Nilma, Archivio, Civici Musei di Storia ed Arte, Civico Museo Morpurgo, Trieste, inv. 129/64



Fig. 2: Studio with Japanese prints, Palazzo Morpurgo, Fototeca, Civici Musei di Storia ed Arte, Trieste, inv. 33177



Fig. 3: Jean-Auguste-Dominique Ingres (attributed), *Female portrait*, Palazzo Morpurgo, Fototeca, Civici Musei di Storia ed Arte, Trieste, inv. 33193

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b. 291, f. «Eredità Morpurgo»

ACS, ACC, HAC, MFAA

Archivio Centrale di Stato, Allied Control Commission, Headquarter Allied Commission, Monuments Fine Arts and Archives

bobina 153D, fotogramma n. 37.0-38.0

Bundesdenkmalamt Archiv, Wien, Italien Jüdischer Besitz

ABSTRACT

The article concerns the dispossession of the art collection of the Jewish Baron Mario Morpurgo de Nilma (Trieste, 1867-Pordenone, 1943) who in 1941 named the city of Trieste as the heir of his goods.

With the institution of the *Operational Zone of the Adriatic Littoral* (1943-1945) and in accordance with the Nazi racial laws, the validity of the will was contested and some objects were confiscated from the Baron's residence in Trieste in October 1943. Thus, a complex negotiation evolved between German and local authorities for the preservation of the collection in the town and as a whole.

On the 20th of June 1944, the affair was settled: due to the Mayor Cesare Pagnini and the Prefect Bruno Coceani, the High Commissioner Friedrich Rainer agreed to donate the collection to Trieste, therefore ironically becoming a 'German donation'. Later, the Director of the municipal museums Silvio Rutteri, who obtained the possession of the apartment, which had become the temporary location of other civic collections, drew up an inventory: unfortunately, many of Morpurgo's art objects were missing.

Only after the liberation of Trieste, on 4th July 1945, did the city officially accept the legacy, and in turn the house of Baron Morpurgo became one of the municipal museums.

Il saggio riguarda la spoliazione della collezione d'arte del barone di origine ebraica Mario Morpurgo de Nilma (Trieste, 1867-Pordenone, 1943) che nel 1941 accettò di donare i propri beni a Trieste.

Con l'istituzione della *Zona d'Operazioni Litorale Adriatico* (1943-1945) e in base alle leggi razziali tedesche, la validità del testamento fu messa in discussione e numerosi oggetti vennero asportati dall'abitazione triestina del barone, sequestrata dall'ottobre 1943. Iniziò così un complesso contenzioso tra autorità locali e naziste, per mantenere la collezione in città e garantirne l'unità.

Il 20 giugno 1944 la vicenda pareva conclusa: grazie all'insistenza del podestà Cesare Pagnini e del prefetto Bruno Coceani, il Supremo Commissario Friedrich Rainer accettò di donare la collezione a Trieste, facendo sì che l'eredità diventasse ironicamente una 'donazione tedesca'. In seguito, il direttore dei Civici Musei Silvio Rutteri, ottenuta la custodia della residenza di Morpurgo, sede provvisoria di altre raccolte civiche, stilò l'inventario dei beni di nuova acquisizione: purtroppo risultarono mancanti diversi oggetti d'arte.

Solo il 4 luglio 1945, dopo la liberazione, il Comune accettò formalmente l'eredità e la residenza diventò una delle numerose sedi dei Civici Musei di Trieste.

THE DISSOLUTION OF A JEWISH COLLECTION: THE PINCHERLE FAMILY IN TRIESTE

My research tries to reconstruct the fate of the Pincherle's family, a Jewish family living in Trieste, during the National Socialist domination of the Friuli Venezia Giulia region in the so-called *Operationszone Adriatisches Küstenland*, between 1943 and 1945.

The Germans came into the city in September 1943 and they immediately ordered the seizure of all Jewish properties, following a fixed procedure that had already been adopted in the Reich. This deeply affected also the Pincherle family: the two brothers Bruno (1903-1968), a doctor and an active anti-fascist, and Gino Pincherle (1905-1983), a lawyer, endured the seizure of their immovable properties, movable goods and bank accounts.

After the armistice in September 1943, the region came under the dominion of the Germans, who called it *Operationszone Adriatisches Küstenland*, the Adriatic Coast Area Operations Zone, referred to using the acronym OZAK¹. It included the areas of Trieste, Udine, Gorizia, Pola, Rijeka (called Fiume at the time) and Ljubljana. Adolf Hitler decided to control the area through a Supreme Commissioner, Friedrich Rainer (1903-1947), who had previously been the *Gauleiter* of the Austrian region of Carinthia². Odilo Globočnik (1904-1945) was designated as the *Höherer SS- und Polizei-Führer*. Born in Trieste, Globočnik had worked with Rainer in Carinthia before working for a short period as *Gauleiter* in Vienna. He was involved in the *Aktion Reinhardt*, the organization responsible for the extermination of the Jews in the Polish cities of Warsaw, Lublin, Krakow and Lvov³.

In the OZAK the National Socialists had the support of the *Slowenischer Landschutz*, the Slovenian collaborating military force. Friedrich Rainer created this force in December 1943 with the primary purpose of maintaining order in the OZAK. The members of these military forces were also commonly known as *Domobranzi*, because they were part of the *Slovensko Domobranstvo*. The commander was the colonel Anton Kokalj (1892-1945)⁴, a relevant figure for my case study because Pincherle's villa became his office/house during the occupation.

The Germans also ordered the replacement of Italian political and administrative staff with people that were loyal to the Reich: for example, the fascist Bruno Coceani (1893-1978) was nominated as prefect, while another fascist, Cesare Pagnini (1899-1989), played the role of mayor (*podestà*)⁵.

The occupiers began a process of self-legitimation and persuasion through the press: in fact, they took control of «Il Piccolo», the most important newspaper in the region at that time. Moreover, they created their own newspaper, the «Deutsche Adria Zeitung»: It was published from the 14th of January 1944 until the end of the conflict. It was written in German and its main goal – as recalled by the prefect Bruno Coceani after the war – was to underline the cultural differences between the population in the region and the rest of Italy, with the aim of arousing a sort of attachment to the German culture and to the Reich⁶.

¹ In the same period the Nazis also occupied a western region of northern Italy, which was called *Operationszone Alpenvorland*, also known as OZAV. It included the provinces of Trento, Bolzano and Belluno. Its Supreme Commissioner was Franz Hofer, who had already been the *Gauleiter* of Tirol. DI GIUSTO 2005, pp. 57-61, 173.

² *Ivi*, p. 61.

³ LIUZZI 2014, pp. 73-77.

⁴ COLJA 1994, pp. 124-126.

⁵ MOEHRLE 2014, pp. 314-329.

⁶ COCEANI 2010, p. 67. «Venne ad aggravare il disagio della Prefettura la pubblicazione di un quotidiano tedesco [...] diffuso in tutto il Litorale Adriatico, stampato su quattro pagine, con un ricco notiziario e servito da valenti collaboratori le cui intenzioni si fecero in ogni numero più manifeste: creare un clima favorevole al distacco spirituale della Venezia Giulia dall'Italia cercando di suscitare nella popolazione una nostalgia per l'Austria, ma esse non raggiunsero nessun risultato».

The Pincherle family had been living in the region since the XVII century. Bruno and Gino's father, Emilio Pincherle (1876-1930), was a lawyer and was probably of Ashkenazi origin. This might explain the possible origin of the surname: 'Pincherle' could have been the equivalent term, in Yiddish, of the German word *Hausierer*, the Jewish peddler who carried his merchandise on his shoulders. The mother, Irene Farchi (1882-1946), was probably of Sephardi origin and her family arrived in Trieste during the XIX century from Turkey.

The family was involved in the assimilation process of Jewish communities during the XIX century: it was a liberal family, and this could have influenced the political ideas of the two brothers, which became especially evident after the war. In Trieste, Bruno (1903-1968) and Gino (1905-1983) spent their first years in tranquility, along with their sister Alice, leading a comfortable life in a villa that was built in the XIX century on Via Giulia n. 55. Bruno's interest in books also began here: he often visited the antiquarian bookshop in Via San Nicolò, where the writer Umberto Saba also worked. Bruno studied Stendhal extensively, writing essays about him and collecting many of his texts. The family decided to retire to Rome during the First World War. In Rome the father Emilio had to begin his career as a lawyer anew; however, the contacts and friendships established in this period would be invaluable a few years later, during the escape of the family from Trieste in the Second World War⁷.

Bruno Pincherle studied medicine in Florence, where he encountered anti-fascist groups, and where he started his anti-fascist underground resistance. In fact, Bruno became an important clandestine distributor of the magazine «Non Mollare», published since 1925 and founded by Gaetano Salvemini. He also supported the anti-fascist movement in Trieste, where he contributed to the foundation of the «Unione goliardica per la libertà»⁸. He then studied in Genova and Vienna. In 1931, he returned to Trieste, where he worked in the children's hospital until 1938, when he was excluded from the medical register. Because of his anti-fascist activities, he was arrested along with Gino in 1940 and taken to the prison of Sforzacosta, in the city of Macerata, and was released a few months later. The brothers returned to Trieste, where Bruno met Chino Alzetta (1908-2005), another active anti-fascist, whose friendship would be fundamental when the Germans arrived in the city. Indeed, the day before their arrival Gino Pincherle asked Chino to safeguard their villa and left him the keys. After that, the brothers left and flew to Rome, where they remained until the end of the war, in May 1945. Chino Alzetta decided to try to salvage some of the goods that were inside the house, especially the artistic ones. He described the episode in his biography *1944. Cronaca di una tortura*: he called a friend, the carrier Allegretto, asking him to carry some of the artistic goods - especially from the rich library - from the villa to his warehouse in Via Manzoni:

Alla vigilia dell'8 settembre [...] venne a salutarmi Gino Pincherle. Si allontanava da Trieste, con tutti i suoi, presago del disastro imminente e mi consegnò le chiavi della sua casa [...]. Arrivati i tedeschi, esse pesarono sulla mia coscienza più di quelle di Pietro sulla testa del Papa. Che cosa dovevo farne? [...] Conoscevo lo spedizioniere Allegretto, fedele repubblicano, e gli proposi il rischio di un trasporto di roba dei Pincherle dalla loro casa di via Giulia al mio magazzino di via Manzoni. Accettò ben volentieri e si convenne sul mezzo e sull'ora. [...] Con un mio carretto a mano giunsero le casse grandi e piccole per riporvi gli oggetti. [...] Nel primo pomeriggio arrivò il carro. [...] Una faticaccia le due casseforti: fatica spazio e tempo per metà spesi inutilmente: una delle due poi risultò vuota⁹.

⁷ COEN 1995, pp. 3-11.

⁸ It was an anti-fascist clandestine group of university students; among them there were also Gino Pincherle, Amos Chiabov, Tullio Puecher.

⁹ ALZETTA 1996, pp. 58-60.

Bruno and Gino found hospitality in Rome with their common friend Ermanno Bartellini. Bruno continued his clandestine activity writing some anti-fascist texts using the pseudonym Bruno Poerio; he lived in Via Cola di Rienzo n. 28 until the family could return to Trieste, in May 1945. After the war, he stayed for some years in an apartment in Via XX Settembre n. 82. In the 1960s he moved to a house in Via Daurant n. 20. Here he recollected his library, which was mostly filled after the Second World War, also because the Germans had plundered the first nucleus of books. His library was a rich collection of books about Stendhal, and it had rare specimens of *incunabula*, sixteenth-century books and manuscripts of the XVII century¹⁰.

The mechanism of the dispossession of Jewish goods adopted by the Germans in the *Operationszone Adriatisches Küstenland* was simplified by the presence of an organization, which had been created in the city of Trieste during fascism, the so-called «Center for the Study of the Jewish Problem». It was established in June 1942 with centers in Ancona, Milan and Florence. The leader of the center in Trieste was Ettore Martinoli (1895-1958), a member of the Fascist Movement since 1919. In August 1942, he was allowed to do some research in the registry offices in order to list Jewish citizens. The list was filled until July 1943 and the German forces used it some months later¹¹. Moreover, there was a specific branch of the German administration that dealt with the dispossession of Jewish goods, the «Financial Section», led by Franz Zojer.

In order to understand how the mechanism of dispossession worked, it is interesting to read the «Moc Report», a document written in February 1945 by the Nazi Friedrich Moc and sent to Franz Zojer of the Financial Section: it was a summary of the seizure activities and rules followed by the Germans in the Alpe Adria region. The dispossessions were made legal with Rainer's order in October 1943. After having found a Jewish property, it was necessary to fill out the *Beschlagnahmebescheid*, a document necessary to declare the sequestration¹². Every Jewish victim had his own file with the abbreviation «Ju» and a number: in the Pincherle family's case, it was «Ju-86»¹³. After the *Beschlagnahmebescheid* was signed, the activity of the «Financial Section» could start. There could be different types of seized objects: immovable properties, movable goods and bank accounts. The first ones had to be evaluated, assigned to a local expert for their administration and reassigned for new usages, for example for the army. After the inventory, the movable goods found inside the buildings – they could be not just furniture, but also clothes, jewelry, art objects and libraries – had to be plundered, evaluated according to an expert and after that sold or stored before being transported elsewhere, for example through the local port or to the Synagogue¹⁴.

The German authorities also created a company in order to give it an appearance of legality: «Adria», a commercial company established by the Supreme Commissioner Rainer at the end of 1943 and closed on the 1st of May 1945. Its main task was the liquidation of the Jewish companies. «Adria» also had frequent contacts with the Austrian auctions house *Dorotheum*, especially the one in Klagenfurt. Therefore, it is highly probable that many artistic works from Jewish properties were re-sold through its auctions and dispersed¹⁵. Erminia

¹⁰ COEN 1995, pp. 38-86.

¹¹ STAUDENMAIER 2017, pp. 1-23.

¹² The original «Moc Report» is preserved in the Bundesarchiv in Berlin (R83 *Adriatisches Küstenland*, bd. 1) and is fully reported in Italian in *RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM]* 2001, pp. 108-111.

¹³ The Report refers that until February 1945 there were more or less 1420 cases of Jewish seizures, as the number arrived up to «Ju-1420».

¹⁴ See footnote 12.

¹⁵ WALZL 1991, pp. 276-279. Information about the relations between the Adria Society and the auctions house Dorotheum are testified to by a report written by the Dorotheum's responsible to the Property Control Office of the British Military Government of Carinthia on the 30th June 1945. It is written that in June 1944, a part of the

Schellander gave a relevant testimony regarding this at the end of 1945, during her lawsuit. She was of German origin and was the fiduciary liquidator and administrator working for the Supreme Commissioner, declaring that she was responsible for the liquidation of fifteen Jewish companies. Moreover, she was a witness of the administrative methods used by Rainer for the liquidations: after having received the keys of the Jewish activities, she had to list an inventory and estimate of the goods involved. After that, she had to sell them through private agreements or through the Adria Society¹⁶.

The seizure procedure that involved my case study follows the «Moc Report». I found most of the documents concerning the Pincherle family's dispossession in the State Archive in Trieste, and they permitted a minute reconstruction of the episode. The file is divided into two different envelopes: they both have the number «Ju-86» stamped on them. The first one has Bruno's name and it is the most complete, whereas the second one is registered with Gino's name and contains mostly documents about the seizure of the bank accounts.

The seizure of their goods officially began on the 28th of October 1943 with the *Beschlagnahmebescheid*, the seizure notice, in which it was declared that the villa on Via Giulia n. 55, belonging to Bruno Pincherle, Gino Pincherle and Irene Farchi, was to be plundered. With this document, the «Financial Section» had the right to start plundering the items.

The first step consisted of seizing the immovable goods. The procedure was exemplified by the «Moc Report» and thoroughly followed in Pincherle's case. First of all, the German authorities asked the Land Registry Office («Ufficio Tavolare») for an abstract of the land title. Actually, the Pincherle family owned not only the villa in via Giulia, but also other properties in Trieste, for example in Via delle Mura and in Via Bramante. The Germans then nominated an administrator, in this case Vittorio de Puppi, whose office was in Via Carducci n. 27.

The following passage was the inventory of the goods inside the villa. In my case, more than one inventory was written: the first one is in German, whereas the second one is both in German and Italian. The goods were divided according to the different rooms in which they were found and thanks to that, it is possible to reconstruct the plan of the villa, which was demolished in the 1960s.

After the inventory, all the objects found had to be evaluated by a local expert chosen by the Germans. In my case study, the estimation was given to Marcello Spagnul, an estimating expert whose office was on Via Palestrina n. 2 in Trieste. Every object was listed and valued in Italian Lire, with a total sum of 90.120 Lire.

One interesting document is a ticket issued by the transport company «Rodolfo Exner» of Trieste. It testifies to the displacement of some objects from the Villa Pincherle to Via Besenghi n. 33. Another handwritten slip of paper presents the list of these objects, which were divided into different packages and boxes. It concerns for example women's dresses and some paintings (just reported as «Ölgemälde» and «Bilder»). Unfortunately, it has not been discovered who lived in the house in Via Besenghi, with one reason for this being the building was demolished after the war.

The villa was then given to the *Slowenischer Landschutz*, the military collaborationist Slovenian force. It was probably used as an office or as a house by Anton Kokalj, who was the commander, and by two other captains, Mirko Černe and Franz Dolinšek. This is confirmed

objects seized in Trieste and stored at the port should be auctioned and it was necessary to make arrangements with the Adria Society. The document is translated into Italian in the appendix n. 3, in WALZL.

¹⁶ «Sulla procedura di liquidazione l'imputata forniva i seguenti chiarimenti. Dopo avere ordinato il sequestro di una determinata ditta ebraica, il Supremo Commissario faceva consegnare ad essa Schellander le chiavi dei rispettivi locali d'affari con l'ordine di procedere all'assunzione dell'inventario ed alla stima delle merci esistenti, col concorso di esperti. Successivamente essa provvedeva alla vendita dei beni inventariati, a trattative private, sempre però verso approvazione da parte del Commissario Supremo. In altri casi le vendite furono effettuate dalla Società «Adria» costituita a questo scopo specifico», A.I.R., b. XXI/790.

by a document found in the Archivio Generale del Comune in Trieste¹⁷ (Fig. 1), the *Slowenischer Landschutz*, kept some pieces of the furniture that were already in the house. In fact, one of the inventories is a list of goods and furniture sold to the *Slowenischer Landschutz*. They are practical objects like tables, chairs and beds. There is also the payment receipt for the furniture, for a total amount of 98.000 Lire. In other documents found in the Archivio Generale del Comune there is the declaration that the occupation of the villa by «three officers of the German armed forces» followed the order given by the Supreme Commissioner Friedrich Rainer to the Podestà. This order declared that hotels, restaurants and other service places should be re-purposed for use by military forces. Moreover, a technical expert, the engineer Ernesto Mosetti, established that the villa extended for 90 square meters in its ground floor, 74 square meters in its first floor and 90 square meters in its cellar. The monthly rent was 734 Lire¹⁸.

The artistic collection of the Pincherle family that was in the villa in via Giulia was another case of seizure made by the Germans. The first document that declares the confiscation of some paintings is found at the end of one of the inventories written both in Italian and in German; this final sheet presents a list of five paintings which were kept in the Synagogue of the city (Aus den [sic] Judentempel). As a matter of fact, during the biennium 1943-1945 the Synagogue was used by the Germans as a storehouse mostly for the confiscated books, but also for paintings. The objects would later have been selected in order to be transferred elsewhere in the Reich or to be destroyed. The paintings are here briefly described both in German and Italian with a title, period and evaluation in Lire. They are mostly from the XVI and XVII centuries and they seem to come from different art schools («holländischer Meister», «venezianische Schule», «neapolitanische Schule», «alte französische Schule»).

The list does not have any date or signature of the person who evaluated it, but a clue comes from the list of goods given to the *Slowenischer Landschutz*, which presents the same list of five paintings, only in German (Fig. 2). This copy is interesting because it also presents a handwritten sentence: it seems that these five paintings were given to the *Gauleiter* of Carinthia Hugo Jury on the 30th June 1944 through the Adria Society. Moreover, the sum of these five paintings is 23.500 Lire, but the total was corrected to 111.470 Lire, so it could be that these paintings were actually a part of a bigger delivery. In this list, there is also the name of the estimator, Umberto Michelazzi (1887-1946), holder of the Galleria Michelazzi, an antique gallery in via S. Nicolò n. 31 in Trieste.

Michelazzi's evaluation is confirmed by the expert opinion he wrote on other thirteen between paintings and sculptures that were found in the villa Pincherle (Fig. 3). This evaluation is more detailed, because it also gives the names of some painters. For example, the Venetians Antonio Zanchi, with his *Torture of Tantalum*, and Giovanni Battista Pittoni, with *Christ's Birth* and *The Transit of Saint Joseph*. A *Venus* is also recorded *Venus*, which was considered by Michelazzi to be a copy from Giorgione, Titian's master. At the end there are three wooden sculptures, including two busts of saints. The total value of these works of art is 58.500 Lire.

The Pincherle family was also victim of the seizure of their library, which was evaluated by Ottone Lantieri (1890-1983), the owner of the «Libreria Antiquaria Peterlin» in Trieste. In

¹⁷ The Archivio Generale del Comune of Trieste preserves the city historical documents from 1776 to nowadays, concerning city issues such as police, contracts, commerce.

¹⁸ «Vista l'ordinanza del Supremo Commissario [...] viene dato incarico ai Podestà dei comuni di stabilire, d'accordo col locatore, la rifusione globale per l'occupazione di interi alberghi, pensioni, ristoranti, locali di servizio e di soggiorno [...] vista la domanda presentata da Vittorio de Puppi per la pigione della villa n. 55 di via Giulia occupata da tre ufficiali delle F.F.A.A. Germaniche, visto il parere del sottoscritto tecnico, ing. Dott. Ernesto Mosetti, il quale precisa che trattasi di tutta la villa e precisamente 90 mq di superficie utile al pianoterra, 74 mq al 1° piano e 90 mq in cantina e propone che al locatore venga liquidato un compenso di Lire 734- mensile [...]».

the document found in the State Archive in Trieste, Mr. Lantieri declared that he had evaluated the library with a total value of 24.000 Lire (Fig. 4). What is interesting is that he evaluated not only books, but also engravings and prints with their frames. In fact, the Pincherle family also had some engravings by Rembrandt and Dürer, as would be testified by Gino Pincherle after the war in a document analyzed later. In a handwritten text on the back of the paper, an analysis of the collection by Walter Frodl (1908-1994) is also requested. Frodl was the director of the museum in Klagenfurt and he was nominated by the Germans in the OZAK to safeguard the artistic collections. In fact, he was responsible, together with his assistant Erika Grokenberger-Hanfstaengl, for the so-called «Verwertung», i.e. the re-use and exploitation of Jewish art objects¹⁹.

The type of paintings in the Pincherle collection, with painters from the XIV until the XVI century from different schools, together with the fact that the family had some prints by Dürer and Rembrandt, indicates that this family had probably been interested in art collecting for many generations. Because of this, a comparison with the case of the Pollitzer family, who also lived in Trieste and collected paintings and sculptures, is apt. As far as the Pollitzer collection is concerned, important information is given in an article written in 1931 by Giulio Cesari (1869-1943), a journalist from Trieste, *La collezione d'arte di Alfredo Pollitzer: un museo ignorato*. In addition to paintings, the journalist also refers to antique wooden objects, music instruments and porcelain vases. It is just one of the examples of families in Trieste that enriched their personal collections during the XIX century, also with acquisitions made possible by some expositions organized by the Società di Minerva and the Società triestina di Belle Arti²⁰.

Thanks to the documents found in the Archiv of the Bundesdenkmalamt in Vienna it has been possible to try to reconstruct what happened to the Pincherle collection after the Second World War. The victims of the National Socialist persecution in the *Operationszone Adriatisches Küstenland* found support in the Allied Military Government, which helped them to denounce the exploitations and to find their seized objects. It was for these purposes that a specific commission was created, the *Commissione per la restituzione dei beni mobili confiscati ad ebrei dalle autorità germaniche di occupazione*. Gino Pincherle presented to the Italian Ministry of the Interior a list of looted artistic goods in December 1948. The document was translated into German and presented to the «Chef des Landeszentralbüros der C.I.P.C., Generaldirektion für die öffentliche Sicherheit, Bundesministerium für Inneres». It is reported that the works of art were probably sent to Germany and it is supposed that some of them could have been sold through the auction house *Dorotheum* in Klagenfurt. Together with the petition, Gino Pincherle also presented two attachments. The first one is the list of five paintings taken to the Synagogue and given to the *Gauleiter* of Carinthia Hugo Jury. The second one is interesting because it consists of the list of artistic objects seized from his family and written by Gino himself (Fig. 5). For this reason the list is richer in details than the evaluations made by Umberto Michelazzi; the works of art are reported with title, technique, painter, size and type of frame. Among them are the paintings that had also been estimated by Umberto Michelazzi: for example, the painting by Antonio Zanchi, the two canvases by Giovanni Battista Pittoni (even if it is supposedly attributed to Marco Ricci), a *Resurrection* by Jacopo Palma the Younger and the *Venus*, reported by Gino as an antique copy after Titian. At the end of the list four engravings are reported: three of them by Rembrandt (*Adam and Eve*, *Christus drives out the merchants from the temple* and *Lazarus*) and one by Albrecht Dürer, the *St. Jerome in prison*. The presence of these engravings was only mentioned in the evaluation made by Ottone Lantieri for the Pincherle family's library.

¹⁹ WEDEKIND 2012, pp. 155-156.

²⁰ LEVI 1985, pp. 235-236, 245, 259.

A copy of the petition was also sent to Walter Frodl, who was nominated State Conservator for Styria after the war. His involvement in the seizure was presumed because of his position during the war in the OZAK. Frodl answered, however, that he did not remember the Pincherle episode and also noted that he always did what he could to stop the plunderings made by the Germans in Trieste.

In 1954, Gino Pincherle wrote to the «Comitato per il ricupero di beni ebraici», the committee responsible for the object recovery belonging to Jewish families, whose center was the Jewish community in Trieste. As he declared in the request, written on the 24th August 1954, he answered to an invitation addressed through the local press to list the plundered goods. Gino listed many objects that were seized in the villa on Via Giulia n. 55. They are kitchen objects, like silver serving dishes – some of them with the initials E.P., Emilio Pincherle –, cutlery and candlesticks. At the end of the list, he named a pure diamond that was part of an earring. He had one of the two earrings and had the intention to do a comparison.

On the 6th December 1957 Gino Pincherle declared to the *Commissione per la restituzione dei beni confiscati agli ebrei* that the objects listed on the document above were left by him, Bruno and Alice in the house on Via Giulia n. 55 shortly before the 8th of September 1943. He was not sure whether the objects were plundered by German troops or by the *Domobranzi*, who occupied the villa during the biennium. He knew that some of the seized objects were of ancient manufactory and that the three brothers would be able to recognize them²¹. For this reason, the Commission admitted the Pincherles to the inspection on the 6th February 1958. The Pincherle family was allowed to compare the diamonds; however, they did not match. In the notes, he wrote that the diamond he saw could be the twin of the one he had and he exposed the story of these pieces of jewelry. The two earrings had belonged to their grandmother Elisa Michlstaedter-Pincherle, who decided to leave them to her two sons, Emilio and Giuseppe. Giuseppe was deported in 1944 and died shortly afterwards. While Giuseppe's earring was plundered, Emilio's was in his sons' hands.

Despite the petition by Gino Pincherle, all the works of art seized from the Pincherle during the *Operationszone Adriatisches Küstenland* are still missing. After the war, it was supposed that they were given to Hugo Jury or sold by the Austrian auctions house «Dorotheum». They were listed in 1995 in the Italian catalogue *L'opera da ritrovare* and a black and white photograph of the painting with the *Venus* is also presented, which is considered to be a copy by Titian²².

²¹ «Gli oggetti indicati nella mia lettera 24 agosto 1954 [...] erano stati lasciati nella nostra abitazione di via Giulia 55 poco prima dell'8 settembre 1943 a seguito di nostra precipitosa fuga per sottrarci ai ben noti pericoli di persecuzione. Ignoro se gli oggetti predetti furono sottratti dalle truppe tedesche oppure dai “domobranzi” che occuparono successivamente la nostra abitazione, lasciata dai tedeschi stessi, per farne sede del loro comando. Degli oggetti elencati nella lettera di cui sopra, posso dire che quelli dal n. 5 al n. 16 erano di fattura antica».

²² *L'OPERA DA RITROVARE* 1995.

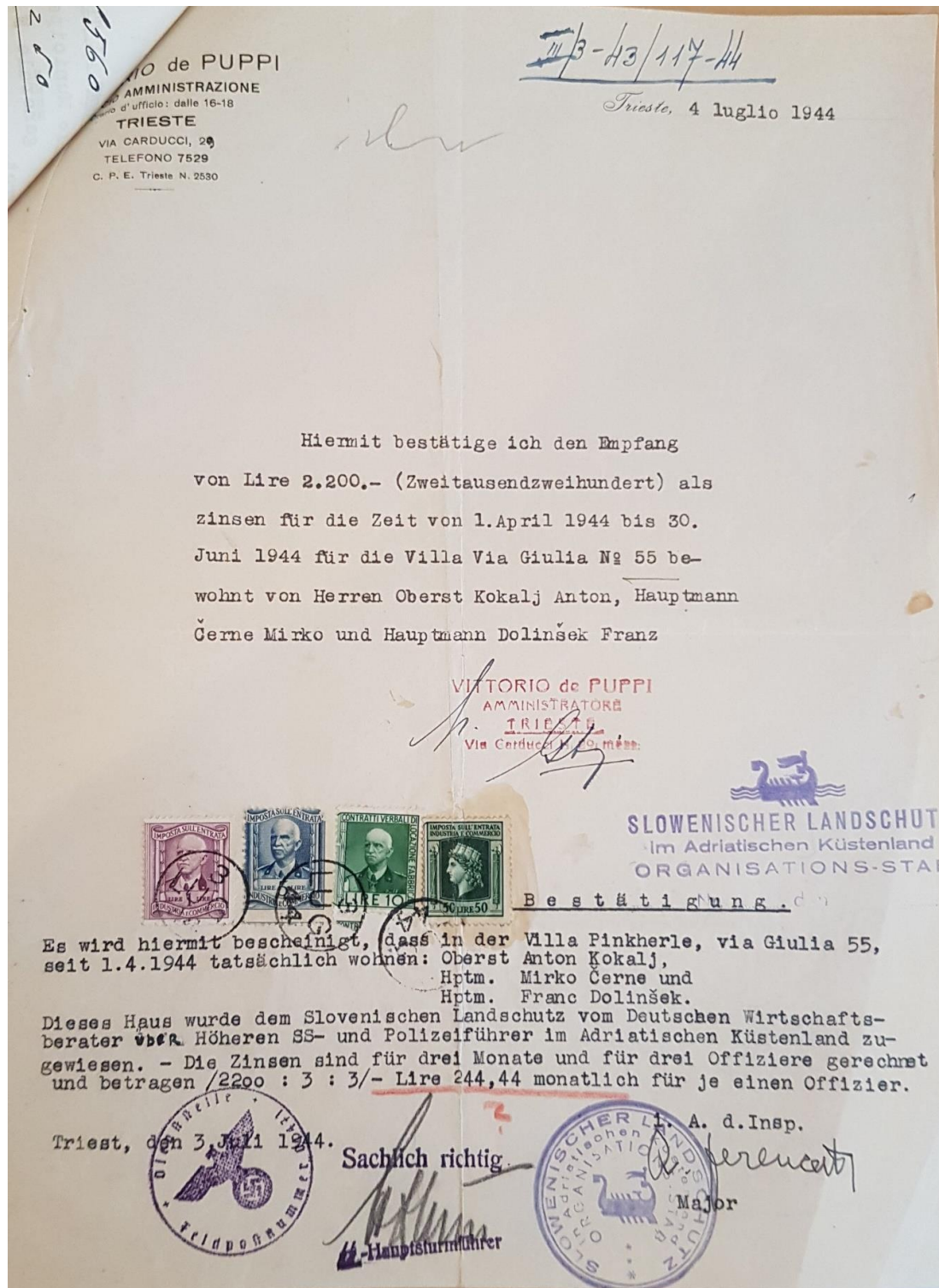


Fig. 1: Declaration that villa Pincherle in via Giulia n. 55 was assigned to the *Slovenischer Landschutz*. AGCTs, Servizi Demografici Ufficio III – Anagrafe e Razza – Reparto III – Prot. 1945, 43/117-44

*Vergleichsliste der mit Vertrag vom 30.6.1944 aus
Athen verkauften Bilder (für Gauleiter Jury.)* (3)
Blatt 3
Prinzhorn
87.970,-

Aus den Judentempel.

Übertrag

1	Stilleben alt Öl mit alten Rahmen unbekannter holländischer Meister	Lire	6000.-
1	Ölbild "Lukretia Borgia" venezianische Schule 15.-16. Jhdt mit Rahmen		6000.-
1	Akt Corencho Kopie venezianische Schule 16. Jhdt mit Rahmen		1000.-
1	Würfelspieler neapolitanische Schule 14.-16. Jhdt mit Rahmen		10000.-
1	Gesellschaftsbild von Torbin vermutlich alte franz. Schule 16. Jhdt. mit Rahmen		500.-
	Schätzmeister Mechelazzi		23.500
			<u>111.470.-</u>

Jury

Fig. 2: List of five paintings that were stored in the Synagogue of Trieste and then probably given to the Gauleiter of Carinthia Hugo Jury. ASTs, CATs, serie *Commissione per la restituzione dei beni mobili confiscati ad ebrei dalle autorità germaniche di occupazione*, Busta 327 (Fasc. 4)

UMBERTO MICHELAZZI TRIESTE VIA S. NICOLÒ N° 21		(2)
Am. Finanzer Abteilung (Palazzo della Giustizia)		
<u>PERIZIA</u>		
di dipinti antichi trovantisi nell'abitazione del sigg. Pincherle via Giulia 55 - Citta-		
1	Dipinto ad olio su tela "Supplizio di Tantalò" del pittore Antonio Zanchi	20.000
2	Dipinto ad olio su tela "La nascita di Gesù" di G.B. Pittoni	2.500
3)	Dipinto ad olio su tela "La morte di S. Giuseppe" di G.B. Pittoni	2.500
4)	Dipinto ad olio su tela "La morte di Lucrezia" scuola bolognese del 1600	10.000
5)	Dipinto ad olio su tela "Resurrezione" pittura ve- neziana del secolo XVI	15.000
6)	Dipinto ad olio su rame sec. XVII	800
7)	" " " " " " "	800.-
8)	Dipinto ad olio su tela "Venere" copia del Gior- gione	3.000
9)	Dipinto ad olio su tela "Dama" del 1700	1.500
10)	Dipinto ad olio su tavola "Deposizione" sec. XVIII	1.000
11)	Scultura legno dorato del sec. XVII	800
12)	Busto di santo in legno scolpito dorato	300
13)	" " " " " " "	300
<i>Umberto Michelazzi</i> L.		58.500.-

Fig. 3: Survey by the expert Umberto Michelazzi on some ancient paintings from the Pincherle's collection. ASTs, CATs, serie *Commissione per la restituzione dei beni mobili confiscati ad ebrei dalle autorità germaniche di occupazione*, Busta 327 (Fasc. 4)

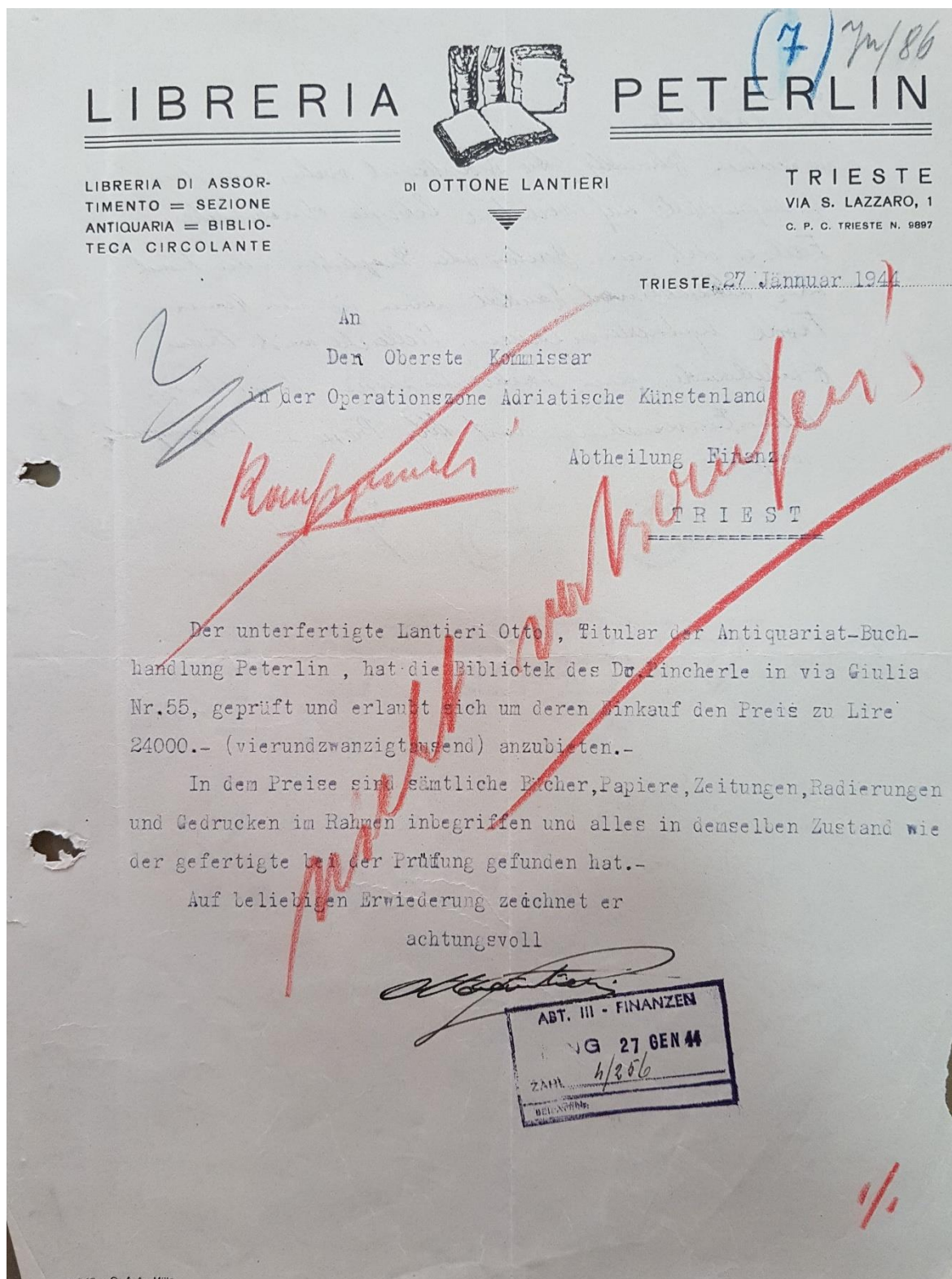


Fig. 4: Survey of Pincherle's library by the expert Ottone Lantieri. ASTs, CATs, serie *Commissione per la restituzione dei beni mobili confiscati ad ebrei dalle autorità germaniche di occupazione*, Busta 327 (Fasc. 4)

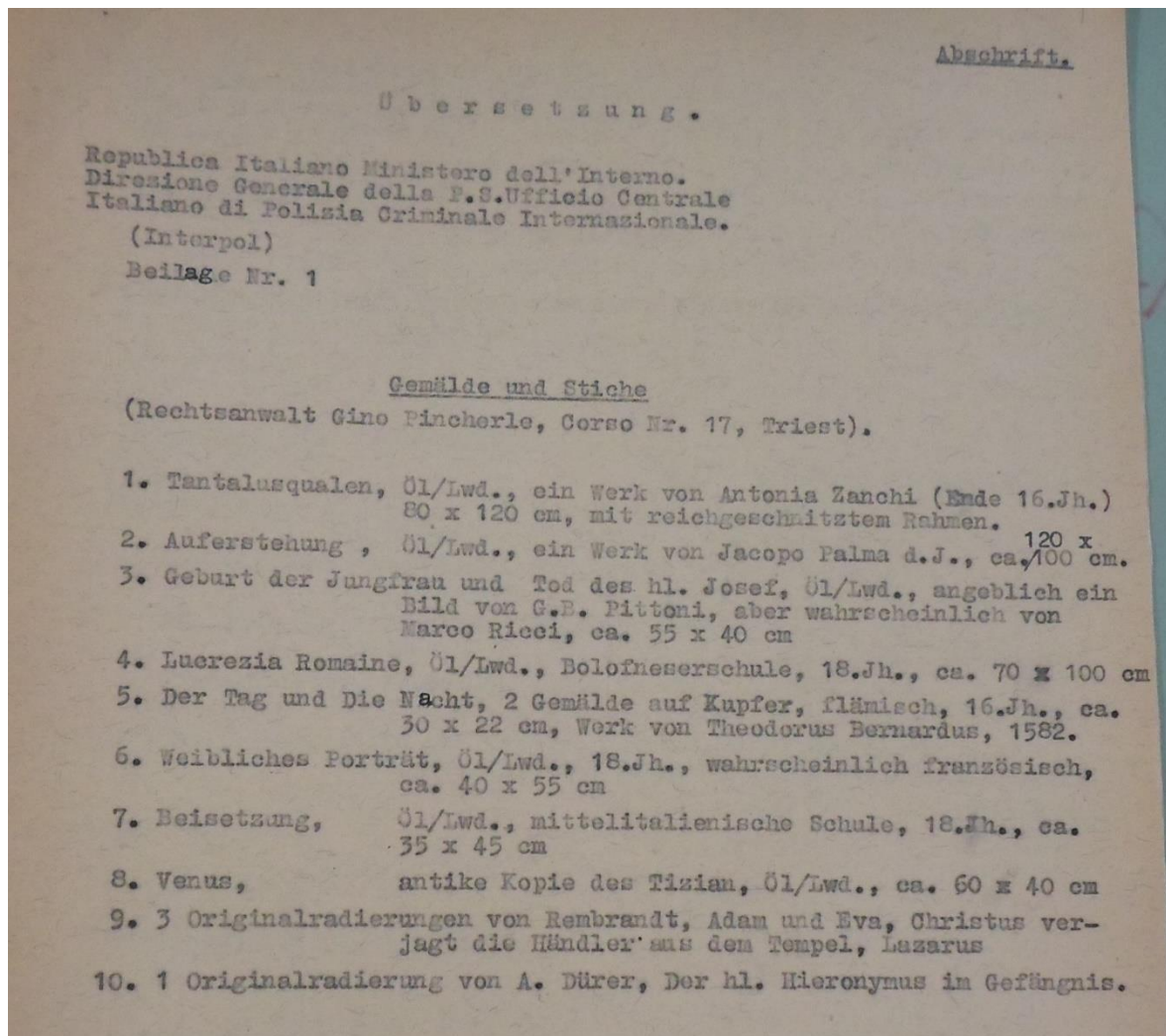


Fig. 5: List of looted works of art submitted by Gino Pincherle after the war. BDA, K 42/2

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Busta 327 (Fasc. 4) e 328, 329

AGCTs

Archivio Generale del Comune di Trieste

Servizi Demografici Ufficio III – Anagrafe e Razza – Reparto III – Prot. 1945, 43/117-44

BDA

Bundesdenkmalamt Wien

K 42/2

IRSML, AIR

Istituto Regionale per la Storia del Movimento di Liberazione del Friuli Venezia Giulia,
Archivio Istituto Regionale
b. XXI

ABSTRACT

When Triest was occupied in October 1943 and became part of the *Operationszone Adriatisches Küstenland*, the Jewish brothers Bruno, a doctor, and Gino Pincherle, a lawyer, had already fled to Rome. They had abandoned their house in Via Giulia n. 55, where they had a collection of paintings and a library. The Germans plundered their house and confiscated the goods, charging some local experts to inventory both the furniture and the artistic objects. The *Slowenischer Landschutz* at once used the villa as an office. What happened to the works of art? Documents found in the Archivio di Stato and in the Archivio Generale del Comune in Triest allow us to reconstruct the Pincherle family's case for the first time. Some paintings were probably given to an Austrian *Gauleiter*, Hugo Jury, who was interested in art. Other works could have been transported to the auction house *Dorotheum* in Klagenfurt, as happened in other known cases. Today, the fate of the collection remains unknown.

Quando Trieste fu occupata nell'ottobre 1943, divenendo parte dell'*Operationszone Adriatisches Küstenland*, i fratelli ebrei Bruno, medico, e Gino Pincherle, avvocato, erano già scappati e si erano rifugiati a Roma. Avevano abbandonato la loro villa in via Giulia 55, dove possedevano una collezione di dipinti e una biblioteca. I tedeschi saccheggiarono la loro casa e confiscarono i beni, incaricando alcuni esperti locali di inventariare sia l'arredo che gli oggetti artistici. L'abitazione fu poi utilizzata come ufficio dallo *Slowenischer Landschutz*. Cosa accadde alle opere d'arte? Documenti trovati presso l'Archivio di Stato e l'Archivio Generale del Comune di Trieste ci permettono di ricostruire il caso Pincherle per la prima volta. Alcuni dipinti furono probabilmente ceduti a un *Gauleiter* austriaco interessato all'arte, Hugo Jury. Altre opere potrebbero essere state trasportate alla casa d'aste Dorotheum di Klagenfurt, come accaduto anche in altri casi. Al giorno d'oggi il destino della collezione resta sconosciuto.

**«THE CHAIR WITH THE GREEN BACK AND YELLOW FLOWERS».
FURNITURE AND OTHER PROPERTY BELONGING TO JEWISH FAMILIES IN
TRIESTE DURING SECOND WORLD WAR: THE FRIGESSI AFFAIR**

Dopo la guerra
l'anima triste
le membra dolenti
ritorniamo a Trieste
adolescenti
[...]
Inviati in missione
(familiare)
adolescenti per cercare
nella città morente
palazzi all'alba

ancora coperti da borchie verdi
mobili, armadi e sedie, specchi,
tavoli, poltrone e libri
la residenza dei vivi

Nulla era più sacro
degli arredi di casa
ove si esprimeva la vita
degli esili inconsapevoli
[...]
Figli diciottenni,
scampati alla morte,
dietro alle porte
a occhieggiare
nelle altrui dimore
le memorie

Si chiedeva con voce
sommessa: avete la sedia
con lo schienale verde
e i fiori gialli
e rosa?¹

This poem, *Missione a Trieste* (*Mission to Trieste*), comes from the poetry collection *Un cielo senza porte* (*A sky without doors*), written by Adolfo Frigessi and published in 2002. After the war, a group of Jewish teenagers went back to Trieste to look for some pieces of furniture that had belonged to their families, searching for their identity. They peeped into the doors of the

I'm grateful to Anna Millo for her kind suggestions, and to the Riunione Adriatica di Sicurtà (RAS) archive in Trieste and the Intesa San Paolo archive in Milan for their helpfulness.

¹ FRIGESSI 2002, pp. 11-12: «After the war / the sad soul / the painful limbs / we go back to Trieste / teenagers / [...] Sent on a (familiar) mission / teenagers to look for / in the dying city / palaces at dawn / still covered by green studs / furniture, wardrobes and chairs, mirrors, / tables, armchairs and books / the dwelling of the living / Nothing was more sacred / than home furnishings / where the life of unconscious exiles / was expressed / [...] Eighteen years old children, / escaped death, / behind the doors / to peep / in other people's homes / the memories / We asked in a soft voice: / do you have the chair / with the green back / and the yellow and pink flowers?» [translation by the article's author].

buildings, trying to recognize those objects that had been theirs, and asking the occupants for some information.

Cerco solo i mobili!
Ma egli non li conosce,
lui che dorme nel letto
della nostra governante
che di notte leggeva la Bibbia e Schopenhauer²

The poem recalls the story of the author's family, forced to leave Trieste in September 1943, as the region became a province of the German *Operational Zone of the Adriatic Littoral*, under the High Commissioner Friedrich Rainer³.

The author was Arnoldo Frigessi di Rattalma's son, the President of the insurance company RAS – Riunione Adriatica di Sicurtà, until 1938. Born in Trieste in 1881, Arnoldo Frigessi belonged to a prestigious Jewish family with deep Hungarian roots, the Frigyessy von Racz-Almási⁴. A businessman of great talent and an international reputation, he began his career at the RAS in 1901, and managed to expand the company's interests outside Europe, from Morocco and Egypt to Syria, Iraq and the Far East. In 1939, he encouraged the organization of an exhibition dedicated to the RAS centennial. The exhibition, subdivided into 11 sections, was to be transformed into a permanent museum.

After the racial laws, he managed to be declared «not belonging to the Jewish race», thanks to his 'fascist credits', since he could demonstrate he that had joined the Fascist party in September 1922⁵. In spite of this, he resigned from his position as President and remained in the RAS as Director. He was replaced by his friend Fulvio Suvich, who had helped him to achieve the so-called *discriminazione* (discrimination).

New problems were to arise after the war. On May 13, 1945, Frigessi was arrested in Florence by the Allies, and imprisoned for some months in the Allied concentration camp at Collescipoli, near Terni. He was never formally informed what his charges were. The Allied Military Government removed him from his office and he became the object of a violent campaign by the American Jewish lobby⁶. In May 1947, thanks to the support of the American President Harry Truman, Frigessi was re-established in his former office at the RAS.

Arnoldo Frigessi di Rattalma represents a very interesting case of the Fascist Jews' situation. As Michele Sarfatti underlines, «the history of Fascist Jews still awaits to be fully researched in its complexity»⁷. At the beginning, the political program of the Partito Nazionale Fascista (PNF, National Fascist Party) did not include anti-Jewish views or aims. Until 1938, therefore, Italian Jews could join the PNF, become involved in the party's life and take important administrative roles. After the racial laws, Jewish people were not allowed to belong to the Fascist Party anymore. Jews who had acquired particular merits in the First World War, towards the nation or Fascism could be exempted from some persecutory measures: this particular exemption was called *discriminazione*.

On September 24, 1938, Arnoldo Frigessi and his wife, Nidia Castelbolognese, declared before a notary they intended to leave the Jewish community of Trieste⁸. His wife, born in

² FRIGESSI 2002, p. 13: «I'm only looking for furniture! / But he does not know / he who sleeps in the bed / of our housekeeper / that at night read the Bible and Schopenhauer» [translation by the article's author].

³ BRASCA 2017, and related bibliography.

⁴ BAGLIONI 1998; MILLO 2004.

⁵ Archivio storico RAS-Allianz, Trieste, (from now on: RAS), RAS – Riunione Adriatica di Sicurtà, Raccolta storica (RS), b. 94, f. 172, Avv. Arnoldo Frigessi, Juin 22, 1936.

⁶ BAGLIONI 1998.

⁷ SARFATTI 2017.

⁸ Archivio storico Intesa San Paolo, Milano, Banca Commerciale Italiana (from now on: BCI), Fondo 9, Archivio Arnoldo Frigessi di Rattalma, b. 140, f. 7, September 24, 1938.

Trieste, was well-known for her deep patriotic feelings. She was registered in the Fascio femminile (the Fascist feminine party), and all their children were baptised and enrolled in the GIL, Gioventù Italiana del Littorio⁹.

To be exempted from the application of the racial laws, Frigessi undertook the process to be declared *Aryan*, submitting a Curriculum Vitae that underlined the «spirito fascista» (Fascist spirit) that had pervaded all his activity¹⁰. In 1941, the Municipality of Trieste informed him that his request to be declared not belonging to the Jewish race had been accepted¹¹.

Nevertheless, in September 1943, after the German occupation, he was forced to leave Trieste and flee with his family in a cattle wagon to the South of Italy. Under the false name of Giuseppe Mariani, and with false documents, he lived in Perugia, near Salerno, and finally in Rome.

During the war, Frigessi had secured some precious personal objects in the RAS vault, in order to protect them from possible risks associated with the conflict. Between January and August 1941, he deposited some wooden crates closed with padlocks, a closed basket, some tin boxes with padlocks and sealed envelopes, war bonds and «un quadro di valore» (a precious painting), without any further description, in the security cell. Between February and December 1942, he deposited tin boxes closed with a padlock, crates and trunks, sealed envelopes, a hatbox, carpets, Japanese vases, and 3 packed paintings by well-renowned artists¹².

Nothing more is known about the paintings. There's only a hint of them in the claim by Nidia Castelbolognese, presented in September 1954. She listed silverware, dinnerware, precious glassware, a golden cigarette box, 2 fur cloaks, clothes, a little locked wooden box containing private letters, and added: «Non credo sia qui il caso di elencare i mobili, i quadri, le stampe, e 13 tappeti, e le porcellane artistiche che ci furono confiscate»¹³.

On October 7, 1943, the German Security Police asked the RAS for the lists of Frigessi's valuables and objects. On October 13, they confiscated 13 precious carpets, issuing a regular receipt. The RAS worried about its responsibilities since it was the depository of Frigessi's property, and secretly wrote to Bruno Coceani, the *Prefetto* (Head of the Province), of Trieste. On October 22, the German Police Commander communicated the sequester and the confiscation of Frigessi's movable and immovable property¹⁴. As Daria Brasca reminds us, «The decision of the Third Reich to confiscate and to manage the artworks Jewish owned, [...], has to be considered as part of a wider policy framework regarding the control of the Alpe Adria territory»¹⁵.

As for cultural heritage, in the *Operational Zone of the Adriatic Littoral*, furniture was confiscated, and art collections and libraries were dismantled. High Commissioner Friedrich Rainer's decrees overrode those of the Italian Social Republic. Fausto Franco, the Superintendent of Monuments and Galleries in Friuli Venezia Giulia, often complained about being caught between a rock and a hard place: that is, between the Italian Ministry of

⁹ BCI, Fondo 9, Archivio Arnoldo Frigessi di Rattalma, b. 140, f. 8, undated.

¹⁰ BCI, Fondo 9, Archivio Arnoldo Frigessi di Rattalma, b. 30, f. 1, undated.

¹¹ BCI, Fondo 9, Archivio Arnoldo Frigessi di Rattalma, b. 140, f. 8, January 17, 1941.

¹² RAS, Raccolta Storica (RS), b. 94, f. 172, Avv. Arnoldo Frigessi, Elenco beni in cella.

¹³ Archivio di Stato (from now on: ASTs), Trieste, Corte d'Appello III, b. 328, f. 13, Frigessi Nidia di Rattalma, September 1, 1954: «I do not think it appropriate here to list the furniture, paintings, prints, 13 carpets, and the artistic porcelains that were confiscated» [author's translation].

¹⁴ RAS, Raccolta Storica (RS), b. 94, f. 172, Avv. Arnoldo Frigessi, G. Ruiz to Bruno Coceani, November 15 1943. See also: Promemoria per il Prefetto, February 11, 1944.

¹⁵ BRASCA 2017, p. 100.

Education's orders and those of the German High Commissioner¹⁶. On November 15, 1943, Fausto Franco issued a note not only to ask for information about military occupations of historical buildings and war damages, but also to urge the *Prefetti*, Archbishops, Bishops, and Honorary Inspectors to prevent or control the illicit trade of artworks and their illegal exportation¹⁷.

On August 1, 1944, the RAS informed the *Prefettura* that the German Police intended to draw up a list of the objects belonging to Frigessi, and asked for appropriate measures¹⁸. On August 4th, the Supreme Commissioner ordered Hella Sauli to withdraw the crates and trunks stored in the RAS vault's locked room. The door was forced, and three trunks, a straw basket and two crates were handed over to Hella Sauli, who issued a regular receipt¹⁹. Furniture, paintings, carpets, artistic porcelains, prints, commemorative coins were looted.

Jewish furniture and property could be sent to Germany, sold through auctions or reused in different flats. When the Allies entered Trieste, they requisitioned some apartments, and sometimes got rid of the furniture they did not need, thus contributing to the dispersal of the objects. In 1950, the caretakers of an apartment block in Trieste, Francesco Deplicher and Francesca Janesich, were brought to trial. One of the apartments had been occupied by a woman working for the SS during the war. She was offered the opportunity to furnish it with Jewish pieces of furniture. In May 1945, the Allies removed all the objects they didn't need, and gave them to the caretakers, who accepted the gift. When the rightful owners returned and claimed their property back, the doorkeepers were accused of having received stolen goods, sentenced to 3 months in jail, and fined 300 lire. The Court of Appeal annulled the sentence because of the Amnesty issued by the Allied Military Government on March 2, 1946, General Order 46²⁰.

The Allies' Jewish Property and Claims Office in Trieste organized some displays of the recovered objects in order to return them to the rightful owners. The exhibitions were publicized in the local newspapers, such as «Il Giornale Alleato», published by the Allied Military Government of Occupied Territories from 1945 to 1947. Small groups of claimants (two or three a day) were called to examine the objects and see if they could recognize them as their own.

In March 1945, Arnolfo Frigessi wrote to Dario Zaffiropulo, RAS Administration Director in Trieste, inquiring about his property's situation: «Sono preparato al peggio e quindi mi dica apertamente tutto, sia riguardo al mio appartamento di Trieste, dell'ammobiliamento [sic] e arredamento che è rimasto o che non c'è più e di quanto avevo nella cella della Compagnia, sulla situazione delle mie case e della mia campagna di Medea, su quello che era rimasto a Grado, su quel pochissimo che era rimasto nella villa di Opicina, sia sui miei titoli, sui miei conti in Banca e se sapete qualche cosa della villa di Cortina. [...] Io e la mia famiglia stiamo bene, dopo aver passato dapprima un periodo di completo isolamento nascosti a Roma e, dopo la liberazione, aver vissuto qui a Roma un altro periodo irto di difficoltà materiali e di preoccupazioni per il nostro paese, per la nostra Compagnia ed anche per mia figlia Laura, da cui per lunghi lunghi mesi non avevamo nessuna notizia»²¹.

¹⁶ Archivio Centro Internazionale di Studi di Architettura Andrea Palladio (from now on: CISA), Vicenza, Archivio Fausto Franco, Cassa 17/11, b. R. Soprintendenza di Trieste, Roma, April 12 1945, Fausto Franco to Carlo Someda de Marco [archive being reorganised].

¹⁷ Archivio CISA, Vicenza, Archivio Fausto Franco, Cassa 17/11, b. R. Soprintendenza di Trieste, November 15, 1943 [archive being reorganised].

¹⁸ RAS, Raccolta Storica (RS), b. 94, f. 172, Avv. Arnolfo Frigessi, Promemoria per la prefettura, August 1, 1944.

¹⁹ RAS, Raccolta Storica (RS), b. 94, f. 172, Avv. Arnolfo Frigessi, Verbale di consegna, August 4, 1944.

²⁰ *IL MOBILIO DEGLI EBREI* 1950.

²¹ BCI, Fondo 9, Archivio Arnolfo Frigessi di Rattalma, b. 30, f. 3, Arnolfo Frigessi to Dario Zaffiropulo, March 30, 1945: «I'm prepared for the worst and so please openly tell me everything, both in regard to my apartment in Trieste, the furniture and furnishings that have remained or that there are no more and what I had in the cell of

In May 1945, a survey was conducted in Frigessi's villa in Medea. The building was being used as an institute for war orphans; furniture and linen brought from Trieste were still on place, but nearly all the other objects had been removed by the Germans²². As Frigessi wrote to Dario Zaffiropulo, they were very worried about the condition of their estate. His lawyer, Corrado Jona, had told them that some silver items, stolen from his apartment or from the crates deposited at the RAS, had been recovered in Trieste and exhibited at the *Mostra delle cose rubate dai tedeschi* organized by the Allies. His wife was planning to go to Trieste at the beginning of January 1946, to check out the objects and determine if they were theirs. He had also been informed that his car Artena had been taken by the Germans, issuing a regular receipt, and that the fine wines he had hidden in the RAS' vault had been stolen, «ma non per mano tedesca»²³.

At that time, Frigessi was living in Rome: «Per ora stiamo a Roma anche perché a Trieste non possiamo mettere su casa avendo perso troppo di tutto quanto formava il nostro *home* e perché il nostro appartamento è requisito [...], ma del resto per ora non mi deciderei neppure a rientrare in quella città che si trova in una situazione tragicamente dolorosa, e fino a tanto che non saprò l'ulteriore sviluppo della mia situazione personale»²⁴. The letter is in Italian, but the word *home* is in English.

On October 16, 1946, Arnaldo Frigessi presented a claim not only for the objects stored in the RAS' vault, but also for those removed from his apartments in 1943-1944: carpets, lamps, paintings, silverware, a coin collection and porcelain, 13.641.700 lire worth. This claim substituted the one presented by the RAS company on Frigessi's behalf to the Allied Government on August 10, 1945²⁵. This claim only listed 13 carpets, 3 trunks, two crates and one basket of unknown contents, a hatbox containing foodstuffs and clothes, and a car Lancia Artena, license TS 7135²⁶.

Arnaldo Frigessi di Rattalma died in 1950. The ministerial decree April 18, 1957 recognized the modest compensation of one million for the property that had been removed, the maximum limit set by Law December 27, 1953, n. 968, according to art. 26²⁷.

On May 20, 1959, Nidia Castelbolognese wrote to the Commissariato generale in Trieste: «Vi comunico che mi è impossibile venire a Trieste per vari motivi. Né desidero affrontare, ancora una volta, l'emozione di rivedere la mia Trieste dove ho vissuto i tempi felici della mia vita [...]. Per il giudizio definitivo dell'assegnazione degli oggetti da me riconosciuti come di mia proprietà, mi affido al vostro senso di equità. I piatti che ho portato a Milano sono perfettamente eguali a quelli che ho dovuto lasciare a Trieste perché altre persone li avevano riconosciuti come loro proprietà. Avevo – durante la mia brevissima visita a Trieste

the Company, on the situation of my houses and of my estate in Medea, on what was left in Grado, on that very little that had remained in the Opicina villa, both on my titles, on my bank accounts and if you know something about the villa of Cortina. [...] My family and I are well. We spent a period of complete isolation hidden in Rome and, after the liberation, we have been living here in Rome another period fraught with material difficulties and concerns for our country, for our company and also for my daughter Laura, from whom we had no news for long long months» [author's translation].

²² RAS, Raccolta Storica (RS), b. 94, f. 172, Avv. Arnaldo Frigessi, Dario Zaffiropulo to Arnaldo Contini, May 29, 1945.

²³ BCI, Fondo 9, Archivio Arnaldo Frigessi di Rattalma, b. 18, f. 2, Arnaldo Frigessi to Dario Zaffiropulo, December 28, 1945: «but not by the Germans!» [author's translation].

²⁴ BCI, Fondo 9, Archivio Arnaldo Frigessi di Rattalma, b. 140, f. 10, Arnaldo Frigessi to Mario Luzzato, December 7, 1945: «For the moment we're staying in Rome, since in Trieste we've lost too much of what constituted our home and because our apartment has been requisitioned [...] I would not even decide to return to that city which is in a tragically painful situation, and until I know the further development of my personal situation» [author's translation].

²⁵ RAS, Raccolta Storica (RS), b. 94, f. 172, Avv. Arnaldo Frigessi, December 22, 1966.

²⁶ RAS, Raccolta Storica (RS), b. 94, f. 172, Avv. Arnaldo Frigessi, August 10, 1945.

²⁷ RAS, Raccolta Storica (RS), b. 94, f. 172, Avv. Arnaldo Frigessi, December 22, 1966.

– consigliato i vostri esperti di rivolgersi – per il definitivo riconoscimento e relativa assegnazione al legittimo proprietario – [...] al Signor Momo Janessich, il noto gioielliere di Trieste. Fu infatti a lui che mio marito aveva ordinato il completo servizio di piatti di portata d'argento dei quali, secondo me, fanno parte quelli ancora in discussione. Il servizio fu consegnato a mio marito nel mese di Maggio o Giugno 1930. Penso che il signor Janessich sia la persona più qualificata a poter con certezza, dichiarare l'epoca della fattura dei piatti in questione»²⁸.

On October 4, 1959, Nidia Castelbolognese delegated Ladislao Szalai, the RAS Director, to recover some objects she had previously recognized at the Commissione per la restituzione dei beni mobili confiscati agli ebrei. On October 17, she was sent some of the recovered objects: silver forks, spoons and trays²⁹.

In 1967, the procedure for compensation was still ongoing³⁰.

Finalmente qualche arredo
è ritrovato
ammucchiato in un cortile
umido, come fotografie
ancora bagnate.
Ci siamo anche noi
in bianco e nero,
adolescenti in missione
(familiare)³¹.

²⁸ ASTs, Trieste, Corte d'Appello III, b. 328, f. 13, Frigessi Nidia di Rattalma, May 20, 1959: «I tell you it's impossible for me to come to Trieste for various reasons. Nor do I wish to face once again the emotional upset of seeing my Trieste where I had spent my life's happiest days [...] For the definitive judgment on the objects I recognized as belonging to my property, I rely on your sense of fairness. The dishes that I brought to Milan are exactly the same dishes I had to leave in Trieste because other people had recognized them as their property, too. During my short visit to Trieste, I had advised your experts – for the definitive recognition and assignment to the rightful owner – to contact Mr Momo Janessich, a well-known jeweler in Trieste. It was in fact to him that my husband ordered the service of silver serving dishes which, in my opinion, are those still under discussion. The service was delivered to my husband in May or June 1930. I think that Mr Janessich is the most qualified person to declare the time of the manufacturing of the dishes in question» [author's translation].

²⁹ RAS, Raccolta Storica (RS), b. 94, f. 172, Avv. Arnoldo Frigessi, October 17, 1959.

³⁰ RAS, Raccolta Storica (RS), b. 94, f. 172, Avv. Arnoldo Frigessi, January 11, 1967.

³¹ FRIGESSI 2002, p. 16: «At last some furniture / is found / piled up in a wet courtyard, / like photographs still wet. / We are there too, / in black and white, / teenagers on a (familiar) / mission» [author's translation].

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ABSTRACT

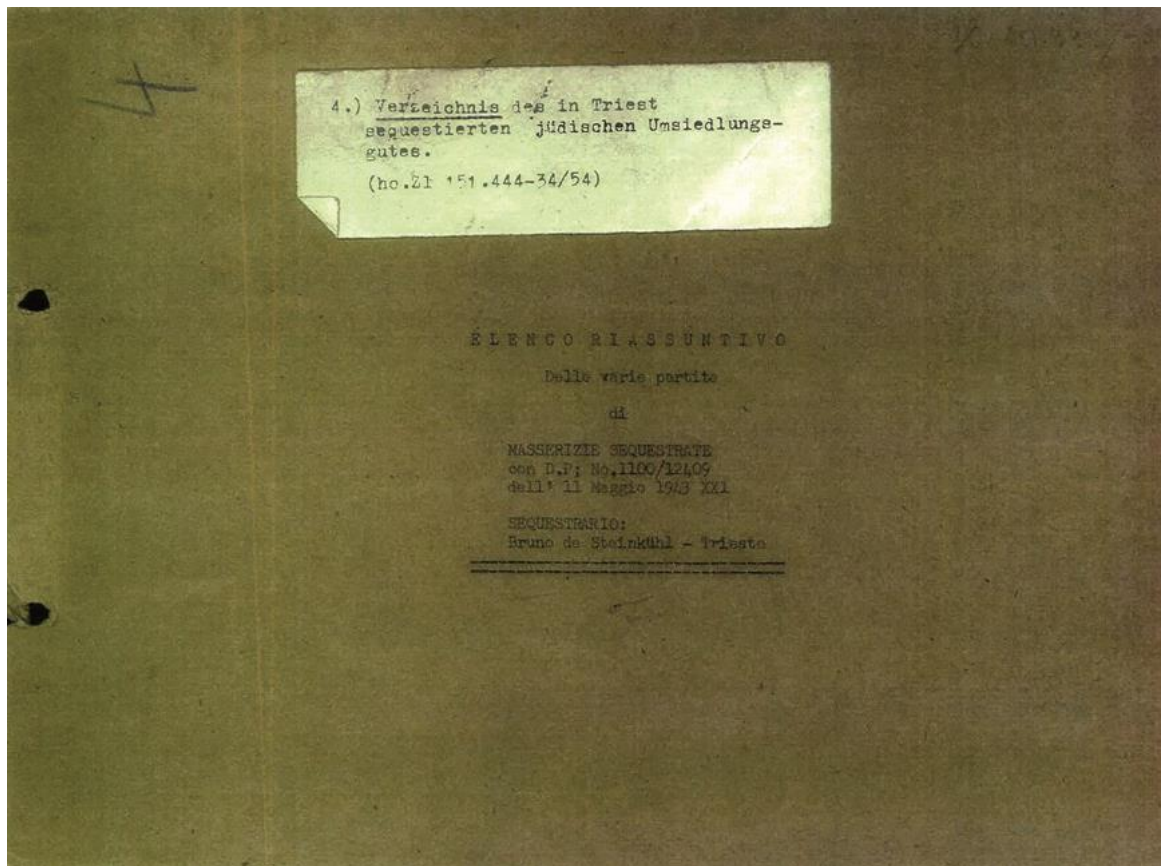
In September 1943, Trieste became a province of the German *Operational Zone of the Adriatic Littoral*. By the High Commissioner Friedrich Rainer's orders, furniture belonging to Jewish families was confiscated, and art collections and libraries were dismantled. In the autumn 1943, and in 1944, the Germans even confiscated Arnolfo Frigessi di Rattalma's property, notwithstanding he had been declared as «not belonging to the Jewish race», thanks to his 'fascist credits'. Arnolfo Frigessi represents an interesting case of the Fascist Jews' situation. After the war, he was arrested by the Allies, and imprisoned for some months in an Allied concentration camp.

Dal settembre 1943 Trieste era diventata una provincia della *Zona di Operazione Litorale Adriatico*. Per ordine del Supremo Commissario Friedrich Rainer vennero confiscati arredi e smantellate collezioni d'arte e biblioteche appartenenti a famiglie ebree. Fra l'autunno del 1943 e il 1944, furono confiscati anche i beni di Arnolfo Frigessi di Rattalma, che si era distinto per 'meriti fascisti', ed era stato dichiarato, di conseguenza, «non appartenente alla razza ebraica». Arnolfo Frigessi rappresenta un interessante caso della situazione degli ebrei fascisti. Nel dopoguerra venne arrestato dagli Alleati e imprigionato per alcuni mesi in un campo di concentramento alleato.

**SEQUESTERED/CONFISCATED ASSETS IN TRIESTE:
A LIST OF AUSTRIAN JEWISH OWNERS IN VIENNESE ARCHIVES.
A WORKSHOP REPORT**

The basis for the ongoing research is a document entitled *Summary List of Household Effects sequestered with the decree N.º 1100/12490 of May 11th, 1943¹*, in the holding of the Finance Department – Property Declaration Office in the Austrian State Archives². It lists 475 Jewish emigrants (mainly from the German Reich), whose removal goods were stored in some warehouses in the name of various forwarding agents in the Free Port of Trieste.

The Trieste list is unrelated to the other material in the box and probably had remained undiscovered until an employee of the National Fund of the Republic of Austria for Victims of National Socialism became aware of the document in 2015. Subsequently, personal data relating to Austrians were included in the so-called Findbuch, a database of the National Fund, which provides – constantly growing – data on various files from Austrian archives³.



¹ Hereinafter Trieste list.

² Vienna, Österreichisches Staatsarchiv (from now: OeStA), Archiv der Republik (from now: AdR), 06, BMF, VVSt, K 1574, *Elenco Riassuntivo. Delle partite delle varie masserizie sequestrate con D.P. No. 1100/12490 dell'11 Maggio 1943 XXI*.

³ www.findbuch.at, <July, 2018>.

Sequestered/Confiscated Assets in Trieste:
A List of Austrian Jewish Owners in Viennese Archives. A Workshop Report

56	2645	1	2260	Paola Schüller	Vienna	U.S.A.	5.461,- 200	Probabile ebrea tedesca emigrata in U.S.A.. Mantenere sequestro. Sp. Dworak, Vienna	23 si
56	2641	1	1880	Felix Neumann	Vienna	U.S.A.	1.231,- 100	Ebreo tedesco emigrato negli U.S.A.. Mantenere sequestro. Sp. F. Ruter, Vienna	si
23	1528	1	2100	Elsa Rotschild	Würzburg	Tel-Aviv	6.225,- 200	Ebrea tedesca emigrata in Palestina. Mantenere sequestro. J. Walk, Würzburg	si
30	3313	1	3600	Leo Israel	Bremen	Haifa	3.644,- 200	Ebreo tedesco emigrato in Palestina. Mantenere sequestro. H. Newkirsch, Bremen	si
30	3315	1	3025	Adolf Reich	Vienna	Grenoble	2.943,- 200	Ebreo tedesco emigrato a Grenoble. Morte arrivata a disposizione Giacomo Salvi-Trieste, Via Milano 5, secondo procura estesa dal proprietario. Mantenere sequestro. Sped. Hofbauer & Co. Vienna	si
56	2680	1	3430	Helene Boerne	Praga	Berlino	7.110,- 200	Sembra trattarsi di suddita tedesca residente a Berlino (ultima sua lettera 10/6/43) Probabile dissequestro. F. Marsik, Praga	no ?
56	2637	1	2670	Martin Kallir	Vienna	Trieste	1.531,- 200	Posizione proprietario non chiara, sembra sia residente a Trieste. Chiedere chiarimenti. In attesa mantenere sequestro. Sp. Dworak, Vienna	no ?
56 56	2646 2648	2	6452	Paul & Johann Schüller	Vienna	ignoto	4.250,- 400	Probabili ebrei tedeschi di attuale ignota dimora. Esclusa dalla spedizione vendita parziale: ricevo depositato Banca Italia. Mantenere sequestro. F. Reitter, Vienna	si ?
30	3316	1	4070	Dr. Ernst Hasselberg	Vienna	New York	3.849,- 300	Ebreo tedesco residente in paese nemico. Mantenere sequestro. Sp. E. Btunal, Vienna	si
56	2686	1	2225	Ludwig Salz	Praga	U.S.A.	5.891,- 200	Probabile ebreo Boemo emigrato in U.S.A., Banca Lavoro ha un deposito di \$ 476, per pagamento spese. Mantenere sequestro. V. Weiss, Praga	?
30	3326	1	3030	Hanni Baumgarten	Bremen	Verden	8.639,- 200	Ebrea tedesca residente in Germania. Probabile dissequestro. Neukirsch A.G., Bremen	

Fig. 1: Austrian State Archive (OeStA), Archive of the Republic (AdR) 06, BMF, VVSt, K 1574, Elenco Riassuntivo. Delle partite delle varie masserizie sequestrate con D.P. No. 1100/12490 dell'11 Maggio 1943 XXI / Summary list of household effects sequestered with the decree 1100/12490 from May, 11th 1943, cover, pp. 23. © Österreichisches Staatsarchiv (ÖStA) 2018

Historical Background

One of the basic requirements for the sequestration of removal goods stored in the port of Trieste was the Italian War Law, issued on July 8th, 1938⁴. It defined as «public enemies» those persons who, before having been defined stateless, had once been in possession of an enemy state citizenship or who were residing in an enemy state after the law came into effect. The property of these persons has been released for sequestration: «[...] Sequestration under the preceding paragraph may also be ordered in the case of property in respect to which there is reason to suspect that it belongs to enemy nationals even though it appears to be owned by persons of a different nationality»⁵.

In April 1943, the Office of Requisitions of the Ministry of Exchange and Currencies in Italy gave instructions on how to deal with the lift-vans stored in the port of Trieste. The removal goods – mainly property of Jewish emigrants from the German Reich – suspected as being enemy ownership, would be accordingly treated under the provisions of the Italian War Law. In May 1943, the Prefect of Trieste was requested, referring to letter No. 254944/DA by the Office of Requisitions, to sequester the stored removal goods in the warehouses of the forwarding agents. By Decree No. 1100/12490 of May 11th, 1943, Bruno de Steinkuehl was appointed as sequestrator. The decree of sequestration issued by the Prefecture of Trieste in accordance with the Italian War Law resulted in the sequestration of all the stored removals classified as Jewish property⁶. The Magazzini Generali, a public-private company, and

⁴ Royal Decree, July 8th, 1938, No. 1415 Articles 3, 292, 293, 295, 296.

⁵ The Feldman-Case–Decision No. 28, in *REPORTS OF INTERNATIONAL ARBITRAL AWARDS*, pp. 213-215.

⁶ *Ibidem*.

forwarding agents were requested to declare and report all personnel data about the assets and to determine which one belonged to emigrated Jews living in enemy states⁷.

How did the List get into the Austrian State Archives?

The questions of why and how the Trieste list came into the holding of the former Vermögensverkehrsstelle (Property Declaration Office) remains unresolved. Only assumptions can be made.

By Article 26 (2) of the 1955 Austrian State Treaty⁸, the Republic had to make sure that the assets and legal rights that belonged to persons, institutions, religious and secular communities before their persecution by National Socialism were safeguarded and administered. Due to several objections from Jewish organizations and the Protestant church, Austria agreed to establish collecting agencies for heirless or unclaimed property. Two collection agencies were created: Collecting Agency A, which took over assets from persons who belonged to the Jewish community on December 31st, 1937, and Collecting Agency B, which managed the assets of other Nazi victims⁹. Both organizations tried to identify heirless or unclaimed assets of victims of National-Socialist persecution. The proceeds were used for the benefit of Nazi victims in Austria.

In August 1957, the Federal Monuments authority, as custodian in trust, had already been informed that all of the unclaimed assets from the so-called «Masse Adria»¹⁰, taken over from the British occupying forces in 1949, had to be transferred to the property of the Collection Agencies¹¹, according to the *Auffangorganisationengesetz*¹².

Investigations carried out by Georg Weis, the president of the Collection Agencies, and his staff on the confiscated assets from Trieste, are documented in a fascicle in the Austrian State Archives. It contains several copies of original documents from the *Operationszone Adriatisches Küstenland* (*Operational Zone of the Adriatic Littoral*) and also gives references to a list in Italian, which was known at the time of the investigations in 1959-1960¹³: «Immerhin besteht aber die Möglichkeit festzustellen [sic] welches Umzugsgut von Österreich aus nach Trieste gebracht wurde, da im Archiv der Abt. 34 (VVST) im Amalienstrasse eine in italienischer Sprache abgefasste Liste aufliegt [...]»¹⁴.

Records of the Collecting Agencies pointed out that the list was found in March 1959 in the basement of the building of the Carinthian provincial government in Klagenfurt¹⁵. But this contradicts the date of the reference number indicated on the cover of the Trieste list (see Fig. 1, Zl. 151.444-34/54). The list had to be known as early as 1954, as it was in the filing of the Austrian Ministry of Property Security and Economic Planning (*Ministerium für Vermögenssicherung und Wirtschaftsplanung*). It is therefore possible that the list was part of the

⁷ To the further fate of the removal goods during the German occupation see the excursus of Gabi Anderl at the end of the contribution.

⁸ BGBl. 152/1955.

⁹ WLADIKA–WERNER 2004, pp. 16-17.

¹⁰ Term for the removal goods from the port of Trieste which were brought to Klagenfurt for auction at the Dorotheum during the German occupation.

¹¹ Vienna, Bundesdenkmalamt Archiv (from now: BDA-Archiv), Restitutionsmaterialien (restitution materials), K 14, M 4, GZ. 6423/1957; 9243/1959, Letters Ministry of Finance to the Federal Monuments Office, August 27th, 1957 and October 30th, 1959.

¹² BGBl. Nr. 73/1957.

¹³ OeStA, AdR, 06, E-uReang, Hilfsfond (HF), Sammelstelle A (SStA), interne A, GZ. J 7.

¹⁴ OeStA, AdR, 06, E-uReang, HF, SStA, interne A, GZ. J 7 General report on the removal goods seized in Trieste, March 5th, 1959.

¹⁵ OeStA, AdR, 06, E-uReang, HF, SStA, interne A, GZ. J 7, Explanatory notes of List IV of the Jewish Removals confiscated in Trieste, March 1959.

objects handed over by the British administration to the Republic of Austria in 1949 from the Klagenfurt Dorotheum. However, how the Trieste list came to Austria or to Carinthia has to remain open.

Structure and Description of the Trieste List

The forty-six-page list covers a total of 478 entries for 475 persons whose removal goods were stored during the Second World War in five warehouses of various forwarding agents in the port of Trieste¹⁶. It concerns the storage facilities of twenty-one companies¹⁷ and provides in ten columns information on the stored lift-van(s).

The numbers in the first column refer to the magazine where the goods were stored. The four-digit numbers next to it indicate the freight. The third column refers to the number of the crates, followed by their weight. The fifth refers to the names of the persons who were in contact with the freight or appeared on the shipping documents. The sixth and seventh columns contain the place of dispatch and the destination. Furthermore, the outstanding storage costs in Italian currency, which had incurred up to the time of registration. The meaning of three-digit number under the missing amount could not be attained until now. The ninth section refers to the whereabouts of the person and whether the country in question was an enemy state according to Italian War Law. Furthermore, it was determined whether the persons were Jewish or not. The transmitted information in this column was the decisive factor for sequestration. Finally, short comments are made, which are explained on the last page of the list: «si», «si?», «no», «no? », «+»). The first category classifies entries that have been ascertained as Jewish property. The requisition was possible because the owners resided in enemy states. «si?» considers the possibility of the first category, but if the owners lived in neutral states a dissequestration was possible. The category «no» refers to the removal goods of persons, living in neutral states or in Italy or to non-Jewish citizens in the German Reich. The sequestration of the removal goods could be lifted on request. «no?» denotes the entries of persons who did not clearly state whether they were Jews or not, or whether they still lived in the German Reich or in a neutral state. A dissequestration was possible on request. The symbol «+») indicates that the owner had deposited his removals not only in the warehouses of the Magazzini Generali, but also in private warehouses¹⁸.

Proceedings

Once the Trieste list had been transcribed, the next step was to consider which materials from which archives could be used for a first evaluation and for further information. Out of the total number, 270 entries are from the Alpen- und Donaugau, the former «Ostmark», 250 refer to Vienna; the others refer to persons in the «Altreich» and from the Protectorate of Bohemia and Moravia.

¹⁶ The number of entries in the transcription of the authors diverges with the information in the database of the National Fund of the Republic of Austria. <https://www.findbuch.at/de/informationen-zur-datenbearbeitung/items/35.html>, <July, 2018>.

¹⁷ Francesco Parisi, Villain & Fassio, E. Kobau, Fratelli Gondrand, Marangoni S.A., Rudolf Exner, A. Prezioso & Co, Alexander Billitz, E. Havlicek, Marittima S.A., Francesco Reitter, G. Sofianopulo, Julia Intertrans S.A, Paul & Krehbiel, Linee Triestine per l'Oriente, Deschmann & Terrible, E. Schufer [E. Schäf(f)er], Fritz Egel, A. Prezioso & Co., Missaglia & Ventura, Sorveglianza S.A.

¹⁸ OeStA, AdR 06, E-uReang, BMF, VVSt, K 1574, Elenco Riassuntivo, p. 46.

The list in fact covers only a fraction of the persons whose possessions were sequestered in accordance with Decree No. 1100/12409 by the Prefecture of Trieste in May 1943.

An attempt to identify the names of persons involved has been made, from lists in various archives, initially in Viennese archives: Austrian State Archives, Archive of the Republic (A), the Municipal and Provincial Archives of Vienna (B) and the Archive of the Federal Monuments Authority (C).

(A) The *Vermögensanmeldungen* (Asset Registrations)¹⁹, to be made by all persons defined as Jews according to the Nuremberg Laws²⁰ whose entire property exceeded RM 5,000, with the exception of foreign citizens. The registration had to include assets in Austria and abroad, including art objects and jewellery²¹.

(A) *Akten der Finanzlandesdirektion* (Records of the Financial Directorates) (FLD)²², which controlled and coordinated the confiscation of assets by setting the Jewish Property Levy and the Reich Flight Tax. After the entry into force of the restitution legislation in 1946, it was the FLD that decided on restitutions. The files contain information about the assets of persecuted persons and restitution decisions.

(A) Files from *Spedition Franz Reitter*²³, entered in the possession of the Austrian State Archives, containing individual portfolios of different sizes and diverse information about shipping to Trieste and elsewhere.

(A) The *Fonds zur Hilfeleistung an politisch Verfolgte, die ihren Wohnsitz und ständigen Aufenthalt im Ausland haben* (Fund to Assist Political Persecutees Living or Permanently Residing Abroad) – *Alter Hilfsfonds* – established in 1956, served to compensate victims of the Nazis living or permanently residing abroad. It provided for one-off payments, depending on age and health status, to exiles from Austria who had no entitlement to regular payments under the Victim Welfare Act, because they no longer possessed Austrian nationality. The payments were subsequently continued in the *Neuer Hilfsfonds I and II*. The files were created between 1955 and 1982. The *Hilfsfonds* files offer an important source of name-based research because they contain information about the date and course of emigration, including sometimes detailed reports on personal experiences.

(B) The files *Magistratische Bezirksämter* of the various Vienna district councils are incomplete. Of relevance for this project is the *Allgemeine Registratur* (General Register)²⁴, arranged by years and, within each year, alphabetically. For the years after 1938 there are also numerous requests for the export of possessions with detailed lists of objects, almost exclusively used household items and small pieces of furniture, as well as objects of personal and little material value. On some of the forms there are references to the Federal Monuments Authority file numbers of the requests for the export of objects of cultural significance. Apart from the Exchange Control Office, officials of the regional councils also had to check the lists. Officials of the Market Department (*Marktamt*) were involved in these checks. In the attestations of the shipping companies, the emigrants had to confirm with their signatures that the objects belonged to them and that they were to be exported duty-free and imported, also duty-free, to another country. After the inspection by the Market Department, the information was confirmed.

¹⁹ «Reichsgesetzblatt», 1938 I S. 414, *Verordnung über die Anmeldung des Vermögens von Juden*, of April 26th, 1938.

²⁰ *Ivi*, 1935 I S. 1146.

²¹ OeStA, AdR 06, E-uReang, VVSt., Vermögensanmeldung (VA).

²² OeStA, AdR 06, E-uReang, Finanzlandesdirektion (FLD).

²³ OeStA, AdR 04, Verkehr, Spedition Franz Reitter.

²⁴ Wiener Stadt- und Landesarchiv (WStLA), Magistratische Bezirksämter, Allgemeine Registratur (Central Register).

It should be pointed out that the regulations for the export of objects became increasingly strict, with the result that objects in approved consignments that had not been removed immediately often failed later to comply with the new regulations. The lists also became more detailed, with the objects subdivided into various categories.

(C) The holding of the *Personenbezogenen Restitutionsmaterialien* (Personal Restitution Materials)²⁵ in the Archive of the Federal Monuments Authority (BDA) represents an important and interesting source with regard to the processing of individual cases of restitution. The records are arranged alphabetically, usually according to the name of the applicant. Besides documenting the cases of the victims, the material also offers evidence of perpetrators. The holding covers the period from 1938 to the 1980s, including materials on restitution affairs.

(C) The sub-holding of the *Ausfuhrmaterialien* (Export Materials)²⁶, which is similar to the personal files, is a source of research on withdrawal and restitutions. The Austrian Export Prohibition Law, which limited export of objects of historical, artistic or cultural significance, was enacted in 1918 and amended and integrated into the Law on the protection of historic monuments in 1923, thus avoiding the risk of the export or sale of nationally valuable art. During the Nazi-era the Export Prohibition Law became a tool for art theft, as the export prohibitions were a precedent for expropriation. The export forms range from 1938 to 1977, the records from 1863 to 1945.

Systematic Approach

In a first attempt, the 270 Viennese entries of the Trieste list were compared with the list of Asset Registrations containing more than 50,000 names²⁷. In a first run, 144 matches were found. This was followed by a comparison of the data in the export forms and export records in the BDA archive. It includes names of persons who had applied for permission to export their works of art to the Federal Monuments Authority in Vienna in the period 1938-1945. Subsequently more than 18,000 permits were digitalized and linked to the personal data of the forms. 154 names in the Trieste list are associated with export applications. Sometimes the destinations indicated on the export forms specified by the applicants do not conform with the Trieste list. In most cases the applicants had to escape from the Austrian territory as part of the German Reich, as a consequence of the NS-persecution of Jews; therefore they could give only vague data.

Examples

Viktor and Lilly Fürth

Lilly and Viktor Fürth, the latter a shareholder in the company Ernst Fürth, a manufacturer of orthopaedic footwear in the 10th district of Vienna, were forced to leave Vienna as a result of the seizure of power by the National Socialists. They declared their assets on July 13th, 1938²⁸. In the asset registration of Lilly Fürth, jewelry, 15 kilos of silver objects and carpets amounting to RM 4,192 were listed. In early August 1938 Viktor requested

²⁵ BDA-Archiv, Restitutionsmaterialien, Personenmappen (personal records).

²⁶ BDA-Archiv, Ausfuhrmaterialien (export materials), Ausfuhransuchen (export forms).

²⁷ STEINER—KUCSERA 1993.

²⁸ OeStA, AdR 06, E-uReang, VVSt., VA no. 19745; OeStA, AdR 06, E-uReang, VVSt., VA no. 19744. See also : BDA-Archiv, Restitutionsmaterialien, K 35/1, PM Fürth.

Fig. 2: Export form Viktor Fürth – Elen. BDA-Archiv, Ausfuhrmaterialien, Export, Nr. 3828/1938.
© Bundesdenkmalamt Wien (BDA) 2018

After the war, the couple, who had heard that some of the goods shipped to Trieste had been transported to a warehouse in Klagenfurt towards the end of the war, inquired with the monument authorities³⁰ and the Office of the Carinthian Provincial Government about whether any of their removal goods with the consignment no. 2369 had been in the so called «Adriatic Depot», also known as «Masse Adria» in Klagenfurt³¹. They specifically mentioned two Dutch paintings by Van Bommel, depicting harbours, a female portrait by Hugo Ruzek, etchings by William Ungar, porcelain and 15 kilo of silver objects. By 1950 none of the objects formerly owned by Fürth had been found, and they still remain untraced today.

³¹ OeStA, AdR 06, E-uReang, BMF, Abt. 3VST, K 3596, GZ. 193.462-3/50, Letter Heinrich Schwamm (Attorney) to the Office of the Carinthian Provincial Government, January 14th, 1948. In the correspondence regarding claims, the term «Adriatic Depot» is used as synonym of «Masse Adria».

Hugo Friedmann³²

Hugo Friedmann, born in 1901, became sole proprietor of the Trifa knitting factory in Hackengasse in Vienna 15 in 1925. He was actively involved in culture, supporting the (old) Jewish Museum in Vienna with its purchases. In the registration of his assets, his art collection and library were valued at RM 4,271.10. After an inspection of the objects from the Far East by an expert from the Staatliche Kunstgewerbemuseum in Wien (today's Museum für angewandte Kunst / Gegenwartskunst – MAK), their export was approved. The last page of the export form is missing, so it is not possible to determine when the goods were shipped. Hugo Friedmann, his wife Hilde and their two children were deported in 1942 and became victims of the Holocaust³³. Under the 11th Decree to the Reich Citizenship Act of November 25th, 1941, their assets became the property of the German Reich. No one in the family survived. In 1947, Else Spielmann, the sister of Hilde Friedmann, made an inquiry with the Central Claims Registry in the British zone and registered her claim to restitution or compensation for the loss of assets³⁴. Several of the art objects that had formally been owned by Hugo Friedmann were identified from consignment number 3266 as having been among the objects from the «Adriatic Depot» secured by the British military authorities in the depot of the Dorotheum in Klagenfurt. The inventory of the «Adriatic Depot» was transferred to the Austrian Government in 1949, upon which employees of the Federal Monuments Office drew up two inventory lists: A list of paintings, watercolour, drawings and applied art totaling 897 item numbers; A list of silver, gold and jewelry objects with 1,414 item numbers. Restitution was made to the successors of Hugo Friedmann in the years 1953-1954. Not all of the claimed objects were returned, however, but only those that were documented as being part of consignment number 3266 or books that could be identified by the Hugo Friedmann *ex libris*.

In April 2004, printed materials and autographs from the Friedmann library were restituted from the Austrian National Library pursuant to the new restitution legislation. Having probably been intended for the central library of the planned Hohe School of the Nazi Party, they were identified by the Friedmann *ex libris*. A comparison of the number of objects listed in the asset registration and in search lists handed over by heirs to the Federal Monuments Office with the actually restituted objects shows that some research still needs to be done in this case.

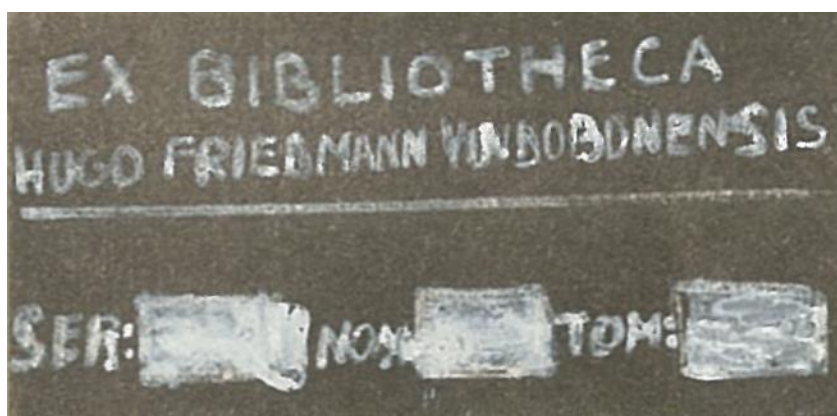


Fig. 3: *Ex libris* Hugo Friedmann, BDA-Archiv, Restitutionsmaterialien, K 14, M 2. © Bundesdenkmalamt Wien (BDA) 2018

³² OeSTA, AdR, 06, E-uReang, VVSt., VA no. 24646, Hugo Friedmann; BDA-Archiv, Ausfuhrmaterialien, Zl. 7132/38 Hugo Friedmann; BDA- Archiv, Restitutionsmaterialien, K 35/1 PM Hugo Friedmann.

³³ www.doew.at, <September, 2018>.

³⁴ OeSTA, AdR, 06, E-uReang, HF, Abgeltungsfonds 9186, Spielmann Else.

Paul and Johanna Schüller³⁵

Paul Schüller was the owner of a shoe factory in Vienna. Under point IV of the asset registration – luxury goods, jewelry and art objects – and in his application for export, he gave no specific details of the cultural objects in his transport consignment. The export refers only to four oil paintings, three pastels and eight carpets³⁶. The Reich Flight Tax decision accompanying the list of assets values the total assets at RM 215,969. The value of the removal goods in the Trieste list is put at RM 4,250. According to the transport documentation of Spedition Franz Reitter in the Austrian State Archives, Paul and Johanna Schüller's consignment consisted of twenty-four crates and nine boxes with an insured value of RM 20,000. The goods were stored in April 1939 in Vienna and were transported from the Reitter warehouse to Trieste only in February 1940 in a combined shipment by Spedition Caro & Jellinek. Paul and Johanna Schüller managed to escape to the USA in the second half of 1940. The estimate files of Paul Schüller was found not in his asset registration file but in the Reitter transport files, which is unusual. The value, put at RM 2,674, was not communicated to the Property Registration Office. Internal correspondence by Reitter indicates that two large and four small carpets from the Schüller consignment were sold in February 1943 in the port of Trieste to cover the storage costs³⁷.

Considerable research is still necessary in order to compare the extensive material with the Trieste list. In the Trieste list we are focusing not only on art and cultural objects but also on the fate of the people behind them, that is on the fate of the owners.

In summary, the sources offer an incomplete picture of what happened to the removal goods left in Trieste after 1944. The inclusion of files from other countries, collected by the research teams of the HERA project TransCultAA (Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century)³⁸, will result in a much more complete picture.

Excursus

Following the German advance in Europe, shipping was possible only to overseas destinations – above all the USA, the countries of South America, Shanghai and the Philippines. As early as 1939 – shortly after the outbreak of the Second World War, the shipping Company Dr. Franz Reitter in Vienna pointed out in a war economy notification (*Kriegswirtschaftliche Mitteilung*) the possibility of using the free Port of Trieste and its subsidiaries therefore export and import business with the USA, South America, Africa, Spain etc.³⁹. With Italy's entry into the war on June 10th, 1940, the Mediterranean became a war zone, and regular shipping – the transport of goods and passengers – was considerably restricted. Italian submarines, for example, were operating off the coast of the British mandate Palestine in July 1940, and mines were laid by them and by British ships in the eastern Mediterranean. This also played a crucial role in the attempts made by Jewish refugees to leave the territories of the German Reich – the so called «Altreich», former Austria and the «Protectorate of Bohemia and Moravia». An illegal and hazardous ship transport with refugees to Palestine took place in autumn 1940. Three worn-out ships left the European mainland from a port on the lower Danube in early October (Example: Isaak Schwertfinger from the Trieste list was on

³⁵ OeStA, AdR 06, E-uReang, VVSt., VA no. 11141, Paul Schüller.

³⁶ BDA-Archiv, Ausfuhrmaterialien, Zl. 3549/39, Paul and Johanna Schüller.

³⁷ OeStA, AdR 04, Verkehr, Spedition Franz Reitter, K 24, Fasc. Paul Schüller, Letter of the branch of the shipping company Reitter to the head office in Vienna, March 4th, 1943.

³⁸ www.transcultAA.eu, <September, 2018>.

³⁹ OeStA, AdR 04, Verkehr, Spedition Reitter, K 24, Fasc. Schüller Paul.

this transport organised by the Viennese Jewish merchant and bank owner Berthold Storfer). It was the last in a series of similar transports from the German Reich during World War II.

On October 28th, 1940, Fascist Italy attacked Greece, turning the Aegean into a war zone as well. The escape route via the Mediterranean – and thus from the port of Trieste – and onwards through the Suez Canal was cut off. After the collapse of the former kingdom of Yugoslavia and the invasion of Greece in April 1941, the land routes via the Balkans were also closed. From then on escape from the *Reich* was possible only to overseas destinations – above all the USA, the countries of South America, Shanghai and the Philippines⁴⁰.

The last overseas transports were organised from Berlin by Robert Prochnik, an official of the Vienna Jewish Community. One section of the passengers went via the western route, used from November 1940 until November-December 1941, in other words even after the official ban of Jewish emigration by the Nazis in October 1941. They went from Berlin in sealed wagons through France (which had been invaded by German troops in June 1940) to ports in Spain and, above all, Portugal, from where ships were still sailing overseas. The other route from Berlin was with the Trans-Siberian Railway via Manchuria and Vladivostok and then by ships from Japanese ports. It was used until shortly before the German invasion of the Soviet Union in June 1941⁴¹.

It is generally assumed that the removal goods stored with Viennese transport companies at the start of the war in September 1939 were no longer removed⁴². It may be assumed, however, that until Italy entered the war and as long as the Mediterranean was open to merchant shipping, consignments could be transported to countries not involved in the war. Anyway – this possibility also ceased to exist after June 1940, which makes the date for the Gestapo order for confiscation in August 1940 plausible. On the basis of this order, the *Vugesta* (Verwaltungsstelle für jüdisches Umzugsgut der Geheimen Staatspolizei) was founded in Vienna and entrusted with the task of disposing of the removal goods stored with transporters. It was a detail specific to Nazi Austria and placed under the responsibility of Karl Herber, director of a transport company and head of the Reichsverkehrsgruppe Spedition und Lagerei (Reich Transport Group for Removals and Storage) – a forced association created by the Nazis – in former Austria. The *Vugesta* worked in close cooperation with the Gestapo but was dealt with by the removal and transport industry. The transporters were mainly concerned with reducing the storage costs that had accrued; hence they urged the sale of the goods.

The action also shows the degree to which the entire branch was involved in and profited from the large-scale confiscation of Jewish property during the Nazi era. There was massive corruption in some transport companies and the appropriation of movable assets, and in some cases at least Antisemitism played an important role. In a letter of November 1940, for example, Franz Reitter, the owner of a transport company, spoke of the 'Jewish plague'⁴³.

After the overthrow of Mussolini in July 1943, the *Operationszone Adriatisches Küstenland* was created in autumn of that year and incorporated in the German civilian administration. The *Gauleiter* and *Reichsstatthalter* of Carinthia, the lawyer Friedrich Rainer, became Oberster Kommissar (Supreme Commissioner) of the Operational Zone with headquarters in Trieste. This appears to have made it easier for the *Vugesta* to get access to the removal goods stored in Trieste, which had been transported there from Vienna.

Herber was given authority on August 28th, 1940, and, in particular, through a letter from the Vienna Gestapo on October 5th, 1943, to remove these goods and return them to Vienna and sell them on behalf of the German Reich. There were considerable claims by the

⁴⁰ ANDERL 2012; ROHWER 1986.

⁴¹ ANDERL 2019.

⁴² Gabriele Anderl presumes that in autumn 1939 not all consignments were made, but only those destined for enemies of Germany, i.e. Great Britain, France or the British mandate Palestine. Further research is required.

⁴³ OeStA, AdR 04, Verkehr, Spedition Franz Reitter; ANDERL-BLASCHITZ 2004, pp. 105-122.

Trieste transporters and the Magazini Generali for delivery and storage costs, and advance payments were demanded in order to get access to the goods at all. The bank Krentschker & Co. in Vienna was involved in these transactions and was also deeply implicated elsewhere in the confiscation of Jewish property.

Herber stressed that the transport was urgent because of the threat of air raids on the port of Trieste and, in addition, because the Reichsstatthalter of Vienna, Baldur von Schirach, had urged that the objects be brought to Vienna as soon as possible.

Towards the end of November 1943, Herber travelled with Karl Ebner, deputy head of the Vienna Gestapo, to Trieste. A meeting took place there in the offices of the Kommandeur der Sicherheitspolizei und des Sicherheitsdienst (SIPO/SD) in Trieste, the SS-Obersturmführer Ernst Weimann. It was attended by Herber as regional manager of the Reich Transport Group for Removals and Storage in the «Ostmark» and representative of Vugesta, as well as Karl Ebner and Ernst Havlicek as representative of the Trieste transporters and Herber's deputy in Trieste. Havlicek was also managing director of Kirchner & Co. in Trieste and owned there his own transport company as well.

It was argued at the meeting that the consignments were now the property of the German Reich, because their owners had lost their German nationality under the *11. Verordnung zum Reichsbürgergesetz* (*11th Decree to the Reich Citizenship Act*) of November 1941. The commander of the Security Police and SD in Trieste was to be provided with lists from the Gestapo in Vienna of the names of the forwarding in Trieste, details concerning the émigrés, i.e., the former owners, whose goods were to be sent back, the last addresses of the persons concerned, and the extent and size of the confiscated goods.

The movable property of Jews in the «Protectorate of Bohemia and Moravia» was also to be disposed of by Vugesta. Persons who were not German citizens or citizens of the Protectorate or the former Polish State were to be excluded from the action. Their belongings were to remain in the custody of the Italian administrator. The action was also coordinated with the Oberfinanzpräsident (Senior Finance President) in Vienna.

A few days after the meeting of November 26th, 1943, Herber notified the Devisenstelle (Exchange Control Office) in Vienna that there were no further obstacles to the transport of the removal goods to Vienna – around two thirds of the goods stored in Trieste. Beforehand, however, the transport, storage and delivery costs were to be paid by the German Reich. The Exchange Control Office approved a first instalment of RM 50,000 for the Vugesta from Bankhaus Krentschker & Co., which was followed by further instalments. The costs accrued until then had been calculated by Havlicek and the administrator Bruno von Steinkuehl. The military authorities in Trieste were also urging the immediate removal from the port.

It transpired, however, that the transport of the removal goods to Vienna had been forbidden at a higher level. On the basis of the German decree III/4/81 of January 12th, 1944, the removal goods belonging to German emigrants still stored with various forwarding agents in Trieste were to be regarded as having been confiscated. The Senior Finance President (*Oberfinanzpräsident*) for Berlin-Brandenburg initiated the return of the removal goods from Trieste to the «Altreich», commissioning the Trieste subsidiary of Kühne & Nagel in Berlin to carry out the task. The Reich Finance Minister ordered this company to be provided with every assistance and forbade any further independent measures, stating that according to the *11th Decree to the Reich Citizenship Act* of November 25th, 1941, the Senior Finance President in Berlin was responsible for the administration and disposal of the goods. In the Reich, the removal goods were to be distributed among victims of air raids in the most seriously affected areas. The Vienna Gestapo was instructed to revoke the order given to Herber and Havlicek.

Kühne & Nagel was also heavily involved in the transport to Germany of the possessions of Jewish deportees from the occupied countries of Western Europe, the «M

action», as it was called. Property of Jewish refugees from Germany and Austria was also affected.

In Trieste, Senior Commissioner Rainer had originally forbidden the return of the goods to Germany. But in late February 1944 he was requested to revoke this instruction. The removal goods were to be returned to the *Reich* and distributed among air raid victims in the most seriously affected regions. Some of the goods confiscated in Trieste were removed to Carinthia, however, and stored in various warehouses there.

Herber must have come to an arrangement with the E. Havlicek company, which had already become active and paid advances to Magazini Generali. In mid-April 1944, negotiations took place in Vienna between Herber, Ebner from the Gestapo and Havlicek. As the Israeli judge Eli Nathan established after intensive research in the late 1950s, items from the removal goods confiscated in Trieste with a total weight of over 1,200 tonnes and owned by over 1,900 different persons were transported to Carinthia, where they were stored for the most part in the Silberegg warehouse, with particularly valuable objects, especially silver and Oriental carpets, being taken to Hochosterwitz Castle.

Pursuant to an agreement between the Senior Commissioner and the *Gau* office of the National Socialist People's Welfare (*Nationalsozialistische Volkswohlfahrt*, NSV) in Carinthia of May 9th, 1944, most of the removal goods in Trieste belonging to German and Austrian Jews already transported or scheduled for transport, with the exception of valuable items, were to be purchased by the NSV. Some of the goods were sorted in Trieste, others in Silberegg, art objects, etc., removed and transferred to the Adria Gütergesellschaft. All these procedures made it impossible later to identify the original owners.

The goods still in the NSV storehouse in Silberegg were confiscated in May 1945 by the British military authorities, after the stock had been plundered some days before. The British still found about 500 to 600 unopened crates. Immediately after the end of the Second World War other objects of value (including five crates with silverware and 200 carpets), which had been brought to the castle of Hochosterwitz during the war, were also seized by the British occupation forces. These objects were transferred to the Dorotheum in Klagenfurt.

Before the end of the war assets of emigrants had already been brought to the Dorotheum in Klagenfurt for sale. The sales continued by order of the British until 1948, concerning especially bulky objects difficult to store. The British authorities, as well as the Dorotheum, were convinced that it was impossible to identify the former owners. The BDA and the Dorotheum subsequently wrote lists of the remaining objects. In June 1949, the remaining 5000 cultural objects which had been brought from Trieste to the Dorotheum in Klagenfurt were handed over by the British to the Ministry of Property Security and Economic Planning (*Ministerium für Vermögenssicherung und Wirtschaftsplanung*) and subsequently transferred to the BDA. Export stamps made it clear that the majority of the former owners had been Austrians. But until mid-1949 only some objects belonging to Paul Gerngross und Paul Oettinger and some others had been identified and returned.

Three officials of the BDA sorted out the goods in Klagenfurt, deciding which ones were to be auctioned and which ones had to be transferred to the BDA in Vienna. A relatively small part was finally transferred to a depot in Vienna, Löwelstraße 20.

The BDA consulted with the more important shipping companies in Vienna, hoping to get information on the former owners of the lifts, but the companies were not able or willing to help.

Until the end of 1957 Edith Podlesnigg from the Federal Monuments Authority made a list on the basis of the lists already made by the Dorotheum in Klagenfurt. Textiles, carpets and objects of minor cultural value were supposed to be sold at auctions.

As early as August 1957 the Austrian Ministry of Finance had informed the BDA that the goods stored in the Dorotheum in Klagenfurt under the designation «Adria», originating

from lifts of Jewish emigrants had to be transferred to the Collecting Agencies according to the *Auffangorganisationengesetz* passed in the same year by the Austrian parliament – provided that no claims had been made before.

The Collecting Agencies found out that in 118 cases goods from the «Masse Adria» that had been confiscated in Trieste had been transferred from Austria to Germany.

In September 1959, the Finance Regional Direction for Carinthia (*Finanzlandesdirektion für Kärnten*) stated by decree that the lifts of Jewish owners from the «Masse Adria» which had been brought to the NSV stocks in Silberegge and Hochosterwitz in Carinthia and afterwards were safekept by the Dorotheum and administered by the BDA should be transferred to the Collecting Agencies A and B. Only items marked with «Ju...» had to be excluded since they were property of Jews from Trieste⁴⁴.

According to Eli Nathan most of the goods were transported to Berlin. However, later, in a letter to the Viennese historian Evelyn Adunka in 1999, he wrote that it had never been possible to document this assertion. The question of transport to the «Altreich» had been of such importance to him because it was the basis for claims under the German Federal Restitution Act⁴⁵.

⁴⁴ ANDERL-BLASCHITZ 2004, pp. 195-223; SCHRÖCK 2006.

⁴⁵ Wien, IKG Archiv, Bestand CG, XXIX, B, d, K 59; ADUNKA 2002, p. 70.

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ABSTRACT

The focus of the contribution is a list of personal names, preserved in the Austrian State Archives in Vienna. The list is written in Italian and dates back to 1943, even before the installation of the *Operational Zone of the Adriatic Littoral*. The list contains, among other things, the names of persons who, mainly for racial reasons, were forced to leave the German Reich. But also by those who were unable to flee and became victims of the Holocaust. More than half of the 450 registered persons came from Vienna. Their removal goods remained in the port of Trieste due to the events of the war. In May 1943, the prefect of Trieste considered a sequestration of the goods. After September 1943, the removal goods fell under the administration of the Supreme Commissioner of *Operational Zone of the Adriatic Littoral*. As a first step, an attempt was made to show holdings in Viennese archives in which the names of the persons were documented and in which their fates were thematised over the years.

Questo lavoro ha per oggetto una lista di nomi conservata agli archivi statali di Vienna. Il documento è in italiano e risale al 1943, prima della creazione della *Zona di operazioni Litorale Adriatico* sotto diretta amministrazione tedesca. Sono qui elencati i nomi di coloro che dovettero abbandonare il Reich a causa delle persecuzioni razziali, ma anche di coloro che non poterono fuggire. Più della metà delle 450 persone nella lista proveniva da Vienna e le loro proprietà sarebbero rimaste stipate al porto di Trieste, prima soggette a possibile sequestro da parte del prefetto della città, e poi, da settembre 1943, gestite dalle autorità tedesche della *Zona di operazioni*. La presente ricerca si propone di risalire ad altri documenti conservati a Vienna che permettano di approfondire le vicende di queste persone e il destino dei loro beni.

POSTWAR TRIALS IN TRIESTE: COLLABORATION AND CRIMES AGAINST JEWISH PROPERTY DURING THE GERMAN OCCUPATION

This paper attempts to analyze a particular aspect of transitional justice in Trieste between 1945 and 1947. The focus is on the local Special Court of Assize (*Corte d'Assise Straordinaria*, CAS) which was responsible for prosecuting crimes of collaboration committed during the Nazi occupation¹. This work is part of a research conducted in collaboration with the Istituto regionale per la storia della Resistenza e dell'età contemporanea nel Friuli Venezia Giulia, and it aims to study the specific activities of this court and the actors involved in postwar trials². The research adopted a strictly historiographical point of view and focused on the actors involved in the spoliation process, with a specific interest in Italians who collaborated with Nazis. This perspective has been adopted in order to analyse a further source for studying the problem of the plunder of Jewish goods.

A substantial part of the trials held by the CAS of Trieste concern crimes against the Jews. The trials dealing with accusations, deprivation of property or deportations against Jews amount to 42 and include about 50 defendants (out of 261 judgments and 352 defendants)³.

The CAS of Trieste is the only court in North East Italy where this issue gets so much attention, confirming the particular situation of the city, where there was one of the most important Italian Jewish Communities⁴. The CAS trials are an important source in order to reveal new information about the Jews' spoliation⁵. Compared to the existing historiography, that has studied the role of German institutions and the ordinances asked for the requisition of the Jews, the CAS helps to underline the contribution by the Italian collaborationists during the spoliations⁶, dismantling the common myths of Italians being 'Jew saviors'⁷. It is maybe important to remember that in April 2001, the final report of the Italian Parliamentary Committee on Jewish goods, lead by Tina Anselmi, produced a complete list of archival sources regarding the issue of spoliation. However, the report did not include the documents of the CAS.

The Jewish community in Trieste was pretty big, rich and had a consistent expansion in the early years of the 19th century. Many Jews belonged to elite classes and among them there were the executives of the most important economic activities concerning the region and the city, especially in the commercial and insurance fields. When, in 1938, racial laws were announced, the Jewish community had approximately 6,000 people in the city⁸. The racial legislation and the ordinances that followed caused a progressive pauperization of the Jewish community.

¹ Specials Courts were created by the Italian government at the end of the war with the aim of judging crimes committed by fascists accused of collaborating with the Nazis during the occupation. These Courts ended their activity in 1947. WOLLER 1997; CANOSA 1999; PORTINARO 2011; ROVATTI 2009; ROVATTI 2015.

² For an overview on the results of the current research see: BATTAGLIA 1955; *IL DIFFICILE CAMMINO DELLA RESISTENZA* 2016; BOLZON-VERARDO 2017. See also THOMAS 2015.

³ Archivio di Stato di Trieste (ASTs), CAS, vol. 38, sentenze della Camera di consiglio 1945-1947. VERARDO 2016, p. 284.

⁴ See «Venetica», n. 1, 1998; BORGHI 1999; NACCARATO 1997; *FASCISTI E COLLABORAZIONISTI NEL POLESINE* 1991; ZANGRADO 1988; GARDUMI 2010; MARTIN 2000; VERARDO 2017.

⁵ The analysis of local contexts makes it possible to bring out new information on the spoliation of Jews, highlighting the collaboration of a large part of society in Jewish persecution. PAVAN 2015; PAVAN 2017, p. 124.

⁶ STEFANORI 2017; LEVIS SULLAM 2015a; ACCIAI 2015; OSTI GUERRAZZI 2005.

⁷ FOCARDI 2013, pp. 113-120; NATTERMANN 2010; SCHWARZ 2004.

⁸ BON 2000, pp. 67-78.

During the war, antisemitism also increased⁹. Especially because of the fascist squads, there were mistreatments and accidents (such as the devastation of the synagogue on the 18th of July 1942, and shop robberies in May 1943)¹⁰. The situation got worse after the 8th of September 1943 and the establishment of the Operational Zone of the Adriatic Littoral (*Operationszone Adriatisches Küstenland*, OZAK)¹¹. The antisemitic politics became the ‘final solution’, thanks also to the help of collaborationists.

To remark the importance of the territorial politics we should remember the creation of an extermination camp, the only one in Italy, into Risiera di San Sabba. It is estimated that 4-5,000 people died, mostly political opponents, and Italian, Slovenian, and Croatian partisans. The Jewish victims were less than one hundred because for them it was just a transit camp for the following extermination camps¹².

In Trieste, the Nazis organized spoliations and raids using the *Sicherheitspolizei und Sicherheitsdienst* (SIPO/SD) of the *Einsatzkommando Reinhardt*¹³. With the order of the Supreme Commissioner on the 14th of October 1943, relating to ‘Jewish heritage’, all the properties and bank accounts of the Jews were put under seizure¹⁴. Up until the 24th of February 1945, about 70 transports leaving for Auschwitz and Dachau departed from Trieste and the number of deported Jews was approximately 700. By the end of the war there were 4-5,000 Jews in the city.

Returning to the CAS case specifically, most of the indictments concerning crimes committed against Jews refer to property. In fact, the properties of Jews who had been deported or who had left the city after the Nazi occupation fed a black market involving a large part of Triestine society.

In particular, a large number of women managed the requisition and the sale of fine furniture, antiques and precious objects. So, the presence of so many Jewish properties in Trieste identifies a specific category of collaboration with the Nazis, characterized by a gender perspective.

The case-study of Cecilia Villeni is a useful example to analyze this topic.

*Villeni Trial*¹⁵

Cecilia Villeni was born in Trieste on the 16th of March 1905. She lived in Trieste and she was employed in healthcare, a kind of nurse. She had no criminal record. According to Villeni herself, during the war she did not have an occupation, and badly needing a job, she got hired by the OZAK Supreme Commissioner in the Finance Department. She worked there from December 1943 to June 1944.

After the war she got denounced by many people; a report also came from the Jewish community of the city, which had an important role in the postwar period in finding and quantifying the goods taken away to the Jews because of the racial policies¹⁶. Villeni was accused of having taken properties and various objects belonging to Jews and sold them.

⁹ BON 1989, p. 98; *RAPPORTO GENERALE DELLA COMMISSIONE [ANSELMI]* 2001, p. 203; SARFATTI 2013. For a comparison with similar experiences see PAVAN 2015, pp. 303-333. See also VIVANTE 1984; REDIVO 2011, pp. 91-100.

¹⁰ MIGLIORINO 1992; FOGAR 1999; BON 2001; PAVAN 2004; LEVIS SULLAM 2015a, p. 82; STAUDENMAIER 2017.

¹¹ WALZL 1991; WEDEKIND 2003.

¹² MATTA 2013.

¹³ BON 2000, pp. 283-323; DI GIUSTO—CHIUSSI 2017.

¹⁴ BRASCA 2017.

¹⁵ ASTs, CAS, b. 16, fasc. 78/46, Letter by Cecilia Villeni to the Police Commissioner of Trieste, 3 October 1945.

¹⁶ The Jewish Community reports of more than 130 complaints about apartments plundered until the end of 1943 for an estimate damage of 168 Million Lire.

According to the accusations, she was an interpreter at the German headquarters and took advantage of this role to exchange clothes (probably stolen) for food.

For these reasons she was arrested on the 25th September 1945 and taken to prison in via Nizza in Trieste.

According to the denunciations, Cecilia Villeni was brought to the court because of two accusations. The first was for collaborationism: she was accused of acting as an interpreter for the OZAK Supreme Commissioner and as a secretary responsible for checking the inventories of firms and houses taken from the Jews. The first denunciation implied also her being accused for «promoting the enemy's political plans in the occupied territory»¹⁷. The second accusation was for theft: she was accused of having stolen objects that had been taken out, during an inventory, from the house of the Doctor Paolo Bellandi, to make a profit from them.

According to evidence produced during the investigation, the accused was hired in the Finance Department of the OZAK with the task of verifying draft inventories made by the SS in Jewish houses and in places of business (shops, firms, professional studios). She took part in a team of 5-6 women who completed the inventories after the SS seizures. The furniture and the goods were brought to a warehouse of the Free Port of Trieste, where they were either sorted out by the Germans to the commandos for their needs, or sold in auctions to the best bidder. The earnings were deposited in a special bank account called *Judenvermögen* (Jewish heritage) at the Banca Commerciale Italiana.

Even though the amount seems underestimated, in February 1945 the Germans quantified the total amount of the account in this bank to 23 Million lire.

In February 1944, Villeni took part in the inventory checking of the goods found in the Bellandi apartment. Bellandi was a Jewish doctor who had escaped abroad and whose apartment had been occupied by Carlo Cosimi, who was an officer of the Ministry of Popular Culture. During the control the accused showed herself to be 'zealous'; as such she was repeatedly described in the trial and this was considered an aggravating circumstance and evidence of criminal collaboration. The discrimen is obviously subtle: for example, when in one case she was accused of having stolen silverware during an inventory check, she defended herself by affirming that these goods had never been inventoried. Indeed, many people accused Villeni of stealing goods, to have come into possession of them and to have been the mediator for selling them at dramatically inflated prices. Judging by documents of the Office for the Jewish Affairs of the Allied Military Government (AMG), it appears that Villeni also took part, in February 1944, in the sale of porcelain that belonged to Clara Maria Oblath-Luzzati. The case is interesting because it allows us to confirm that within OZAK the spoliation process was really long and took place both according the 'legal' rules and in 'illegal' forms through the actions of collaborators and mediators (mostly Italians), who attempted to get rich through the spoliations.

Both during the investigations and in the court dispute Villeni denied the accusations. She said she hadn't dealt with goods belonging to Jews, claiming to have purchased them according to the rules, even though it was forbidden for OZAK insiders to purchase goods belonging to Jews. In her property many goods of value had been found – as the long inventory of her apartment in Trieste demonstrated. This contrasted with the statements given by the accused regarding her condition of destitution.

The accused often defended herself using racist expressions. She said she had been slandered and vilified for professional reasons by those that she called «groups of Jews». She declared to have been denounced for the sake of revenge, and that «the first who believe in the slanderous rumours circulating about her were Jews who, hateful towards the 'Nazi

¹⁷ Proclama n. 5, *Istituzione di Corte Straordinaria d'Assise*, in «Gazzetta del Governo Militare Alleato», 1, 1945.

reforms', didn't go into much detail and blindly struck against the first person they came across»¹⁸. In her statements there often are references to racial issues and to anti-slavish feelings: these dynamics were used as a defensive strategy to reduce the amount of responsibility or to get extenuating circumstances.

Regarding the theft imputation, the Court set the accused free because of lack of evidence, but she was found guilty for the accusation of collaborationism. The Court stated that Villeni offered herself as volunteer to the execution of her tasks. The justification of becoming involved out of financial needs was disproved because of her good economic condition, and because during the occupation she enriched herself. She even managed to buy a small house and a small farm in Istria, where many valuable objects were found after the war, many among them belonging to Jewish families. The accused had showed care and precision in carrying out her work and for this reason the Court declared that she had supported Nazi «political aims of persecution and systematic spoliation» against the Jews.

Cecilia Villeni was convicted with attenuations to 4 years, 5 months and 10 days in jail. The Court also seized the properties of the indicted, in order to identify the looted objects and to return them to the rightful owners through legal procedures. Unfortunately, many of these goods had been purchased after being removed from Jewish houses.

The judiciary story does not end here: the defendant appealed to Cassation Court (Corte di Cassazione). According to her legal team, the accused had taken part only in administrative duties and not in the processes of robberies and persecutions themselves. The instance was accepted: on the 9th of October 1946, the Court canceled the verdict without postponement because her activities were no longer considered to be a crime¹⁹.

In this case, but in general also, the judges of the CAS in Trieste show a peculiar thoughtfulness regarding the looting of Jewish property, and this can be clearly seen in the way in which they wrote their decisions²⁰. This special attention is due to the fact that the Court worked under a strict control by the Anglo-Americans, who were interested in implementing a reparation policy²¹.

Final considerations

What kind of conclusions can be drawn from this trial regarding the transfer of cultural objects in the Alpe Adria territory? First of all, the trial shows the complex bureaucracy that concerned Jewish property. Villeni, together with a group of women hired to write inventories, was just a cog in a broad procedural machine. In the first place the confiscated assets were roughly inventoried by the SS, who passed their drafted lists to the Finance Office. At this point detailed inventories were drawn up with the aim of establish the destination of the assets. Priority was given to the needs of the head offices and to Nazi officials and co-workers. Whenever there was a surplus, the confiscated goods were put on sale. According to Elvio Fusch, an employee in the Finance Office of the OZAK and a witness in Villeni's trial, the victims of war damages were favoured as purchasers.

The enhancement of confiscated Jewish assets aimed at improving the work environment of the occupation forces. But the goal was also to promote a local welfare system

¹⁸ ASTs, CAS, b. 16, fasc. 78/46, Letter by Cecilia Villeni to Police Commissioner of Trieste, 3 October 1945.

¹⁹ ASTs, CAS, b. 16, fasc. 78/46, Letter by Cecilia Villeni to Police Commissioner of Trieste, 3 October 1945. See also FRANZINELLI 2006. The judgement was issued by the Court of Appeal of Trieste, which at that time acted as Cassation Court.

²⁰ PEZZINO 2012; ZAMPI 2015; D'ARONCO-VERARDO 2017.

²¹ See: FOCARDI 2005, pp. 62-65; MELIS 2003; MENICONI 2013, pp. 247-256; GRILLI 2017, pp. 221-228.

that would offer both occupying forces and population economic support and profits²². Luxury goods, such as canvases, carpets, silverware, valuable furniture, pianos, and books were auctioned. These could be purchased by private buyers as well as by institutions²³.

The complexity of the inventorying process and of the confiscation procedure had the purpose of keeping the distribution of Jewish assets under control and of avoiding the flourishing of the black market. The placing of precious items on the market, caused by confiscations, gave birth to an illicit trade often managed by Italian collaborators, most of them hired by the Nazis. The Villeni story is a case in point: she got hired to work on inventories and she got rich acting as mediator in sales of valuable goods.

The drawing up of inventories represent one of the most important elements which emerge from the documentation related to the trials for collaborationism of the CAS. Indeed, they allow to retrace the vicissitudes of the assets in the Northern Adriatic context, to identify them, to determine their value and to detect their final destination.

The drawing up of inventories can be considered as an act of double collaborationism: not only inventories are a tool which contributes the enrichment of crime's perpetrators. But it is also a kind of crime which is charged with strong racial meanings, being against the Jews in particular. It is absolutely evident that the seizure of Jewish assets moves parallel to the arrests of many Jews that were still in the city. The inventory is the specific evidence of the consummation of a crime against the Jews. These two aspects make the drawing up of inventories an act of political collaboration.

At the same time the bureaucratisation of the Nazi system allowed the legitimate owners to recover, as far as possible, their goods in the postwar period. Within the AMG, the Jewish Office was established with the task to recover Jewish assets and to repay the victims. The office could examine the files of the Nazi administration, thus identifying looted assets and some names of the legitimate owners. The Nazi documentation provided materials to enact claims.

Despite the Nazi attempt to create standard operating procedures that would forbid smuggling, confiscations encouraged the activities of opportunists and other ambiguous figures who got rich through the Jewish tragedy. Taking advantage of their role, these wielded tiny forms of power that could not but end into moral degradation. Many employees and other profiteers played an ambiguous, non transparent role. At the same time a clash was taking place between the German occupation authorities and the institutions of the Italian Social Republic (*Repubblica sociale italiana*, RSI). Although deprived of jurisdiction on the OZAK, the RSI attempted to implement the Italian legislation and Mussolini's bans. These latter, no less harsh than the German ones, attempted to prevent the dispersion of the assets confiscated by Nazis. It should not be forgotten that in Trieste the confiscations also concerned valuable art objects, such as the 14 paintings of the lawyer Gino Pincherle (among them a painting attributed to Titian), those of the Pollitzer family and the canvases, porcelain, and carpets belonging to Mario Morpurgo de Nilma.

Cecilia Villeni is a representative of criminal and ambiguous behaviour within a wider system and her story is a significant case among many which occurred in Trieste: it contributes to reconsider the social and cultural environment of a city damaged by the war, where often issues of personal reward had dramatic consequences on the lives of individuals²⁴.

²² GROSS–GRUDZIANKA GROSS 2016, p. 15.

²³ BASEVI 2001.

²⁴ APIH 1999, pp. 39-48; LEVIS SULLAM 2015b, p. 261.

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ABSTRACT

This paper analyses the post-war trials in Trieste (1945-1947) for prosecuting crimes of collaboration committed during the Nazi occupation, with special attention to the role played by the Italian collaborators. The case-study of Cecilia Villeni allows to illustrate the activities of those involved in the spoliation process of Jewish property.

Questo contributo analizza i processi celebrati tra il 1945 e il 1947 a Trieste per perseguire i crimini di collaborazionismo commessi durante l'occupazione nazista; con specifico interesse al contributo recato dagli italiani, un caso di studio riferito alla vicenda processuale di Cecilia Villeni mette in evidenza i diversi attori coinvolti nel processo di spoliazione degli ebrei.

**FLAGGING A RED FLAG: CONTEXTUALIZING THE ACTIVITIES OF
ALESSANDRO MORANDOTTI BETWEEN 1939 AND 1945 IN LIGHT OF THE ART
LOOTING INVESTIGATION UNIT REPORT (1946-1947)**

«Uomini e meloni hanno questo in comune, che dal di fuori non si capisce se sono buoni»¹.

Alessandro (Sandro) Morandotti (1909-1979)

The Office of Strategic Services (OSS) Art Looting Investigation Unit's (ALIU) *Biographical Index of Individuals Involved in Art Looting*, or list of *Red Flag* names, is a tool frequently used by provenance research practitioners for identifying objects with potentially problematic ownership histories relative to the Nazi era². Compiled from the ALIU's reports of 1945 and 1946, the list includes the names of individuals interrogated, investigated, or mentioned during the unit's investigation into art looting on the European continent during the Second World War³. While the list is often a starting place indicating further provenance research might be necessary, scholars and provenance researchers recognize that the list is not comprehensive, should be used judiciously, and with additional historical context on the individuals, their involvement, and objects associated with them. The inclusion of Dr. Alessandro (Sandro) Morandotti (1909-1979)⁴, art dealer, antiquarian, and publisher, exemplifies this.

According to the ALIU reports Morandotti was an Austrian national resident in Italy with bases in Venice and Rome; he was instrumental in introducing Walter Andreas Hofer, the curator of *Reichsmarschall* Hermann Göring's collection, and Josef 'Seppe' Angerer, another dealer working on behalf of Göring, to a number of Italian dealers; he was the partner of Feruccio 'Ildebrando' Bossi, a Genoese dealer; and he had travelled to Berlin in 1943, where he acted as a liaison between Göring and a Florentine dealer, Eugenio Ventura (1887-1949), in the trade of pictures⁵. Since the ALIU investigations, there has been little attention paid to Morandotti. Discussion is limited to his posthumous publication of aphorisms, *Minime* in 1979-1980 (introductions by Paolo Volponi and Italo Zingarelli), and within *Scrittori Italiani di*

¹ As quoted in RUOZZI 1994, p. 1236.

² Formed by the American government in 1944, and administered by the OSS, the ALIU was a specialist unit charged with investigating the wide scale art loss, plunder and destruction of cultural property under the Nazi regime and its European allies. Sixteen reports detail the results of their investigation. The term 'Red flag' name has more recently been applied by modern day art historians, historians, provenance researchers and other practitioners investigating art loss to denote individuals included within the reports. See: *Post-War Reports: Art Looting Intelligence Unit (ALIU) Reports 1945-1946 and ALIU Red Flag Names List and Index, The Central Registry of Information on Looted Cultural Property 1933-1945*, www.lootedart.com/MVI3RM469661, <September, 2014>.

³ Throughout the present text there is reference to the Nazi era and Second World War: Nazi era refers to the period starting January 30, 1933, when Hitler became Chancellor of Germany and antisemitic and racial persecution began. Second World War refers to September 1st, 1939, with the invasion of Poland; within the context of this paper, although Italy and Germany had been linked politically and militarily since Hitler and Mussolini signed the Axis Pact of Steel, May 22nd, 1939, Italy did not formally enter the war until June 10th, 1940.

⁴ Dates for contemporary figures in the present text are included where known.

⁵ ROUSSEAU 1945, part 1, pp. 104-105; College Park, Maryland, National Archives and Records Administration, M1944 Record Group 239 Roll 0047, Records of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas, 1943-1946, Card File on Looting Art Suspects. For additional biography on Göring see: FRAENKEL-MANVELL 1962, FRISCHAUER 1951 and HOLLMANN-MÄRZ 2014.

Aforismi by Gino Ruozzi and James Geary's *Guide to the World's Great Aphorists*⁶. Most recently, his grandson, the art historian Fabiano Colletti, published small notebooks of his aphorisms in a two-part series, *Aphoristikos* and *Satirikos*, in 2013. However, there is little mention in these publications of Morandotti's activities during the war. In publications that discuss the art trade in Italy during the Second World War, which are few and far between, his name is generally missing⁷. The present paper is thus a brief historical account of Morandotti during the Second World War⁸. In addition to characterizing and classifying his engagements and dealings with Göring and agents working on Göring's behalf, looking beyond the investigations of the ALIU, discussion will include some of his other activities: between 1940 and 1943, Morandotti organized four exhibitions at the art gallery Antiquaria at Palazzo Massimo alle Colonne in Rome, and in 1942 he began a publishing venture, the culmination of which was the weekly journal «Cosmopolita», first published in 1944 following the liberation of Rome, and which circulated until 1946.

In the field of Nazi-era provenance research and the art market during the Second World War, it is often noted that closer examination should be paid to Italy⁹. In seminal texts on the topic, activities in Italy are paid minimal attention, and apart from the ALIU investigations, there is lack of a central text or resource that documents or analyses the market in Italy at this time and the individuals involved. In addition therefore to shedding light on a figure who in later years was described as *affascinante*, and a «many sided being», with «great moral courage», the present paper seeks, through its presentation of Morandotti's personal acquaintances and professional relationships, to identify resources and to suggest avenues for further research in order to gain a better understanding of this neglected geography within provenance research and histories of the art market¹⁰.

Biography

Alessandro Morandotti was born in 1909 in Vienna to Margarethe (Margherita) Zucker (b. circa 1875-1877), a Viennese woman, and Amedeo Morandotti (1871-1924), an Italian

⁶ MINIME 1979-1980; RUOZZI 1994; GEARY 2007.

⁷ Morandotti is not mentioned, for example, in the following: NICHOLAS 1995; PETROPOULOS 1996; EDSSEL 2009; EDSSEL 2013; *DONATELLO AMONG THE BLACKSHIRTS* 2005; nor is he included in *DONATELLO AMONG THE BLACKSHIRTS* 2005, which deals with visual culture in Fascist Italy or in *L'OPERA DA RITROVARE* 1995, an inventory of the Italian art treasures lost and a number of collections plundered during the period of concern; while he is included in the provenance for the paintings sold to Göring in YEIDE 2009, he is not discussed in the section on Göring and Italy, pp. 14-15; he is given brief biographical treatment in HAASE 1991, p. 130, and HAASE 2000, p. 95.

⁸ The present paper has been developed from a presentation for the Transfer of Cultural Objects in the Alpe Adria Region in the 20th Century's (TransCultAA) Workshop at the IMT Lucca School for Advanced Studies, Italy, September 18-19, 2017, and is part of an ongoing research project by the author into the activities of Morandotti during the Second World War.

⁹ Prior to the efforts of the TransCultAA, and proceedings at Lucca, the Provenance Research Training Program, in Conjunction with the Italian Presidency of the Council of the European Union, Workshop, Rome, Italy, December 8th-12th, 2014, and the Holocaust Art Restitution Symposium, Palazzo Turati, Milan, on June 23rd, 2011, presented by Christie's and Union Internationale des Avocats, are two examples of efforts to spark more conversation and encourage research in this field in Italy.

¹⁰ Laura Laureati, Email message to author, November 25th, 2014. Laureati, the step-daughter of Giuliano Briganti, to be discussed later in this text, has described Morandotti as fascinating; Loewi Robertson, the daughter of Adolph Loewi, also to be discussed presently has described Morandotti as a multi-faceted human being with great moral courage; both Laureati and Loewi Robertson knew Morandotti personally. These sentiments are similarly reflected in RUOZZI 1994, p. 1234.

journalist and correspondent for the «Corriere della Sera» in Paris, Vienna and Berlin¹¹. Morandotti was raised in Berlin, but was educated in Italy. Following graduation from the Bocconi University in Milan with a degree in economics and trade, he worked for a brief period at the Milanese manufacturing corporation Pirelli, and then, as he was an avid pianist, at the *Teatro La Scala* in Milan, albeit in a secretarial capacity¹². He resigned from his position at the opera, however, when in 1937 he refused to wear the *camicia nera* sported by the Fascist regime¹³. The exact circumstances surrounding the 1937 date and Morandotti's resignation, and whether it was in relation to specific events, are not clear; however, the Fascist regime had had a link to the *Teatro* for some time: in 1921, the Ente Autonomo Teatro alla Scala was founded to manage the theater. In 1929, the Fascist government gave the chief of state the power to choose the Ente's president, and imposed the presence of a representative of the Ministry of National Education in the board. It is possible that there was a correlation between Morandotti's resignation and the fact that Hitler had recently been given the position as *Caporale Onorario* in the same year, since as shall be discussed, Morandotti has been described as a fierce «anti-fascist» and «anti-nazi»¹⁴.

In 1937 Morandotti began working for German dealer Adolph Loewi (1888-1977) as director of Loewi's firm Adolph Loewi, Inc., at Palazzo Nani Mocenigo in Venice¹⁵. Loewi's firm specialized in a variety of objects including paintings, textiles, decorative arts, furniture and sculpture, and had an international clientele spanning museums, private collectors, galleries, and dealers in continental Europe, the United Kingdom, and the United States¹⁶. According to Gabriela Kay Loewi Robertson (b. 1920), the daughter of Adolph Loewi:

Father told me that although Morandotti was not schooled in art, but rather was a musician (he played the piano beautifully) he thought that he would fit into our very international business, because he spoke four languages (a requirement in our international work) – 'he could learn the rest' – well, he did!¹⁷

¹¹ Morandotti Senior published an account of the First World War in Berlin, but there is no mention of Morandotti Junior: MORANDOTTI 1915.

¹² As part of ongoing investigations into Morandotti, I have visited and contacted a number of archives, museums and individuals in Austria, Italy, Germany and the United States who had some relation to Morandotti. In addition to indicating those that were fruitful with providing information, I will include those that were contacted, but either did not have information or from whom there was no response. The archives of the Scala did not have any information with respect to Alessandro Morandotti; the archives pertain only to opera singers and some musicians (Matteo Sartorio, Archivist, Email message to author, September 9th, 2014).

¹³ Loewi Robertson, Email message to author, August 13th, 2014.

¹⁴ Loewi Robertson, Email message to author, August 13th, 2014.

¹⁵ Born in Munich, Adolph Loewi was the son of Jacob Loewi (1856-1960) and Emma Bernheimer (1865-1950). Emma was the only daughter of Lehman Bernheimer (1841-1918), an art dealer, and the discoverer of a plant that supplied high quality textiles, with whom Loewi apprenticed as a young man. Bernheimer's three sons, Max, Ernst and Otto were also dealers, based out of Munich. Between 1904 and 1905 Loewi worked for an art dealer in New York and then between 1908 and 1909, for a dealer in Spain (both unknown). With three uncles in the business in Munich, and seeing no future for himself there, in 1911 he opened his first gallery at the *Abbazia di San Gregorio*, Venice. After Italy entered the First World War in 1915, he spent three years with the Bavarian Royal Army. He returned to Venice after his service and married in 1919. In 1920 Gabriela (Kay) Loewi (Robertson) was born. That same year, he leased Palazzo Nani Mocenigo and started a voluntary position September 19th, 1921 as honorary German consul in Venice. His position as consul was terminated September 30th, 1933 following Hitler's rise to power. Loewi Robertson, Email message to author, August 22nd, 2014; RAGGIO 1999, p. 180; Berlin, Politisches Archiv des Auswärtigen Amts, PA AA, RAV Rom (Quirinal), No. 520d, Letter from Adolph Loewi to the German Consulate, Trieste, August 13th, 1921.

¹⁶ RAGGIO 1999, p. 180, Letters between Adolph Loewi, and his daughter; Loewi and Morandotti; and Loewi and Paul Byk of Arnold, Seligmann and Rey, who acted as his agent in New York, show the unusual breadth of Loewi's business. The letters are kept in a US Archive, which is presently inaccessible; analysis of various US public collection print and online catalogues confirm the broad nature of items which were sold by Loewi.

¹⁷ Loewi Robertson, Email message to author, August 13th, 2014.

Loewi Robertson continues to characterize Morandotti as a man with «great moral courage», and noted that his anti-fascist stance had been attractive in hiring him to work for the firm.

In 1938, following Italy's implementation of the *Leggi Razziali*, as part of an Italian Police search of Loewi's office, the Loewi firm's stock books were destroyed¹⁸. Although Loewi was alleged to have engaged in illegal currency transactions, circumstances suggest he was being harassed as a Jewish foreign national: the punitive Italian Racial Laws, which enforced racial discrimination against Italian Jews saw an influx of isolated incidents and threats both to Italian natives as well as to foreign nationals of Jewish heritage. Shortly thereafter, Morandotti made arrangements to assist the family's flight from Italy writing telegrams in coded German so that they could not be deciphered by censors. Sailing from Le Havre, France, on February 1st, 1939, the Loewi family fled to the United States, arriving in New York on February 9th; they did not return to Venice until after the war. Morandotti proceeded to turn the Loewi firm into a corporation, and sold the shares 'anonymously' to two family friends who held them in their names in order that the business not be closed or confiscated.

According to Loewi Robertson:

When my father, a Jew, had to leave Italy, the danger of having his Jewish business seized was enormous. Morandotti was sending telegrams, which had to be coded in such a way that censors would not understand them (nor did my father) [...] We had nicknames for everybody we were doing business with, I do remember, but a few – “Acco” was Accorsi of Turin, and I am pretty sure the other was Ciolli, our forwarder and export specialist in Florence (Universal Express) ...At that time, they were closing Jewish businesses and marking them “ebreo” [Jew] – Sandro was frantic, so he went to Lugano, wrote a long letter and airmailed it. Father immediately sent an answer “Yes”, and Sandro proceeded to turn the private business into a corporation, *Società Anonima*, then moved it to Rome (keeping Venice where Father had a lease on Palazzo Nani until 1953)¹⁹.

Fearing that Venice would be bombed, and knowing Rome to be an 'open city' due to the centrality of the Vatican, Morandotti left the firm and Palazzo Nani Mocenigo in the care of Loewi's book-keeper (name unknown) and another dealer from Turin, Pietro Accorsi (1891-1982). He subsequently leased the Palazzo Massimo alle Colonne in Rome, calling the new firm Antiquaria in order that Loewi's ownership not be revealed. Although he continued to oversee the Venetian firm, Morandotti resided in Rome throughout the war. During this time, he organized four exhibitions of art at Antiquaria between 1940 and 1943. He also published the weekly periodical «Cosmopolita» in 1944. As it would be revealed decades later, Morandotti was simultaneously responsible for hiding a number of Jews and members of the resistance in the Palazzo Massimo during the spring of 1944.

The Göring Report: Sales

According to investigations by the ALIU, Morandotti sold eight paintings to Hofer and Göring between 1941 and 1943²⁰:

¹⁸ RAGGIO 1999, p. 7 At the time this unfolded, Loewi and his daughter were in Paris, as part of a two year project to redecorate the Italian consulate; Loewi Robertson, Email message to author, August 13th, 2014.

¹⁹ Loewi Robertson, Email message to author, August 13th, 2014.

²⁰ The paintings are in many ways archetypical of the paintings collected by Göring as the emphasis of his collection was on German Old Masters, Italian Renaissance Painting and sculpture, Dutch and Flemish Old Masters and tapestries, and art of the eighteenth century French courts; in terms of subject matter and

- Alessandro Varotari, called Padovanino, *Nude Bust of a Young Woman* (1941) <20.000 lire>
- School of Fontainebleau, *Portrait of Gabrielle d'Estree and Her Sister, the Duchess of Villars, in the Bath* (1941) <200.000 lire>
- Giovanni di Paolo, *Madonna and Child* (January, 1941) <190.000 lire>
- Theodor Rombouts, *Alexander and Roxane* (December 2nd, 1941) <25.000 lire>
- Sebastiano Ricci, *Jupiter and Venus* (December 1st, 1941) <150.000 lire>²¹
- Frans Floris, *Adam and Eve* (December 1st, 1941) <100.000 lire>
- Jacopo Tintoretto, *Danae* (1943) <350.000 lire>
- School of Antonello da Messina, *Annunciation* (circa 1943) <unknown>

Of the eight works, three, by Padovanino, Ricci and Floris, are recorded as having been sold on behalf of the dealer Ferruccio 'Ildebrando' Bossi²². When Morandotti and Bossi came to be acquainted is not clear, but as we shall see the pair collaborated outside these sales, as Bossi loaned paintings to the third exhibition held at Antiquaria in 1943. Of the eight paintings sold by Morandotti, the Rombouts, Ricci, and Floris were sold directly to Göring, and the Padovanino and Giovanni di Paolo were sold to Hofer on behalf of Göring. The three remaining paintings were 'gifts' arranged for Göring²³: the Fontainebleau painting from *Reichskommissar* in Norway *Gauleiter* Josef Terboven (1898-1945) for use as a birthday gift to Göring on January 12th, 1942; the Tintoretto from the city of Berlin, and was used as a birthday gift for Göring the following year; the School of Messina painting from Dr. Friedrich (Fritz) Görnert, a member of Göring's staff, for use as a gift to Göring on March 24th, 1944. However, at least two of the sales may not have been carried out by Morandotti after all: according to a letter of August 5th, 1941 from Hofer to Göring, the Rombouts was possibly sold by Florentine dealer Luigi Bellini²⁴, and according to the Berchtesgaden inventory of the Göring collection the Fontainebleau painting was acquired from Bossi²⁵.

The archives of the Antiquaria, which might establish earlier provenances or confirm the dates and methods of acquisition for the objects sold by Morandotti, are presumed lost²⁶. Examining published literature on each painting, and the paintings discussed that Morandotti sold on behalf of other dealers, with the exception of one, there is no known provenance

iconography, Göring had a particular taste for nudes, mythologies, and allegorical figures. For a complete reconstruction of his collection, see: YEIDE 2009. A detailed summary including known provenance for the paintings sold or exchanged by Morandotti is provided in *Appendix I*.

²¹ ROUSSEAU 1945, part 1, p. 105, lists the date of purchase as 1942; December 1st, 1941, is listed on an inventory compiled by Göring's collection secretary, Gisela Limberger, College Park, Maryland, National Archives and Records Administration, RG260 Box 437 Folder VI; there is the same discrepancy for *Adam and Eve*, attributed to Frans Floris.

²² According to the ALIU report, Bossi was a Genoese dealer whose establishment Hofer visited on one occasion. Hofer noted that the dealer had a bad reputation in the art world, although he paid him commissions, sometimes jointly with Morandotti. ROUSSEAU 1945, part 1, p. 103 Hofer's comments on Bossi's character would appear to ring true: the dealer had a criminal record dating back to 1924, with a five-year conviction for art smuggling, and had been banned from dealing. In the 1960s, he was implicated in the illegal smuggling of a Raphael from Italy to the US, which was donated to the Museum of Fine Arts of Boston. For discussion in brief of Bossi, see: MACLEAVE 1981, pp. 214-215. For discussion in full on the Raphael affair, see: RATHBONE 2014.

²³ As he preferred art to other presents, and as a means to bolster his collection, Göring's dealers implemented a process where he would flag objects he coveted in dealers' stocks, and when Nazi officials would contact Göring's office in anticipation of giving a gift, they would be put in touch with the dealers in whose stock Göring had earmarked objects. See: YEIDE 2009, p. 9.

²⁴ College Park, Maryland, National Archives and Records Administration, RG239 Box 78 Letter from Walter Andreas Hofer to Hermann Göring, August 5th, 1941.

²⁵ As cited in YEIDE 2009, p. 380.

²⁶ Alessandro Morandotti Jr, Email message to author, October 5th, 2014.

prior to Morandotti²⁷. Loewi Robertson has suggested that the paintings came from the stock of the Loewi firm, an irony given that the firm was Jewish owned and that German funds ultimately allowed the gallery to flourish²⁸. That Morandotti sold on behalf of other dealers, suggests he had sources outside the Loewi stock, however. Moreover, as will be discussed presently regarding the exhibition at Antiquaria, analysis of the lending pool for each exhibitions shows that Morandotti had an extensive and international clientele, encompassing private collectors, galleries, dealers and museums with far reaching arms within the art trade. It cannot be excluded therefore that Morandotti acquired or sold objects on behalf of these individuals. Export permits filed by Morandotti and held with the Archivio Centrale dello Stato likewise suggest a flourishing trade; however, the source of the items – whether a third party or Antiquaria – is not indicated, and the items – chiefly decorative arts and furniture – yield few clues or avenues to uncover additional provenance²⁹.

In addition to the sales that Morandotti made to Hofer and Göring, he was instrumental in introducing the pair to other dealers and collectors, and acting as intermediary on Italian dealers' behalf to negotiate sales or exchanges with Hofer and Göring. Morandotti introduced Hofer and Göring to such notable figures and dealers as: Countess Galletti Spiridon, Rome, a noble from whose collection a Leonardo da Vinci *Leda and the Swan* was sold to Hitler³⁰; Prince Massimo, Rome, a nobleman and collector; Ferruccio Asta (1900-1952), Milan and Venice, a dealer; Giovanni (Giannino) Marchig, Florence, a restorer, and part-time dealer who worked for the Florentine Museums; Dr. Ettore Sestieri, Rome, an established dealer, historian and director of the Barberini Gallery, Rome, who later became implicated in the sale of a painting to Hitler for the *Sonderauftrag Linz*, and offered paintings to Hofer from the Barberini collection; and Albert Maier, dealer from Munich resident in Italy who acted as Hofer's chief intermediary and guide when in Florence. Despite these introductions, however, no known sales or exchanges of art works to Hofer or Göring came to fruition from these individuals, and Morandotti does not appear to have been involved in the various sales to the *Sonderauftrag Linz*³¹. Morandotti did apparently introduce Hofer and Göring to a number of other individuals who seized the opportunity to benefit financially from the Germans, and for whom on more than one occasion he acted as the point of contact or intermediary for sales. These individuals include: Ugo Jandolo, Rome, an antiquities dealer who sold sculpture to Hofer for Göring with Morandotti as intermediary; Attilio Simonetti, Rome, an antiques dealer, who sold antique jewelry to Hofer for Göring, with Morandotti as the point of contact; and Luigi Grassi and Sons, Florence, a firm of dealers started by Luigi Grassi and his brother Giulio, who sold a number of pieces to Hofer and Göring. Perhaps the most important instance where Morandotti acted as intermediary was on behalf of Eugenio Ventura of

²⁷ To this end, *catalogue raisonnés* on each artist, exhibitions in Italy published between the early to mid-twentieth century, and photoarchives at the Frick, Witt Photo Library, London, and Fondazione Zeri and Berenson photoarchives online have been checked. The *Portrait of Gabrielle d'Estree and Her Sister, the Duchess of Villars, in the Bath* is the lone painting that has a (partial) known provenance prior to Morandotti: it has been recorded to have been with the Marchese Negrotto-Cambiaso Family, Genoa. The Negrotto-Cambiaso family was a noble Genoese family, descended from the Pallavicini, a Genoese noble family. It was later listed as with an unknown private Florentine Collection PLOGSTERTH 1991, no. C 22.

²⁸ Loewi Robertson, Email message to author, August 13th, 2014.

²⁹ For this information, I am grateful for discussions with colleague and TransCultAA researcher, Daria Brasca.

³⁰ The painting has more recently been attributed to Circle of da Vinci.

³¹ Although Hitler and Göring had contacts and sources, which overlapped, Hitler had his own forces and network of dealers or advisers acquiring objects. Many of the acquisitions that were made in Italy for the *Sonderauftrag Linz* were negotiated by Prince Philip of Hesse, a German national resident in Italy, and married to Princess Mafalda of Savoy, the daughter of King Vittorio Emanuele III of Italy. For more background on Hesse's activities, see NICHOLAS 1995, pp. 156-157, 159, 230.

Florence, an antique dealer, who according to Hofer, had the second best quality of paintings after Contini-Bonacossi³².

The Göring Report II: Morandotti as Intermediary

While Göring's collection is well-known for including a number of looted objects, or items that had been subject to forced sales or sales under duress³³, exchanges were a significant aspect in the formation of Göring's collection. To this end, Morandotti acted on behalf of Ventura to facilitate the exchange of eleven old master paintings and works of decorative art for nine nineteenth-century paintings taken from the Jeu de Paume repository of the *Einsatzstab Reichsleiter Rosenberg* (ERR) in Paris³⁴. The exchange was negotiated between December 6th, 1942, and March 8th, 1943³⁵. Exactly when Morandotti became an intermediary is not clear. According to the ALIU investigations, Ventura had a German secretary and confidant, Frau Hertha Kessler, who communicated with Hofer and kept him apprised of Ventura's movements, so it is possible she was involved in the initial communications with Hofer and Göring, especially as Ventura had already sold at least one painting to Göring in December, 1941³⁶. Reconstructing the events from Hofer's personal notes and his statements during interrogation, the height of Morandotti's involvement was on January 28th, 1943, when he met with Hofer and Ventura in Berlin³⁷. On February 21st, 1943, Morandotti telephoned Hofer from Florence, and forwarded Ventura's request that Hofer bring the paintings in question with him on his next trip to Italy: Ventura had agreed to the exchange. This exchange is frequently cited within the study of Nazi theft and plunder, as the nineteenth-century paintings had all been confiscated from notable Jewish collections, including those of Paul Rosenberg (1881-1959), Alfred Weinberger (d. 1977), Alphonse Kann (1870-1948), and Alfred Lindenbaum (d. 1948), considered the foremost art dealers in Paris prior to the Nazi occupation. The exchange is also important because when the paintings were confiscated, they were valued by the Foreign Currency Control at 37,750 *Reichsmark* each; Hofer's total value for the paintings in negotiating with Ventura, however, was 540,000 *Reichsmark*, showing a blatant manipulation of prices. Furthermore, when Ventura received the paintings, they were presented with a letter stating that they were pictures for restoration by Ventura's wife, so that Ventura could avoid paying import tax on them³⁸. As the trade took place after a May 9th, 1942 law, implemented by the Minister of Education, Giuseppe Bottai, which prohibited the export of works of art without a permit, and which was broadcast specifically citing Göring as a threat to Italian cultural patrimony, the Ventura exchange shows Hofer and Göring conspiring to evade the recent Italian export law, and alongside Italian citizens. Investigations into this exchange were conducted by both American and Italian officials after the war. According to Rodolfo Siviero, *ministro plenipotenziario*, the investigation conducted by the Italian offices

³² ROUSSEAU 1945, part 1, p. 106.

³³ Forced sales typically refer to objects forcibly sold at auction, whereby owners received minimal proceeds or proceeds were placed in block accounts; these items were also typically sold at below market value. Forced sales can also refer to the sale of objects in order to pay the punitive *Reichsfluchtsteuer*, which allowed Jews and other citizens deemed as enemy of the state to leave Germany. Sales under duress typically refer to sales made under coercion by the Nazis.

³⁴ For a reconstruction of the plundering and collections targeted in France by this specialist task force headed by the Nazi ideologue Alfred Rosenberg and designed to plunder cultural valuables in Nazi-occupied countries, see: *Cultural Plunder by the Einsatzstab Reichsleiter Rosenberg: Database of Art Objects at the Jeu de Paume* <https://www.errproject.org/jeudepaume/>, <September, 2014>.

³⁵ The Ventura Exchange has been recently examined in PELLEGRINI 2014 and 2017.

³⁶ ROUSSEAU 1945, part 1, p. 106.

³⁷ ROUSSEAU 1945, part 2, attachments 56-62.

³⁸ College Park, Maryland, National Archives and Records Administration, M1946 Record Group 260 Roll 126.

provided the Italian dealers with «their first embarrassments», and the affair «provoked unbelievable polemics and unexpected situations»³⁹. On October 2nd, 1945, the High Commissioner for Italy, Rear Admiral Ellery W. Stone (1894-1981), wrote a letter to the President of the investigating Italian Council, in which he notes that it had been established that Ventura was fully aware of the origin of the property which he was acquiring, and that other prominent persons in Florence, including an official of the Superintendence of Galleries, were acquainted with the transaction⁴⁰. The Carabinieri lodged an accusation against Ventura for his involvement, although he was ultimately cleared by a Florentine criminal court. Morandotti is not mentioned in communications regarding these investigations or exchanges.

As we have seen, it appears that Morandotti may have only directly sold three paintings to Hofer rather than the eight initially suggested, and while we do not know the extent of his awareness in the Ventura affair with regard to the origins of the confiscated Jewish property, as Loewi Robertson suggested, Morandotti was a fierce «anti-fascist» and «anti-nazi». Although the importance of these events should not be discounted, nor that Morandotti was involved in the sale of paintings to Hofer and Göring after Bottai's 1942 law, it can be argued that war has a way of forcing people to choose between greater and lesser evils, and that an individual targeted by Göring and his agents would have found it very difficult to refuse cooperation entirely. Notes from Hofer's interrogation and details from the ALIU report on the exchange indicate that Ventura had voiced objections to the high prices posed by Hofer, which were met by subtle threats: Hofer warned that Göring might find Ventura «anti-nazi»—thus the deal was accepted⁴¹. Another episode involving Contini Bonacossi similarly highlights threats made by a group of Göring's agents: when Angerer and Gerhard Wolf, German consul in Florence, went on a tour of Contini-Bonacossi's collection, Angerer supposedly said to Contini-Bonacossi, «What a pity you're not a Jew!», and drawing a finger across his throat continued, «If you were a Jew, we could do just that! And all the paintings would be ours!». Unbeknownst to Angerer, however, Contini-Bonacossi was in fact half-Jewish⁴². Examination of Morandotti's own ancestry poses a parallel consideration: records of the *Israelitische Kultusgemeinde Wien* (IKG) in Vienna suggest that Morandotti's mother was Jewish-born, as their birth index includes a 'Margarethe Zucker' (May 3th, 1877), daughter of Dr. Josef Zucker and 'Mrs. Atlass'⁴³. Loewi Robertson has suggested that partial incentive for Morandotti's engagement with Hofer and Göring was the allowance to travel with covered protection to Germany, where his family remained. Morandotti furthermore was not alone in selling items to the enemy. Contini-Bonacossi, for example, is recorded to have sold the largest number of works of art to Hofer for the Göring collection of any individual in Italy, forty-nine works in total⁴⁴. Luigi Bellini sold over twenty; the dealers Jandolo and Grassi sold around a dozen works each; the dealer Giorgio Sangiorgi sold seventeen – and all after the 1942 law implemented by Bottai. When we compare Morandotti with other dealers who were selling to Hofer and Göring, he is further distinguishable as he appears to have been the only one active

³⁹ *SECONDA MOSTRA NAZIONALE* 1950, p. 17. Siviero directed the diplomatic mission to the Allied military Government in Germany to establish the principle of returning artworks looted in Italy by the Germans. For additional biography on Siviero, his efforts to protect monuments and works of art during the war and recover objects after, see: BOTTARI 2013 and SIVIERO 1984.

⁴⁰ *SECONDA MOSTRA NAZIONALE* 1950, p. 17.

⁴¹ ROUSSEAU 1945, part 2, p. 96.

⁴² SAMUELS–SAMUELS 1987, pp. 478-479.

⁴³ Sabine Loitfellner, IKG, Email message to author, August 7th, 2018. Ancestry and Geni.com however list the wife of Amedeo Morandotti as 'Margarethe Zucker,' b. May 3rd, 1877 – the source for this information is not clear, and while a daughter Adelaide (Morandotti) von Hoerschelmann (1901-1976) is included, there is no mention of Alessandro <March, 2019>.

⁴⁴ For recent examination of Bonacossi, see: PAZZI 2016.

in planning, executing and publishing large-scale exhibitions during the war, both in and outside of Rome⁴⁵.

Exhibitions at Antiquaria

The inaugural exhibition of the Galleria Antiquaria at Palazzo Massimo alle Colonne, Rome, *Mostra del Paesaggio Veneziano del Settecento*, opened December 19th, 1940. The exhibition included forty paintings, largely Venetian cityscapes, pastoral scenes, and classical ruins in the Veneto. The artists included Luca Carlevarijs, Giovanni Richter, Marco Ricci, Antonio Canal, called Canaletto, Francesco Zuccarelli, Giuseppe Zais, Michele Marieschi, Francesco Guardi, Antonio Diziani, Bernardo Bellotto, called Canaletto, and Jean Honore Fragonard. The paintings were on loan from a number of private collectors in Italy: Baron Edgardo Lazzaroni (b. 1892), Rome, brother of dealer Baron Michele Lazzaroni (1863-1934), who descended from a prominent family of financiers; Tullio Gasparini, Venice, a Medieval scholar and art historian; Italo Brass (1870-1943), Venice, a painter, collector, and dealer, who had a considerable collection of Renaissance and later Italian paintings, who loaned ten paintings to the exhibition, and who would continue to loan a substantial number of pictures to subsequent Antiquaria exhibitions; and Pietro Accorsi, Turin, the collector and antiquarian who oversaw the former Loewi firm at Palazzo Nani Mocenigo in Venice. A catalogue of the exhibition was published, including entries for each painting with the title, dimensions, medium, collection, a short bibliography, and a brief essay. Images were included for the majority of the works of art. The catalogue begins with an essay by Morandotti outlining the scope of the exhibition, providing an introduction to landscape painting in Venice and the Veneto in the eighteenth century and to the artists included within. A preliminary text by Morandotti introduces the firm, the name Antiquaria, its intentions, and scope:

Antiquaria: sa di Latino e di Cinquecento. Per noi significa: culto dell'antico. Nome di fantasia. Ma razionale e preciso il programma dell'impresa. Espressione del contrasto, tra immaginazione e realtà, che accende ed alimenta la passione per l'antico. Un desiderare che non si placa finché l'antitesti non sia superata, e risolta, nel soddisfacimento⁴⁶.

Morandotti continues to describe the firm as one devoted to the antique: to the joy of ownership and pleasure of rare things, and to the love of beauty, form, color and materials that are the spiritual essence of this passion that survive from the past. He pledges the gallery as one that will serve to provide constant enjoyment to its clientele in the objects that he offers, and asks that the client give their trust to Antiquaria, alluding to the commercial enterprises and sales of the business. Yet, he pledges a commitment to the art, suggesting an academic and intellectual agenda: in addition to the everyday work of advising collectors and selling objects, he vows to organize exhibitions that bring the beauty and history of the unknown to the everyday, emphasizing that all exhibitions will be non-selling.

The second exhibition at Antiquaria, *Mostra di Pittura Veneziana del Settecento*, opened December 20th, 1941. The exhibition included one hundred paintings by twenty-eight artists and masters of the eighteenth century, including Sebastiano Ricci, Giovanni Battista Piazzetta, Giovanni Battista Tiepolo, Pietro Longhi, Francesco Guardi, Giovanni Antonio Guardi, and

⁴⁵ In order to establish this, I ran a variety of searches via worldcat and scipio entering the various dealers' or gallery names of those included in the OSS report conducted by the ALIU and published in ROUSSEAU 1945 without result; while it was common in the early through mid-twentieth century in Italy to hold exhibitions of a similar nature of those at Antiquaria, it seems none were replicated by the other dealers during this time to the scale of Morandotti's ventures. The antiquarian dealer's milieu is explored in BELLINI 1947.

⁴⁶ *MOSTRA DEL PAESAGGIO VENEZIANO* 1940, p. 1.

Francesco Zuccarelli. The exhibition was largely made up of paintings, although a few drawings were included, and it incorporated a range of subjects popular within eighteenth-century Venetian fine art: religious painting, history painting, mythology, portraiture, pastoral landscapes and genre painting. Again, and as highlighted in the introductory essay, the exhibition was not intended for selling or profiting from the works; rather, the exhibition was designed for greater enrichment, education and enlightenment, with works of art on loan from a number of private collections and dealers throughout Italy, including: the Contessa Marianna Prampolini di Reggio Emilia, biographer, celebrated art collector, and wife of the engineer Natale Prampolini; Alessandro Brass, Venice, the father of the painter Italo Brass; and Arturo Grassi, Florence, of the aforementioned dealers, Grassi Brothers. Pietro Accorsi, Turin, again contributed a number of works. In addition to private collections in Rome, Milan, Florence, Venice, Modena and Turin, works of art were loaned by private German collectors, including: Dr. Wilhelm Reuschel, Munich, founder of the bank Reuschel and Co. and collector of Baroque art; H. Vollert, Munich, and Senator Robert Scholz-Forni, Hamburg⁴⁷.

Once again, a catalogue was produced for the exhibition, including cataloguing for each piece, images of the majority of the works, and a short biography for each artist. Morandotti introduces the exhibition and catalogue with an essay, in which he explains that the exhibition is to be a continuation of the former one, in order to allow for a deeper understanding of Venetian painting of the seventeenth century. The intended audience is scholars and collectors: he notes that many of the works are previously unpublished and are presented now so that scholars can make effective comparisons and so the dilettante can gain a balanced view of this period, which he acknowledges has been the subject of extensive investigation in recent years. Indeed, throughout the publication, the references and bibliography include scholarship from recent years, such as the work of art historians and experts on Italian Baroque art Max Göring and Antonio Morassi (1893-1976)⁴⁸.

The third exhibition at *Antiquaria, Mostra di Giuseppe Bernardino Bison*, opened on June 20th, 1942⁴⁹. Ninety-two works of art were included, and as implied by the title, all were by the eighteenth and nineteenth-century northern Italian painter, Giuseppe Bernardino Bison⁵⁰. Lenders to the exhibition included public and private collections, art historians and dealers, including: the Pinacoteca Civica di Treviso; Ferruccio Asta, Venice and Milan; the Coletti Family, Treviso; Professor Giuseppe Fiocco (1884-1971), Padova, an art historian; Carlo Marchiori, Rome, Ambassador of Italy, resident in Bern, Switzerland; Antonio Morassi; Dr. Leo Planiscig (1887-1952), Rome, former director of sculpture and decorative arts at the Kunsthistorisches Museum, Vienna, and specialist on Italian Renaissance sculpture and decorative arts; Ugo Procacci (1905-1991), Florence, art historian, academic and theorist on restoration and conservation; Antonino Rusconi, Royal Superintendent for the Monuments of Trento; and the descendants of the artist himself⁵¹. Again, the Contessa Prampolini loaned a

⁴⁷ The collections of Reuschel and Scholz-Forni have been recorded in the following, but there is no inclusion of Morandotti: *DIE SAMMLUNG WILHELM REUSCHEL* 1964 and *VON SCHNEIDER* 1937.

⁴⁸ Morassi was an Italian art historian and an expert on Venetian art: his archive is held at the Ca Foscari University in Venice, but aside from two photographs in the archives with 'Morandotti, Milano, 1964' on their verso, there is no inclusion of correspondence, or material pertaining to the exhibition, or otherwise. Barbara Lunazzi, Archivist, Email message to Author, November 17th, 2014.

⁴⁹ *MOSTRA DI GIUSEPPE BERNARDINO BISON* 1942.

⁵⁰ Influenced by the eighteenth century painters Tiepolo and Guardi, and associated with Canaletto's studio, Bison was mainly known for his historical compositions, genre scenes, and landscapes, including *vedute di fantasia*, or capricci, largely created while working in Venice, and neighboring areas including Ferrara, Trieste and Padova. For additional scholarship on the artist, BERGAMINI-MAGANI-PAVANELLO 1997.

⁵¹ The Coletti Family, Treviso, almost certainly refers to Luigi Coletti, art historian, critic and director of the Biblioteca Comunale, housed with the Pinacoteca di Treviso, who loaned paintings of the same period to the great exhibition at Palazzo Pitti in 1922: see *MOSTRA DELLA PITTURA ITALIANA* 1922. Regarding Antonino Rusconi, Trento: he had been embroiled in the gift of the *Vipiteno Altarpiece* to Göring; according to period

number of works of art. As with the other exhibitions, Morandotti opens the catalogue with an essay explaining the incentive for the exhibition, and in this instance, explaining the choice for focusing on Bison, whom he acknowledges is not particularly well-known, either by academics or collectors. He explains that it is not for a lack of ideas, or materials, but in the belief of serving culture, providing justice to the artist and in bringing Bison the attention he believes should be due. He acknowledges recent studies on the artist, including an exhibition at Palmanova, Bison's birthplace, and that a few museums in the Veneto and at the Albertina in Vienna possess his works. Meanwhile, he also acknowledges that a group of cutting edge, passionate collectors have recognized the quality of Bison's oeuvre, but that there is a considerable absence of knowledge in both erudite and lay circles. He further acknowledges recent studies by Antonio Morassi and Carolina Piperata and the desire to take this work further.⁵² He draws comparisons between Bison and many of the artists represented in the previous exhibitions at Antiquaria, as a way of placing him in the context of eighteenth century painting, and to provide a frame of reference for viewers of the exhibition and readers of the catalogue.

The fourth and final exhibition at Antiquaria, *Cinque pittori del Settecento*, opened April 21st, 1943⁵³. Eighty-five works of art were included by the eighteenth century artists, Fra Vittore Ghislandi, Giuseppe Maria Crespi, Alessandro Magnasco, Giuseppe Bazzani and Giacomo Ceruti. Lenders to the exhibition included a range of notable public and private collections, dealers, and art historians, both Italian and German, including, among others: Museo Civico di Pisa; Ildebrando Bossi, Genoa; Dr. Aldo Briganti, Rome, art historian, dealer and father of Giuliano Briganti; Professor Roberto Longhi (1890-1970), Florence, an art historian and theorist; Andrea Busiri Vici Jr, Rome, an architect; Vittorio Cerruti, Italian Ambassador to Moscow; Count Albertino Palma di Cesnola, Florence; Marchese Enico Visconti Venosta (1887-1945), Rome, nobleman and writer; and Gallery Jacob Schweidwimmer, Munich⁵⁴. The painter Italo Brass, Venice, once more contributed over twenty paintings to the exhibition. Morandotti introduces the exhibition and catalogue with a lengthy essay outlining motivations and incentives for the exhibition and artist choices: to continue on the theme of eighteenth century painting, but this time focusing on the Lombardy region, where he acknowledges many of the artists felt a Venetian «pull», and to enlighten both the intellectual community and public regarding artists who are important for the period, but are perhaps not as well-known as they might be. He again draws comparisons between the artists in the present exhibition and those whose works were on view in exhibitions from 1940 through to 1942, reiterates that the commercial importance of these works is minimal and that they have been borrowed from private collections and placed on view in order to develop greater learning. Perhaps most notable in the 1943 exhibition catalogue essay is that Morandotti commences the text by acknowledging that the exhibition has opened in a time of war.

Although Morandotti had started Antiquaria from the Loewi firm, which had been established in the early twentieth century, when we consider that Morandotti did not have an art background, that Loewi had not been an exhibiting gallery, and that Morandotti had only been in Rome for a couple years when the first exhibition opened, it seems remarkable that he

documentation and post-war reports, he had, however, raised «every conceivable objection». Records of the Monuments, Fine Arts, and Archives (MFAA) Section of the Preparations and Restitution Branch, OMGUS, 1945-1951, Cultural Property Claim Applications, Compiled 1946-1948, Vipiteno Paintings by Hans Multscher, Italy, Appendix A, Letter HQ Alcom, 20909/25/MFAA, September 18th, 1945, accessed via fold3.com October 5th, 2014.

⁵² PIPERATA 1940; MORASSI 1930-1931.

⁵³ *CINQUE PITTORI* 1943.

⁵⁴ The Roberto Longhi archive is in Florence; however, at the time of research and writing, it was closed and inaccessible to the public. Paolo Benassai, Archivist, Email message to author, November 13th, 2014.

was not only able to put the exhibitions on, but also draw in an international clientele, and continuously gather more than forty works of art for each. Although the exhibitions were not for profit, each exhibition catalogue in its content and physicality suggests that Antiquaria was successful, growing and able to support itself financially during these years. For the first exhibition which contained forty paintings, those collections which are identified as lenders were perhaps accessed through relationships from Venice. The second exhibition included one hundred paintings, and again drew on various collections from Venice, perhaps individuals known to the Loewi firm, but also German collections, and the collection of the Prampolini outside Rome. The catalogue is lengthier and larger, with 94 pages and measuring 30 cm, whereas the first catalogue was only 31 pages by 25 cm. The catalogue includes a brief biography of each artist, while the first did not. Although the third exhibition was devoted to one artist, ninety-two works of art were nonetheless included, and again borrowed from an even broader spectrum of international and well known private collectors, scholars and dealers. The catalogue is more substantial than the first two, with an introductory essay to the catalogue, biography on the artist, lender's list at the back and list with the 1940 and 1941 exhibitions held at the gallery. The fourth exhibition has the most sophisticated and comprehensive catalogue of the four and is the longest and largest at one-hundred and sixteen pages and 32 cm. Similar to the third exhibition, the catalogue has a full lender's list and list of the past exhibitions put on by Antiquaria, but it has at least two pages of biography for each artist, in addition to introduction, and the type-face is larger and in bold.

In the March 1942 issue of «Pantheon», Italian art historian and former director of the Galleria Estense, Modena, and Superintendent of Venetian Museums, Rodolfo Pallucchini (1908-1989), wrote *Unbekannte Werke Piazzettas*, discussing the previously unpublished paintings by Piazzetta included in the 1941 exhibition at Antiquaria⁵⁵. Pallucchini, who had written his thesis on Piazzetta, and published his first book on the artist in 1934, describes the exhibition as «äusserst interessanten und gelungenen», and the catalogue as «sorgfältig verfassten und wissenschaftlich dokumentiert[t]»⁵⁶. He emphasizes that the paintings under examination had been previously unknown and that their importance for the history of the development of styles of Venetian masters prompted him to speak more about them – fulfilling the ambition that Morandotti had expressed in the exhibition catalogue.

When we consider that the exhibitions at Antiquaria were held during a time of war, the efforts appear even more noteworthy: art exhibitions under Mussolini and the fascist regime were difficult. Transportation at this time was limited, costs constrained, and public collections had been closed since 1940. It is therefore an important question to ask – although with the absence of gallery records difficult to confirm – how Morandotti was able to not only transport the works of art, but also convince lenders of their safety during this tumultuous time. It is possible that he used the Ciolli shipping firm in Florence, which the Loewi firm had used prior the family's escape in 1938, to secure transport, and which was active during the war⁵⁷. One way of confirming this would be to examine the *versi* of the paintings that were included within the exhibitions to see whether they bear labels of Ciolli or any other transport

⁵⁵ For additional biography, see: BOUCHER 1989. An important conference also recently presented information from Pallucchini's archive, the proceedings of which are to be published later in 2019: *Rodolfo Pallucchini: risultati delle ricerche sugli archivi dello storico dell'arte veneta*, 12th to 13th of March 2019, University of Udine.

⁵⁶ PALLUCCHINI 1942, p. 49.

⁵⁷ Although Morandotti and Ciolli are not mentioned in tandem, nor are any of the works of art that Morandotti sold to Hofer or Göring included, the Ciolli firm was also investigated by the OSS as they had been involved in the transfer of works of art purchased in Italy by the Germans and had sent a number of cases to the Commercial Office of the German Embassy in order that exemption of export duty might be obtained. *Italy, Records Concerning the Central Collecting Points (Ardelia Hall Collection): OMGUS Headquarters Records, 1938-1951*, p. 157, accessed via fold3.com December 3, 2014.

firms from the period⁵⁸. Likewise, and as previously discussed, since Rome was an open city, it is plausible that collectors and other dealers saw the city as a location with less risk for bombing and where their objects would be safe⁵⁹. Indeed, some years earlier, it had been observed that Italians were «not easily persuaded to reveal the contents of their collections»⁶⁰.

That Morandotti's ventures with Antiquaria were not only successful during a time of war, but also that he opened the gallery in the first place, is likewise noteworthy. Despite a number of dealers in Rome, Rome as a commercial art-center in the 1930s and 1940s was less developed than other areas of Italy. As discussed by Giuliano Briganti, during this time Italy was a country «molto regredito» and Rome «un provincione»⁶¹. He describes one of the rare examples, the Galleria della Cometa, devoted to modern Italian and expressionist art, founded by Corrado Cagli, a painter, and Libero de Libero, a poet and art critic, which was active between 1935 until the summer of 1938, when it was closed as a result of the *Leggi Razziali*. But he recalls seeing sheep passing along the via Giulia nearby, one of the main strips in Rome, attesting to how provincial the city still was.

The decision to exhibit Venetian and Lombard painting of the 17th and 18th centuries in Rome is also an interesting one. A number of exhibitions of a similar nature were held in Venice as early as 1929, and over subsequent decades until the present day, and an exhibition of *Sei* and *Settecento* painting had been held at Palazzo Pitti, Florence in 1922⁶². However, consulting bibliographies on the period suggests that the exhibitions in Rome held at Antiquaria were not only unique during the 1940s, but were also not replicated in the following decades, whether at a gallery or otherwise⁶³. In 1980, reflecting upon the revision and reprint of his text published in 1959, Michael Levey notes that even when the first edition was published, the subject of eighteenth century painting in Venice was still in its infancy⁶⁴. Comments made by Roberto Longhi, in his review of a 1952 exhibition held in Milan at Palazzo Reale, *Pittori della Realtà in Lombardia*, suggest that Morandotti was ahead of scholarship on the subject of eighteenth century painting⁶⁵. He notes the 1943 exhibition as one of the few to have works of art by Ceruti who saw a surge in popularity scholarly interest in the 1950s, and who he heralds as «one of the greatest artists of Italy»⁶⁶. Additional reflection on the Florentine and Venice exhibitions makes for an interesting comparison: Francis Haskell has commented that from one point of view the Florentine exhibition is one of the most important of the twentieth century⁶⁷. He notes that the exhibition was designed to celebrate a victory recently won by Italy against Austria, and in addition to restoring national pride, demonstrated that Italian art had remained at the very centre of European culture long

⁵⁸ At the time of publication, inquiries are currently pending with a number of institutions, which retain paintings that were included in the exhibition.

⁵⁹ This practice was pervasive throughout the Second World War, and there are numerous examples in and outside Italy of museum, galleries and private collectors sending works of art to the country-side or to areas that were safe from bombing or risk of spoliation. The Palazzo Pitti and Uffizi Gallery, Florence, were just two of countless examples in Italy. Internationally examples include the Museum of Fine Arts, Boston, sending objects to the Worcester Museum; private collectors in Paris sending their art-works to Wildenstein for safe-keeping; and the National Gallery, London, sending their collections to the Manod slate mines in North Wales.

⁶⁰ BROCKWELL 1922, p. 128. Brockwell discusses the large 1922 exhibition on *Sei* and *settecento* art at the Palazzo Pitti in Florence, to be discussed presently.

⁶¹ «molto regredito», «un provincione», CARAMORE–GULINUCCI 1995, p. 65.

⁶² While the Pitti exhibition is significantly larger than any of the exhibitions put on at Antiquaria, and has a greater number of works of art on loan from public collections (mainly museums and churches), there is less of a presence from the private domain. Moreover, the works of art are presented with little attention paid to cataloguing, essays, or artist biography. *MOSTRA DELLA PITTURA ITALIANA* 1922.

⁶³ Bibliography consulted in: MARTINEAU–ROBISON 1995.

⁶⁴ LEVEY 1980, p. 1.

⁶⁵ LONGHI 1953, p. 35.

⁶⁶ «uno dei grandi artisti d'Italia», LONGHI 1953, p. 36.

⁶⁷ HASKELL 2000, p. 130.

after it had generally been supposed, dying out at the end of the sixteenth century. The organisers of the exhibition pushed for the placement of artists such as Michelangelo Merisi da Caravaggio, Orazio Gentileschi, Annibale Carracci, Guido Reni, and Domenichino Zampieri, who had recently been overlooked, as inseparable from the understanding of the development of such artists as Rembrandt van Rijn, Vermeer, Diego Velazquez, Peter Paul Rubens, Antony Van Dyck and Nicolas Poussin. They further tried to argue that the Italian masters of the seventeenth and eighteenth centuries had not only been of utmost importance to their contemporaries in Spain, France, Flanders and Holland, but had anticipated the modern movement of the nineteenth century in France, and a lesser extent, England. One must wonder whether there was any element of choice behind the exhibition to continue this distillation of national pride, especially during a period of conflict, by situating an overlooked area of Italian artistic production within a strictly Italian tradition.

Despite the apparent success of the gallery, in a letter to Loewi dated October 2nd, 1944, in which he reveals his own passion and love for art, his desire to one day start a collection of his own, and perhaps be a client of Loewi's, Morandotti notes that he is not very optimistic about the future of the antique art market, and endeavours to pursue publishing, an old passion of his, instead⁶⁸.

*Morandotti as Publisher: «Cosmopolita»*⁶⁹

On June 25th, 1944, barely two weeks after the liberation of Rome by American forces on June 4th, 1944, Morandotti published «Cosmopolita. Settimanale di Vita Internazionale». Operations were conducted in Palazzo Lazzaroni, a short distance from Palazzo del Quirinale in Rome, with Morandotti as director of the publication. The editor was Giuliano Briganti, then still a student of art history, focusing on journalism, but who would become one of the foremost art historians of the twentieth century in Italy and an art critic for «La Repubblica», one of the widest circulating newspapers in Italy⁷⁰. Excerpts of Briganti's student thesis, *Il manierismo e Pellegrino Tibaldi*, were ultimately published in «Cosmopolita» in the June 30th, 1945, issue, and in full that same year, which became a point of reference for the rediscovery of mannerism in Italy⁷¹. Brunello Vandano (b. 1918), one of Briganti's peers, who would go on to be an author, worked on the publication in an editorial capacity, preparing the newspaper and contributing to the reports and stories with Briganti.

Each issue was eight pages long, with the exception of Christmas and New Year specials, in 1944 and 1945, which were double the length. Much of the publication was devoted to current affairs, including politics and economics. While Rome had been liberated at the time publication began, other parts of Italy were still under German or Fascist control. «Cosmopolita» continued to follow the events of the war until its end in 1945, and its aftermath through 1946. One such feature, from the second number to the fifth, focused on *Criminals of War*, specifically the life of Göring. While the content was more historical than opinion-oriented, outlining his growth from air captain to his position as second in command of the Third Reich, a cartoon in the August 19th 1944 issue highlights his greed and coveting of objects and art. Another assessment of current events, the September 7th 1944 issue

⁶⁸ Private Archive, United States.

⁶⁹ For a full list of the dates and numbers of «Cosmopolita» consulted in preparation for this text, see *Appendix I*.

⁷⁰ Laura Laureati has indicated that Morandotti and Briganti had particular incentive to establish «Cosmopolita»; this will, however, be treated in her forthcoming biography of Briganti, and she therefore does not wish to share this information prior to publication. Email message to author, November 25, 2014.

⁷¹ CARAMORE–GULINUCCI 1995, p. 54; see Laura Laureati, *Cosmopolita, settimanale di vita internazionale*, in <http://www.giulianobriganti.it/index.php?id=119>, <March, 2019> (first publication April 17, 2013, via <http://www.academia.edu>, p. 3 <October, 2014>).

included a re-print and translation of *Il Manifesto degli Italiani d'America*, written by a group of Italian émigrés to the United States: Giuseppe Antonio Borgese (1882-1952), a writer, journalist and literary critic, Arturo Toscanini (1867-1957), the renowned conductor, Lionello Venturi (1885-1961), a historian and art critic, Giorgio la Piana (1879-1971), a historian, theologian and Medievalist and Randolfo Pacciardi (1899-1991), a politician. The manifesto, a discussion of their disillusionment with the Italian government and condemnation of the Fascist regime, had initially been published in New York's «Life» magazine two months prior.

While «Cosmopolita» presented features on politics and current events, a range of additional fields and interests were addressed, including history, social issues, art, theatre, music, literature and cinema. *Roma sotto inchiesta*, for example, which ran from October 14th, 1944, to the last number, highlighted social concerns, or aspects of the city, whether hospital reform, education of youths, or restaurants, inns and taverns. Another social focus published in the July 12th 1945 issue was *Una Mezza Pagina per La Donna*, which featured women as protagonists of the changing economy, and which Laura Laureati has suggested may have had an impact on the decision for the first vote in Italy in June of 1946⁷². Most issues contained a section on recent cinema, music, or theatre, such as a focus on Soviet music in the June 13th 1945 issue, and cinema culture in New York in the March 1st 1945 issue. Although events in and topics pertaining to Rome and Italy were highlighted, as implied by the title, there was consistent and considerable discussion of international news and interests, whether political or otherwise. For example, the December 16th 1944 issue had a focus on Vienna and the September 30th 1944 issue on religious factors of life in America.

Italian contributors to «Cosmopolita» included such notable figures in political, social, intellectual and cultural history as Arrigo Benedetti (1910-1976), who would go on to found two weekly periodicals in Italy; Enzo Forcella (1921-1999), a historian and journalist for «La Repubblica» and «L'Espresso»; the film directors, screen-writers and critics, Carlo Lizzani (1922-2013) and Michelangelo Antonioni; art historians Roberto Longhi, Rodolfo Pallucchini, and Anna Banti; essayist, editor, and international intellectual, Giorgio Bassani; Italian painter and anti-fascist, Renato Guttuso; and banker, economist, and politician, Guido Carli, who would go on to direct the Banca d'Italia. A number of Italian artists provided illustrations, including: Giorgio de Chirico, Mario Mafai, Amerigo Bartoli, and Mino Maccari. Attesting to the international scope of «Cosmopolita», notable foreign contributors included: Vladimir Pozner, a Russian Jewish émigré to the United States who was a spy for the US during the war; Erich Maria Remarque, a German novelist, perhaps most well-known for *All Quiet on the Western Front*; Andre Malraux, a French novelist, theorist and Minister for Cultural Affairs under President Charles de Gaulle; John Steinbeck, an American author and later Pulitzer prize winner; John Rewald, a German Jewish émigré to the United States, art historian and perhaps foremost expert on Cézanne and the French post-impressionists; Emil Ludwig (1881-1948), a German author, known for his interviews and biographies of political figures of the twentieth century; Igor Stravinsky, Russian composer, conductor and pianist; and William Faulkner, an American author, Nobel laureate, and Pulitzer prize winner. International artists such as Pablo Picasso and Henri Matisse contributed illustrations.

In terms of content and format, «Cosmopolita» can be compared to the leading Italian publications «L'Europeo» or «L'Espresso»; however, the former was founded in 1945, and the latter in 1955, making «Cosmopolita» the earliest publication of its type. Laureati has suggested a comparison can be made to «Primato. Lettere e arti d'Italia», a fortnightly magazine started by Minister Bottai, which was circulated between 1940 and 1943 and sought to educate on Italian cultural aspects. But she notes that the latter did not have the same international

⁷² *Ibidem*.

perspective as «Cosmopolita»⁷³. Although Morandotti served as director of «Cosmopolita», his name is included in only a few volumes from the second year of the publication. The only issue which includes a piece explicitly by his hand is from March 29th, 1945, and was part of a series of interviews of various journal directors, *Come faccio il mio giornale*.

Morandotti explains:

Il giornale deve la sua impronta alla mia insofferenza per ogni forma di costrizione. Quindi, nessuna formula, indipendenza politica e avversione per le collaborazioni fisse, le rubriche fisse, l'impaginazione fissa. Il programma è sintetizzato dal titolo.... Apprezzo il linguaggio semplice, conciso e scarno, il tono equilibrato. C'è chi afferma che il giornale è impaginato male. Se per impaginar bene si intende costringere la materia in schemi simmetrici predisposti per il piacere degli occhi, l'appunto è giustificato. A me pare invece che sia tempo di smetterla con gli estetismi, di cui fu campione Longanesi, se è vero che egli ordinava gli articoli consegnando uno spago che ne fissava la lunghezza - dittatura dello spazio a mortificazione dello spirito e a detrimento del contenuto. Tra impaginare male e impaginare bene, preferisco allora impaginare peggio⁷⁴.

Rejection of compulsion and static form can be observed visually in «Cosmopolita»: there are no set columns and many of the structures of the articles overlap. Morandotti's criticism of Leo(pold) Longanesi (1905-1957), a Milanese journalist, painter, author, publisher and aphorist, is also interesting to note, as Longanesi was a long-term supporter of the Fascist regime and later critic of the Democratic government that was installed in Italy after the war. Laureati has suggested that Morandotti may also be the voice behind a number of epithets on the first page of several issues signed il «Cosmopolita»⁷⁵. These brief editorials consider themes such as 'Puritanism' vs. 'Machiavellian,' in the September 23rd, 1944 issue, alluding to the recent Battle of Rimini, and revolution in the December 2nd 1944 issue, alluding to the American liberation of Rome, and subsequent interim direction of Italy. They all show a political reformist attitude in the assessment of recent governmental actions⁷⁶. The editorials seem to appeal to or speak on behalf of the average Italian citizen, as for example in *Richiesta al Governo*, in the December 19th 1944 issue, which highlights the economic struggles of the population post war.

«Cosmopolita» ceased publication with its eighty-first number in March, 1946. Laureati has suggested that the times had changed and there was no longer reason to publish it, that Rome had already experienced a profound change in the two years since publication and that the fact that the various contributors followed different paths may have played a role⁷⁷. Nevertheless, although the publication may have been short lived, we once more have a remarkable enterprise which Morandotti directed, and which was unique during its lifetime. Based on the multitude of contributors, both inside and outside Italy, the broad range of topics included, and the title itself, we can surmise that this weekly publication aimed to have an international readership and reception, if not only give a global perspective to the Italian reader. One of the important contributions to «Cosmopolita», which may suggest that an international acknowledgment was indeed achieved, concerned the visit of a commission of ten British members of parliament to the recently liberated Buchenwald concentration camp

⁷³ Laura Laureati, *Cosmopolita, settimanale di vita internazionale*, in <http://www.giulianobriganti.it/index.php?id=119>, < March, 2019> (first publication April 17th, 2013, via <http://www.academia.edu>, p. 1 <October, 2014>).

⁷⁴ As quoted in RUOZZI 1994, p. 1234.

⁷⁵ See footnote 73.

⁷⁶ «The Rimini Corridor» and «The Capture of Rimini», in KAY 1967, pp. 211-227.

⁷⁷ Laureati, Email message to author, November 25th, 2014.

on April 11th, 1945. A report of this visit, which was signed by the ten from the commission, was published exclusively in «Cosmopolita» on June 7th, 1945.

After the War

Immediately after the war, Morandotti returned the Antiquaria firm, both in Rome and Venice, to Adolph Loewi, as a «well-running firm». As Loewi Robertson attests, «Sandro not only saved, but increased my father's business!»⁷⁸. Morandotti eventually purchased Antiquaria from Loewi in the 1950s, and the pair continued to work together, although in their respective locations – Rome and Los Angeles – selling objects to a varied international clientele including dealers, private collections and museums⁷⁹. Morandotti never came to America, nor did he meet with Loewi again. According to Loewi-Robertson, Morandotti was never granted a visa, a result of his visits to Berlin, and meetings with Göring and Hofer regarding the Ventura exchange. Morandotti organized one final exhibition at Galleria Antiquaria in 1950, *I bambocianti, pittori della vita popolare nel Seicento*, along with Giuliano Briganti, with whom he would remain lifelong friends, and whom he would visit on a daily basis towards the end of his life⁸⁰. Morandotti continued selling works of art from Palazzo Massimo, and pursued writing, publishing a book of aphorisms, as well as the piano, until his death from throat cancer in Zurich in 1979. In 1998, in the November 11th and 12th issues of «Corriere della Sera», an article was published discussing Italian dealers and antiquarians who profited from art works spoliated from Jewish collections; Morandotti was included on this list. In the December 7th issue, the son of Ugo Volli, a Jewish member of the resistance in Rome, published an editorial in response to the earlier article, and with a sense of disbelief:

...per quanto riguarda Alessandro Morandotti manifesto la mia incredulità: mio padre, ebreo, resistente, clandestino, nella tragica primavera del 1944 ha trovato rifugio per mesi nella galleria di Palazzo Massimo alle Colonne, scelto perché dotato di sette diverse uscite oltre a quella principale, sì da poter consentire, a fronte di purtroppo numerose irruzioni del SS, e di poter tentare, come per fortuna è stato, di trovare salvezza [...]. Per la riconoscenza che mio padre ha manifestato per tutta la sua vita nei confronti dei Morandotti, non posso tacere questa testimonianza⁸¹.

In addition to Volli, Morandotti was harboring a number of Jews in Palazzo Massimo⁸². While the act was dangerous in and of itself, the palazzo's physical location added considerable risk: it was directly across the street from the Gestapo headquarters in Rome⁸³. According to Loewi Robertson, Morandotti was a private man, very secretive about his

⁷⁸ Loewi-Robertson described further: «We had a friend in the advance communications detachment of the US Army, who was one of the first to enter Rome, he made a bee-line to the Palazzo Massimo that Sandro had leased, and we heard that everything was fine and father ended up with two going galleries, one in Venice in the summer months and the seat in Rome». Email message to author, August 20th, 2014.

⁷⁹ Notable examples of post-war sales and clientele, include: The Los Angeles County Museum of Art; The Acquavella Galleries, New York; Prince Brancaccio, Rome; The Detroit Institute of Arts; Samuel H. Kress Foundation, New York (National Gallery of Art, Washington, DC). Each of these can be found through their respective Museum Collection's websites.

⁸⁰ BRIGANTI–MORANDOTTI 1950; Laura Laureati, Email message to author, November 18th, 2014.

⁸¹ VOLLI 1998.

⁸² Loewi Robertson, Email message to author, August 13th, 2014.

⁸³ The Gestapo headquarters was located in the Villa Tasso on Via Tasso. For a reconstruction of the atrocities committed there and liberation of prisoners following the June liberation of Rome, see: *GESTAPO IN ROME 1944*.

personal life, but when he was asked about this, he responded: «well, the Palazzo had seven exits! [The Germans] couldn't cover them all!»⁸⁴.

Conclusion

In 1995, a draft of the Unidroit Convention on Stolen or Illegally Exported Cultural Objects, which aimed to halt the trade of artworks with problematic origins, highlighted the opposition of many art dealers to this significant international agreement. First published by «The Art Newspaper» (no. 51, September 1995), alongside a series of related articles, an international outcry of protest from the commercial art world argued that UNIDROIT would inhibit the ability of US museums to acquire and/or exhibit an array of objects, would virtually freeze the public market, and would encourage illicit black market transactions⁸⁵. In discussing the response, Elizabeth Simpson commented: «The age-old battle continues over the illegal transfer of cultural property, in times of war and peace, between those from whom property has been stolen and those who would profit from its theft»⁸⁶. Morandotti's sales to Hofer and Göring, and his involvement in the Ventura exchange, fall precariously between these lines: undeniably, Morandotti profited from sales to Hofer and Göring, and ostensibly received commission or compensation for his negotiation on behalf of Ventura, which directly involved the exchange of objects from spoliated Jewish collections. Whether or not Morandotti knew of the origins of these objects, investigations by the ALIU were justified, and his involvement of sales after Minister Bottai's declaration banning the export of Italian cultural heritage were illegal. However, Morandotti's sales to Hofer and Göring were through Antiquaria, a Jewish firm, and were ultimately returned to Adolph Loewi. Moreover, Morandotti's sales to the Germans were minimal, and none of the paintings which he sold present an obvious restitution claim or problem today; they are not registered as losses on public databases or inventories of looted art; and upon examination of published literature and exhibition history for each, they do not appear to have been from spoliated collections, or acquired by forced sale or under duress from known victims of spoliation. Further, as we have seen, Morandotti's activities during the war, and his interactions with the Germans, count for a small part of his activities: examination of the exhibitions at Antiquaria suggest a booming business and growth from his move to Rome in 1940, as well as one that was unique in Rome during the period. «Cosmopolita» finally presents itself as a successful, competent weekly, with both international contribution and readership, that was unique for the time period and its location, and which condemned and criticized the Nazi and fascist regimes, and their supporters.

In the field of Nazi era restitution and provenance research, when coming across a 'Red flag name' a researcher's natural response can be a slight panic. While hundreds of dealers, auction houses, and others involved in the art trade were investigated, whether by the OSS, ALIU, or otherwise, as seen in the case of Morandotti, it does not necessarily mean that all these individuals were guilty in looting, or in trafficking spoliated art. New information consistently comes to light and it may very well be that years from now new archives or discoveries will be made that demonstrate that Morandotti was knowingly complicit in the trafficking of stolen or looted property, or had a hand in the spoliation of property himself. With the information available today, however, evidence points to the contrary, and thus condemnations would be extreme and excessive.

⁸⁴ Loewi Robertson, Email message to author, August 13th, 2014.

⁸⁵ PETROPOLOUS 2000, p. 109, has further commented that art dealers have a long history of self-interested behaviour, although collaboration with Nazi leaders is one of the more extreme examples in modern history.

⁸⁶ *THE SPOILS OF WAR* 1997.

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ABSTRACT

The present paper investigates the activities of antiquarian, dealer and journalist Alessandro (Sandro) Morandotti (1909-1979), between the period 1940-1944. Characterised by the Art Looting Investigation Unit as an individual of interest with regard to the spoliation of cultural property during the Second World War, or 'Red Flag Name', through additional archival, biographical and historical research, the paper shares a historical summary of his activities that go beyond collaboration with Nazi officials.

Questo contributo si concentra sulle attività del mercante, antiquario e giornalista Alessandro, (Sandro) Morandotti (1909-1979) negli anni 1940-1944. I documenti dell'Art Looting Investigation Unit lo segnaleranno come personaggio avente ruolo di rilievo nelle depredazioni di opere d'arte durante la seconda guerra mondiale. Il lavoro si propone di fornire un inquadramento storico del suo operato che vada oltre la collaborazione con le autorità nazifasciste, anche grazie all'ausilio di ulteriori ricerche biografiche, storiche e d'archivio.

RODOLFO SIVIERO BETWEEN FASCISM AND THE COLD WAR: NEGOTIATING ART RESTITUTION AND 'EXCEPTIONAL RETURNS' TO ITALY AFTER SECOND WORLD WAR¹

1. Thirty years of investigations into displaced artistic property

Very little can be accurately asserted about Rodolfo Siviero's (1911-1983) alleged early enrolment in the Florence section of the Fascist party around 1936. This circumstance appears, based on recent contributions and on Siviero's own accounts, to have served as a springboard for unspecified, brief intelligence missions in Nazi Germany, possibly in 1937-1938². Yet, with no clear-cut sources available, his historiography follows him by resurfacing alongside the Italian Resistance Movement in the early '40s. With no evidence as to his true *modus operandi*, he is said to have recruited people on a voluntary basis from both military and civil service (members of *Comitato di Liberazione Nazionale*, partisans, undercover agents, *Carabinieri* officers, civilians and religious personnel). Since the Monuments, Fine Arts, and Archives unit (MFAA) had yet to land on Italian soil, and before a new Italian army reorganized itself alongside the Allies after 1943, Siviero and his associates initially fell under the authority of the Allied High Command in the Mediterranean theatre. Their activities included following the routes taken by German lorries loaded with works of art, spying on enemy communications and reporting to Allied authorities and partisans, thus preventing new seizures and possible destruction of cultural property³. The Italian agency that had run the management and sale of Fascist-seized and confiscated property since 1938 (*Ente di gestione e liquidazione immobiliare*, EGELI) was also among the art unit's targets. Most notably, all these activities resulted in the collection and production of documents bearing witness to displacements and dispossessions as well as to related military and governmental orders issued by Nazi and Fascist officials⁴. Papers were initially kept in Florence. It was there that Siviero had his first headquarters, located in the house of the Fine Arts official and member of the Recoveries office, Giorgio Castelfranco, of Jewish origin, who left his house to Siviero when he fled the city⁵. Since Siviero's death in 1983, the house – which Giorgio Castelfranco sold him outright after the war – has become a museum run by the Regione Toscana. Nowadays some records and Siviero's collection of newspapers and magazine excerpts are still kept there. And despite their limited extent they cast precious light on his undertakings⁶.

¹ This paper was featured in the programme of the international workshop on *The Transfer of Jewish-owned Cultural Objects in the Alpe Adria Region*, held on 18th and 19th September 2017 at the IMT School for Advanced Studies in Lucca. See <https://www.transculaa.eu/2017/07/27/conf-the-transfer-of-jewish-owned-cultural-objects-lucca-18-19-sep-17>, <March, 2018>.

² Siviero's diaries n. 3-8, 1938-1943 (AADF), BOTTARI 2013.

³ SIVIERO 1984, ARANGIO RUIZ–MOLÈ–LONGHI 1962.

⁴ Like those sent from the office of the SS Reichsführer Himmler to the various *Kunstschutz* personnell in Italy, via the local SS Kommando (SIVIERO 1984).

⁵ Born in Venice in 1896, Castelfranco had been working in the Fine Arts administration since 1926. Among his appointments are those of chief of the *Soprintendenza medievale per la Toscana* and of director of the Pitti Museum in Florence. In late 1942 he was forced to sell his collection of paintings and drawings by Giorgio De Chirico (a close friend of his) and to flee Florence. In 1943 he was appointed Fine Arts official and then director general of the Badoglio government. He moved to Rome the following year and, among other things, worked with Siviero for the retrieval of displaced artworks. See for instance GIORGIO CASTELFRANCO 2015; GIORGIO CASTELFRANCO DA LEONARDO A DE CHIRICO 2014.

⁶ For a review of press clippings and other documents in the archive of Museo Casa Siviero see ZARU 2015-2016.

Soon after the liberation of Rome in June 1944, with the Kunstschutz personnel⁷ moving north and the MFAA now in charge of safeguarding initiatives⁸, Siviero ultimately moved his office to the capital. Meanwhile, he continued overseeing intelligence operations in occupied areas and exchanged information with the US Monuments unit. In order for his office to be properly accredited and to work with Allied authorities, the Italian government granted it institutional status in 1945 under the authority of the new Ministry of Public Education. This ran parallel to a short-lived attempt by the minister Vincenzo Arangio Ruiz to set up, in the spring of 1945, a commission for retrieving works of art taken by the Nazis. The art historian and professor Lionello Venturi, who fled to Paris in 1931 after refusing to swear allegiance to the Fascist party and lived in New York from 1939 to 1944, was deemed ideal for the role⁹. A note to the ministerial decree that, in June 1945, appointed him underscored the importance of a Venturi and Siviero collaboration¹⁰. Yet, the overall lack of coordination between Italian and American authorities with regard to the retrieval of works of art from depots in Northern Italy and Austria led to Venturi stepping down after only a few months, in July 1945¹¹. Thus, notwithstanding Siviero's early affiliation with the Fascist party and his alleged activity in Germany¹², he was eventually allowed by his government to keep running his office for recoveries. Indeed, the information collected during those years proved crucial to run investigations into displaced artworks and collections. Furthermore, an Italian mission for restitution was set up under the Ministry of Foreign Affairs as soon as the US military government in Germany started admitting national attachés to Central Collecting Points (1946 ca.).

From 1945 onwards, Siviero also made a point of reaching out to the Italian and Allied agencies dealing with dispossessed Jewish property¹³. They included EGELI (tasked after the war with processing restitution applications), ARAR (the agency set up in October 1945 for collecting and selling war remnants), the Allied CEM unit (Captured Enemy Material) and the Allied Jewish Property Control offices (active in the districts previously controlled by the Reich, the Operationszonen of Tyrol and Alpe-Adria). As a result, a good deal of Judaica, Jewish-owned objects and other valuables were spared from auction, which ARAR authorised as soon as 1946¹⁴. Furthermore, throughout the 1960s and the 1970s, Siviero's office offered support to Italian Jewish communities attempting to document the widespread destruction and looting of synagogues, libraries and Jewish private property. The 2001 Anselmi

⁷ The Kunstschutz section was set up in 1940 as the Wehrmacht's art protection branch. It was responsible for documenting and sparing monuments and other artistic material in occupied areas from war damage. Notwithstanding a general compliance with military and SS orders that resulted in several art lootings, it nonetheless assisted Italian officials with art transfers and other operations. FRANCHI 2012.

⁸ Apparently the first MFAA *Memorandum on German and Italian Activities with Regard to Works of Art in Italy* is dated 30th September 1944. See NARA, Holocaust Collection, Records of the American Commission for the Protection and Salvage of Artistic and Historical Monuments in War Areas (The Roberts Commission), 1943-1946/ MFAA Field Reports/ Report On German & Italian Activities In Italy Prior To Occupation Of Rome; Report On MFAA Officers In Normandy [AMG-49].

⁹ See for instance TAURASI 2011; LIONELLO VENTURI 2006.

¹⁰ ROVATI 2005, p. 270.

¹¹ ROVATI 2005, pp. 277-280.

¹² In a letter dated 26th September 1945 to the President of the Council of Ministries of the Kingdom of Italy, Ferruccio Parri, the then Sottosegretario alle Belle Arti Carlo Ludovico Ragghianti refers to Siviero as still a member of the Fascist Servizio Informazioni Militari (SIM). In another letter to the Italian President, Fernanda Wittgens, the then director of the Brera Academy, joins Ragghianti in dubbing Siviero «soldatuccio del SIM». See ROVATI 2005, pp. 280-282. See also RAGGHIANI 2010.

¹³ See for instance a note by Siviero of September 26, 1946 to the Ministries of Education and Foreign Affairs, ASD MAECI, Affari Politici 1946-1950 series, Italy, folder 22(8).

¹⁴ This was indeed the case of the silverware belonging to the Milan Jewish Community, recovered in 1948 from an ARAR depot. See RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM] 2001, L'OPERA RITROVATA 1984, <https://www.lootedart.com/MFEU4H81573>, <August, 2019>. See also below section 4.

Commission¹⁵ report mentions, for instance, the survey on the topic Luisella Mortara Ottolenghi¹⁶ sent to Siviero in November 1976 on behalf of the Italian Union of Jewish Communities (UCEI)¹⁷. Notwithstanding several detailed inventories, the draft catalogue specifically dedicated to missing Jewish property Siviero put together is still unpublished. Nevertheless, documentation of this kind can be found among the Commissione Anselmi's papers in the Central State Archive (ACS) as well as in the archive of the old Office for recoveries, both located in Rome. The latter maintains several folders documenting the fate of objects and furniture belonging to synagogues throughout Italy¹⁸.

With regards to the recovery of artworks amassed at the US-run Collecting Points in Munich, Wiesbaden and Offenbach, the fragile diplomacy of the second half of the 20th century and the multifaceted role of Italy in the conflict strongly affected Siviero's means of negotiation. As a matter of fact, the US military and civil authorities promptly handed back to Italy a great deal of what Nazis had looted and seized after the 1943 occupation of the country. Furthermore, Washington proved keen to also meet Siviero's demands for works that had been sold or given to Germany by Italian authorities beginning in the late '30s. Indeed, documents from the Munich CCP attest to a temporary US endorsement of the latter category¹⁹. These so-called 'exceptional returns' concerned artworks that ended up in Germany before 1943 partly as a result of Nazi-Fascist political ties²⁰. This is the reason why they did not easily fit into official Allied restitution policies²¹. Yet, the US allowed Italy to get back also these artworks, so as to shore up the pro-western results of the 1948 general election for the first republican parliament²². Afterwards, Washington grew progressively distrustful of Italian demands, fostering an escalating row between Siviero and the Munich personnel that ultimately brought him into severe disrepute within the US administration and at home. Nevertheless, throughout the '50s and the early '60s, he led negotiations with German and Yugoslav delegates in order to strike international agreements for the handing over of displaced cultural and historical items²³.

As he himself would state, the 1960s also meant for Siviero increasing political hostility from his own government and administration. This resulted in various attempts by the Italian Ministry of Foreign Affairs to shut down the international branch of the Office for recoveries, at a time when joint initiatives with German representatives were still ongoing²⁴. Furthermore, the launch of the Comando Tutela Patrimonio Culturale of the Carabinieri police in 1969 caused an overlap of the competencies and activities of the two bodies. Mounting tensions

¹⁵ The Anselmi Commission, so called by the name of its head, Tina Anselmi, was a parliamentary commission established on December 1st 1998, with the task of reconstructing the events concerning the acquisition of Jewish assets in Italy by both public and private bodies.

¹⁶ The art historian Luisella Mortara Ottolenghi (1930-2017) was a member of the Jewish Union's council and vice president of the Jewish Contemporary Documentation Centre in Milan.

¹⁷ The full document is currently missing. Only a few attachments referring to some Italian cities are to be found in the UCEI archive (*RAPPORTO GENERALE DELLA COMMISSIONE [ANSELMI]* 2001, p. 148, note 6).

¹⁸ As stated in *RAPPORTO GENERALE DELLA COMMISSIONE [ANSELMI]* 2001, pp. 159-161.

¹⁹ See records concerning the Central Collecting Points (Ardelia Hall Collection) in NARA's Holocaust Collection freely available at <https://www.fold3.com/browse/115>, <April, 2018>.

²⁰ PELLEGRINI 2017; COCCOLO 2017.

²¹ FOCARELLI 1997; KURTZ 2006.

²² NARA, Holocaust Collection, Records Concerning the Central Collecting Points (Ardelia Hall Collection) - Munich Central Collecting Point, 1945-1951/ Restitution Claim Records/ Italy Claims – Correspondence, pp. 36, 54.

²³ See for instance the Agreement between the Italian Republic and the Socialist Federal Republic of Yugoslavia for the restitution of cultural property to Yugoslavia, Rome, 15th September 1961. Its Italian version is attached to the Italian Presidential Decree of 22nd December 1961, n. 1667 providing for its implementation. The Decree n. 1667 is available at www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.del.presidente.della.repubblica:1961-12-22:1667:vig%3, <April, 2018>.

²⁴ SIVIERO 1984.

with Siviero's office eventually led to the end of the latter as the main reference point in the search for and recovery of displaced cultural property in Italy. On top of that, the retrieval by Siviero of an illegally exported portrait, attributed to Raphael, from the Boston Museum of Fine Arts in 1971, and its worldwide echo, seriously hindered diplomatic relations between Italy and the US²⁵.

In 1987, four years after Siviero's death, the Office and the Delegation for recoveries officially ceased to operate. Yet, all the documentation produced and collected during its thirty years of activity remained in the very same building where a Commission for recovery ran anew for about a decade (1995-2006). The rooms in Palazzo Venezia where Siviero lived and worked, and where all his records were still kept when I last consulted them in 2017, hosted a conservation unit (the Siviero Archive) under the Italian Minister of Foreign Affairs. In 2019 these rooms were reportedly emptied of all the documents, whose current whereabouts I am yet to verify. Nevertheless, the archive always provided support to the Carabinieri Comando Tutela and still does.

2. *The Adriatisches Küstenland report*

Even if Siviero's grasp of the situation within the Operationszonen was not as thorough as his grip on the rest of Italy, he was nonetheless able to collect useful documents. Additional information came from inquiries and interrogation reports by the US MFAA and ALIU (Art Looting Investigation Unit), as a result of a collaboration during which both sides shared their field data going back to before the end of the war. This resulted in a fairly detailed survey Siviero compiled of the activities of the German art and monuments protection (Kunstschutz) unit in 1943-1945 in the *Operationszone Adriatisches Küstenland*²⁶.

Here, Siviero starts by giving two chief reasons for missing information. First, key Nazi players were not available for questioning. Among them, he specifically singled out Erika Hanfstaengl, who in 1943-1945 assisted the head of the Kunstschutz office Walter Frodl in Italy, and who after the war served as aide to the Munich CCP's American director Herbert Leonard²⁷. Secondly, Siviero laments the widespread displacements and dispersal of official records caused by the political turmoil in the Venezia-Giulia region. Despite this, he was determined to deliver as clear an idea as possible on the Denkmalschutz office's major operations and summed them up as follows: protecting monuments and collections from war damage (mostly in the form of assistance to the Italian Fine Arts personnel); a thorough photographic campaign reportedly run by Ms. Hanfstaengl herself with the technical support of, among others, the Udine photographer Brisighelli; and managing dispossessed Jewish property. With regards to the latter, Siviero underscores the stark difference in treatment between Italian and Austrian Jewish property. The latter was indeed administered as full

²⁵ As a direct consequence, the Boston leg of the visit to the US by the Italian prime minister Colombo and his minister of Foreign Affairs Moro was cancelled. See RATHBONE 2014, pp. 154-230, AADFi.

²⁶ *Relazione sulle attività dei tedeschi nel periodo 1943/1945 nella zona d'operazioni costiera dell'Adriatico, nel campo delle belle arti, biblioteche e archivi*, ASD MAECI, Affari Politici 1946-1950 series, Italy, folder 22(8).

²⁷ See the section dedicated to Ms Hanfstaengl by Maria Tischner (Zentralinstitut für Kunstgeschichte, Munich) in FUHRMEISTER-WEDEKIND-TISCHNER 2017, pp. 44, 45. Maria Tischner further analysed Erika's role through a talk titled *Erika Hanfstaengl's Activities in Udine and Trieste from 1943 to 1945*, at the TransCultAA conference *Dispossessions of Cultural Objects between 1914 and 1989/1991. The Alpe Adria Region in Comparative Perspectives*, held in Ljubljana on 19th-21st March 2018 (from now on referred to as the TransCultAA Ljubljana Conference). The full programme of the conference is available at <https://www.transculaa.eu/2018/02/27/programme-international-conference-in-ljubljana-march-2018>, <April, 2018>.

property of the Reich, seized at the free port of Trieste and either sold or, in the case of some works of art, earmarked by Kunstschutz's staff for museums in the Reich²⁸.

As for Italian Jewish collections, Frodl to some extent succeeded in keeping them on Italian soil by handing them over to local museums. For instance, the Udine City Museum is said to have received items belonging to five Jewish collections: Filippo Brunner²⁹, Oscar Luzzatto, the Jerusum family, Enrico Morpurgo and an owner whose identity is unknown. The Trieste City Museum reportedly received part of the collections of Mario Morpurgo and Pollitzer³⁰. More often than not, as was the case with part of Enrico Morpurgo's collection in Udine, SS squads and the Reich's Finance office acted without regard to the intention of the Kunstschutz to keep local collections in situ. Furthermore, Frodl himself provided for some items to be transferred to Carinthia at the request of the Supreme Commissioner for the *Adriatisches Küstenland* Friedrich Rainer. More specifically, these items came from the above-mentioned collections of Mario Morpurgo, Brunner³¹ and Pollitzer. From a note by Erika Hanfstaengl, which Siviero attached to his report along with several other German documents, one learns that she personally selected several of Pollitzer's paintings for the Klagenfurt Landesmuseum³². In another instance, a deposition by Palma il Giovane, said to belong to Edmondo Pollach, is reported as having been turned over to the bishop of Rijeka. Nevertheless, Siviero points out the generally low quality of objects involved, since private works of art listed in State registries had been pre-emptively stored elsewhere by Italian Fine Arts officials. Parallel to this, the spoil of Jewish and other libraries took place under the auspices of the Supreme Commissioner with the advice of personnel from the Viennese State Library. Principles of territoriality were apparently taken less into account compared to works of art, and a good deal of bibliographic material made its way to the Reich. Among them, the report mentions 700 volumes from a private Jewish library of regional relevance in Gorizia, those taken from the library of the Duino Castle, and other volumes belonging to a military library located in Pula³³.

3. Records on the Pincherle Collection³⁴ in the Siviero Archive

In 1947, Gino Pincherle, a lawyer from Trieste, brought his claim for lost artworks before the Direzione generale Antichità e Belle Arti. Paintings, etchings and other items were taken from his family villa on Via Giulia 55 soon after September 1943. Fine Arts officials

²⁸ See the essay by Anneliese Schallmeiner and Gabriele Anderl published in this «Studi di Memofonte» issue. The fate of the Austrian Jewish property taken from the free port in Trieste (dubbed Masse Adria) and later consigned to the auction house Dorotheum was also the focus of Katja Zirnsack's (Dorotheum Vienna) and Felicitas Thurn-Valsassina's (Dorotheum Vienna) talk at the TransCultAA Ljubljana Conference. This was titled *The Vienna Auction House Dorotheum and the 'Masse Adria': What We Know and What We Don't*. For a detailed insight into assets amassed at the Trieste free port see Anneliese Schallmeiner's (Bundesdenkmalamt, Vienna), Daria Brasca's (HERA) and Alben Zlatanova's (Nationalfonds, Vienna) work, presented at the Ljubljana Conference with the title: *Distribution of Shipments in a Transnational Perspective*.

²⁹ On recent developments in the research on the Brunner collection see the work of Margherita Colusso (University of Udine). Her research featured in the TransCultAA Ljubljana Conference programme with the title *Paintings from a Jewish Residence: New Findings*.

³⁰ *Relazione sulle attività dei tedeschi nel periodo 1943/1945 nella zona d'operazioni costiera dell'Adriatico, nel campo delle belle arti, biblioteche e archivi*, ASD MAECI, Affari Politici 1946-1950 series, Italy, folder 22(8), p. 7.

³¹ *Ivi*, pp. 8, 28, 29.

³² *Ivi*, pp. 8, 30, 31.

³³ *Ivi*, pp. 9-11.

³⁴ For a more in-depth analysis of this case see the article by Cristina Cudicio published in this «Studi di Memofonte» issue. The research carried out by Cudicio was also part of the TransCultAA Ljubljana Conference programme, with the title *The Dissolution of a Jewish Collection: The Pincherle Family in Trieste*.

consequently advised him to reach out to Siviero's office, which he did in a letter dated the 8th of October 1947³⁵. At that time, Siviero was quite likely to have had no prior knowledge of this case, as suggested by the lack of reference to it within his 1946 report on the *Adriatisches Küstenland*.

Some months later, in June 1948, Pincherle himself was able to provide Siviero with relevant documentation³⁶. This comprised a copy of a valuation receipt for the German Finance department (Finanzabteilung) issued by the Trieste antiques dealer Umberto Michelazzi, who was in charge of cataloguing Pincherle's artworks and who the lawyer himself personally knew. The etchings, which a lawyer's previous notification attributes to Rembrandt and Dürer, do not feature in the Michelazzi list. Nonetheless, Pincherle himself apparently retrieved three wooden sculptures mentioned in the valuation receipt from the Trieste synagogue. Indeed, this is where the Reich's authorities amassed the majority of seized Jewish properties. Furthermore, among the ten oil paintings valued by the Italian dealer, some hints of subsequent investigations by the Siviero office can be found in its archive that refer to a *Tantalo* reportedly by Antonio Zanchi, a *Resurrection* by Palma il Giovane and a Venetian *Venus* (XVI-XVIII century). Along with Michelazzi's valuations, Pincherle also sent a copy of a sales receipt referring to five paintings allegedly belonging to the Trieste lawyer. The antiques dealer is again the estimator of the items, which the paper states as having been sold to the Adria Company³⁷ on behalf of the Niederdonau Supreme Commander Hugo Jury via a contract, dated 30th June 1944. Notwithstanding the clues these documents offered and despite investigative support provided by the Udine Carabinieri police, along with their Austrian counterparts³⁸, none of the above works were tracked down.

The correspondence between Pincherle and Siviero's office that has been found in the Rome archive ends in 1978. Siviero had already written to the lawyer in 1976, bitterly regretting that he had not been able to locate any of the lost paintings, while putting the blame on both his government and Austrian authorities³⁹. Indeed, two years before, in 1974, Siviero was granted access to the Mauerbach Kartause in the outskirts of Vienna by the Austrian judge Fellner. This was part of a 1970s governmental initiative through which Austria aimed at swiftly resolving all outstanding private claims for artworks the Munich Collecting Point eventually handed back to Austria. Siviero reports on the judge describing thousands of items stored in the Kartause. Yet, Vienna had resolved to set strict requirements for proof of ownership and to set a specific deadline for restitution requests (seemingly based on a 1969 Austrian law I am still trying to locate/identify). The list brought by the Italians before Austrian authorities in Mauerbach also featured Pincherle's painting. Still, there was no clear match between Pincherle's pieces and the few unidentified paintings Siviero was shown. Nevertheless, the labels on two of these Mauerbach paintings clearly proved that Italy had been their previous location. Due to the lack of documentation, though, in 1978 Austria ultimately rejected Italian demands⁴⁰.

³⁵ ARCHIVIO SIVIERO, folder n. 154, prot. 3/91, Coll. Pincherle.

³⁶ *Ibidem*.

³⁷ The company was created in 1943 by the Reich's authorities in order to manage and sell confiscated Jewish assets in the Alpe Adria Region (proceedings of sales in Italy ended up in the Supreme Commissioner's bank account). A great deal of this property was to be sent to Austria, and there mainly sold via the Dorotheum auction house or, as for some select artworks and books, distributed among regional museums, libraries and institutions (*RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM]* 2001; BRASCA 2017).

³⁸ ARCHIVIO SIVIERO, folder n. 281, prot. 3/91, Dipinto di Jacopo Palma il Giovane, *Resurrezione*.

³⁹ *Ibidem*.

⁴⁰ ARCHIVIO SIVIERO, folder n. 154, prot. 3/91, Coll. Pincherle.

4. Closing remarks. What Fascist-Era provenance research?

The most documented inquiries Siviero and his office carried out, starting in the 1940s, concern Nazi acquisitions before 1943 and the Nazi pillaging of artwork depots and private residences undertaken under military occupation, particularly in central Italy⁴¹. Targeted artworks were generally publicly-owned masterpieces and pieces from important private collections earmarked for or transferred to the Reich⁴². The fate of artistic property displaced within Italy is, to some extent, less well-documented. As noted above, the assistance Siviero gave to Italian Jewish communities in tracing Judaica and lost private property is attested to by various documentation. Indeed, along with Ms. Ottolenghi's report of 1976, the survey carried out in 2001 by the Anselmi Commission also mentions exchanges of letters between Siviero and the Chief Rabbi of the Rome Jewish community, Mr. Toaff, in 1966. Other letters cited by the Anselmi Commission show the appreciation of the Italian Union of Jewish Communities for his catalogue specifically dedicated to missing Judaica⁴³. Predictably, individual claims (i.e. Jewish or private claims brought directly) are not as well accounted for compared to claims presented through the intervention of Jewish communities. And as a matter of fact, Siviero's recoveries provide evidence of this issue.

In 1984, on the 40th anniversary of the Resistance movement, the City of Florence put on temporary display a part of the objects Siviero recovered that were still kept in Florence. The exhibition came one year after his death and was meant to commemorate his contribution to the retrieval of such masterpieces. *L'Opera ritrovata. Omaggio a Rodolfo Siviero* is the title of the exhibition catalogue. This was made up of 141 entries, out of which 24 read no provenance, whereas about 90 among the remainder refer to private collections⁴⁴. Notably, a majority of these 90 items consist in artworks either sold or presented to Germany before the military occupation of Italy (among them, some of the 'exceptional returns' of 1948). Nevertheless, under Italian law n. 77 of 1950⁴⁵, all items of artistic, historical or bibliographical relevance sold or otherwise transferred to Nazi authorities and German citizens between 1936 and 1945 and later returned to Italy became state property (art. 1). The law did not allow for any claims from previous owners who had sold artworks to Germany, be they private individuals, organisations or public institutions (art. 2). Yet, it is not clear whether these artworks ever underwent any provenance assessments once officially part of Italy's national heritage. The same considerations apply to possible (though unaccounted for) inquiries into unidentified property Siviero brought back from Germany, also in order to ascertain their Jewish ownership.

Apparently, these works were still on display in February 1987, when the Ministry of Culture (at the time, the Ministero per i Beni Culturali e Ambientali) set up a commission of

⁴¹ *L'OPERA DA RITROVARE* 1995.

⁴² Major masterpieces and collections transferred to Germany or left in Alto Adige came for the most part from Tuscan locations such as Montagnana (Florence), where pieces from the Uffizi and Pitti museums were, Poggio a Caiano (Prato), Dicomano (Florence), Poppi (Arezzo), Soci (Arezzo). Additionally, the Contini-Bonacossi collection was taken by German troops from an estate in Trefiano (Prato), whereas the Finally collection was found in a Florence house (NARA; SIVIERO 1984; FASOLA 1945). Outside Tuscany, one of the most famous German lootings occurred in the Montecassino monastery (Frosinone), soon before its bombing by Allied troops (on this topic see *Monte Cassino: The Story Of The Most Controversial Battle Of World War II*, by David Hapgood and David Richardson, 2002).

⁴³ *RAPPORTO GENERALE DELLA COMMISSIONE [ANSELM]* 2001.

⁴⁴ *L'OPERA RITROVATA* 1984.

⁴⁵ Law 14th January 1950, n. 77, *Avocazione allo Stato del materiale artistico, storico e bibliografico recuperato in Germania e restituito allo Stato italiano dal Governo militare alleato*. Available in Italian at www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1950-01-14:77&vig=1, <April, 2018>.

experts and tasked it with assigning these pieces to Italian museums and institutions⁴⁶. One year later, in 1988, a new ministerial decree ruled that the 141 items were to be assigned to various Soprintendenze, based on the final assessment of the commission⁴⁷. Minutes of the experts' work have yet to be located. They would nonetheless be key for assessing whether any considerations on doubtful provenances ever took place. Ultimately, the Soprintendenza in Florence was allotted a large part of the 106 works. Rome received 21 pieces, split between the Fine Arts and the Archaeology departments (13 and 8 respectively). The Soprintendenza in Venice also received eight artworks, Milan six, Genoa two and Naples one. The remaining two were presumably handed back to Germany, although this has yet to be verified.

To date, details have yet to be found that might clarify to what extent some of these items' provenance was researched while they were in State hands. Apparently, in only one instance did the original owner file a claim for restitution. This was the case of the Milan Jewish Community. Possibly in 1991, they filed a claim against the 1988 ministerial decree, claiming the return of some silverware taken from an ARAR depot in 1948⁴⁸. These are the 1984 cat. entries n. 120-123, which mentioned the Milan Jewish Community in the items' provenance. Despite this, the 1988 ministerial decree assigned them to the Milan Fine Arts department and it was eventually by the Jewish Community's own initiative that these pieces were handed back. Based on the Anselmi Commission report, the court deemed that these items did not fall under the category mentioned in the n. 77/1950 law. Indeed, the silverware had been in no way sold or transferred to German citizens, but rather reportedly seized by the Nazis themselves and thus not eligible to become State property in 1988. The ruling appears to have been based on a 1946 Italian law that, for the first time after the war, addressed the issue of the retrieval and restitution of artistic property taken by Germany during the war⁴⁹. To the author's knowledge, no other Italian judgment or resolution has ever referred to the 1946 law, which was eventually repealed in 2008. Indeed, this case testifies to the lack of initiatives towards controversial provenance/ownership history in Italy⁵⁰. Here, possibly more than anywhere else, recovered property happens to be as deep a gap as missing objects are. Yet, all the information Siviero was able to collect and preserve is surely a valuable foundation for new inquiries into transferred and dispossessed artistic property.

⁴⁶ Ministerial Decree 23rd February 1987, Ministero per i Beni Culturali e Ambientali. This was most kindly located in the Anselmi Commission's folder in the Central State Archive (ACS) by Marina Turchetti (ACS Library, Rome). As of 2017, when I was sent a copy of above decree, the folder with all the documents the Anselmi Commission was able to gather on dispossessions of Jewish property was reported to be still neither sorted nor inventoried.

⁴⁷ Ministerial Decree 1st August 1988, Ministero per i Beni Culturali e Ambientali. This was sent over by Ms Turchetti along with the previous document, as stated in the above footnote.

⁴⁸ RAPPORTO GENERALE DELLA COMMISSIONE [ANSELMI] 2001, pp. 160, 161.

⁴⁹ Lieutenant's Decree 5th May 1946, n. 601, *Norme per il recupero delle opere d'arte sottratte dalla Germania durante la guerra*. Available in Italian at www.gazzettaufficiale.it/eli/id/1946/07/27/046U0601/sg, <April, 2018>.

⁵⁰ PAVAN 2015.

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ASD MAECI

Archivio Storico Diplomatico, Ministero per gli Affari Esteri e la Cooperazione Internazionale

ACS

Archivio Centrale di Stato

MUSEO CASA SIVIERO

Museo Casa Siviero, Regione Toscana

AADF_i

Accademia delle Arti del Disegno di Firenze

NARA

National Archives and Records Administration

Fold3.com

ABSTRACT

In line with the attention the TransCultAA project is drawing on archival sources, this contribution on Rodolfo Siviero (1911-1983) underscores the importance of all those documents resulting from his 30 years of activity in art restitution. An overview of his career as chief of the Italian office for recoveries since before the end of WWII is aimed at testifying to the vast amount of information he was able to collect. Reference is made to his efforts towards tracing both Jewish property and pieces from public and private Italian collections. Bearing in mind TransCultAA's focus on the Alpe Adria region, this contribution highlights through some examples what type of information is to be found in Siviero's papers that could potentially contribute to on-going inquiries. Still, a great part of this material (mostly kept in Rome) is yet to be properly inventoried and systematically followed up on. This also comprises many ownership histories still to be investigated. They refer to some of those artworks Siviero recovered both in Germany and Italy that in 1950 eventually became State property. In this sense, the way Italy partially neglected the potential of Siviero's documents and the controversial past they bear witness to is nowadays to be inscribed among those 'competing national narratives' this HERA project aims to critically contextualise and interpret.

In linea con l'attenzione che TransCultAA ha finora dedicato alle fonti archivistiche, questo contributo dedicato a Rodolfo Siviero (1911-1983) ricorda l'importanza di tutti i documenti da lui prodotti in 30 anni di impegno per la restituzione delle opere d'arte. Ripercorrendo la sua carriera a capo dell'Ufficio Recupero a partire dalla fine del Secondo conflitto mondiale si vuole infatti rendere conto della grande quantità di informazioni che Siviero è stato in grado di raccogliere sulla dispersione di proprietà ebraiche, opere d'arte private e collezioni pubbliche. Tenendo poi conto del focus di TransCultAA sulla regione dell'Alpe Adria, il contributo fa particolare riferimento ad alcuni documenti in possesso di Siviero che possono significativamente contribuire a tali ricerche. Ciononostante, molte di queste carte, che si conservano in gran parte a Roma, sono tutt'ora in attesa di un'adeguata inventariazione e riordino, che potrebbero certo beneficiare vecchie e nuove indagini sulla provenienza degli oggetti rimossi, parte dei quali è entrata infine a far parte delle collezioni statali nel 1950. Il difficile e finora poco battuto sentiero della provenance research in Italia, testimoniato dalla scarsa attenzione alle carte Siviero, rientra quindi tra quelle 'contraddittorie eredità nazionali' che questo progetto HERA si propone di contestualizzare e interpretare.

THE *AFFAIRE VENTURA*. ANTIQUARIANS AND COLLABORATORS DURING AND AFTER THE SECOND WORLD WAR

The Affaire Ventura

The Göring-Ventura exchange is an intricate case that is little known today, although at the time it was largely discussed in the press. It is therefore interesting to reconstruct the case through the archival documentation¹ and through the many articles that were published in the main Italian newspapers, such as «Il Corriere della Sera» and «La Nazione del Popolo», between the summer of 1945 and the winter of 1946².

On the 10th of August 1945, the Florentine antiquarian Eugenio Ventura was arrested by the Carabinieri (an Italian special police corps), upon request of the Italian Office for the recovery of works of art and of the military Monuments, Fine Arts, and Archives (MFAA) of the Allied Commission³. Ventura was requested to reveal where he had hidden some works of art. After long interrogations, Ventura confessed that they were in the Convent of St. Mark in Florence and the result of an exchange with Göring (Figs. 1-3).

Ventura admitted to have been visited for the first time by Walter Hofer⁴, one of Göring's agents, in the autumn of 1941. Hofer offered Ventura to exchange some of the most precious Italian pieces of Ventura's private collection for some works by French Impressionists, owned by Göring. Ventura declared that «in September or October 1942 Göring suddenly arrived at his villa in Marignolle, along with professor Hofer, asking to visit the art collection»⁵. Ventura asked Göring to obtain permission to export works outside of Italy. The *Reichsmarschall* replied that he had already agreed with the Italian Government and with Mussolini himself about the export. Göring left, taking with him the Italian precious works he had chosen from the Ventura's collection, without giving him a receipt. Ventura «did

¹ This article is based on archival documents, in particular of the Siviero Archive (Archivio Siviero, from now AS) in Rome. Information gathered in this archive has been confirmed by further documents in the archive of the Fondazione Centro Studi sull'Arte Licia e Carlo Ludovico Ragghianti in Lucca and in the Archivio Centrale dello Stato in Rome, as well as in the Archives de la Récupération artistique/ZFO Allemagne-Autriche 1945-1955, Ministère de l'Europe et des Affaires étrangères, La Courneuve, Paris.

² *Un tesoro di 100 milioni scoperto a Firenze*, «La Nazione del Popolo», August 12th-13th, 1945, p. 2; *I particolari della scoperta dei celebri quadri francesi*, «La Nazione del Popolo», August 13th, 1945, p. 2; *L'elenco delle opere d'arte scambiate fra il comm. Ventura e Goering*, «La Nazione del Popolo», August 14th, 1945, p. 2; *La vicenda del sequestro delle pitture francesi dell'800*, «Il Nuovo Corriere», August 15th, 1945, p. 4; *La vicenda dei quadri francesi*, «La Nazione del Popolo», August 15th, 1945, p. 2; *Gli "impressionisti" francesi scoperti a Firenze*, «La Nazione del Popolo», August 17th, 1945, p. 2; *Lo scandalo Goering-Ventura*, «L'Epoca», August 21st, 1945, p. 9; *La vicenda dei quadri francesi*, «Il Nuovo Corriere», August 30th, 1945, p. 4; *Le vicende dei quadri francesi*, «Il Nuovo Corriere», September 4th, 1945, p. 6; *Antiquari all'assalto delle opere d'arte*, «Risorgimento Liberale», December 6th, 1945, pp. 1-2; *Lo scandalo Ventura e compagni*, «La Nazione del Popolo», January 16th, 1946, p. 1; *Il Ventura fermato dalla polizia alleata*, «La Nazione del Popolo», February 24th, 1946, p. 2; *L'antiquario Ventura tornato in libertà*, «La Nazione del Popolo», February 27th, 1946; *Antiquariato e collaborazionismo. Eugenio Ventura arrestato dalle autorità militari francesi*, «La Nazione del Popolo», March 5th, 1946, p. 2.

³ Eugenio Ventura (1887-1949) was a Florentine antiquarian and art dealer. For further information about Ventura and his relationships with Nazis, see PELLEGRINI 2014 and CARLETTI-GIOMETTI 2016, p. 69.

⁴ «Walter Andreas Hofer (1893-1971) was the director of the Göring Collection and Göring's chief purchasing agent», Post-War Reports: Art Looting Intelligence Unit (ALIU) Reports 1945-1946 and ALIU Red Flag Names List and Index, www.lootedart.com, <May, 2019>.

⁵ AS, box no. 35, folder no. 3/427, doc. no. 181/1, September 12th, 1945, *Rapporto giudiziario della Legione Territoriale dei Carabinieri Reali di Firenze* (copy of), from now: Carabinieri Report; all quotations from this document have been translated from Italian into English by the author.

not consider it useful, or necessary, to inform the Superintendence of Florence»⁶. Then «in the middle of January 1943 Ventura received a telegram from Hofer, who invited him to go to the German capital»⁷. Here Ventura visited the *Reichsmarschall's* galleries and chose some French Impressionist paintings as compensation for the works he had previously given to Göring. First, photographic reproductions of the works were sent in order to have them evaluated by experts, and then the paintings were delivered personally by Hofer to Ventura. By December 8th, 1942, Ventura had actually already received the photographs of the works⁸, and by the end of that year he could then proceed to have them evaluated. The negotiations between Göring and Ventura continued until March 8th, 1943 when the deal ended with the exchange agreement⁹.

Ventura confessed he was aware that some of the works he received «belonged to the Rosenberg collection, this clarification having been provided by Hofer at the time he delivered the paintings»¹⁰. As proof of the regular exchange, Ventura showed the letter signed by Hofer and dated «Berlin, March 8th, 1943». Ventura «also admitted he had some other artworks destined for Germany, and among these was a painting attributed to Rubens, purchased by the Prince of Hesse on behalf of Hitler»¹¹.

On August 12th, 1945, the Superintendent of Florence, Giovanni Poggi, was called by the Carabinieri «to clarify Ventura's conduct, in relation to the Superintendence, on the occasion of the art exchange carried out with Göring». He declared that he had become aware that the works were in Florence only at the time of their recovery in the Convent of St. Mark. In fact, the «declaration of temporary importation was received by Ciaranfi [officer at the Export Office of the Superintendence], who for reasons not yet ascertained, had not communicated such important information to the Superintendent, although she acknowledged the importance of the French works arrived in Italy». Poggi added that at the time of the French Art Exhibition organized in Palazzo Pitti in the first half of 1945, the Superintendence had encouraged the French authorities to send to Florence as many works as possible. On that occasion Ventura exhibited some of his paintings, but not the ones exchanged with Göring, «although the Superintendent expressed his regret at not having been able to collect a greater number of works by Impressionist artists which were in Ventura's possession». When he realised the contradiction with what he had stated shortly before that, Poggi concluded by declaring that he was partly aware of the Italian works sold by Ventura to Göring, but that «no export request had been submitted to the Superintendence of Florence»¹².

Similar statements were made by Ugo Procacci, Inspector of the Superintendence¹³. But it turned out that even Roberto Longhi had played a role in the story. During his investigation, Longhi admitted that, «at the end of 1942, Ventura had asked him to examine some photographs of French Impressionist artworks [...] and if it would be a good deal to exchange them with Italian Old Masters; Longhi confirmed that the works were of considerable artistic importance and very rare in our country. After a few months, Ventura invited him to his villa in Marignolle where he showed Longhi the French paintings of which, months before, he had examined the photographic reproductions».

⁶ *Ivi*.

⁷ *Ivi*.

⁸ National Archives (NA) Washington D.C., *Records Concerning the Central Collecting Points (Ardelia Hall Collection): Munich, Central Collecting Point, 1945-1951*, www.fold3.com/image/270006005, <August 2018>. Hofer sent the letter to Ventura on December 8th, 1942, along with the photographs of the French Impressionists' paintings.

⁹ *Ivi*, www.fold3.com/image/270006036, <August, 2018>.

¹⁰ AS, Carabinieri Report, see footnote no. 5.

¹¹ *Ivi*.

¹² *Ivi*.

¹³ Ugo Procacci (1905-1991) was an art historian, expert in medieval painting and restoration. For further information, see *UGO PROCACCI A CENTO ANNI DALLA NASCITA* 2006.

In clear contradiction with what was declared by Ventura, Longhi maintained, that «at the end of 1942 the photographs of the French works were already in Ventura's possession and that the Italian works selected for the exchange were still in the villa in Marignolle»¹⁴. When asked about where the Italian works of art came from, Longhi replied that:

They largely came from the Gentner collection purchased by Ventura; on the occasion of this purchase, Longhi – corresponding with Ventura himself and the antique dealer Bruscoli Riccardo, with the collaboration of prof. Rossi, Director of the *Gallerie di Firenze* – had the collection divided into three lots¹⁵.

Various suspicions emerged regarding the purchase by Ventura of the collection of the late American citizen Philip J. Gentner¹⁶, in particular it appeared «that the sale was carried out in totally fraudulent conditions». The heir of his property, Gentner's wife, was treated in the mental hospital of San Salvi in Florence, and her property was administered by an accountant, Porzio by name. After the Italian declaration of war with the United States on January 24th, 1942, the Gentner property was seized as enemy property and the accountant was appointed as sequestrator by Prefectural Decree on March 20th, 1942. Given the debts owed by the property, on December 1st, 1942, following an estimate, the Florentine Revenue Office authorized Porzio to proceed with the sale of such assets. The sale price could not have been less than One Million Lire (value attributed by the Superintendence).

On December 15th, 1942, Gentner's movable assets were sold to Ventura for the total sum of 1,450,000 Lire. [...] Ventura subsequently divided them into three lots, selling two of them to the antiquarian Bruscoli Riccardo [and] retaining for himself a single lot composed mainly of paintings¹⁷.

It seemed, therefore, that the sale was carried out regularly, but further investigations revealed that it was not:

Having been questioned, Porzio acknowledged that offers far higher than Ventura's had been regularly presented by other competitors. [...] Requested to justify his inadmissible behaviour, he stated that he had been induced to proceed as above by Ventura himself, who continually referred to his relations with Senator Morelli and Mussolini, stating that, anyway and with any means, he would have succeeded in the sale through them under the conditions he wanted and when he wanted¹⁸.

Ventura was interrogated again and confirmed that the works found in the convent of St. Mark were the only ones from the Gentner collection still in his possession. However, the most serious admissions made by Ventura during his second interrogation regarded the continuity of his relationship with Göring's agents. First among them was the well-known Hofer, who for several years had been attending Ventura's home.

After the exchange of paintings, which took place in 1942, the relations between Ventura and Göring's agents went on without interruptions until a few months before the state of emergency of the city and it is not excluded that these relationships lasted until May or June

¹⁴ AS, Carabinieri Report, see footnote no. 5.

¹⁵ *Ivi*.

¹⁶ Philip J. Gentner was the first director of the Worcester Art Museum (1908-1917). He had his art collection in Florence, where he had spent several years of his life. For further information see *ACADEMIC NOTES* 1909.

¹⁷ AS, Carabinieri Report, see footnote no. 5.

¹⁸ *Ivi*.

1944. Ventura excluded that he sold, or otherwise negotiated the sale of, works of art, on the occasion of such contacts. But he declared that the visits from Göring's agents tended to induce him to sell the works that were part of his collection, without distinction between paintings and sculptures, orienting their requests to pieces of considerable value¹⁹.

Ventura's situation got worse when he was accused of having negotiated not only with Göring, but with the Reich itself: «the painting by Van Gogh, now in Ventura's possession, [...] was taken from the German art gallery of Dresden by Göring himself, as General Superintendent of museums and art galleries of the Reich»²⁰.

Moreover, the declaration of the United Nations, signed on January 5th, 1943, and radio-notified to all countries, including those occupied by German troops, left no doubt about the Allied attitude towards those who, for whatever reason, whether in good or bad faith, had come into possession of seized goods that Nazis looted in France. In short, whoever found himself in this situation should have immediately reported the matter to the authorities. Ventura, on the other hand, on his own lawyer's advice, decided to wait to report the possession of the French works. Once these details emerged, Ventura was finally arrested on August 13th, 1945. The news spread quickly with great resonance through the daily press²¹ (Fig. 4).

Meanwhile, the French works were taken by the authorities and brought to Rome. They were kept at Villa Borghese to be shown in a public exhibition at Palazzo Venezia, despite the opposition of those who wanted them exhibited in Florence²² and that of the French authorities, in agreement with the rightful owners of the works. They would have preferred the works not to be publicly displayed at all²³. In fact, French authorities requested the works to be brought to Rome, under Ranuccio Bianchi Bandinelli's custody²⁴. And upon Bandinelli's request²⁵, French authorities presented the documentation that proved the provenance from France.

Although not all the owners were French citizens (in particular the Kanns and the Lindons), the French authorities undertook to return the works to these families, according to the United Nations Convention about the recovery of looted works of art, whose dispositions

¹⁹ *Inv.* Information about Ventura's collection as the provenance of the artworks owned by Göring can be found in DREYFUS 2015, pp. 482, 516-518, 526, 546, 550, 554-556, 570-571; *L'OPERA RITROVATA* 1984, pp. 74-75, 80-81, 83-85, 175, and the Hermann Göring's collection database (https://www.dhm.de/datenbank/goering/dhm_goering.php?seite=9, <May, 2019>). «State of emergency» translates the Italian word «emergenza», which in Florence commonly defines the last period (August 1944) of the Nazi occupation of the city.

²⁰ AS, Carabinieri Report, see footnote no. 5.

²¹ See footnote no. 2.

²² *Gli Impressionisti vanno a Roma. Non ne vedo la necessità dice il professor Giovanni Poggi*, «La Nazione del Popolo», September 5th, 1945, p. 2; *Giustizia in pantofole (Ancora sull'affare Goering-Ventura)*, «L'Epoca», September 11th, 1945, p. 4.

²³ The correspondance between the Jewish families who were the rightful owners of the Impressionist artworks, the Commission de Récupération Artistique and the Italian General Direction of Fine Arts is in the Archives de la Récupération artistique, Base Spoliations (from now: ARA-BS), box no. 377.98, folder *Italie, recherche d'oeuvres d'art d'origine française, 1940-1950: Italie – Affaire Ventura. Correspondance 1945-1948*. The Commission de Récupération Artistique was established by the French Ministry of National Education on November 24th, 1944. It was in charge of searching and recovering artworks stolen by Nazis from French collections (*FranceArchives, Portail National des Archives*, www.francearchives.fr, <May, 2019>).

²⁴ Ranuccio Bianchi Bandinelli (1900 – 1975) was an archeologist and General Director of Italian Fine Arts Administration (1945-1948). For further information see BARBANERA 2003.

²⁵ ARA-BS, box no. 377.98, folder *Italie, recherche d'oeuvres d'art d'origine française, 1940-1950: Italie. Exposition à Rome 9 tableaux impressionnistes Ventura. 1946-1947*, letter to M. Jacques Heurgon from Ranuccio Bianchi Bandinelli, September 19th, 1945.

can be found in note no. 20909/25/A/MFAA of December 15th, 1945²⁶. Like France, Italy had also joined the Convention on November 14th, 1945. Moreover, once the works were discovered in Italy, their legitimate owners, their heirs or their representatives presented claim for restitution to the French Commission de Récupération Artistique. At that point, the request for their restitution to France could only be accepted by the Italian authorities.

After the long restitution procedures were completed and the exhibition at Palazzo Venezia had ended, the paintings had to be brought to the French Embassy before leaving for France. Meanwhile, on August 5th, 1946, a pastel of Degas was badly damaged. Later on, the work's owner, Paul Rosenberg, demanded compensation for damages from Italian authorities, but the request was rejected²⁷.

After the accident, the official authorization for restitution to France arrived²⁸, but there were still technical difficulties, due to the fragility of the paintings. After discarding the first option of transporting the works by courier, it was decided to make them travel by airplane²⁹. On the 28th of November they finally arrived in France and, while waiting to be returned to their legitimate owners, they were kept by the Commission de récupération artistique³⁰.

On the other hand, the Italian works sold by Ventura to Göring were identified at the Collecting Point in Munich by the Italian Delegation for the recovery of works of art³¹. Among others, Giorgio Castelfranco, former General Director for Fine Arts, was a member of the Delegation³². He drew up precise lists and detailed reports for all the assets found, as

²⁶ Rome, Archivio Centrale dello Stato, Ministero della Pubblica Istruzione, Direzione Generale dell'Antichità e Belle Arti, Div. III, 1929-60, box no. 147, 1938/55, folder *Firenze, mostre e recuperi: Firenze, quadri francesi recuperati presso l'antiquario Eugenio Ventura*, letter of January 18th, 1946, to MFAA from Ranuccio Bianchi Bandinelli: «If works of art were dispersed or removed from an occupied country, it is up to the Government of this country to make claims, not to the Government of the country where the owners have citizenship. Therefore, regarding the paintings owned by Kann and Linden, found in the group of French Impressionists, even if the owners are British, the right and responsibility of the claim lies with the French Government» (translated from Italian into English by the author).

²⁷ ARA-BS, box no. 377.98, folder *Rapport Ambassade de France à Rome sur accident du pastel de Degas à M. Paul Rosenberg. 1946-1948*, letter from Jacques Fouques-Duparc, French Ambassador in Italy, to the Italian Ministry for Foreign Affairs, August 6th, 1946.

²⁸ Ivi, folder *Italie, recherche d'oeuvres d'art d'origine française, 1940-1950: Italie. Exposition à Rome 9 tableaux impressionnistes Ventura. 1946-1947*, letter to the French National Education Minister from the Italian Ministry for Foreign Affairs, September 2nd, 1946.

²⁹ Ivi, folder *Italie – Exposition à Rome – 9 tableaux impressionnistes cachés par Ventura. 1946-1947*, letter from Henraux to the French Embassy in Rome, November 16th, 1946.

³⁰ Ivi, letter from Henraux to the French Embassy in Italy, December 3rd, 1946.

³¹ *La prima missione italiana partirà oggi per la Germania*, «La Nazione del Popolo», September 27th, 1945.

³² Giorgio Castelfranco, art historian and critic, was born in Venice in 1896. In 1914 he moved to Florence, where he lived with his wife, Matilde Forti, and their family in the house on Lungarno Serristori during the period between the two World Wars. In 1921 he took his degree at the University of Florence. Between 1921 and 1924 Giorgio de Chirico spent considerable periods of time in Castelfranco's house, where he created famous works of art and Castelfranco bought some of his paintings. In 1926 he was employed by the Italian Fine Arts Administration in Taranto; in 1927 he moved to Perugia and in 1929, as an inspector, he moved back to Florence. In 1936 he became Director of the Palazzo Pitti Gallery and, in 1938, succeeded in giving the gallery a new display. In that same year, in anticipation of Adolph Hitler's visit to Florence, Castelfranco, as a Jew, was forced out of his position and assigned to the Galleria Estense in Modena. He was fired in February 1939. To survive and to protect his family – by sending them to the United States – he was forced to sell his art collection, including artworks such as *Le Muse Inquietanti* and *Ettore e Andromaca* by De Chirico. After September 8th, 1943, he succeeded in crossing the frontline and reached Puglia, where he worked as Fine Arts General Director of the Ministry of Education throughout the governments of Badoglio and Bonomi. In 1944, when he moved to Rome, he was commissioned by the Minister of Education Guido De Ruggiero to support, together with Emilio Lavagnino, the Allied officers in a survey tour to the warehouses in the Tuscan countryside, where the Florentine museums' artworks had been sheltered. In the autumn of 1946, he was called, as a representative of the Ministry of Education, to take part in the Italian mission for the recovery of works of art in Germany, headed by Rodolfo Siviero. The mission resulted in the exhibition of works of art recovered in Germany held in Rome, at Villa

well as for those included in the Göring-Ventura exchange³³. Comparing these lists with what had remained in Italian warehouses and museums, the members of the Delegation were able to identify the works from Italy. Once solved the French Impressionists *affaire*, considering the good will shown by the Italian Government, the restitution of Italian artworks still in Munich could be more strongly demanded and obtained by the Italian authorities³⁴. But it was only following the 1953 De Gasperi-Adenauer Agreement that another important restitution took place: in June 1954 50 among paintings and sculptures and 35 textiles could return to Italy (Fig. 5).

Meanwhile, Ventura's heirs sued the Italian State. The lawsuit lasted for a long time, until February 27th, 1959. Ventura's heirs started a lawsuit against the Ministry of Education for illegitimate possession of the paintings which were once owned by Ventura, who exchanged them with Göring, and were returned to Italy by the German government. The request was rejected because the heirs were unable to prove the inheritance or ownership of the paintings whose restitution was asked for. In any case the claim would not have been accepted, according to the articles 1 and 2 of the law n. 77 of January 14th, 1950, which states that «for works of artistic interest whose property FOR ANY REASON had been transferred, in the period from January 1st, 1936, to May 8th, 1945, to the German State, or to political figures of the Nazi regime, or to Germans, NO LEGAL ACTION FOR RESTITUTION OR FOR COMPENSATION IS PERMITTED to [...] private individuals who, FOR ANY REASON, had ceded the artworks»³⁵. This law assigned to the Italian State the recovered works, whatever was their origin.

Finally, the Italian works which had once belonged to Ventura were brought back to Florence. From 1953 to 1988 they were kept in storage in the so-called *Recupero Siviero*, which was located in Palazzo Vecchio. Only between 1989 and 1990 they were transferred to their current locations: the Uffizi Gallery and the Museum of Palazzo Davanzati³⁶.

The Ventura case raised important issues about the claims of artworks illegally exported from Italy with the collaboration of Italian antiquarians and art dealers. Since the beginning of the century in Italy there had been laws for the protection of cultural heritage and, in particular, in the period at issue, the so called Bottai Laws were in force³⁷. However, the Fascist government and its corrupt bureaucratic machine allowed these laws to be circumvented. A case in point is the *Discobolo Lancellotti*, whose export was obtained only due to political pressure and which was recovered by Siviero in 1948³⁸. An exodus of artworks out

Farnesina, from November 10th, 1947, to January 10th, 1948, personally supervised by Giorgio Castelfranco as a senior official of the Ministry. The collaboration with Siviero began in 1944, when Castelfranco opened his apartment on Lungarno Serristori to agents and friends, and made it available for the storage of confidential documents. During the fifties Castelfranco was very active as a critic in the organization of contemporary art exhibitions for the Quadriennale d'arte in Rome. Between 1958 and 1964 he directed the Gabinetto Fotografico Nazionale, promoting the work of cataloguing and the photographic documentation of Italian works of art. In 1964 he became Superintendent of Galleries in Lazio. He retired in 1966 and died in Rome on November 15th, 1978. The author is presently conducting a PhD on Giorgio Castelfranco at the Department of Cultural Heritage Studies in Ravenna, University of Bologna.

³³ GIORGIO CASTELFRANCO 2015, pp. 15-21.

³⁴ Rome, Archivio Centrale dello Stato, Ministero della Pubblica Istruzione, Direzione Generale dell'Antichità e Belle Arti, Div. III, 1929-60, folder no. 147, 1938/55, *Mostre e Recupero: Firenze, Quadri Francesi recuperati presso l'antiquario Eugenio Ventura*, letter to the Italian Mission at the Collecting Point in Munich from the General Director of Italian Fine Arts Administration, April 10th, 1948.

³⁵ AS, box no. 35, folder no. 3/427 *Avvocatura Generale dello Stato, Tribunale di Roma*. Ventura lawsuit final document (copy of), February 27th, 1959. The document has been translated from Italian into English by the author.

³⁶ L'OPERA RITROVATA 1984, pp. 74-75, 80-81, 83-85, 175.

³⁷ For further information see LA NAZIONE ALLO SPECCHIO 2012.

³⁸ BOTTARI 2013, pp. 182-184.

of Italy was thus allowed. Luckily, many of these works were recovered, but many others had a different fate.

Conclusion

As a conclusion of this paper, we pay some attention to *Treasures Untraced*, the catalogue of works which are yet to be recovered, and that we can call «the last of the prisoners of war»³⁹. If we compare the information in this catalogue with the list Siviero drew up in 1954, after the restitution of the Ventura's Italian works⁴⁰ and the inventory of the Göring's collection⁴¹, we could presumably point out the following unrecovered works as of Ventura's provenance:

PAOLO VENEZIANO (d. before 1362) *

28. *Madonna and Child*

Tempera on board

Florence, Private collection

The painting is part of a stylistically homogeneous group united around the *Crowning of the Virgin* of Washington, which today tends to be withdrawn from the catalogue of Paolo and which is assumed to be the work of his brother Marco or of his father, Martino. Muraro, in 1969, remembers the painting in the National Museum of Belgrade. It was exhibited in Zagreb in 1967.

Illegally exported in 1943 from Florence.

Bibl.: ZLAMALIK 1967, p. 20; MURARO 1969, pp. 29, 105, pl. 4; LUCCO 1992, II, p. 541⁴².

SPINELLO ARETINO (1346-1410?) *

31. *Madonna with Child*

Tempera on board

Florence, Private Collection

The painting, on a gold background, develops an unusual theme for the iconography of the enthroned Madonna and Child.

Illegally exported from Florence in 1943.

Bibl.: BOSKOVITS 1975, p. 436⁴³.

PAOLO DI GIOVANNI FEI (c. 1340-1411) *

40. *Madonna and Child, Saints, Annunciation, Crucifixion*

Triptych

Tempera on board

Florence, Private Collection

On the side doors St. Francis, St. John the Baptist, St. Ansano and St. Christopher can be recognised.

Illegally exported in 1943⁴⁴.

PIETRO D'AGNOLO (1391-1422)

³⁹ VICENTINI 1995, p. 15. *TREASURES UNTRACED* 1995 is the English version of the catalogue entitled *L'opera da ritrovare. Repertorio del patrimonio artistico italiano disperso all'epoca della seconda guerra mondiale*, published in the same year.

⁴⁰ AS, box no. 35, folder no. 3/427 *Elenco delle opere d'arte sequestrate all'antiquario Eugenio Ventura fu Luigi e depositate provvisoriamente nel magazzino della Squadra investigativa dei Carabinieri di Firenze*, not dated.

⁴¹ DREYFUS 2015, pp. 554-556, pp. 570-571.

⁴² *TREASURES UNTRACED* 1995, p. 38.

⁴³ *Ivi*, p. 40.

⁴⁴ *Ivi*, p. 46.

71. *Annunciating Angel*

Statue

Polychromatic wood; height 164 cm

Florence, Private Collection

The type of subject matter is precisely comparable to an analogous of the *Annunciation* at S. Maria di Benabbio in Val di Lima (Lucca). The hands show obvious signs of having been restored.

Illegally exported from Florence in 1943⁴⁵.

GIOVANNI DELLA ROBBIA (1469-1529)

179. *Female Bust in a Garland of Fruit*

Relief

Glazed terracotta

Florence, Private Collection

Illegally exported 1943⁴⁶.

GIOVANNI DELLA ROBBIA (1469-1529)

180. *Male Bust in a Garland of Fruit*

Relief

Glazed terracotta

Florence, Private Collection

Illegally exported 1943⁴⁷.

GIOVANNI DELLA ROBBIA (1469-1529)

181. *Garland of Fruit*

Relief

Glazed terracotta

Florence, Private Collection

Illegally exported 1943⁴⁸.

TYROLEAN, 17th century

339. *Small Angel Kneeling*

Statue

Carved wood

Florence, Private Collection

Illegally exported 1943⁴⁹.

The three artworks marked with * were returned to Yugoslavia by Allied authorities responsible for the Central Collecting Point in Munich; the present whereabouts of the others is unknown⁵⁰. In light of what has been reported about the unrecovered items from Ventura's collection and considering the fact that these are only a very small part of all the unrecovered works listed in the catalogue *Treasures untraced*, we can conclude that there is much research still to do to recover Italian cultural heritage illegally exported during wartime by Italian art dealers, such as Eugenio Ventura.

⁴⁵ *Ivi*, pp. 58-59.

⁴⁶ *Ivi*, p. 97.

⁴⁷ *Ivi*, p. 97.

⁴⁸ *Ivi*, p. 97.

⁴⁹ *Ivi*, pp. 146-147.

⁵⁰ Hermann Göring's collection database, https://www.dhm.de/datenbank/goering/dhm_goering.php?seite=9 <May, 2019>

GOERING IL COLLEZIONISTA

Un tesoro di 100 milioni scoperto a Firenze

Sensazionale ritrovamento di opere d'arte, sottratte dai tedeschi alla Francia e migrate dalla collezione privata del Maresciallo nazista alla nostra città

Ricordate la vastissima eco di curiosità che avvenne quando, nel 1911, la « Monna Lisa » del sommo Leonardo, sparita misteriosamente dal Louvre, riapparve sulle rive dell'Arno?

La notizia che stiamo per darvi, è un caso simile: da tre giorni sono state scoperte in Firenze (scoperte perchè tutti ne ignoravano l'esistenza), tranne, naturalmente il proprietario) alcune preziosissime tele, tutte firmate, dei più grandi impressionisti francesi, come Henri Degas, Paul Cézanne, Alfredo Sisley, Renoir, Manet, oltre ad un quadro di Vincent Van Gogh.

Il complesso di queste tele rappresenta a prima stima, un valore di circa 100 milioni di lire.

Per ora viene mantenuto un rigoroso e comprensibile riserbo sulle circostanze che hanno portato alla scoperta di questi quadri, sia perchè non è avvenuta la ricognizione ufficiale, sia perchè tale ritrovamento fa sorgere le più delicate responsabilità di legge e di fatto per quanto riguarda il problema diplomatico che sorgerà fra i Governi interessati alla questione, in vista di una restituzione alla Francia, e nel medesimo tempo, delle riparazioni e restituzioni che il Governo italiano potrà esigere dalla Germania.

Secondo quello che ci è riuscito di sapere, la vicenda di queste opere d'arte asportate alla Francia ed acquistate dal « collezionista » Hermann Goering, definito dagli esperti come uno dei più fini intenditori d'arte pittorica, per quanto riguarda la migrazione a Firenze, potrebbe ricostruirsi così: nel 1943 il grasso maresciallo, mentre i connazionali stavano combattendo per la perdizione loro e dei capi, sentì vieppiù esasperata la sua mente collezionistica.

Voleva arte italiana, grandi maestri dal '300 al '600. Mandò in un primo tempo i suoi emissari (primo fra questi il prof. Hoffer, fatto prigioniero dagli Alleati a Campo Tures, presso i tesori di arte fiorentini « deportati » in Alto Adige), con l'incarico di mettersi in contatto con grandi commercianti antiquari; in un secondo tempo, Goering arrivò all'insaputa di tutti nella nostra città, e si presentò personalmente alla abitazione di un collezionista privato, scegliendo un grande insieme di pitture per un valore ingentissimo.

Tutto andò bene finché, a termine delle contrattazioni, si giunse al « conquisitus »: il maresciallo del Reich offriva carta moneta con grande larghezza, ma niente oro. Allora il collezionista fiorentino, oppostosi a lungo con una serie di missive ad uno scambio in questi termini, ottenne infine, un corrispettivo in opere di

arte. Infatti « Herr » Goering offrì una collezione di impressionisti francesi: voleva disfare, non desiderava vederli più nel suo museo di maniaco.

Via, dunque, i francesi; dalla collezione: e Goering autorizzò la firma del contratto al suo intermediario. Un mese dopo il collezionista fiorentino riceveva in scambio i capolavori degli ottocentisti francesi: ai primi del 1944, egli cercò un rifugio per il proprio patrimonio artistico, compresi naturalmente i quadri avuti da Goering, e lo trovò in Firenze, in una grande e forte cantina ove le casse ben chiuse hanno celato fino ad ieri l'altro il loro mistero.

Oltre i quadri celeberrimi degli autori che abbiamo citato, sono state rinvenute nel sotterraneo altre opere artistiche di gran pregio, e cioè due storiette del Duecento in stile pisano lucchese su pasticca d'argento; un bassorilievo di stile veneziano rappresentante San Gerolamo ed i Leoni, un altorilievo in stile lombardo con due angeli, una Madonna col Bambino di stile fiorentino del Duecento; due quadri del '600, il diritto di possesso di questi ultimi sembrerebbe irrefragabile, mentre i quadri francesi, come diremo, sono ora reclamati in restituzione.

Come è avvenuta la scoperta? Il riserbo, da questo punto, è stato impenetrabile. Crediamo però che si possa attribuire al fatto che da tempo le commissioni alleate per il recupero dei patrimoni artistici sottratti dai nazisti a varie Nazioni europee cercavano le opere celeberrime degli impressionisti francesi, asportate da grandi raccolte private. Le ricerche abilmente condotte hanno condotto al riparo nella nostra città di una parte dei quadri elencati come mancanti dalla speciale commissione francese.

Ora le casse contenenti i preziosi capolavori sono state rimosse e portate in luogo sicuro, dove avverranno le constatazioni ufficiali.

Marito e moglie investiti da un camion

Alle 20.45 di ieri sera, certo Nello Puzilli di Eristo, di anni 45, abitante in via Ponte alle Mosse 32, insieme alla moglie Landina, di anni 38, camminava per via Francesco Baracca, spingendo a mano un triciclo, quando ad un tratto sono stati investiti alle spalle da un camion militare alleato. Il Puzilli, giudicato a S. Giovanni di Dio guaribile in 20 giorni, ha riportato ampia ferita al braccio contusa alla mano destra; la moglie, fratture costali e ferite all'embraccio, guaribili in 40 giorni.

OGGI AL TEATRO IMPERIALE

Fig. 1: *Un Tesoro di 100 milioni scoperto a Firenze*, «La Nazione del Popolo», August 12th-13th, 1945, digitized copy from the newspaper kept in the Museo di Casa Siviero, Florence

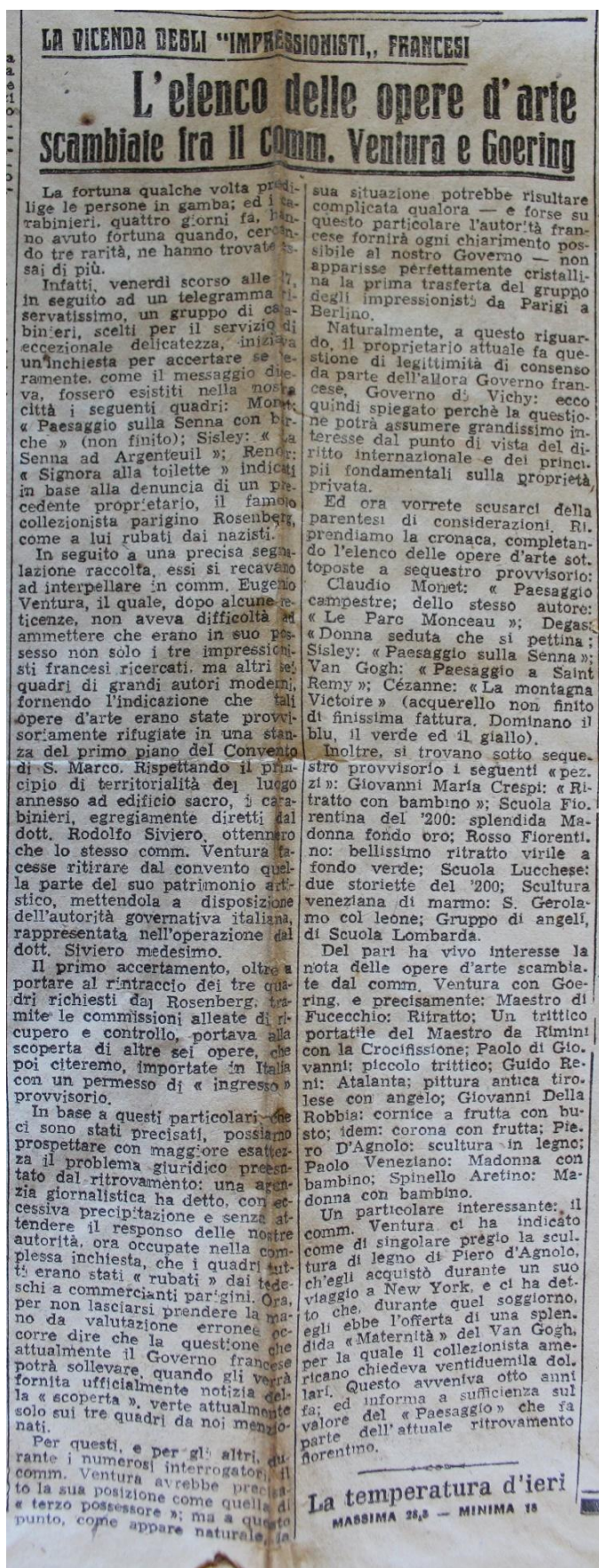


Fig. 2. L'elenco delle opere d'arte scambiate fra il comm. Ventura e Goering, «La Nazione del Popolo», August 14th, 1945, digitized copy from the newspaper kept in the Museo di Casa Siviero, Florence



Fig. 3: *La vicenda dei quadri francesi*, «La Nazione del Popolo», August 15th, 1945, digitized copy from the newspaper kept in the Museo di Casa Siviero, Florence

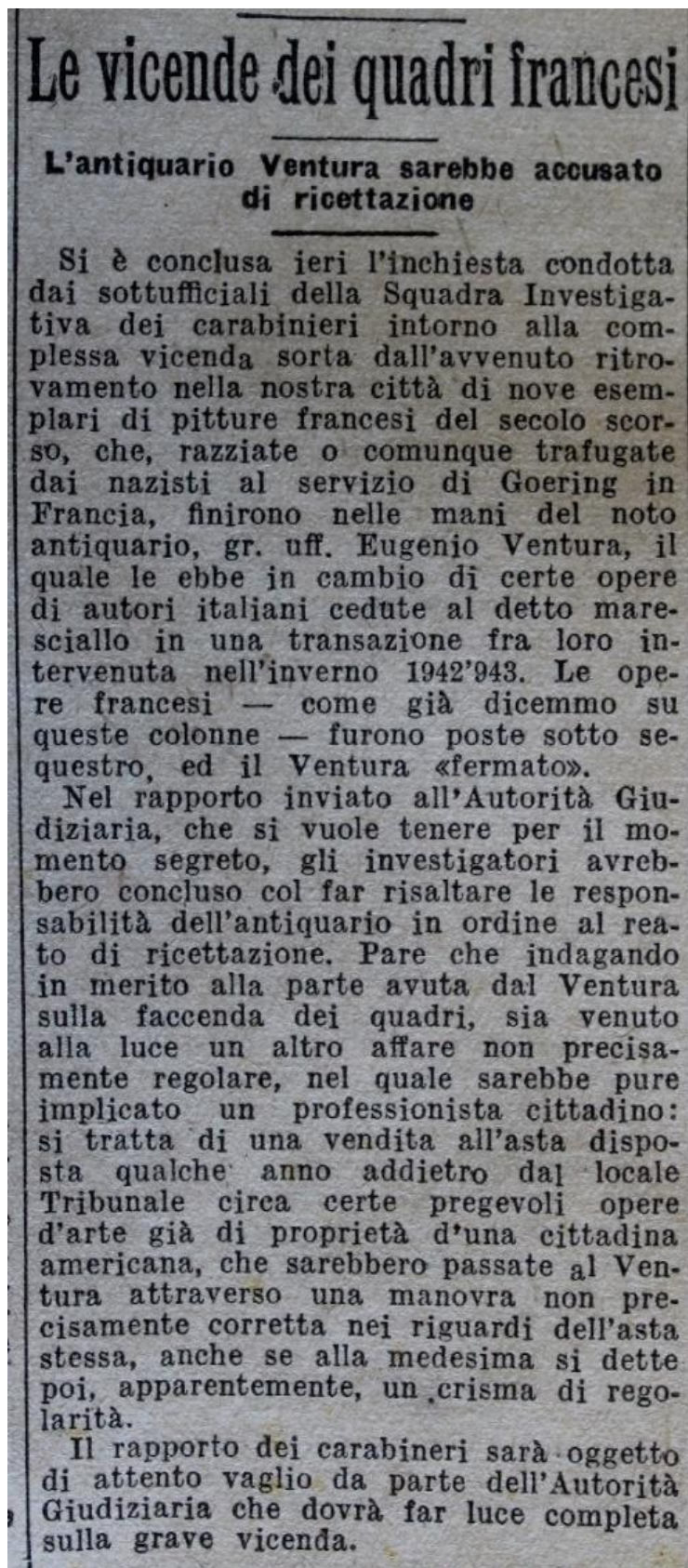


Fig. 4. *Le vicende dei quadri francesi*, «Il Nuovo Corriere», September 4th, 1945, digitized copy from the newspaper kept in the Museo di Casa Siviero, Florence

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ABSTRACT

The exchange of artworks between Hermann Göring and Eugenio Ventura is one example of illegal art trade carried out by Italian antiquarians with the agents of Hitler and Göring before and during the Second World War. The French paintings Göring gave to Eugenio Ventura were looted by ERR from Jews' collections in Nazi-occupied France, including the collections of the Rosenberg, Rotschild, Kann and Lindon (Lindenbaum) families. Thus, works by Monet, Renoir, Degas, Cézanne, Sisley and Van Gogh came to enrich the Göring's collection between 1941 and 1942; they were then used by Göring as 'exchange currency'. On March 8th, 1943, Göring's art agent Walter Hofer signed a deal with Ventura involving the exchange of about sixteen Italian works of art with Impressionist masterpieces.

On August 10th, 1945, the Impressionist paintings were discovered – in the Convent of San Marco in Florence where Ventura had them hidden – by Rodolfo Siviero, head of the Italian Office for the recovery of works of art. Once proven that the works of art had been stolen in France and after appearing at the French art exhibition held in 1946 at Palazzo Venezia in Rome, they were handed over to the Commission de Récupération Artistique and from there to their legitimate owners. However, the Italian works collected at the Collecting Point in Munich were identified by the Italian Diplomatic Mission for the Restitution of Works of Art in Germany between 1946 and 1947. It was only in 1954 that some of them returned to Italy and were relocated to various Florentine museums. Others were delivered to Yugoslavia. Those remaining were kept by the Allies and traces of them have been lost.

Lo scambio Göring-Ventura è un esempio di quel commercio illecito di opere d'arte che gli antiquari italiani misero in pratica insieme con gli agenti in Italia di Adolf Hitler e di Hermann Göring negli anni precedenti e durante la Seconda guerra mondiale. In particolare si tratta di uno scambio fra capolavori di Impressionisti francesi (Monet, Renoir, Degas, Cézanne, Sisley e Van Gogh), che erano stati confiscati dall'ERR nella Francia occupata a famiglie ebraiche come quelle dei Rosenberg, i Rothschild, Kann e Lindon (Lindenbaum). Tra il 1941 e il 1942 le opere andarono così ad arricchire la collezione Göring e vennero poi da lui come 'merce di scambio' con una serie di opere di antica arte italiana possedute dall'antiquario fiorentino Eugenio Ventura.

Dopo la guerra, su richiesta della Francia, lo scambio fu oggetto di indagine da parte dell'Ufficio Recupero Opere d'Arte, al cui comando era Rodolfo Siviero. Ventura fu condannato e le opere vennero riconsegnate alla Commission de Récupération Artistique del Governo francese e da questa ai legittimi proprietari. Le opere già di Ventura, invece, raccolte presso il Collecting Point di Monaco, vennero individuate dalla Missione italiana per il Recupero delle Opere d'Arte in Germania tra il 1946 e il 1947. Solo nel 1954 alcune opere riportate in Italia e successivamente assegnate a due musei fiorentini; altre consegnate alla ex Yugoslavia; delle restanti, rimaste in custodia agli Alleati, si sono perse le tracce.