

OFFICE OF STRATEGIC SERVICES
ART LOOTING INVESTIGATION UNIT
APO 413
U.S. ARMY

CONSOLIDATED INTERROGATION REPORT NO. 1
15 August 1945

ACTIVITY OF
THE EINSTATZSTAB ROSENBERG
IN FRANCE

J. S. PLAUT
Lieutenant, USNR
Director

Distribution

US Chief of Counsel (War Crimes) Doc. Div.	6
J.A. Sect. (War Crimes) 3 rd US Army	5
US Group CC (Germany), MFA & A	4
USFET, MFA & A	2
USFAustria (USACA), MFA & A	2
G-5 Civil Affairs War Dept.	2
Roberts Commission	2
EWD State Dept.	2
Brit. El. CC. Germany, MFA & A	4
A.C.A. (British), MFA & A	2
M.E.W.	2
M.I.5.	2
D.G.E.R.	4
Commiss. Gen. Netherlands (Ec. Recup.)	2

[p. i]

CONFIDENTIAL

CONTENTS

i. Introductory Note: Sources

I. ORGANIZATION AND AUTHORITY

II. DEVELOPMENT OF EINSATZSTAB ACTIVITY IN FRANCE

- (a) The GOERING Relationship
- (b) "Revision" of the Mission ; the M-Action
- (c) Internal and External Conflict

III. CONFISCATION IN PRACTICE AND IN THEORY

- (a) Methods Employed by the Einsatzstab
- (b) Official French Protests and German Justification
- (c) Analysis of Confiscation

IV. DISPOSITION OF CONFISCATED MATERIAL

(a) Objects Brought to Germany - General

i. Difficulty of Transportation and Storage

- (b) Objects Acquired by GOERING
- (c) Objects Acquired for HITLER
- (d) Exchanges

i. Summary

ii. Policy and Method

V. DETAILS OF EXCHANGES

VI. E.R.R. PERSONNEL ACTIVE IN FRANCE

- (a) Executive
- (b) Professional Specialists
- (c) Confidential Assistants
- (d) Photographic Staff
- (e) Secretarial
- (f) General

VII. ATTACHMENTS

(Note : ATTATCHMENTS 5, 6, 9A, 10 and 11 are submitted in translation. All other attachments are submitted in the original German text and in translation.)

1. Letter from General KEITEL to German Military Commander, France, dated 17 September 1940
2. GOERING Order dated 5 November 1940

CONFIDENTIAL

[p. ii]

CONFIDENTIAL

3. Hitler Order ("Vorbehalt"), signed by LAMMERS, dated 18 November 1940
4. Letter from SCHOLZ to HANSSEN, dated 11 December 1940
5. ROSENBERG memorandum for HITLER, dated 18 December 1941
6. Letter from LAMMERS to ROSENBERG, dated 31 December 1941
7. UTIKAL order (internal E.R.R.) dated 6 July 1943
8. ROSENBERG letter to GOERING dated 18 June 1942
9. BUNJES report on E.R.R., dated 18 August 1942

- 9a. Hague Convention of 18 October 1907, “Rules of Land Warfare” – Article 46 (extract)
10. List of collections confiscated by the E.R.R.
11. List of confiscated works of art selected for HITLER, February 1941
12. POSSE letter to SCHOLZ dated 16 July 1941
13. SCHOLZ letter to POSSE dated 19 July 1941
14. UTIKAL letter to ROSENBERG dated 18 February 1941
15. UTIKAL letter to SCHOLZ dated 18 February 1941
16. E.R.R. exchange contract of 9 July 1941
17. Appraisal list, signed Jacques BELTRAND, dated 11 March 1942
18. E.R.R. file memorandum (re. exchange) dated 3 December 1941
19. BOEDECKER letter to LOHSE dated 27 March 1943

CONFIDENTIAL

CONFIDENTIAL

i. Introductory Note : Sources

This report is intended as comparatively definite study of the most elaborate and extensive art looting operation undertaken by the Germans in World War II – namely, the confiscation by the Einsatzstab Rosenberg of Jewish-owned collections in France. As such, it includes no account of the seizure and exploitation by the Einsatzstab of libraries and archives, or of other political or cultural material.

The information contained herein has been derived from the detailed interrogation of key German personnel and the analysis of official German documents. The following individuals, listed as sources, were detained and interrogated at a special investigation centre in Austria during the period 10 June – 15 August 1945 :

1. Dr. Robert SCHOLZ, chief adviser to Reichsleiter ROSENBERG in art matters; Bereichsleiter (Divisional Director) of the Rosenberg Amt Bildende Kunst (Office for Pictorial Arts), Berlin.
2. Dr. Bruno LOHSE, special art representative of GOERING in France and Deputy Director of the ROSENBERG art staff in Paris.
3. Dr. Günther SCHIEDLAUSKY, member of the E.R.R. and keeper of the E.R.R. deposits in Germany (Interrogated at Neuschwanstein/Füssen, Bavaria, on 10 - 11 July 1945).
4. Karl KRESS, photographer attached to the E.R.R. staff.
5. Gustav ROCHLITZ, German art dealer active in Paris, who conducted important transactions with the E.R.R.
6. Walter Andreas HOFER, art dealer; principle buyer for GOERING, and Director of his gallery at Carinhall.
7. Fräulein Gisela LIMBERGER, GOERING's personal librarian and secretary, and keeper of the records of the GOERING Collection.

The files of the EINSATZSTAB ROSENBERG, still largely intact, were examined at Neuschwanstein/Füssen, Bavaria and constitute a primary source of information.

J.S.P.

-2-

CONFIDENTIAL

CONFIDENTIAL

I. ORGANIZATION AND AUTHORITY

The Einsatzstab Reichsleiter Rosenberg für die Besetzten Gebiete was a special unit formed under Hauptabteilung III: (Sonderaufgaben) (Division # 3: Special Projects) of the Aussenpolitischesamt (Foreign Political Office) of Reichsleiter Alfred ROSENBERG. Originally, its primary and theoretical function was the collection of political material in the occupied countries, for exploitation in the "struggle against Jewry and Freemasonry." Amt Westen (The Office for the occupied Countries of the

West) became operational in July 1940, with headquarters in Paris. On 17 September 1940, General KEITEL, Commander in Chief of the Wehrmacht, ordered the Commander in Chief of the German Army in France to render all assistance to the Rosenberg organization for the implementation of its mission (ATTACHMENT 1). On 5 November 1940, a GOERING order issued in Paris extended formally the authority of the Einsatzstab to include the confiscation of "ownerless" Jewish art collections, and, indeed, altered the emphasis of the Einsatzstab mission so as to make such activity its primary function (ATTACHMENT 2). Prior to the GOERING order, such activity had been the nominal responsibility of the German military commander for France and the German Embassy in Paris (see Consolidated Interrogation Report No. 3, "German Methods of Acquisition"). On 18 November 1940, HITLER ordered through Reichsminister LAMMERS that all confiscated works of art were to be brought to Germany and placed at his personal disposal, and that all matters relating there to were to be the responsibility of the Director of the Dresden Gallery, Dr. POSSE (ATTACHMENT 3).

Amt Westen was directed at the outset of Stabsfuehrer Dr. EBERT, assisted by the German Red Cross Oberfuehrer, Kurt von BEHR. This office was located in Paris, with headquarters in the Hotel Commodore. In addition to a staff of photographers, the Paris Dienststelle, commanded a small group of professional art historians who worked as a

-3-

CONFIDENTIAL

CONFIDENTIAL

unit designated as the Arbeitsgruppe Louvre. The function of this unit was the methodical preparation for transport to Germany of all works of art received through confiscation, and a comprehensive inventory thereof. At the outset, this group comprised Doctors SCHIEDLAUSKY, WIRTH, ESSER, JERCHEL, KUNTZE, and several research assistants. Early in 1941, EBERT was forced to retire because of an injury suffered in an automobile accident. He was succeeded by Stabsfuehrer Gerhard UTIKAL, who, however, was given complete responsibility for the activities

of the Einsatzstab in all countries, with offices in Berlin and the title of Hauptstellenleiter des Aussenpolitisches Amt und Leiter des E.R.R. Simultaneously, von BEHR was made responsible for all Einsatzstab operations in France.

Administrative confusion was caused from the outset by the fact that the Berlin Amt Bildende Kunst (Office for Pictorial Arts) was a subdivision of the Amt für Weltanschauliche Schulung und Erziehung (Office for World-political Education and Indoctrination), an independent division of the Amt Rosenberg with authority equal to, but separate from, the Aussenpolitisches Amt. As ROSENBERG'S personal advisor in art matters and Director of the Amt Bildende Kunst, Bereichsleiter Dr. Robert SCHOLZ was charged with the professional guidance of the art historians active in Paris. Inasmuch as von BEHR's authority as Director, both of the Einsatzstab in France and of the subsidiary art staff, stemmed from a different branch of the Rosenberg organization, he was able at all times to resist SCHOLZ's attempts to control the activity of the Paris staff.

Formally, the Amt Bildende Kunst was a department of the Hauptamt Kunstpflege (Central Office for Art Administration), under the direction of Hauptamtsleiter Dr. Walter STANG, who was described by SCHOLZ as an administrative figurehead, entirely unversed in art matters.

-4-

CONFIDENTIAL

CONFIDENTIAL

II. DEVELOPMENT OF EINSATZSTAB ACTIVITY IN FRANCE

(a) The GOERING Relationship

It is of the utmost significance that, whereas the confiscations of the Einsatzstab in France were conducted under authority vested in the Rosenberg office by the Reichschancellery (HITLER), the important operations were dominated by GOERING. The function of the Einsatzstab in GOERING's behalf was in formal

contradiction to the HITLER order of 18 November 1940; but GOERING, through personal sponsorship of the project, contrived to exploit its activity in his own interest from 1940 through 1942. First, ROSENBERG, while he felt constrained to carry out the HITLER order literally, was not strong enough politically to oppose GOERING on even terms. Second, GOERING's command of the Luftwaffe enabled him to supply the Einsatzstab with much-needed motor transport, military escort personnel and such operational perquisites as the organization was unable to obtain from other sources.

Early in December 1940, following a conference in Berlin with ROSENBERG and Dr. HEIL, business manager of the Aussenpolitischesamt, SCHOLZ was sent to Paris in order to determine the extent of GOERING's interest in the Einsatzstab and the effect of such interest on the activity of the Paris staff. On arrival, SCHOLZ was told by EBERT and von BEHR that GOERING had received HITLER's permission to examine the collections already confiscated, and to decide what should be done with them. SCHOLZ received the impression that EBERT and von BEHR were working entirely in GOERING's interest, and that GOERING, who had already visited Paris, had begun to select confiscated works of art for his own collection. SCHOLZ returned to Berlin and reported to ROSENBERG that, in his estimation, the confiscation proceedings were not consistent ideologically with the political function of the Rosenberg office, and that GOERING planned a wholesale movement to Berlin by train of confiscated objects. ROSENBERG thereupon ordered

-5-

CONFIDENTIAL

CONFIDENTIAL

him to obtain official clarification from HITLER's headquarters as to the desired disposition of confiscated objects. Accordingly, SCHOLZ wrote on 11 December 1940 to Dr. HANSEN, assistant to Reichsleiter BORMANN (ATTACHMENT 4), and received in return a letter from BORMANN which referred in essence to the HITLER order of 18 November 1940. BORMANN requested SCHOLZ to

communicate with POSSE, but no reference was made to GOERING and the matter therefore remained unsettled.

GOERING's domination of the Einsatzstab is most clearly indicated by the fact that, on numerous occasions, von BEHR received word that GOERING would be in Paris within forty-eight hours, and wished to have shown to him the most recently confiscated material. At such times, von BEHR would put his entire staff to work to arrange a special exhibition in the Musee du Jeu de Paume of newly acquired collections, always with emphasis on those objects which it was believed GOERING would wish to take for himself. GOERING is known to have visited the Jeu de Paume on the following dates:

3 and 5 November 1940	13 and 15 August 1941
5 February 1941	2, 3 and 4 December 1941
3, 11 and 14 March 1941	25 February 1942
7 April 1941	14 March 1942
1 and 3 May 1941	14 May 1942
9 July 1941	24 and 27 November 1942

The extent of his interest is manifest in these figures.

GOERING was seldom opposed in his choice of Einsatzstab material for his own collection. It has been learned from several sources that POSSE was reluctant to implement HITLER's order giving him full authority over the disposal of the confiscated collections. As POSSE had unlimited funds for purchase, he did not wish to be burdened with the responsibility for such material. In addition, he was a sick man and came infrequently to Paris. At the outset, GOERING had no personal representative in the Einsatzstab. All sources are agreed that von BEHR acted wholeheartedly in GOERING's interest, so as to ingratiate

-6-

CONFIDENTIAL

CONFIDENTIAL

himself with the Reichsmarschall and to secure his own position. Also, it has been established that Dr. BUNJES, never a member of the Einsatzstab, but present in Paris as Director of the German Art Historical Institute, acted initially as an advisor to GOERING. In March 1941, BUNJES came to Berlin, bringing with him a large

portfolio containing photographs of Einsatzstab material which he wished to present for GOERING's approval. BUNJES met with ROSENBERG and UTIKAL to discuss the availability of such items for GOERING. Immediately after BUNJES' visit, ROSENBERG dispatched SCHOLZ to Paris, in an attempt to block another large transfer of Einsatzstab material by GOERING to Germany. SCHOLZ arrived in Paris, and was informed by von BEHR that the works in question were being placed in two freight cars attached to GOERING's special train. When SCHOLZ remonstrated with UTIKAL and von BEHR over the irregularity of this procedure, he was told bluntly that nothing could be done to stop the GOERING transfer as it was in fact already taking place.

Early in 1941, GOERING selected Dr. Bruno LOHSE, one of the art historians attached to the Paris Dienststelle of the Einsatzstab, as his personal representative. The arrangement was made with von BEHR's approval, and LOHSE continued to work with the Arbeitsgruppe Louvre, but was accorded independent status for the Sonderauftrag Goering (Special GOERING Mission). LOHSE was given credentials signed by GOERING which ordered all German military and civil units to facilitate his mission. Within the Einsatzstab, he was given the responsibility, with SCHIEDLAUKSY, of arranging exhibitions of confiscated works of art which he thought GOERING might wish to acquire for himself. In addition, he was ordered to make periodic surveys of the open Paris art market in GOERING's behalf. SCHIEDLAUSKY stated that from November 1940 through December 1941 he had been obliged to arrange ten exhibitions for GOERING, and that these exhibitions took place on the following dates:

-7-

CONFIDENTIAL

CONFIDENTIAL

3 November	1940	1 May	1941
5	“	3 May	1941
5 February	1941	13 August	1941
11 March	1941	15	“
14	“	4 December	1941

The procedure whereby GOERING “legitimized” his acquisition of Einsatzstab material was as follows: In the summer of 1940, with the reported concurrence of the Louvre authorities and on the BUNJES’ recommendation, GOERING appointed M. Jacques BELTRAND, a French artist, as “official appraiser” for the French Government. Once GOERING, through von BEHR, LOHSE, and Walter Andreas HOFER his chief buyer who inevitably accompanied him on the trips to Paris – had decided what material he wished to acquire from the current Einsatzstab lot, BELTRAND would appraise the objects in question. The appraisal lists were held by the Einsatzstab, and were ultimately forwarded to GOERING’S headquarters in Berlin for filing against future payment. It has been determined conclusively that:

(a) GOERING did not pay the Einsatzstab – or any other organization or individual – for the works of art acquired in this manner, and

(b) no method of payment was ever established.

(See Consolidated Interrogation Reports No. 2, “The GOERING Collection,” and No. 3, “German Methods of Acquisition.”)

(b) “Revision” of the Mission; the M-Action

On 25 March 1942, von BEHR was appointed Leiter der Deinststelle Westen des Ostministeriums (Direct of the Western Branch of the Ministry for the Occupied Countries of the East). General dissatisfaction with von BEHR’s conduct of the Paris art staff had existed from the beginning, and there was an open breach in his relations with SCHOLZ and the professional art historians. Von BEHR’s high-handed methods and utter disregard for the intrinsic value of the confiscated material, coupled with his excessive vanity and selfish ambition, had produced a

CONFIDENTIAL

chaotic condition within the Einsatzstab.

On 18 December 1941, ROSENBERG recommended to HITLER the seizure of furnishings in “ownerless” Jewish residences in the Western Occupied Territories, for the use of Party officials in the bombed-out areas of the East (ATTACHMENT 5). HITLER accepted the recommendation and replied in a note of 31 December 1941, signed by LAMMERS (ATTACHMENT 6).

On 14 January 1942, ROSENBERG requested of HITLER’s headquarters that the mission be placed under the jurisdiction of the Reichsminister for the Occupied Territories of the East, as he felt unable to cope with the problems attendant to such confiscation and transfer through extant Einsatzstab channels. Accordingly, on 25 March 1942, the Reichsminister ordered the establishment in Paris of Dienststelle West, with subsidiary branches throughout France, Belgium and the Netherlands, and with von BEHR in full control.

This newly inaugurated confiscation activity was known as the M-Action, and von BEHR in his new capacity was ordered to relinquish control of the Paris art staff of the Einsatzstab, inasmuch as the M-Action was to be entirely divorced from the Einsatzstab mission as of 1 May 1942. Von BEHR was stated to have considered that the M-Action would enable him to discover and manipulate personally a large number of valuable objects, which as “furniture” would not be subjected to the careful scrutiny and inventory which had been prescribed for valuable art collections seized by the Einsatzstab. All sources are agreed that von BEHR proposed the M-Action to ROSENBERG as a means of achieving a freer hand and a greater prestige. In theory, von BEHR’s activity as Director of the Einsatzstab art staff ceased with his appointment as Director of Dienststelle West. SCHOLZ was given full professional responsibility for the art staff, and Lieutenant Hermann von INGRAM was made its administrator and business manager. A Dr. BRETMAUER took over von BEHR’s administrative duties with the Einsatzstab.

CONFIDENTIAL

CONFIDENTIAL

SCHOLZ and von INGRAM, assisted by SCHIEDLAUSKY, prepared a "Revision" report for ROSENBERG in which it was stressed that the activities of the art staff to date had been highly detrimental to the reputation of the Nazi Party, in view of the fact that the wholesale confiscation of French Jewish collections had been conducted in great disorder, and that if, as was to be expected, the ultimate disposition of the confiscated works were referred to an international commission after the war, German prestige would suffer accordingly. SCHOLZ and von INGRAM proposed that the future activity of the art staff of the Einsatzstab be confined to:

(a) the methodical conservation and cataloguing of the collections already in hand, and

(b) the rigid control of all material confiscated under the new M-Action, with power to withdraw and "freeze" any art objects from shipments of furnishings to the East, so as to avert any further misuse of valuable cultural material.

Von BEHR was, in fact, not deposed as head of the art staff until January 1943. It was stated that he had managed to prolong his activity with the art staff by asking GOERING, on the occasion of the latter's periodic visits to Paris, to legitimize his activity temporarily; and that this went on for some months. It was also stated that during this interim period of reorganization the art staff of the Einsatzstab continued to function as heretofore, and that GOERING remained unopposed in his efforts to exploit confiscated material. The most tangible evidence of the separation of the M-Action from the art staff of the Einsatzstab was that von BEHR took over for the Dienststelle West the quarters at 54 Avenue d'Iena which the Einsatzstab had occupied since it had moved from the Hotel Commodore in 1941. The Einsatzstab moved into new quarters at 12 Rue Dumont d'Urville. Von INGRAM was appointed in due course to the position of Oberstabseinsatzfuehrer, and headed Hauptabteilung III in Berlin. (On 6 July 1943, UTIKAL sent to the Einsatzstab units an administrative order delineating the authority of

CONFIDENTIAL

CONFIDENTIAL

the Leiter (Director) of Hauptabteilung III (ATTACHMENT 7).)

SCHOLZ stated that whereas, following von BEHR's removal, the recommendations made in his and von INGRAM's report to ROSENBERG were followed literally, the activity of the art staff was nevertheless complicated by constant wrangling with the military authorities over jurisdictional questions. One of the primary functions of the staff in this period was to make inventories of art objects found in the various residences which had been requisitioned by the military command as German officers' billets. This proved to be an endless and highly complicated undertaking.

ON 18 June 1942, ROSENBERG wrote GOERING to the effect that it would no longer be possible for the Einsatzstab to make available works of art for GOERING's personal selection. ROSENBERG emphasised that he was grateful both for the personal support which GOERING had given the undertaking, and for his material assistance in having supplied transport and personnel. He stated that the professional art historians employed by the Einsatzstab would remain at GOERING's disposal for all questions of consultation and advice, and that it would be entirely in order for GOERING to retain LOHSE and his assistants for "special duties" (ATTACHMENT 8).

In spite of ROSENBERG's letter, von BEHR continued to provide GOERING with confiscated works of art, and the terms of the letter did not take effect until von BEHR's final removal six months later. On 21 April 1943, BORMANN wrote ROSENBERG to inform him of HITLER's order that Prof. VOSS, Dr. Friedrich WOLFFHARDT and Dr. von HÜMMEL were henceforth to be regarded as the official experts for the Fuehrer's collections, and were empowered to make decisions relative to the disposition of material confiscated by the E.R.R.

In general, the work of the Einsatzstab assumed a more passive character following von BEHR's departure. Several thousand M-Action

-11-

CONFIDENTIAL

CONFIDENTIAL

items were held, inventoried and catalogued; in addition, the preparation of objects seized prior to the "revision" for transport to Germany, and the major task of compiling a comprehensive inventory of such complex and hastily seized collections as those of the ROTHSCILDS, David WEILL and LEVY-BENZION, occupied the staff until the fall of PARIS became imminent.

LOHSE stated that in April or May 1944, following involved legalistic discussions with the Devisenschultz Kommando (Foreign Currency Control), the NEUMANN collection (ex-Vienna) of Dutch paintings of the 17th century was confiscated in Paris by the E.R.R.

Early in August 1944, when the Germans armies were being routed in France, the Paris defense [sic] command ordered the Einsatzstab to make its male employees available on forty-eight hours' notice for defense [sic] of the city. At the time, most of the able-bodied male members of the staff had already been called to front-line military service. Headquarters of the Einsatzstab were abandoned well before the American entry into the city, the staff having affected a somewhat disorderly and hysterical evacuation of the premises.

(c) Internal and External Conflict

The efficiency of the Einsatzstab undertaking was jeopardized consistently through lack of authoritative direction and by internal friction. Most important, the GOERING monopoly undermined morale, in that the staff was precluded from carrying out its basic (HITLER) directive. ROSENBERG's political weakness in the Party hierarchy [sic], moreover, made itself felt even in the lower echelons of his organisation.

SCHOLZ stated, for instance, that ROSENBERG, though Minister for the Occupied Territories of the East, as well as Reichsleiter, was unable to obtain an audience with HITLER for a period of nine months; and that this fact was common gossip among his subordinates. Both LOHSE and SCHOLZ have referred repeatedly to the feuds which existed

-12-

CONFIDENTIAL

CONFIDENTIAL

between ROSENBERG and GOEBBELS, ROSENBERG and BORMANN, and BORMANN and GOERING, the repercussions of which were felt strongly in the conduct of Einsatzstab activities,.

Von BEHR, characterised by SCHOLZ, LOHSE and others as an unscrupulous egomaniac, antagonized the professional art historians serving under him, both through his gangster-like methods and his highly patronizing attitude. He lived in great luxury in Paris and entertained lavishly, seeking as his guests the highest-ranking military and political figures. Wholly ignorant in art matters, he refused to be guided by the opinions of the specialists or his staff. He was thus constantly at odds with SCHOLZ, who was theoretically responsible for the professional conduct and the well-being of the Einsatzstab art historians. Moreover, SCHOLZ (according to LOHSE) wished to terminate the entire undertaking at the earliest possible moment, whereas von BEHR, for selfish reasons, did everything possible to prolong the life of the Paris Dienststelle.

LOHSE provoked the resentment and jealousy of his fellow-workers through the enjoyment of special privileges in the execution of his mission for GOERING. He is known to have clashed with his colleagues on several occasions. Shortly after von INGRAM took over the administration of the art staff, he (von INGRAM) dismissed Fräulein Dr. EGGEMANN and a secretary because these women were disliked by his wife, who was also an art historian attached to the Einsatzstab. LOHSE interceded with von INGRAM, and called upon SCHOLZ to have von INGRAM's order

rescinded. Once reinstated, Fräulein EGGEMANN claimed that she had been offered a part-time position with the German Embassy in Paris, and could therefore not work full time for the Einsatzstab. LOHSE told her that she would be obliged to give full time or resign. Fräulein EGGEMANN remained, but because of this rebuff sided against LOHSE in all future discussions and brought about a rift between LOHSE and Dr. BORCHERS, with whom he shared responsibility for professional

-13-

CONFIDENTIAL

CONFIDENTIAL

guidance of the Arbeitsgruppe Louvre. In January 1944, SCHOLZ was obliged to dismiss LOHSE from any further activity with the Einsatzstab, although he retained his special portfolio for GOERING.

It has been learned further that von BEHR, SCHOLZ, SCHIEDLAUSKY, and von INGRAM were all involved in affairs with staff secretaries of the Einsatzstab, the circumstances of which contributed more than any other factor to the lowering of staff morale.

The felonious activity of the Einsatzstab was deplored by many German officials, who contested its legitimacy and attempted to obstruct its operations. Count METTERNICH, head of the Kunstschutz, the German military organisation for the protection of works of art, condemned von BEHR publicly whenever possible, and the military organisation as a whole was antipathetic to what it considered a disgraceful political action. ROSENBERG, aware of the low repute in which his organisation was held by the German military, encouraged von BEHR to entertain extensively, in the hope that the prestige of the Einsatzstab would gain accordingly.

It is of parenthetical interest that HIMMLER, following HITLER's restatement of policy (in March 1942) whereby the E.R.R. was to have the sole right of confiscation of archives, libraries and cultural material, wrote to ROSENBERG to determine the rights of the Sicherheitsdienst and the Sicherheitspolizei in the

confiscation and exploitation of documentary material bearing on enemies of the Reich. ROSENBERG thereupon agreed to the transmittal to HIMMLER's organisations of all police documents, and sought to assure HIMMLER that the Einsatzstab was in no sense attempting to usurp the authority of the Sicherheitsdienst and the Sicherheitspolizei. For a considerable period, the confiscatory prerogatives of the Einsatzstab were jeopardized by the firm opposition of HIMMLER and LAMMERS, whose influence in Army circles was sufficiently strong to minimise the cooperation extended the Einsatzstab by military units.

-14-

CONFIDENTIAL

CONFIDENTIAL

III. CONFISCATION IN PRACTICE AND IN THEORY

(a) Methods Employed by the Einsatzstab

The manner in which collections of works of art were obtained by the Einsatzstab in its early stages of activity is described by all informants as chaotic. As the initial confiscations were effected by the German military command in France and the German Embassy, the Einsatzstab became operational at a moment when these collective seizures were already widespread. SCHOLZ stated that EBERT, UTIKAL and von BEHR never communicated with Berlin to receive instructions for the disposal of a given collection which had been located. Instead, it was stated that the Einsatzstab employed a number of irresponsible men who would simply collect a truckload of objects and carry them off to the Jeu de Paume. SCHIEDLAUSKY and the other art historians would be working in the Jeu de Paume on inventories, when some stranger would come in with a carload of works of art and simply say, "These are from ROTHSCHILD," or "These are from the Avenue du Bois," leave them and disappear. More often than not, SCHIEDLAUSKY would never again see the same man. When, at a later date, a conscientious attempt would be made to reconstruct the process of seizure and to inventory all objects which had been brought in in [sic] a particular lot, it would already have become impossible to ascertain the source of a large quantity of material, which remained classified "unknown."

SCHOLZ, LOHSE and SCHIEDLAUSKY all stated that the art historians protested the irregularity of this procedure, and informed von BEHR that they refused to allow the collections to be sent to Germany until basic inventories had been prepared. On such occasions, however, von BEHR, showing no regard for orderly method, would simply call in his secretary, Fräulein PUETZ, and order the miscellaneous loot to be sent to the chief German depot at Neuschwanstein/Füssen, the cases to bear the stamp "Unknown."

-15-

CONFIDENTIAL

CONFIDENTIAL

The early seizures were directed by two-non-professional "technical assistants" to von BEHR, named BRAUMUELLER and BUSSE. These men worked without inventories and, following leads which they received from the collaborationist French police, effected wholesale confiscations and turned over the accumulated material to the Einsatzstab. SCHOLZ states that members of the French police force accompanied BRAUMUELLER and BUSSE on their expeditions to facilitate the confiscations. Information was also received from the Sicherheitsdienst.

According to SCHOLZ and SCHIEDLAUSKY, the art historians were further handicapped in their efforts to prepare comprehensive inventories through not having at their disposition an art reference library. The seizure of all books was controlled by a different unit of the Einsatzstab, which was obliged to "freeze" such material pending receipt of instructions from the Berlin Office for World-political Education and Indoctrination. Thus, the art historians, in the earlier phases of confiscation, had virtually no reference material with which to work.

SCHIEDLAUSKY, in a report prepared at von INGRAM's request at the time of the "revision" of the Einsatzstab, dated 22 August 1942, alluded to the many difficulties which confronted him in his efforts to prepare comprehensive inventories. First, he complained that the lack of qualified personnel was such as to preclude the

possibility of making inventories of material as it arrived. He stated that, from November 1940 through February 1941, Drs. WIRTH and ESSER were available to him only on a half-time basis, and that Dr. JERCHEL had been available only for one month; that Drs. DANNEHL, EVERS and STRENGER, all of whom had been temporarily assigned to the Einsatzstab as photographers, had to be called upon to participate in the work of cataloguing objects; and that all of the men in question were in fact only "lent" to the Einsatzstab, as their normal duties were with the Kunstschutz; that Drs. KUNTZE and LOHSE had not been made available

-16-

CONFIDENTIAL

CONFIDENTIAL

until February 1941 and that, of these two, LOHSE, after preparing an inventory of the WASSERMANN Collection, was given responsibility as a special representative of GOERING, which meant that he could no longer be counted upon to do research under SCHIEDLAUSKY's direction; that, therefore, only KUNTZE and he had been in a position to devote full time to the orderly recording of Einsatzstab material, and that once the shipments to Germany had begun, in April 1941, only one of them could remain in Paris. He deplored the fact that there were not sufficient trained art historians available to permit a specialist to accompany the special groups effecting seizures, so as to be able to decide on the spot what objects were of sufficient value to be taken. Finally, he complains that the preparation of exhibitions for GOERING jeopardized seriously the work of the trained staff, in that it was very time-consuming and involved the services of personnel who might otherwise have been preparing inventories, at times when they were most urgently needed.

SCHIEDLAUSKY stated that the greater part of the material from the ROTHSCHILD, KANN, WEIL-PICARD and WILDENSTEIN Collections was confiscated by mid-November 1940, and SCHOLZ stated categorically that the great majority of the works of art seized during the course of the entire Einsatzstab action were already in hand when he arrived in PARIS early in 1941. The flow of confiscated material, toward the end of 1940 and in the beginning of 1941, was

characterized as so swift that the art historians, in any event, could not have kept up with the incoming collections. Later, following the change in administration, greater selectivity was shown and examination of potential seizable material was undertaken by one of the art historians prior to confiscation. LOHSE stated, however, that with the exception of the Max WASSERMANN Collection and portions of the David WEILL Collection, no group of important objects was confiscated after the early months. The monthly reports of E.R.R. acquisitions generally listed no more than five or six objects obtained, and these of low quality. There

-17-

CONFIDENTIAL

CONFIDENTIAL

was a certain resurgence of activity when the M-Action was initiated in 1942, but this was described by LOHSE as irregular and circumstantial.

(b) Official French Protests and German Justification

The Einsatzstab confiscations not only were conducted under the authority of the HITLER order of 18 November 1940, but were cloaked by the fictitious pretext of adherence to international law. On 16 May 1942, GOERING asked Dr. BUNJES to prepare a paper setting forth in detail the facts attendant to the Einsatzstab confiscations, in the light of numerous French protests which had been lodged with the German authorities. This paper, entitled "French Protests against the Safeguarding of Ownerless Jewish Art Properties in Occupied France," describes German measures taken, presents a details analysis of the French protests, and offers recommendations for refutation of the French argument. In essence, the BUNJES paper stresses the ingratitude of the French state and the French people for the altruistic efforts of the Einsatzstab, without which the destruction and loss of invaluable cultural material would have been inevitable. The paper is a pinnacle in the literature of political treachery. Briefly stated, BUNJES offers the following transparent legal justification for the German action : The Hague Convention of 1907, signed by Germany and France, and observed in the armistice terms of May 1940 calls in Article 46 for the

inviolability, among other things, of private property (ATTACHMENT 9A). BUNJES states, however, that the Compiègne armistice of 1940 was a pact made by Germany with the French state and the French people, but not with Jews and Freemasons, and that the Reich, accordingly, was not bound to respect the rights of Jewish property owners; further, that the Jews, in company with Communists, had made innumerable attempts since the signing of the armistice on the lives and persons of Wehrmacht personnel and German civilians, so that even sterner measures had to be taken to suppress Jewish lawlessness.

-18-

CONFIDENTIAL

CONFIDENTIAL

BUNJES contends that the basis for the French protests, and petitions for the return of ownerless Jewish property, is the desire on the part of the French government to deceive Germany and further the prosecution of subversive activity against the Reich. BUNJES states that the French request for access by French government officials to those places in France where German personnel are talking inventory of confiscated material should be disallowed, since, if it were granted, the door would be wide open for French espionage. The French protests, according to BUNJES, are motivated by the desire to conduct eventual anti-German cultural propaganda in France; to formulate resistance to the German claims for the return to the Reich of cultural material destroyed or stolen by French soldiers in Germany; and to discount the nobility and altruism of the German measures for the protection of French cultural material.

The paper concludes with BUNJES' personal recommendation that no answer whatever be made to the French government until such time as HITLER personally determines the disposition of the accumulated confiscated material. (The BUNJES paper is reproduced in its entirety (and in translation) in ATTACHMENT 9.)

Prior to the preparation of the BUNJES paper, UTIKAL, on 3 November 1941, had prepared an internal memorandum by way of reply to the protest over

confiscation of Jewish-owned art properties, lodged with the German authorities on 25 July 1941 by the French General Commission for Jewish Questions. UTIKAL dismisses all legal considerations in his paper which is, in essence, a violent anti-Semitic harangue, couched in terroristic language.

SCHOLZ stated that a special commission had been formed in Germany, early in the war, to make a comprehensive list of all works of art and cultural items taken from Germany by the French during and after World War I. This list, according to SCHOLZ, was the basic point of departure for the confiscation of French cultural and art

-19-

CONFIDENTIAL

properties, it being held that such confiscation was aimed at the forced reparation of German losses sustained at the hands of the French.

(c) Analysis of Confiscation

The seizures of the Einsatzstab in France are believed to have totaled [sic] 21,903 objects, from 203 collections. Examination of the Einsatzstab files further disclosed a detailed inventory of 5,009 items from the several ROTHSCHILD collections; 2,687 from the David WEILL Collection; 1,202 from Alphonse KANN; 989 from Levy de BENZION; and 302 from Georges WILDENSTEIN. According to SCHIEDLAUSKY, the total of 558 inventoried items from SELIGMANN and 123 from WEIL-PICARD represents but a fraction of the material confiscated from these collections. A statement of art objects counted and inventoried, prepared by SCHOLZ in July 1944, partially confirms the above figures and furnishes the following supplementary totals:

1. Paintings, water colors, drawings, pastels engravings, miniatures, etc,	10,890
2. Sculpture (bronzes, marbles, wood, terracottas, ivories, reliefs, etc.)	583

3. Furniture	2,477
4. Textiles (tapestries, carpets, embroidery, etc.)	583
5. Objets d'art (including porcelains, glass, jewelry, coins, rare gems, etc.)	5,825
6. Asiatic art (including sculpture, porcelains, paintings, screen, etc.)	1,286
7. Objects of classified antiquity (Greek Roman, Egyptian, Assyrian, sculpture, vases, jewelry, etc.)	259

(The list of confiscated collections is reproduced in its entirety, with accompanying code designations, as ATTACHMENT 10.)

-20-

IV. DISPOSITION OF CONFISCATED MATERIAL

(a) Objects Brought to Germany - General

In conformity with the HITLER order of 18 November 1940, the greater part of the material confiscated by the Einsatzstab was sent to Germany for safekeeping and for HITLER's ultimate disposition. The SCHOLZ report of July 1944 records 29 shipments into the Reich during the period April 1941 to July 1944. The shipments comprised 138 freight carloads, containing 4,174 cases of work destined for 6 separate protected deposits. These deposits were:

- | | |
|---------------------------|-------------------------------------|
| 1. Schloss Neuschwanstein | (Kreis Füssen) |
| 2. Schloss Chiemsee | (Herreninsel, Kreis Traunstein) |
| 3. Cloister Buxheim | (Kreis Memmingen) |
| 4. Schloss Kogl | (St. Georgen/
Kreis Vöcklabruck) |
| 5. Schloss Seisenegg | (Kreis Amstetten) |
| 6. Schloss Nickolsburg | (Kreis Nickolsburg) |

The first shipment of Einsatzstab material from France to Germany took place in April 1941. Shipments continued to the above-mentioned deposits through February 1944, at which time the Reichschancellery, because of the increasing danger from air raids, ordered the major deposits evacuated and their contents brought to Alt Aussee, Austria, for storage in the Steinberg salt mine.

i. Difficulty of Transportation and Storage

SCHEIDLAUSKY stated that the shipments from France were complicated by the lack of available adequate rolling stock. For the first and most important shipment, the Einsatzstab was obliged to requisition special baggage cars from every corner of the Reich. These were cars normally attached to deluxe passenger trains, and could be heated. Thirty such cars were obtained, and the shipment, comprising material from the ROTHSCHILD, SELIGMANN, WILDENSTEIN, David WEILL and WEIL-PICARD Collections, for transfer from Paris to Neuschwanstein/Füssen,

-21-

CONFIDENTIAL

was accorded a special military escort of Luftwaffe personnel. The special train proceeded via Belfort, Stuttgart and Augsburg, and was approximately three days in transit from Paris to Füssen. SCHIEDLAUSKY and KUNTZE rode the train and were in charge.

The second major shipment occurred in October 1941, and comprised 23 carloads of objects from the lesser collections. According to SCHIEDLAUSKY, none of the outstanding confiscated material was included in this shipment. The train was routed from Paris to Füssen; it was intended that the contents of eleven cars should be deposited at Chiemsee, but an early snowfall precluded the further transfer and the entire trainload was removed at Füssen. A garage in Füssen was rented for the purpose of storing the Chiemsee material, as it was impossible to bring trucks up the steep road to Neuschwanstein. The material was transferred to Chiemsee during the Spring of 1942.

According to SCHIEDLAUSKY, these two shipments constituted the only major transfers to Neuschwanstein. In 1942 the BACRI and KRÄMER Collections were transferred to Kogl, and during the same year Nickolsburg and Buxheim came into use, with material being routed directly there from Paris. Early in February 1944, SCHOLZ received an urgent summons to Munich for a conference with Dr. von HÜMMEL, confidential assistant to Reichsleiter BORMANN, and was informed that

HITLER had instructed BORMANN to make every effort to move the more important part of the Einsatzstab material to Alt Aussee at the earliest possible moment. The order was transmitted formally by BORMANN to ROSENBERG from HITLER's headquarters on 6 February 1944.

SCHOLZ and SCHIEDLAUSKY stated that because of the serious lack of packing materials, most of the objects at Füssen and the other deposits had been unpacked and the packing materials returned to Paris and other points for repeated use. The events of February 1944 necessitated complete repacking of the objects and their transfer by road convoy to Alt Aussee. Thirteen convoys were despatched from the several deposits,

-22-

CONFIDENTIAL

CONFIDENTIAL

beginning in February 1944 and continuing through March 1945. According to SCHIEDLAUSKY, three convoys came from Nickolsburg, three from Chiemsee, and the remainder from Neuschwanstein.

(b) Objects Acquired by Goering

Approximately 700 objects from the Einsatzstab were selected for the GOERING collection. Shipments of this material from Paris to Berlin took place on 8 February 1941, 15 March 1941, 3 May 1941, 15 August 1941, 2 December 1941, 14 March 1942, 15 May 1942, and 24 November 1942.

The standard procedure for the selection of this material was that GOERING would give eleventh hour notice of his intention to visit Paris and would go to the Jeu de Paume personally to make his selection from the material placed on exhibition there by the Einsatzstab staff. According to SCHOLZ, LOHSE and SCHIEDLAUSKY, he was accompanied on all but one or two occasions by HOFER, to whom he deferred invariably in the matter of choice. In most instances, the material selected was packed in the Jeu de Paume and taken out at once to the GOERING special train, as it was stated that the Reichsmarschall wished whenever possible to have his acquisitions

accompany him back to Germany. (See Consolidated Interrogation Report No. 2, "The GOERING Collection.")

(c) Objects Acquired for HITLER

(For further details see Consolidated Interrogation Report No. 4, "Linz: HITLER's Museum and Library.")

Inasmuch as all work of art confiscated by the Einsatzstab were theoretically at the disposition of HITLER, relatively few objects were specifically earmarked for him or the Fuehrermuseum, Linz. Examination of the Einsatzstab files revealed that 53 objects had been set aside for HITLER and Linz. With the exception of one or two objects, this material came entirely from the ROTHSCHILD and SELIGMANN Collections, confiscated at the very outset. The selection was made at the Jeu de

-23-

CONFIDENTIAL

CONFIDENTIAL

Paume on 5 February 1941. Most of the objects were packed in their original ROTHSCHILD cases, and the entire selection was put aboard GOERING's special train

and brought to Munich. (Two large Bouchers and four tapestries from the ROTHSCHILD Collection could not be accommodated on the train, and were subsequently sent to Füssen.)

The material was placed in the Fuehrerbau at Munich for safekeeping, and was transferred to Alt Aussee in 1944. (A list of the selected works is appended as ATTACHMENT 11.)

SCHIEDLAUSKY and LOHSE stated that GOERING undertook the selection for HITLER personally in the Jeu de Paume. This is borne out by a letter dated 19 July 1941 from SCHOLZ to POSSE, in which SCHOLZ replies to questions raised in a letter from POSSE with respect to the material selected for HITLER. POSSE had made a tentative selection of objects from photographs submitted to HITLER during the first stages of confiscation proceedings, but GOERING subsequently conferred

with HITLER and was authorized to make the selection on the occasion of his visit to Paris in February 1941 (see ATTACHMENTS 12 and 13).

It is believed that no further definite selection of Einsatzstab material for HITLER or Linz was made. All sources agreed that POSSE never visited the Jeu de Paume to select pictures, nor did VOSS, his successor. According to SCHIEDLAUSKY, VOSS visited Neuschwanstein on one occasion in the Fall of 1943, accompanied by von HÜMMEL and other dignitaries. Although his personal authority to select Einsatzstab material for Linz had been established by a BORMANN order of 21 April 1943, his visit was an unofficial one.

Periodically, as significant new material was acquired by the Einsatzstab, leather-bound volumes of photographs were prepared by the staff and transmitted to the Reichschancellery. SCHOLZ and SCHIEDLAUSKY stated that these volumes were prepared rather for the purpose of acquainting HITLER's headquarters with the work of the Einsatzstab, and of dramatizing the scope of the undertaking, than of

-24-

CONFIDENTIAL

CONFIDENTIAL

illustrating what specific objects had become available for potential acquisition by HITLER or the Fuehrermuseum, LINZ. It was stated that nearly one hundred such volumes were put together in the course of the operation. (See Consolidated Interrogation Report No. 4, "LINZ: HITLER's Museum and Library.") LOHSE stated that no German museum directors had access to the material confiscated by the E.R.R. and that, with the exception of the objects selected by GOERING and those disposed of through exchange, the accumulation remained intact for HITLER (Note: This statement has been confirmed from other sources).

(d) Exchanges

i. Summary

From February 1941 through November 1943, the Einsatzstab conducted 28 formal

exchanges of confiscated paintings with 6 individuals. In most cases, the works exchanged by the Einsatzstab were French paintings of the late 19th and the 20th century, confiscated chiefly from the ROSENBERG-BERNSTEIN Collection. 18 of the 28 exchanges were arranged with the German dealer, Gustav ROCHLITZ. Two exchanges were arranged with Adolf WUESTER, two with the dealer Max STEOCKLIN, two with von BEHR's confidence man, Arthur PFANNSTIEL, and single exchanges with the Galerie ALMAS-DIETRICH, Munich, the Frankfurt dealer, BOEDECKER, the Amsterdam dealer, Jan DIK Jr., and a Hungarian dealer, Dr. Alexander von FREY. Eighteen of the exchanges were conducted in [sic] behalf of GOERING: six or seven for HITLER and the Reichschancellery; one, possibly two, for RIBBENTROP, and one for BORMANN. Von BEHR is believed to have arranged a single exchange in [sic] his own behalf, and GOERING received the entire art library of the Jewish dealer, Allen LOEBL, in "token" exchange for one E.R.R.-confiscated painting by Utrillo. This exchange was implemented by LOHSE and HOFER and was not conducted through normal Einsatzstab channels. The contract, dated

-25-

CONFIDENTIAL

CONFIDENTIAL

23 November 1942, was signed by HOFER. The Utrillo was from the BERNHEIM Collection.

ii. Policy and Method

The exchanges were inspired chiefly by an organizational edict against the transportation to Germany of confiscated French Impressionist and 20th century paintings, which were regarded formally and in the aggregate as Entartende [sic] Kunst (Degenerate Art). Rather than allow this abundance of highly saleable material to lie fallow, however, the Einsatzstab was prepared to sacrifice certain ideological considerations to the interests of commercial exploitation. It has not been possible to ascertain finally who conceived the idea for the exchanges. HOFER attributes it to

von BEHR and LOHSE jointly, with the observation that they initiated the exchanges as a means of “enriching” the GOERING collection. LOHSE, insisting that von BEHR was responsible, stated with SCHOLZ that von BEHR had even gone so far as to propose to UTIKAL and GRITZBACH, GOERING’s civilian Chief of Staff, that Impressionist and contemporary paintings confiscated by the Einsatzstab be smuggled into Portugal and used as barter for uncut diamonds. This idea was to extreme, for obvious reasons, to find favor [sic] with von BEHR’s superiors; but the exchanges of such material for old masters and German 19th century paintings in the trade were sufficiently flagrant.

ROCHLITZ stated that he was forced by LOHSE to propose the series of exchanges in which he was involved, and was threatened with “the consequences” should he fail to comply with GOERING’s wishes (see Detailed Interrogation Report No. 4 – Subject: Gustav ROCHLITZ).

GOERING was stated by LOHSE to have preferred acquisition by exchange rather than purchase whenever possible.

SCHOLZ and LOHSE denied categorically that ROCHLITZ had been forced in any way to participate in the exchanges, and were agreed that he had seen in these transactions a means of (a) making large profits,

-26-

CONFIDENTIAL

CONFIDENTIAL

(b) gaining a prominent position in German art circles, and (c) winning personal favors from GOERING. There is abundant evidence to support their contention. In almost every exchange, the quid pro quo was balanced heavily in Rochlitz’ favor. For example, he acquired celebrated masterpieces by Cezanne, Corot and Degas, together with eight pictures by Renoir, Sisley, Picasso, Matisse, and Braque, in the first exchange (3 March 1941), in return for a highly questionable Titian portrait and a pedestrian work by Jan Weenix. A comparable disproportion persisted through out [sic] most of the exchanges. A letter from UTIKAL to Reichsleiter ROSENBERG of 18 February 1941 (ATTACHMENT 14) stresses GOERING’s desire to have such confiscated material as is “unworthy” to come to Germany used in this manner, and

invites ROSENBERG's attention to the initial proposals for exchange. It has been stated by both SCHOLZ and LOHSE that the series of exchanges could not have been initiated without ROSENBERG's direct approval. A letter from UTIKAL to SCHOLZ of the same date implicates SCHIEDLAUSKY, LOHSE and KUNTZE in its assertion that they are in professional agreement as to the validity of the undertaking (ATTACHMENT 15). UTIKAL further states that, in his estimation, the chance presented is a unique one, and that the Titian exchange would constitute an act favorable to the best interests of the German Reich.

In all exchanges undertaken for GOERING, BELTRAND was called in to make an appraisal of the objects in question. This procedure was "consistent" with GOERING's method of acquisition from the E.R.R., as the appraisals were to form the basis of ultimate payment by GOERING. Characteristic exchange contract and appraisal forms are appended (ATTACHMENTS 16 and 17).

The exchanges conducted on behalf of RIBBENTROP, BORMANN and the Reichschancellery are further evidence of the inclination of high Party officials to profit personally from the Einsatzstab venture. Those individuals who contracted to exchange objects with the E.R.R. were pledged to maintain complete secrecy over all details of the transactions.

-27-

CONFIDENTIAL

CONFIDENTIAL

V. DETAILS OF EXCHANGES

(Note: Information gained with respect to the sources and disposition of objects involved, appraisal values, circumstances of the various exchanges, etc., varies in relation to the amount of documentation available and to the details obtained from participants.)

1. 3 March 1941, with ROCHLITZ, in Paris (for GOERING).

E.R.R. gave:

1. Braque Still Life with Grapes and Peaches
Oil, 45 x 94 cm.
Signed: Braque 27
(from the KANN Coll.)

2. Cézanne Douleur
Oil, 168 x 126 cm.
(from the KANN Coll.)

3. Corot Mother and Child in Woods
Oil, 133 x 97 cm.
Signed: Corot
(from the ROSENBERG-BERNSTEIN Coll.)

4. Degas Madame Camus at the Piano
Oil, 140 x 95 cm.
Signed : Degas
(from the KANN Coll.)

5. Matisse Woman at a Table
Oil, 80 x 100 cm.
Signed: Henri Matisse 40
(from the ROSENBERG-BERNSTEIN Coll.)

6. Matisse Still Life: Flowers and Pineapples
Oil, 80 x 100 cm.
Signed: Henri Matisse 40
(from the ROSENBERG-BERNSTEIN Coll.)

7. Matisse Sleeping Woman at a Table
Oil, 80 x 100 cm.
Signed: 40 Henri Matisse
(from the ROSENBERG-BERNSTEIN Coll.)

8. Picasso Women at the Races
Oil, 47 x 62 cm.
Signed: Picasso
(from the LINDENBAUM Coll.)

9. Picasso Mother and Child
Oil, 133 x 197 cm.
Signed: Picasso Biarritz 1918
(from the ROSENBERG-BERNSTEIN Coll.)

10. Renoir Reclining Woman in Summer Dress
Oil, 29 x 46 cm.
Signed: Renoir

CONFIDENTIAL

CONFIDENTIAL

11. Sisley Spring Landscape
Oil, 54 x 74 cm.
Signed: Sisley 89
(from the Georges BERNHEIM Coll.)

E.R.R. received:

1. North Italian Portrait of a Bearded Man
16 c. (Titian?)
2. Jan Weenix Hunting Still Life

LOHSE had seen the Titian (?) and the Weenix at ROCHLITZ' shop, and had sent photographs to Berlin for GOERING's approval. SCHOLZ, LOHSE SCHIEDLAUSKY and KUNTZE assembled a group of confiscated French pictures and asked ROCHLITZ to choose those which he wanted. ROCHLITZ picked the 11 paintings in question, and GOERING, visiting the Jeu de Paume together with HOFER and ANGERER, approved the ROCHLITZ selection. As in all subsequent exchanges conducted for GOERING, BELTRAND was summoned as soon as GOERING had approved the transaction to appraise the objects involved. While von BEHR had no actual part in the arrangement of the details of the exchange, he signed the contract as senior officer of the Einsatzstab.

The dealers BIRTSCHANSKY and WENDLAND figured in this exchange through joint ownership with ROCHLITZ of the Titian (?) and the Weenix. WENDLAND bought out BIRTSCHANSKY's interest, and received through ROCHLITZ 6 of the 11 paintings exchanged (for further details, see Detailed Interrogation Report No. 4, Subject: Gustav ROCHLITZ).

2. 11 March 1941, with ROCHLITZ, in Paris (for GOERING).

<u>E.R.R. gave:</u>		<u>Appraised at:</u>
1. Renoir	<u>Reclining Nude</u>	Frs. 200,000
2. Matisse	<u>Oriental Women</u> Signed: Henri Matisse (from the ROSENBERG-BERNSTEIN Coll.?)	- " - 30,000

E.R.R. received:

1. German 16 c. Samson and Delilah

Oil on panel.
Signed: H.B.

2. Franz Krueger Male Portrait
Signed: Franz Krueger 1850
3. Flemish Pomona with Cherubs
(Janssens)

On receiving the photographs in Berlin, GOERING had wished to acquire the Krueger, but decided, upon seeing the picture in Paris, not to take it. The Krueger was therefore put aside, and later figured in material turned over by the Einsatzstab to the Reichschancellery.

The painting by Janssens was disputed, according to LOHSE, by

-29-

CONFIDENTIAL

CONFIDENTIAL

HOFER, who said that he considered it to be Italian. HOFER was not enthusiastic about the picture, but GOERING liked it and overruled him. LOHSE stated that the Matisse was a ROSENBERG-BERNSTEIN picture. ROCHLITZ owned all three pictures outright, and stated that he had purchased the Samson and Delilah from SELIGMANN in 1937. He sold the Matisse to the Paris art dealer KLEIN for approximately 50,000 francs. (For further details, see Detailed Interrogation Report No. 4., Subject: Gustav ROCHLITZ.)

According to a LOHSE memorandum of 10 December 1942, the Matisse was appraised at 80,000 francs, and the Krueger and Janssens were given in exchange, the Samson and Delilah having been exchanged for the Renoir.

SCHOLZ participated with LOHSE in this exchange. The contract was signed by von BEHR.

3. 17 March 1941, with ROCHLITZ, in Paris (for GOERING).

E.R.R. gave:

Appraised at:

- | | | |
|------------|-----------------------------------|--------------|
| 1. Picasso | <u>Portrait of a Woman</u>
Oil | Frs. 35,000 |
| 2. Picasso | <u>Abstraction</u>
Oil | - " - 15,000 |

3. Picasso	<u>Abstraction</u> Oil	- “ - 10,000
4. Manet	<u>Still Life: Roses</u> Oil	- “ - 50,000
5. Sisley	<u>River Scene</u> Oil	- “ - 35,000
6. Boudin	<u>Seascape</u> Oil	- “ - 50,000
7. Pissarro	<u>Tuileries Gardens</u> Oil	- “ - 35,000

E.R.R. received:

1. Raffaellino del Garbo	<u>Madonna and Child</u>	- “ - 80,000
2. F. Wouters	<u>The Bath</u>	- “ - 150,000

The appraisals are drawn from BELTRAND lists found in the Einsatzstab files. No further details of this exchange are available. ROCHLITZ sold the two Picasso abstractions to the Paris dealer, ROSNER, and retains the remaining pictures (see Detailed Interrogation Report No. 4, Subject: Gustav ROCHLITZ). Von BEHR signed the contract.

4. 17 March 1941, with PFANNSTIEL, in Paris (for GOERING?).

E.R.R. gave:

-30-

CONFIDENTIAL

CONFIDENTIAL

Appraised at:

1. Sisley	<u>Winter Landscape</u> Oil, 39 x 56 cm. Signed: Sisley	Frs. 35,000
2. Laurencin	<u>Girl with a Guitar</u> Oil (oval), 61 x 48 cm.	- “ - 1,500

CONFIDENTIAL

exchange. LOHSE believed that it was undertaken for the Reichschancellery, and unquestionably not for GOERING. ROCHLITZ had owned the Barend Graat for some time. He subsequently sold the Gauguin to ROSNER, a Paris dealer, for 40,000 francs. (Detailed Interrogation Report No.4.)

7. 7 April 1941, with ROCHLITZ, in Paris (for GOERING).

<u>E.R.R. gave:</u>		<u>Appraised at:</u>
1. Cézanne	<u>Bathers</u> Oil study	Frs. 100,000
2. Renoir	<u>Head of a Girl</u> Oil, 14 x 10 cm.	- " - 50,000

E.R.R. received:

1. Van Os Flower Still Life
(2 companion pieces)

The two Van Os pictures had been offered to SCHOLZ by ROCHLITZ for the Halle Museum. The pictures were brought to the Jeu de Paume and reserved for ultimate purchase by SCHOLZ, who had no foreign currency available at the time. Through a mistake they were placed on exhibition with other pictures selected for acquisition by GOERING, who saw them and wished to acquire them by exchange. The exchange was arranged promptly in GOERING's behalf. ROCHLITZ stated that he had owned the two Van Os paintings for some time before the war. The Cézanne and the Renoir are still in his possession. The contract was signed by von BEHR.

HOFER, who participated in the exchange, recalls that the Van Os paintings were sent subsequently to Alois MIEDL in Amsterdam, in a group of Dutch pictures which GOERING was then exchanging for a Vermeer. (See Consolidated Interrogation Report No. 2, "The GOERING Collection.") LOHSE believed it possible that MIEDL later sold the 2 paintings to Dr. GOEPEL (for the Fuerermuseum, Linz), as GOEPEL had written him to say that certain pictures which had been found originally by LOHSE in Paris had now been purchased for Linz in Amsterdam.

8. 5 May 1941, with ROCHLITZ, in Paris (for GOERING).

<u>E.R.R. gave:</u>		<u>Appraised at:</u>
---------------------	--	----------------------

1. Matisse	<u>Landscape</u> Oil	Frs. 100,000
2. Matisse 80,000	<u>Interior</u> Oil	- “ -
3. Matisse	<u>Figures at a Table</u> Oil	- “ - 80,000
4. Monet	<u>Street Scene with Banners</u> (“le 14 juillet”)	- “ - 60,000

-32-

CONFIDENTIAL

CONFIDENTIAL

E.R.R. received:

- | | |
|-------------------------------|--------------|
| 1. School of
Fontainebleau | <u>Diana</u> |
|-------------------------------|--------------|

LOHSE proposed the Diana to GOERING. ROCHLITZ stated that he had owned the picture since 1934. He sold the three Matisse paintings to ROSNER. (See Detailed Interrogation Report No. 4). The contract was signed by von BEHR.

9. 5 May 1941, with ROCHLITZ, in Paris (for GOERING).

E.R.R. gave:

Appraised at:

1. Renoir	<u>Riviera Landscape (Cagnes)</u> Oil, 46 x 55 cm.	Frs. 120,000
2. Renoir	<u>Head of a Child</u> Oil on paper, 11 x 9 cm.	- “ - 50,000
3. Matisse	<u>View Through a Window</u> Oil, 38 x 46 cm.	- “ - 50,000

E.R.R. received:

- | | |
|-------------------------------|---|
| 1. School of
Fontainebleau | <u>Reclining Venus with Cherub</u>
Oil on wood |
|-------------------------------|---|

Undertaken simultaneously with # 8. ROCHLITZ retains both Renoirs and possibly the Matisse. (See Detailed Interrogation Report No. 4). The contract was signed by von BEHR.

10. 9 July 1941, with ROCHLITZ, in Paris (for GOERING).

<u>E.R.R. gave:</u>		<u>Appraised at:</u>
1. Degas	<u>Three Dancers</u> Pastel, 55 x 49 cm. (from the LINDENBAUM Coll.)	Frs. 200,000
2. Degas	<u>Woman with Parasol</u> Oil, 19 x 24 cm.	- " - 50,000
3. Manet	<u>Studio Scene</u> Oil, 55 x 55 cm.	- " - 250,000
4. Renoir	<u>Two Nudes</u> Oil, 33 x 30 cm.	- " - 100,000
5. Renoir	<u>Seated Nude</u> Oil, 33 x 33 cm.	- " - 80,000
6. Boudin	<u>The Beach at Trouville</u> Oil, 21 x 39 cm.	- " - 50,000
7. Cézanne	<u>Flower Piece</u> Water color [sic] , 49 x 31 cm.	- " - 80,000

-33-

CONFIDENTIAL

CONFIDENTIAL

8. Toulouse-Lautrec	<u>Café Scene (Gouache?)</u> Water color, 60 x 47 cm.	Frs. 120,000
9. Sisley	<u>Spring Landscape</u> Oil, 45 x 56 cm.	- " - 40,000
10. Sisley	<u>River Scene</u> Oil, 50 x 65 cm.	- " - 60,000
11. Morisot	<u>Dejeuner al Fresco</u>	- " - 100,000

	Oil, 60 x 73 cm.	
12. Monet	<u>Children on a Staircase with Sunflowers</u> Oil, 100 x 81 cm.	
13. Utrillo	<u>Montmartre</u> Oil	
14. Bonnard	<u>Still Life</u> Oil, 121 x 92 cm.	- “ - 120,000
15. Signac	<u>Mont St. Michel (Marseille?)</u> Oil, 73 x 93 cm.	- “ - 20,000
16. Picasso	<u>Struggle of Centaurs</u> Water color, 21 x 27 cm.	- “ - 35,000
17. Matisse	<u>Seated Girl</u> Oil, 40 x 33 cm.	- “ - 60,000
18. Braque	<u>Still Life</u> Oil, 54 x 65 cm.	- “ - 35,000

E.R.R. received:

- | | |
|---------------------------|--|
| 1. North Italian
16 c. | <u>Portrait of a Young Woman</u>
(Lavinia, Titian's daughter) |
|---------------------------|--|

LOHSE recommended the Lavinia to GOERING, and SCHOLZ, who was in Paris at the time, participated in the transaction. According to both, HOFER came to the Jeu de Paume and approved the exchange prior to GOERING's arrival. He attributed the picture to Paris Bordone rather than to Titian. GOERING came later the same day and confirmed the arrangements.

The Lavinia was stated by ROCHLITZ to have come originally from a German collection and to have been sold at auction at Christie's (London) some time before the war. He bought the picture from a German national named WIESNER in 1938 for 600,000 French francs.

Of the 18 paintings which he received in exchange, ROCHLITZ sold at least 5 to the Paris dealers ROSNER, PETRIDES, KLEIN and Mlle, LEVY. (For further details see Detailed Interrogation Report No. 4). The contract was signed by von BEHR.

11. 3 December 1941, with ROCHLITZ, in Paris (for GOERING).

E.R.R. gave:

Appraised at:

-34-

CONFIDENTIAL

CONFIDENTIAL

1. Matisse	<u>4 Companion Figure Pieces</u> Oil (from the ROSENBERG-BERSTEIN Coll.)	Frs. 20,000
------------	--	-------------

E.R.R. received:

1. Jan Brueghel I	<u>The Harbor of Antwerp</u> Oil on panel, 17 x 26 cm.
-------------------	---

The Jan Brueghel was offered by ROCHLITZ to LOHSE for sale to GOERING. GOERING, however, wished to acquire it through exchange. ROCHLITZ stated that he had owned the picture for ten years prior to the war.

Of the 4 connected Matisse studies received in exchange, he sold 3 to KLEIN and 1 to ROSNER. The contract was signed by von BEHR. In addition, there exists an E.R.R. file memorandum dated 3 December 1941 and signed jointly by von BEHR and LOHSE, worded to indicate that the exchange was conducted in GOERING's behalf (ATTACHMENT 18.)

12 10 December 1941, with ROCHLITZ, in Paris (for GOERING).

E.R.R. gave:

Appraised at:

1. Matisse	<u>Women at Piano</u> Oil (from the ROSENBERG-BERNSTEIN Coll.)	*
2. Matisse	<u>Women at a table</u> Oil (from the ROSENBERG-BERNSTEIN Coll.)	Frs. 10,000 * (both pictures)

E.R.R. received:

1. Von der Neck Female Nude with Children

According to LOHSE, the Von der Neck was brought in for consideration by ROCHLITZ while GOERING was visiting the Jeu de Paume. GOERING took the picture away the same day, and there was no opportunity to have it appraised or photographed. The E.E.R. records indicate that the exchange took place on the same date as # 11, and that the contract was drawn up subsequently. ROCHLITZ is unable to recall which two Matisse were involved, but believes that they were the foregoing, and that they are "missing" (see Detailed Interrogation Report No. 4). The contract was signed by von Behr.

13 9 February 1942, with ROCHLITZ, in Paris (for GOERING)

E.R.R. gave:

Appraised at:

1. Leger	<u>Knight in Armor</u> Oil (from the Paul ROSENBERG Coll.?)	*
----------	---	---

-35-

CONFIDENTIAL

CONFIDENTIAL

2. Braque	<u>Abstraction</u> Oil (from the KANN Coll.)	*
-----------	--	---

3. Braque	<u>Still Life</u> Oil (from the Paul ROSENBERG Coll.)	*
-----------	---	---

4. Matisse	<u>Still Life</u> Oil (from the KANN Coll.)	*
------------	---	---

5. Matisse	<u>View through a Window</u> Oil (from the KANN Coll.)	*
------------	--	---

6. Picasso	<u>Still Life</u> Oil (from the KANN Coll.)	*
------------	---	---

CONFIDENTIAL

ROCHLITZ gave LOHSE a photograph of the Savery for GOERING, and indicated that he would offer it either for exchange or for sale. LOHSE forwarded the photograph to Berlin. He was first authorized by GOERING to purchase the picture, and later ordered to arrange an exchange (by telephone through GOERING's secretary, Fraulein LIMBERGER). LOHSE stated that GOERING saw the picture in the Jeu de Paume, accompanied by HOFER.

ROCHLITZ stated that he retains all three pictures received in this exchange. Von BEHR signed the contract.

15 10 March 1942, with ROCHLITZ, in Paris (for GOERING).

E.R.R. gave:		<u>Appraised at:</u>
1. Matisse	<u>Woman in a Red Coat</u> (from the Paul ROSENBERG Coll.)	*
2. Matisse	<u>Woman with Red Hair</u> (from the Paul ROSENBERG Coll.)	*
3. Modigliani	<u>Portrait of a Woman</u> (from the Michel Georges MICHEL Collection)	*
4. Renoir	<u>Portrait of a Girl</u>	*

* Beltrand made an aggregate appraisal of these four pictures at 100,000 francs.

E.R.R. received:

1. Florentine 16c.	<u>Holy Family</u> (Tondo)
-----------------------	-------------------------------

No details of this exchange are available. ROCHLITZ subsequently sold one of the Matisse paintings to PETRIDES. He stated that he retains the other 3 paintings involved. (See Detailed Interrogation Report No. 4) Von BEHR signed the contract.

16 14 May 1942, with Dr. Alexander von Frey, in Paris (for GOERING).

<u>E.R.R. Gave:</u>		<u>Appraised at:</u>
---------------------	--	----------------------

- | | | |
|-------------|---|---|
| 1. Renoir | <u>Portrait of a Girl</u>
(quarter length)
Oil, 35 x 32 cm.
Signed. | * |
| 2. Picasso | <u>Apple</u>
Signed and dated 1918
Oil, 22 x 27 cm.
(from the ROSENBERG-BERNSTEIN Coll.) | * |
| 3. Pissarro | <u>Country Road</u>
Oil, 41 x 54 cm.
Signed and dated 1872 | * |

-37-

CONFIDENTIAL

CONFIDENTIAL

* BELTRAND made an aggregate appraisal of these three pictures at 80,000 francs.

E.R.R. Received:

- | | |
|---------------------|--|
| 1. Karl von Blochen | <u>Mill in Saxony</u>
Oil on Panel, 18 x 27 cm. |
| 2. Mackart | <u>Study of Figures</u>
Oil, 119 x 169 cm. |

The contract for this exchange was drawn up by von BEHR personally rather than as an E.R.R. instrument. LOHSE explains this divulgence from normal procedure on the basis of von FREY's possible reluctance to have the agreement bear the Einsatzstab name. The von Blechen and the Mackart were offered to LOHSE for GOERING. GOERING retained the Mackart but subsequently gave the Blechen personally to HITLER (not through E.R.R. channels). LOHSE stated that HOFER personally approved this exchange. Von FREY was an art dealer of German origin who held Hungarian citizenship papers and resided in Switzerland. According to LOHSE, he was often in Paris.

17 14 May 1942, with Jan DIK Jr., in Paris (for GOERING).

E.R.R. gave:

Appraised at:

- | | | |
|---------------------------------------|---|-------------|
| 1. Isaak van
Ostade
(School of) | <u>Pause Before a Country Inn</u>
Oil, 140 x 95 cm
(from the ANDRIESSE Coll.) | Frs. 50,000 |
|---------------------------------------|---|-------------|

E.R.R. received:

- | | |
|-------------------------|---|
| 1. Breughel | <u>River Landscape</u>
Oil on copper, 16 x 23 cm. |
| 2. A. Van
Stalpent | <u>Farm Village</u>
Oil on copper, 19 x 27 cm. |
| 3. Jodocus de
Momper | <u>Procession in a Grotto</u>
Oil on wood, 62 x 90 cm. |

The exchange contract, bearing the same date as # 16, also was made out as a personal instrument between von BEHR and the dealer Jan DIK Jr. of Amsterdam. According to LOHSE, DIK came to Paris at his advice to offer a number of pictures to GOERING for sale. Among these were the three in question, which GOERING would accept only on an exchange basis. DIK, however, also sold GOERING a small Brouwer at the same time, according to LOHSE. DIK was accompanied by his partner, MODRCZEWSKI, a German citizen of Polish extraction and resident of Amsterdam. LOHSE inferred that the pictures were owned jointly by DIK and MODRCZEWSKI, and recalled that both men came personally to the Jeu de Paume.

-38-

CONFIDENTIAL

CONFIDENTIAL

18 21 May 1942, with ROCHLITZ, in Paris (for the Reichschancellery)

E.E.R. gave:

- | | |
|------------|---|
| 1. Matisse | <u>Seated Woman in a Blue Dress</u>
Oil, 65 x 50 cm.
Signed: Henri Matisse 37 |
| 2. Matisse | <u>Seated Woman in a White Blouse
and Red Jacket</u> |

Oil, 65 x 50 cm.
Signed: Henri Matisse 37

3. Matisse Reclining Women with Still Life
of Flowers and Fruit
Oil, 61 x 50 cm.
Signed: Henri Matisse 37

(These three studies were stated
to have come from the ROSENBERG-
BERNSTEIN Collection)

4. Corot Wooden Landscape
Oil on panel, 24 x 36 cm.

E.R.R. received:

1. Van Schooten Still Life
(School of) Oil on panel, 50 x 75 cm.
2. Pieter Claes Still Life
Oil on panel, 51 x 77 cm.

This exchange was undertaken by SCHOLZ and LOHSE jointly on behalf of the Reichschancellery. SCHOLZ transmitted the photographs to Munich for approval, which were addressed, according to him, simply to the Reichschancellery, not to an individual. SCHOLZ received instructions from BORMANN's office in Berlin to effect the transaction. No appraisal was made, and SCHOLZ signed the contract for the Einsatzstab.

ROCHLITZ stated that he had owned the Dutch pictures for some time before the war, and that he sold the Matisse Woman in a Blue Dress to PETRIDES, and the Women in a White Blouse to ROSNER

19 15 June 1942, with Max STOECKLIN, in Paris (for the Reichschancellery).

E.R.R. gave :

1. Matisse View Through a Window
Oil, 73 x 60 cm.
Signed: Henri Matisse

E.R.R. received

1. Winants Woodland Landscape with Figures
Oil, 42 x 35 cm.
Signed: J. Winants

CONFIDENTIAL

CONFIDENTIAL

2. Zeeman Small Fishing Harbor
Oil, 55 x 40 cm
Signed: R. Zeeman

According to SCHOLZ and LOHSE, this exchange was carried out for the Reichschancellery in the same manner as # 18. There was no appraisal, and SCHOLZ signed the contract with STOECKLIN. No further details are available.

20 16 June 1942, with ROCHLITZ, in Paris (for the Reichschancellery).

E.R.R. gave

1. Renoir Girl Reading in front of
 a Bunch of Flowers
Oil, 45 x 53 cm.
Signed: Renoir
(from the Paul ROSENBERG Coll.)

E.R.R. received:

1. Italian Cassone picture of Courtiers,
 ca. 1460 and Workmen Building a Bridge
 Oil on panel, 45 x 158 cm.

According to SCHOLZ, HEIM, BORMANN's adjutant, visited ROCHLITZ in his company and saw this picture, after which photographs were sent to BERLIN and authority received in Paris to make the requisite exchange. ROCHLITZ stated that he had owned the Cassone panel for some time, and that he retains the Renoir. SCHOLZ conducted the transaction and signed the contract.

21 24 July 1942, with ROCHLITZ, in Paris (for GOERING).

E.R.R. gave

1. Gauguin

Crucifixion

Appraised at:

*

Oil, 93 x 73 cm.
Signed: P.Gauguin 89
(from the Paul ROSENBERG Coll)

2. Matisse Women Wearing a Turban and Flowered Blouse, and Holding a Fan *
Oil, 56 x 47 cm.
Signed: Henri Matisse
3. Matisse Woman in Turkish Dress, Wearing Green Trousers and Embroidered Jacket. Seated on a Carpet *
Oil, 55 x 46 cm.
Signed: Henri Matisse

* BELTRAND made an aggregate appraisal of these three pictures at 100,000 francs

-40-

CONFIDENTIAL

CONFIDENTIAL

E.R.R. received:

1. School of Fontainebleau The Three Graces
Oil on panel

The Three Graces was acquired for GOERING by LOHSE. ROCHLITZ sold the Matisse Woman Holding a Fan to ROSNER and the Gauguin, as well as the other Matisse, he claims to be missing (see Detailed Interrogation Report No.4).

This is another instance of an exchange conducted (nominally) by von BEHR personally, as the contract is drawn up in his name rather than that of the E.R.R..

22 28 October 1942, with Galerie ALMAS-DIETRICH, in Munich (for the Reichschancellery).

E.R.R. gave:

1. Pissarro Harbor of Honfleur in the Rain
Oil, 55 x 65 cm.

Appraised at:

Frs. 200,000

Signed: C.Pissarro 1903
(from the ROSENBERG-
BERNSTEIN Coll.?)

E.R.R. received:

1. Franco-
Portuguese,
Early 16 c. Scourging of Christ
Oil on panel, 84 x 87 cm.

2. Franco-
Portuguese
Early 16 c.
(companion
piece) Betrayal of Christ
Oil on panel, 81 x 87 cm.

This exchange was negotiated in Munich, and signed subsequently by von BEHR in Paris. SCHOLZ and LOHSE stated that they were in Munich for a conference with Reichsschatzmeister (Party Treasurer) SCHWARTZ. They had a number of photographs of E.R.R. objects along, and LOHSE had suggested to SCHOLZ that they visit the DIETRICH gallery to see whether they could find anything which would be suitable for SCHOLZ's museum at Halle. In the course of their visit to the Dietrich gallery, they learned that BORMANN was interested in the acquisition for the Reichschancellery of these two Franco-Portuguese panels of the 16th century. They proposed an exchange involving the Pissarro, which LOHSE stated was from the ROSENBERG-BERNSTEIN Collection. (The exchange contract bears the designation "HE 2," which is not identifiable with any E.R.R. confiscated collection symbol.)

The BELTRAND appraisal was made subsequently (16 November 1942) in Paris, and neither SCHOLZ nor LOHSE could remember whether Frau DIETRICH came to Paris following the signing of the agreement to make her final choice. SCHOLZ was formally responsible for the acquisition of the two panels for the Reichschancellery.

(Note: A recently discovered ledger, recording all sales of the DIETRICH gallery from 1941 – 1944, indicates a

-41-

CONFIDENTIAL

CONFIDENTIAL

Pissarro – Barthel Bruyn exchange in October 1942, this being the only record of an exchange with the E.R.R. The paintings involved are believed to be those mentioned above, as the word "Portugesich" [sic] is penciled in.)

23 31 October 1942, with ROCHLITZ, in Paris (for the Reichschancellery?).

<u>E.R.R. gave:</u>		<u>Appraised at:</u>
1. Pissarro	<u>View Of Paris</u> Oil, 47 x 38 cm. (from the HAMBURGER Coll.?)	Frs. 150,000

E.R.R. received:

1. Jansens Elinga (in the manner of)	<u>Still Life</u> Oil, 61 x 49 cm.	“ 350,000
--	---------------------------------------	-----------

LOHSE believes that this exchange was undertaken for the Reichschancellery, not for GOERING. ROCHLITZ states that the Pissarro which he received is missing. There are no further details of the exchange available.

24 24 November 1942, with Adolf WUESTER, in Paris (for RIBBENTROP and GOERING).

<u>E..R.R. gave:</u>		<u>Appraised at:</u>
1. Delacroix	<u>Lion with a Snake</u> Oil, 51 x 61 cm. Signed and dated 1856 (from the Paul ROSENBERG Coll.)	Frs. 200,000
2. Courbet	<u>Forest Scene</u> Oil, 67 x 53 cm. (from the BING Coll.)	“ 125,000

E.R.R. received:

1. Gobelins Tapestry	<u>Maximilian Hunting Scene</u> 1725, Paris 394 x 334 cm.	
2. Albert Cuyp (in the manner of)	<u>The Hen Yard</u> Oil, 80 x 104 cm.	

LOHSE stated that WUESTER, RIBBENTROP's agent for works of art, wished to acquire a Delacroix for his sponsor. As none were available in the open market at the time, he arranged with WENDLAND to make available to GOERING, through the Einsatzstab, the tapestry and the Cuyp painting, which WENDLAND had already proposed for GOERING's consideration as purchases. LOHSE stated that WUESTER bought these objects from WENDLAND and then arranged a direct exchange for the Delacroix and the Courbet. The Courbet also went to RIBBENTROP. Lohse

-42-

CONFIDENTIAL

CONFIDENTIAL

was the middleman in the transaction and proposed the exchange to GOERING. LOHSE stated, parenthetically, that RIBBENTROP was obliged to secure these pictures in so devious a manner as he was not in a position to go to GOERING or to HITLER personally for such favours.

The contract was drawn up as a personal instrument between von BEHR and WUESTER.

25 27 November 1942, with Adolf WUESTER, in Paris (for RIBBENTROP and GOERING).

E.R.R. gave:

1. Utrillo

Suburban Street Scene
Oil on panel, 63 x 48 cm.
(from the Paul ROSENBERG Coll.)

Appraised at:

Frs. 10,000

E.R.R. received:

1. Jodocus de
Momper

Chapel of the Rocks
Oil on panel, 56 x 80 cm.

This exchange was conducted simultaneously with and under the same circumstances as # 24. The contract, also a personal instrument between von BEHR and WUESTER, was signed three days later. LOHSE did not recall from whom WUESTER acquired the de Momper, but stated that it was exchanged for GOERING with HOFER's direct approval, and that the Utrillo was acquired by WUESTER for RIBBENTROP.

26 27 November 1942, with ROCHLITZ, in Paris (for GOERING).

<u>E.R.R. gave:</u>		<u>Appraised at:</u>
1. Matisse	<u>Women in Blue and Yellow, with a Lute</u> Oil, 65 x 50 cm.	Frs. 20,000
2. Matisse	<u>Still Life with a Tankard</u> Oil, 56 x 46 cm. Signed and dated 1939	“ 10,000
3. Utrillo	<u>Village Street</u> (“Une Rue de Con- quet”) Oil, 60 x 81 cm.	“ 10,000
4. Utrillo	<u>Rue Froideveaux</u> Oil, 92 x 72 cm.	“ 10,000

(All 4 paintings are from the
Paul ROSENBERG Collection)

E.R.R. received:

1. Miereveld	<u>Dutch Girl</u> Oil on panel, 70 x 52 cm.
--------------	--

-43-

CONFIDENTIAL

CONFIDENTIAL

2. Luca Giordano (attributed to)	<u>Joseph the Chaste</u> Oil, 126 x 127 cm.
--	--

The Miereveld and the Luca Giordano were proposed by ROCHLITZ for sale to GOERING, and the exchange ensued, with LOHSE as intermediary. ROCHLITZ stated that he retains the two Utrillos. He could not account for the disposition of the the two Matisse paintings. Von BEHR signed the contract for the E.R.R.

27 7 April 1943, with Alfred BOEDECKER, in BASLE (for BORMANN or HITLER).

E.R.R. gave:

1. Renoir Boy with a Butterfly Net
Oil, 61 x 46 cm.
(from the Paul Rosenberg Coll.)

E.R.R. received:

1. Ludwig Knaus Painter Seated on Bough of Tree,
Surrounded by Children
Oil, 81 x 113 cm.
Signed: L.Knaus 1877

Alfred BOEDECKER, a German art dealer with an establishment in Frankfurt am Main, offered the Knaus to LOHSE, who transmitted photographs to SCHOLZ for further dispatch to the Reichschancellery. SCHOLZ sent the photographs to HEIM, and was informed that BORMANN was personally interested in the acquisition of the picture. BOEDECKER had the picture in Switzerland, with the Zurich art dealer NEUPERT. Fraulein TOMFORDE was sent from Paris to Basle with the Renoir, and the physical exchange of the two pictures took place in the Basle railway station on the German side of the frontier. NEUPART received the Renoir and delivered the Knaus. LOHSE stated that BOEDECKER was also present at the transfer.

LOHSE arranged all details of the exchange and conducted the preparatory correspondence with BOEDECKER. BOEDECKER requested that LOHSE bring the RENOIR personally, and that he bring in addition a Cézanne chalk and water color study, in the event that the Renoir should not "meet expectations" (see ATTACHMENT 19).

LOHSE wrote SCHOLZ on 12 April 1943 at Berlin, informing him that the exchange had been conducted satisfactorily and that he was sending the Knaus to Berlin by special courier (BEYER of the E.R.R.) in the hope that it might be presented to HITLER as a special birthday offering.

28 16 November 1943, with Max STOEKLIN, in Paris (for HITLER).

E.R.R. gave:

Appraised at:

1. Matisse Female Nude in a Yellow Chair Frs. 350,000
Oil, 54 x 65 cm.
Signed: Henri Matisse
(from the Paul Rosenberg Coll.)

CONFIDENTIAL

2. Bonnard	<u>Still Life, Coffee Table</u> Oil, 50 x 57 cm. Signed: Bonnard (from the Alphonse KANN Coll.)	Frs. 125,000
------------	--	--------------

E.R.R. received:

1. Rudolf Alt	<u>The Temple of Faustina</u> Oil, 57 x 95 cm.
---------------	---

BRUESCHWILLER, a German dealer who was active in [sic] behalf of HITLER, BORMANN and the Fuehrermuseum, Linz, had offered the Rudolf Alt and another picture to HITLER, who expressed interest in acquiring them. LOHSE stated that he saw both pictures at STOECKLIN's and believed that STOECKLIN owned them. LOHSE sent photographs to SCHOLZ, who transmitted them to Berlin, and was in turn empowered to acquire them by exchange. SCHOLZ negotiated for the Alt personally in Paris, but LOHSE signed the contract for the E.R.R..

André SCHOELLER, a Parisian dealer who had various negotiations with LOHSE, fixed the appraisals of the Matisse and the Bonnard, this being the only instance in which BELTRAND is known not to have figured as "official" appraiser.

-45-

CONFIDENTIAL

CONFIDENTIAL

VI. E.R.R. PERSONNEL ACTIVE IN FRANCE

(a) Executive

ROSENBERG

Reichsleiter Alfred ROSENBERG. As HITLER's Deputy for the Supervision of the Total Spiritual and Political Indoctrination and Education of the NSDAP, he was directly responsible for all activity of the Einsatzstab. In addition, his function as Reichsminister for the Occupied Territories of the East was used as authority for the conduct of the nefarious M-Action, which was allied to, although administratively separate from, the E.R.R. SCHOLTZ and LOHSE both described ROSENBERG as the kind of man who was always strongly influenced by the last person to see him, and as a man without political strength or political courage. SCHOLZ stated that ROSENBERG deplored personally the necessity for undertaking the Einsatzstab mission, except insofar as the results of such activity could be made felt in the dissemination of National Socialist cultural propaganda. He resented GOERING's domination of the Einsatzstab, but did nothing to counteract it. ROSENBERG was stated also to have been influenced unduly by forceful personalities within his organisation. Thus, whereas SCHOLZ was closest to him professionally, von BEHR and UTIKAL were able to act with virtual independence because of their personal influence upon him.

ROSENBERG's position in the Party hierarchy was well below the level of GOERING, GOEBBELS, RIBBENTROP, HIMMLER and BORMANN during the war years, and the consciousness of his loss of prestige, according to SCHOLZ, led to feuds with high Party officials, yet to a disinclination to oppose them vigorously. ROSENBERG's bitterest political enemy was said to be BORMANN. This fact contributed to the lack of standing of the Einsatzstab in the Reichschancellery, and made it imperative for the organisation to accept GOERING's offers of personnel, transport, etc., in order that it might conduct its affairs with some degree of efficiency. Both SCHOLZ and LOHSE have affirmed that ROSENBERG acquired no works of art through the Einsatzstab confiscations, nor did he seek personal financial profit therefrom. LOHSE stated that ROSENBERG visited the E.R.R. in Paris on only two occasions. The Einsatzstab was a constant source of irritation to him, and on more than one occasion he was heard to say, "Don't ever mention the word "Einsatzstab" to me again."

EBERT

Stabsfuehrer EBERT, original Director of Einsatzstab activities in France. Releived early in 1941 because of physical incapacity. No information has been gained with respect to EBERT's initiation of policy or direction of confiscation. Described as a selfish, vain official, interested only in soft living. EBERT is believed by LOHSE to have remained in Paris.

UTIKAL

Stabsfuehrer Gerhard UTIKAL was described by SCHOLZ and LOHSE as an ambitious but essentially negative man about 33 years of age. He was a small property owner and minor Party functionary who succeeded

-46-

CONFIDENTIAL

CONFIDENTIAL

EBERT in Paris early in 1941, and shortly thereafter became chief of the E.R.R. for all the occupied territories. According to LOHSE, he was strongly influenced by von BEHR, although nominally his superior, and shared von BEHR's desire to achieve personal prominence by placing the facilities of the E.R.R. at GOERING's disposal. In this connection, LOHSE stated that UTIKAL supported all of GOERING's choices of Einsatzstab material, saying "Hermann can have anything he wants."

UTIKAL's whereabouts remain unknown. He was last seen at Schloss Kogl (by SCHOLZ and KRESS) on the night of 3 – 4 May 1945, and left there in an automobile with several other members of the E.R.R. (ZOELFEL, OPFER and TOST) in the direction of Linz, having said that he wanted to get to "the unoccupied portion of Silesia."

SHIEDLAUSKY stated that UTIKAL arrived at Schloss Neuschwanstein/Füssen on the night of 26 April 1945, and ordered him to hand over any gold which was stored in the E.R.R. deposit. SHIEDLAUSKY gave him the only gold available, namely one small oblong wooden case containing a few gold and silver coins of moderate value. According to SHIEDLAUSKY, these were 6 gold and 7 silver Persian coins of 1798; 23 gold coins of European states, each in a small envelope; one gold medal, circa 1720, portraying the Empress Elizabeth of Russia, and commemorating peace with Turkey, in a red leather case. UTIKAL signed a receipt for the gold and left Nueschwanstein on 27 April 1945 with his wife and two children, in an automobile driven by OPFER. He informed SHIEDLAUSKY that he was taking the gold coins to Reichsschatzmeister SCHWARTZ in Munich, acting on ROSENBERG's personal orders.

KRESS, one of UTIKAL's closest followers, stated that he was awakened by UTIKAL and ZOELFEL at Schloss Kogl on the night of 3 – 4 May 1945, and that ZOELFEL asked "Is the chest of gold for us here at Kogl?" KRESS answered that he

did not know, whereupon UTIKAL replied "It must be. We have to take it with us for safekeeping and for reconstruction of the Party." KRESS referred them to SCHOLZ, who confirmed that there was no gold at Kogl, and UTIKAL then left with his companions.

UTIKAL's family has been located at Acheleschwaig/Saulgrub, 19 kilometres south of Peiting on the Munich – Gernisch-Partenkirchen road, in the state-owned house supervised by Michael BRANDNER, where they arrived on 28 April 1945. His family comprises: Margot UTIKAL, wife; Ekkehardt UTIKAL, son, born 8 March 1938; and Roswithe UTIKAL, daughter, born 13 March 1945.

A questionable source gives UTIKAL's possible present whereabouts as Schloss Sandersdorf, north of Ingolstadt, Bavaria.

von BEHR

German Red Cross Oberfuehrer Baron Kurt von BEHR, Deputy Director of Amt Westen, Director of the Paris E.R.R. Kunststab, and subsequently Director of Dienststelle Westen and the M-Action. Von BEHR, as confirmed by all sources, was the individual in France chiefly responsible for the looting of Jewish art collections, both in the "controlled" active phase of the Einsatzstab and the subsequent wild confiscations of the M-Action. The awareness of his own guilt led to his suicide at Schloss Banz/Lichtenfels at the time of the American occupation. Middle-aged member of an aristocratic Mecklenburg family, von BEHR utilised his position in the E.R.R. as a stepping-stone to personal prominence in German war circles in Paris and, possibly, to

-47-

CONFIDENTIAL

CONFIDENTIAL

acquire objects of value for himself. All sources are agreed that he initiated, directed, and personally conducted the majority of the E.R.R. confiscations without fear of consequence, without legal pretext and without respect for the ownership or quality of the works of art seized. He was impatient with all suggestions for moderation in confiscation, or for orderly cataloguing of objects received.

Von BEHR was under orders from ROSENBERG to represent the Reichsleiter on the occasion of GOERING's frequent visits to Paris. He shared this honour with UTIKAL and they vied for GOERING's favors. LOHSE cites as an illustration of von BEHR's desire to please GOERING the fact that he came to Berlin for the Reichsmarschall's birthday in 1942, bringing with him as a birthday gift the original copy of the Versailles peace treaty with all signatures, and an original letter from Richard Wagner to Napoleon III. These were documents confiscated by the E.R.R..

Intensively vain, von BEHR, though a civilian, always wore uniform, either that of the German Red Cross or that of a civilian employee of the Wehrmacht. He arrived in Paris with [sic] the simulated rank of 1st Lieutenant, but LOHSE stated that he was able ultimately to attain the simulated rank of Lieutenant Colonel by playing off the German Red Cross against the Paris military government administration. He would claim that one of the organizations had offered him higher rank, therefore it was logical that his rank in the other should be raised accordingly. There is no evidence to support the allegation that he was an S.S. officer, and he held no military rank whatever.

Von BEHR was wholly unscrupulous in his depredations, and in the use of criminal and near-criminal types to carry them out. He is stated to have resorted to any practices calculated to bring in objects of value, and have courted the favor of persons in high places by lavish gifts and entertainment, the wherewithal being gained through the activities of the Einsatzstab. He treated the professional members of his staff patronizingly, and was bitterly opposed through out by SCHOLZ, von INGRAM and LOHSE, all of whom protested either to ROSENBERG or to GOERING over his disgraceful actions.

Von BEHR worked closely with the French Commissioner for Jewish Problems, Darquier de PELLEPOIX and, according to LOHSE with industrialist/art dealer, BOITEL. Of the several "V-manner" (confidential informants) whom he employed, PFANNSTIEL appears to have been the most prominent.

In addition to the E.R.R. confiscations which von BEHR directed, he was stated to have:

- (a) proposed the M-Action;
- (b) forced E.R.R. personnel to collaborate with Sicherheitsdienst in 1941 in searching for Jews wanted by the S.D. In this connection, he attended the frequent conferences of the Judenreferat of the S.D., both receiving and contributing information leading to the apprehension of Jews and confiscation of their property. Later as Director of the M-Action, he placed Jews at forced labor repairing and packing confiscated furnishings, and ran a "little concentration camp" in Paris.
- (c) initiated action leading to the confiscation/sale of the Schloss Collection in 1943.
- (d) proposed to UTIKAL in 1944, at the time of the rout of German armies in France, that a new M-Action be organized in the Arnheim (Holland) area, and be undertaken by the E.R.R., rather than by his Dienststelle Westen.

CONFIDENTIAL

It is probable that von BEHR derived personal profit from the sale at auction of a group of paintings confiscated by the Dienststelle Westen in 1943. Von BEHR arranged the transaction with a certain M. DUPONT and the paintings were auctioned at the Hotel Drouot. There is also positive evidence that he sold paintings to GOERING at a profit. (See Consolidated Interrogation Report No. 2, "The GOERING Collection.")

Von BEHR fought briefly in World War I as a non-commissioned officer, was captured, and became a British prisoner of war. He had no special occupation between World Wars I and II. He became an ardent Nazi and went frequently to Italy on some kind of liaison duty with the Fascist government. His position in the German Red Cross, as Adjutant to the elderly Duke of Coburg, its Director, was stated to have been obtained prior to World War II. Von BEHR's wife, who committed suicide with him, was an Englishwoman.

BRETHAUER

Dr. Karl BRETHAUER, an archivist and librarian, about 38 years of age, and member of the Rosenberg Berlin staff, was ordered to assume administrative responsibility for the E.R.R. in Paris at the time of von BEHR's dismissal. LOHSE and SCHOLZ described BRETHAUER as a conscientious, painstaking administrator, who substituted a decent atmosphere for von BEHR's "dirty" administration. He was relieved early in 1944, succeeded temporarily by ZEISS, then by MUECHOW.

ZEISS

Dr. ZEISS, member of the Berlin staff who was ordered to Paris early in 1944 as temporary replacement for BRETHAUER.

MUECHOW

Dr. MUECHOW, Director of the E.R.R. for Belgium and Northern France; succeeded BRETHAUER and ZEISS as Director of Amt Westen, and had the responsibility for all E.R.R. activities in Western Europe from February through August 1944. MUECHOW was described as a professional lecturer, who was one of ROSENBERG's chief disciples and spent the greater part of his time indoctrinating military personnel in France in the Rosenberg "world-political" ideology. Personally, he was stated to be a dreamer and idealist. He was in charge of Amt Westen when Paris fell.

SCHOLZ

Bereichsleiter Robert SCHOLZ, Director of the Amt Bildende Kunst of the Rosenberg organisation. Active chiefly in the Berlin headquarters, but responsible for

the professional conduct of the Paris art staff of the E.R.R. (See Detailed Interrogation Report No. 3, Subject: Robert SCHOLZ.)

von INGRAM

Abschnittsleiter Lieutenant Hermann von INGRAM, was one of the

-49-

CONFIDENTIAL

CONFIDENTIAL

first German infantrymen in World War II to win the high award of the Knight's Cross of the Iron Cross (Ritterkreuz) – for conspicuous bravery in the Belgian campaign of 1940. He was commissioned Leutnant [sic] in the field, and subsequently retired to inactive duty.

Von INGRAM was stated to have joined the Rosenberg organization in 1941, and to have occupied initially the position of business manager for the Paris Kunststab. Because of his military prominence, he was utilized by von BEHR and UTIKAL to cement strained relations of the E.R.R. with the German military command in France. He was characterized by SCHOLZ and LOHSE as a highly conscientious person of complete integrity but without imagination, having been a minor customs official before the war. He collaborated with SCHOLZ in the preparation of the significant "revision" report in 1942, which summarized the activity of the E.R.R. to date and incorporated recommendations for wholesome reforms. Not a professional art historian himself, von INGRAM respected the capacity of his colleagues, and was prepared to accept SCHOLZ's judgment in professional matters. He was elevated to the position of Oberstabseinsatzfuehrer and Chief of Hauptabteilung III in the Amt Rosenberg in 1943 (see ATTACHMENT 7), and in this capacity became responsible administratively for the entire art staff of the E.R.R. He was directly responsible to Stabsfuehrer UTIKAL, and SCHOLZ in turn was responsible to him. LOHSE stated that he had worked well with von INGRAM until they fell apart over personal differences, and LOHSE continues to respect him as an honorable and competent administrator.

LOHSE has brought to the Paris Kunststab Fraulein Annemarie von TOMFORDE, who had studied art history with him before the war. Von INGRAM met Fraulein von TOMFORDE in Paris, and ultimately married her. LOHSE stated that he was obliged to reprimand her on various occasions for tactless and irresponsible behavior, and that she turned von INGRAM against him. In addition, they quarreled in the EGGEMANN matter (see Chapter II (c)).

Von INGRAM appears to have represented the interests of moderation in the affairs of the Einsatzstab. He opposed von BEHR, and is believed to have derived no financial profit from the venture. There is no confirmation from cognizant informants

of the statement, from a French source, that von INGRAM was forced out of the Paris organization by von BEHR, on the threat of revelation of a theft in which von INGRAM was involved. He was stated by SCHOLZ and LOHSE to have left Paris of his own volition, and with clean hands.

LOHSE

Dr. Bruno LOHSE, member of the Paris art staff from February 1941, subsequently its Deputy Director, and special representative of GOERING in the E.R.R. (See Detailed Interrogation Report No. 6, Subject: Bruno LOHSE.)

REHBOCK

Walter REHBOCK, succeeded LOHSE in January 1944 as executive officer of the art staff. A non-professional, REHBOCK was described as a negative individual who was a satellite of UTIKAL and completely under his influence.

-50-

CONFIDENTIAL

CONFIDENTIAL

(b) Professional Specialists

SCHIEDLAUSKY

Dr. Günther SCHIEDLAUSKY, a leading member of the Paris art staff from November 1940 to December 1941, and chief custodian of the German deposits of the E.R.R. from July 1942 until April 1945. (See Detailed Interrogation Report No. 5, Subject: Günther SCHIEDLAUSKY.) SCHIEDLAUSKY was a corporal, not a captain, as previously reported by a French source.

WIRTH

Dr. Hans Ulrich WIRTH, About 35 years old. Joined the Paris art staff of the E.R.R. in November 1940 as one of three assistants to SCHIEDLAUSKY, for the purpose of preparing inventories of important collections which had just been confiscated. WIRTH had been drafted, but not assigned to combat duty. He was ordered to the Kunstschutz organization in Paris, and his transfer to the E.R.R. was effected on a "temporary detached duty" basis, WIRTH retaining his status as an enlisted man. Prior to conscription into the Army, he had studied art history under

Professor STANGE at the University of Bonn, and had recently received his Ph.D. degree. WIRTH's activity with the E.R.R. was entirely that of a research assistant.

JERCHEL

Dr. JERCHEL, came to the E.R.R. in November 1940, at the same time and under the same circumstances as WIRTH. According to LOHSE, he was the most responsible and best informed of all the art historians attached to the Paris staff, and a highly reputable scholar. He had already been in combat as an infantryman, and had earned the Iron Cross, Second Class. He was transferred to the E.R.R. from the Kunstschutz, and after spending approximately two years with the E.R.R. he was ordered to return to combat duty. LOHSE and SCHIEDLAUSKY believed that he was missing in action on the Russian front.

ESSER

Dr. W. ESSER, was transferred temporarily from the Kunstschutz to the E.R.R. as a research assistant in November 1940, and later returned to active military duty.

KUNTZE

Dr. Friedrich Franz KUNTZE, was assigned to duty with the E.R.R. in Paris in February 1941. He arrived simultaneously with LOHSE and occupied a position entailing research and the compiling of inventories, but appears to have been somewhat more independent than the other research assistants in that he occasionally proposed works of art for exchange and for acquisition by GOERING. (See Consolidated Interrogation Report No. 2, "The GOERING Collection.")

KUNTZE had taught art history at the Berlin Academy, and was

-51-

CONFIDENTIAL

CONFIDENTIAL

described by several informants as a highly temperamental individual who was both painter and art historian by profession. LOHSE and SCHOLZ considered him less competent than SCHIEDLAUSKY or JERCHEL. KUNTZE alternated with SCHIEDLAUSKY in assuming custody of the E.R.R. deposit at Neuschwanstein during the period April - September 1941, and spent the remainder of his time in Paris. He was stated to have left the E.R.R. under orders to proceed to the Italian front as a radio technician, and is believed to have remained with a combat unit until the end of hostilities.

BORCHERS

Dr. Walter BORCHERS, Obergefreiter in the Luftwaffe, came to the Paris art staff later than the aforementioned art historians. He was highly esteemed by SCHOLZ as a first-rate scholar, and ultimately was placed in charge of the Arbeitsgruppe Louvre in all professional matters. At the time of von BEHR's removal, BORCHERS shared this responsibility with LOHSE, but because of the latter's unwillingness to devote the majority of his time to research, cataloguing, etc., SCHOLZ placed BORCHERS in charge and removed LOHSE completely some months thereafter. From various sources it has been learned that BORCHERS was a delicate, sensitive individual, who intrigued and gossiped constantly, to the detriment of his staff. Highly temperamental, he accused several members of the Dienststelle of theft, and was obliged subsequently to apologize. On one occasion, he was called before the Gestapo for irresponsible and disloyal remarks which he had made semi-publicly. Although a serious scholar, his human judgements were poor, and he was stated to have antagonized a number of his colleagues, notably LOHSE, Fräulein EGGEMANN and other female employees.

It is appreciated that this estimate of BORCHERS is at variance with information received from a French source.

BORCHERS was under house arrest at Kogl in July 1945.

BAMMANN

Hans BAMMANN was a Düsseldorf art dealer who had been obliged to give up his early studies of art history for financial reasons. Before the war, he had worked closely with museum officials of the Rhineland, and was highly regarded in German art circles. During the first stages of the French occupation, he came to Paris frequently as informal adviser to the directors of German museums who were purchasing works of art in France. BAMMANN was exempted from military service early in the war to do this work, but was drafted into the army in 1942. He was transferred to the E.R.R. in December 1943 at the request of LOHSE and Adolf WUESTER, who persuaded General FEUCHTINGER, of the 21st Panzerdivision, stationed in Paris, to have him relieved temporarily from active duty. He remained with the Paris staff until its activities ended, at which time he was returned to his regiment. He was last known to be fighting on the Russian front.

BAMMANN never occupied an executive position on the art staff. As an outstanding authority on Dutch 17th century painting, it is believed that LOHSE wished to have him in the E.R.R. not only to counteract the dry scholarship of BORCHERS, but to assist LOHSE in his independent search for works of art for GOERING. All informants have attested to BAMMANN's ability and character. His wife resides at Schwarzenberg/Bregenzerwald.

CONFIDENTIAL

CONFIDENTIAL

PAETOW

Dr. PAETOW, of Kassel. A former private in the Wehrmacht, he had received a severe head wound, and after a few months of activity with the Kunststab was dismissed for incompetence. He was characterized as erratic and slow-thinking, but quite harmless. The statement received from a French source that this man was an S.S. official and a sinister figure in the E.R.R. has been denied categorically by several informants. PAETOW, after leaving the E.R.R., went to the Rosenberg Amt Volkskunde.

ROSSKAMP

Dr. Werner ROSSKAMP, of the Kunsthalle, Hamburg, was stated to have been one of the less effective members of the Kunststab. He was transferred to the E.R.R. from active military duty on the Eastern front. He was superseded by BAMMANN, who was a greater connoisseur of 17th century Dutch painting, his special field, and a more energetic personality. ROSSKAMP was under house arrest at Kogl in July 1945.

EGGEMANN

Fräulein Dr. Helga EGGEMANN, research assistant on the Paris art staff and storm center of personal intrigue within the organisation. Fräulein EGGEMANN was a bitter enemy of Annemarie von TOMFORDE, and was dismissed by von INGRAM for this reason (see Chapter II (c)). Reinstated because of her influence in high Party circles, she caused a sharp cleavage between BORCHERS, LOHSE and the von INGRAMS. Fräulein EGGEMANN was the mistress of the influential German industrialist, Geheimrat KREUTER, who had been a close business associate of Dr. AMMANN of the Eherverlag (the official National Socialist Publishing house), by whom SCHOLZ had been employed. She was stated to have left Paris on 18 August 1944 with KREUTER and to have gone to Nancy. Several informants believed that, through KREUTER, she might have obtained a position with the German legation in Switzerland.

von TOMFORDE/INGRAM

Fräulein Annemarie von TOMFORDE, was brought to Paris by LOHSE, to participate in the work of cataloguing and research. She subsequently married Lieutenant Hermann von INGRAM, and was stated to have been the reigning woman in the Paris organization. The allegation from French sources that she appropriated objects of value for herself such as furs, jewelry and silver, has not been confirmed.

From all sources, however, it has been learned that she was a troublesome woman. It is fair to say, on the basis of detailed sworn statements made by cognizant informants, that the EGGEMANN – von TOMFORDE feud was the basic cause off ill-feeling among the Paris E.R.R. workers, and of hysterical slander and counter-accusations, many of which have been reported by a French source as fact. Upon the termination of the Einsatzstab's activities in Paris she went to Hohenschwangau/Füssen to live, but appears to have left there early in 1945 and to have gone to Salzburg.

-53-

CONFIDENTIAL

CONFIDENTIAL

WEBER

Fräulein Dr. WEBER, research assistant and intimate friend of SCHOLZ, for whom her infatuation caused trouble in the Paris group. She was active in Paris for a limited period.

She was under house arrest at Kogl in July 1945.

(c) Confidential Assistants

PFANNSTIEL

Arthur PFANNSTIEL, painter and art dealer, German citizen, had lived in Paris for some time before the war and was married to a French woman. He became very close to von BEHR and is believed to have been used, because of his intimate knowledge of Paris, to furnish names and addresses to von BEHR for potential confiscation of Jewish collections. He was stated to have remained in the Einsatzstab only through 1941, and was believed by LOHSE to have accepted a position at that time in the Sicherheitsdienst. PFANNSTIEL undertook two exchanges with the Einsatzstab (see Chapter 7).

BRAUMUELLER

Wolff BRAUMUELLER, amateur dramatic critic, about 38 years of age, was, together with BUSSE and GRUBE, chiefly responsible for the actual conduct of confiscation operations. Upon leaving the E.R.R. in 1943, he was ordered to the German broadcasting station in Milan, and assigned duty in the preparation of programs for the troops. He was stated not to have been a member of the Gestapo (as indicated from a French source).

BUSSE

Fritz BUSSE, 38, characterized as a worldly and fairly clever man. No further details known.

GRUBE

About 45 years old, former minor party functionary.

FLEISCHER

Walter FLEISCHER, 35 years of age and private in the Army, came to the E.R.R. through SCHOLZ, his cousin. A non-professional, he was placed in charge of the transportation of works of art in Paris and to Germany. Subsequently, he participated extensively in confiscation operations, more or less superseding BRAUMUELLER. He became a warm personal friend of LOHSE and worked largely under his direction, performing official as well as personal errands in LOHSE's behalf. (See Detailed Interrogation Report No. 6, Subject: Bruno LOHSE.)

FLEISCHER has been described by SCHOLZ, LOHSE and SCHIEDLAUSKY as a reliable individual, who acted entirely under orders, and did

-54-

CONFIDENTIAL

CONFIDENTIAL

not derive personal profits from operations under his control. It has been denied by all sources that he was an S.S. official, as indicated by a French source.

FLEISCHER is presently in internment at the 3rd U.S. Army Civilian Detention Center, Deggendorf / Bavaria.

(d) Photographic Staff

KRESS

Karl KRESS, chief photographer, staff sergeant in the Luftwaffe and intimate of UTIKAL. (See Detailed Interrogation Report No. 10, Subject: Karl KRESS.)

SCHOLZ

Rudolf SCHOLZ, nephew of Robert SCHOLZ. Came to the E.R.R. when KRESS was in Greece, and remained the chief photographer in Paris.

SIMOKAT

Heinz SIMOKAT, 35, corporal in the Luftwaffe. He was a member of the E.R.R. Paris photographic staff for a relatively short time, and was returned to active military duty at his own request. Declared not to have been an S.S. official, as reported from a French source.

(e) Secretarial

HIRSCHBERG

Fräulein Ilse HIRSCHBERG, secretary to von BEHR.

GROSSMANN – SCHOLZ

Fräulein Johanna GROSSMANN, secretary to Robert SCHOLZ in Berlin, occasionally in Paris; married SCHOLZ in 1944. She was under house arrest at Kogl in July 1945.

PUETZ

Fräulein Ilse PUETZ, secretary and mistress of von BEHR; ordered to leave Paris because of von BEHR's parading of their affair.

STUEBNER

Fräulein Erna STUEBNER, secretary to LOHSE. LOHSE stated that she was a remarkably efficient individual, who worked with him so closely as to know all details of his activity, official and

-55-

CONFIDENTIAL

CONFIDENTIAL

personal. At Füssen briefly in April 1945. Present whereabouts unknown; recommended for interrogation.

WANKERL

Fräulein WANKERL, secretary to BORCHERS; sent from Paris to the E.R.R. Dienststelle at Merano, Italy.

KNAB

Fräulein Anneliese KNAB, young and attractive fiancée of Fräulein EGGEMANN's brother, who was killed in action. She worked under BORCHER's and LOHSE's joint direction, and was asked ultimately to leave the Paris art staff because of difficulties stated to have been caused by EGGEMANN. She was accused by BORCHERS of "spying" on him in LOHSE's behalf, an allegation denied by LOHSE.

HEINTZE

Fräulein Ursula HEINTZE, assistant to BORCHERS.

SCHOLZ

Fräulein Vicki SCHOLZ, no relative of Robert SCHOLZ: secretary to UTIKAL and, occasionally, the Kunststab.

(f) General

KROSKE

Werner KROSKE, sometime business manager of Amt Westen.

TOST

Captain TOST, brother-in-law of UTIKAL. Official historian of the E.R.R., active principally in Berlin, occasionally in Paris. Left Füssen with UTIKAL in April 1945 (see above under "UTIKAL").

BAUER

Walter BAUER, Treasurer of Amt Westen and, subsequently, of the E.R.R. in Berlin. He was responsible directly to Reichsschatzmeister SCHWARTZ.

OPFER

Permanent financial officer of the E.R.R. in Paris. Also with UTIKAL at Füssen late in April 1945 (see above under "UTIKAL").

-56-

CONFIDENTIAL

CONFIDENTIAL

GREINKE

Replaced KROSKE as business manager of the E.R.R., Paris. An Army sergeant, he was not, according to cognizant informants, an S.S. official, as reported from a French source.

BEYER

BEYER was a driver and courier for the E.R.R., Paris, and at the end its semi-official business manager. On several occasions, he brought confiscated works of art from France to Germany (see Chapter V).

-57-

CONFIDENTIAL

CONFIDENTIAL

COPY
TRANSLATION

Der Chef des Oberkommandos
Der Wehrmacht

2 f 28.14 W.Z. No.3812 / 40 g

Berlin W 35, 17 September 1940

To: Chief of Army High Command for the Military Administration in Occupied France.

In supplement to the order of the Führer transmitted at the time to Reichsleiter ROSENBERG to search lodges, libraries and archives of the occupied territories for material valuable to Germany, and to safeguard the latter through the Gestapo, the Führer has decided:

The ownership status before the war in France, prior to the declaration of war on 1 September 1939, shall be the criterion.

Ownership transfers to the French state or similar transfers completed after this date are irrelevant and legally invalid (for example, Polish and Slovak libraries in Paris, possessions of the Palais ROTHSCHILD or other ownerless Jewish possessions). Reservations regarding search, seizure and transportation to Germany on the basis of the above reasons will not be recognized.

Reichsleiter ROSENBERG and / or his deputy Reichshauptstellenleiter EBERT has received clear instructions from the Führer personally governing the right of seizure; he is entitled to transport to Germany cultural goods which appear valuable to him and to safeguard them there. The Führer has reserved for himself the decision as to their use.

It is requested that the services in question be informed correspondingly.

/ s / KEITEL

ATTACHMENT 1

CONFIDENTIAL

CONFIDENTIAL

Berlin W 35, 17 September
1940

Abschrift

Der Chef des OKW.
2 .f. 28.14.W. Z . Nr 3812/40 g. Adj. Chef OKW

An den
Oberbefehlshaber des Heeres
Für die Militärverwaltung im besetzten Frankreich.

In Ergänzung des seinerzeit mitgeteilten Auftrages des Führers an den Reichsleiter Rosenberg, in den besetzten Gebieten des Westens Logen, Bibliotheken und Archive nach für Deutschland wertvollem Material zu durchsuchen und dieses durch die Gestapo sicherzustellen hat der Führer entschieden:

Massgebend für den Besitzstand sind die Verhältnisse vor dem Kriege, in Frankreich vor der Kriegserklärung am 1.9.1939.

Nach diesem Stichtag vollzogene Ubereignungen [sic] an den französischen Staat oder dergleichen sind gegenstandslos und rechtsunwirksam (z.B. polnische and slowakische Bibliothek in Paris, Bestände des Palais Rothschild oder sonstiger herrenloser jüdischer Besitz). Vorbehalte bezgl. der Durchsuchung, Beschlagnahme und des Abtransportes nach Deutschland auf Grund solcher Einwände werden nicht anerkannt. Reichsleiter Rosenberg, bzw. sein Vertreter, Reichshauptstellenleiter Ebert, hat hinsichtlich des Zugriffsrechtes eindeutige Weisungen vom Führer persönlich; er ist ermächtigt, die ihm wertvoll erscheinenden Kulturgüter nach Deutschland abzutransportieren und hier sicherzustellen. Über ihre Verwendung hat der Führer sich die Entscheidung vorbehalten.

Es wird gebeten, die in Frage kommenden Militärbefehlshaber, bzw. Dienststellen entsprechend anzuweisen.

gez. Keitel

ATTACHMENT 1

CONFIDENTIAL

CONFIDENTIAL

Translation

C O P Y

Göring - Order of November 5, 1940

In carrying out the measures taken to date for the safeguarding of Jewish art property through the Chief of Military Administration in Paris and the Einsatzstab Rosenberg (Chef OKW. 2 f ,28.14 W.Z. Nr .3812 / 40 g) the categories of art objects moved to the Louvre will be disposed as follows:

1. Those art objects, upon the further use of which the Führer has reserved for himself the right of decision;
2. Those art objects which will serve to complete the collection of the Reichsmarschall;
3. Those art objects and library stocks which appear suitable for use in building up the Hohe Schule and in the sphere of activity of Reichsleiter Rosenberg;
4. Those art objects which are appropriate for turning over to German museums will be immediately inventoried, packed and brought to Germany by the Einsatzstab in an orderly manner, with the assistance of the Luftwaffe.
5. Those art objects which are appropriate for transfer to French museums and to the French and German art trade, will be sold by auction on a date still to be fixed, and the proceeds will be assigned to the French State in benefit of the French dependents of war casualties.
6. Further seizure of art property in France will be effected in the heretofore efficient manner by the Einsatzstab Rosenberg, in co-operation with the Chief of Military Administration in Paris.

Paris, November 5, 1940

I shall submit this suggestion to the Führer, pending whose approval this procedure will remain effective

(signed) Göring

ATTACHMENT 2

CONFIDENTIAL

CONFIDENTIAL

Abschrift

Göringbefehl vom 5.11.1940.

In Fortführung der bisher getroffenen Massnahmen zur Sicherstellung des jüdischen Kunstbesitzes durch den Chef der Militärverwaltung, Paris u. durch den Einsatzstab Rosenberg (Chef OKW. S.f.28.14.W. Z. Nr. 3812/40g.) wird mit den in den Louvre gebrachten Kunstgegenständen in folgender Weise verfahren :

- 1) Diejenigen Kunstgegenstände über deren weitere Verwendung sich der Führer das Bestimmungsrecht vorbehalten wird,
- 2) diejenigen Kunstgegenstände, die zur Vervollständigung der Sammlungen des Reichsmarschalls dienen,
- 3) diejenigen Kunstgegenstände u. Bibliotheksbestände, deren Verwendung beim Aufbau der Hohen Schule u. im Aufgabenbereich des Reichsleiters Rosenberg angebracht erscheinen,
- 4) diejenigen Kunstgegenstände, die geeignet sind, deutschen Museen zugeleitet zu werden, werden unverzüglich durch den Einsatzstab Rosenberg ordnungsgemäss inventarisiert, verpackt u. mit Unterstützung der Luftwaffe nach Deutschland gebracht,
- 5) diejenigen Kunstgegenstände, die geeignet sind, den französischen Museen u. dem deutschen u. dem französischen Kunsthandel zugeleitet zu werden, werden an einem noch zu bestimmenden Zeitpunkt versteigert u. der dafür einkommende Erlös dem französischen Staat zugunsten der französischen Kriegshinterbliebenen überlassen,
- 6) die weitere Erfassung jüdischen Kunstbesitzes in Frankreich geschieht in der bisher bewährten Form durch den Einsatzstab Rosenberg in Zusammenarbeit mit dem Chef der Militärverwaltung, Paris.

Paris, den 5 November 1940.

Ich werde diesen Vorschlag dem Führer vorlegen, bis zu seiner Entscheidung gilt diese Regelung.

gez. Göring.

ATTACHMENT 2

CONFIDENTIAL

CONFIDENTIAL

Translation

The Reichsminister and Chief
of the Reichschancellery

Addition to enclosure 3

RK 15666 B

Berlin W 8, Nov. 18, 40
Vossstrasse 6

C O P Y

To the Chief of the High Command of the Army
To the Reichscommissar for occupied Norwegian Territory
To the Chief of Civil Administration in Alsace
To the Chief of Civil Administration in Lorraine
To the Chief of Civil Administration in Luxemburg

After Austria's union with the German Reich, when in the Ostmark the property of enemies of the State was seized and confiscated on a large scale, the Führer - - with a view to preventing any possible abuse from the outset - - reserved for himself the right of disposition of the seized and confiscated art objects, some of extreme value. It has now been suggested to the Führer to make a comparable reservation for territories occupied by German troops. The Führer has approved the suggestion, reserving for himself decision as to the disposition of art objects which have been or will be confiscated by German authorities in territories occupied by German troops. It is irrelevant whether local authorities have also affected a seizure; the German measures will take precedence on all accounts. The Führer's appointee for disposition of the art objects is the Director of the Dresden State Painting Gallery, Dr. Posse.

Informing you hereof, I request you to provide - - within your sphere of action - - that Dr. Posse be notified in the event that art objects are confiscated by German authorities. I may besides point out the fact that the Führer's reservation does not imply instructions for the seizure of art objects. It refers only to instances where confiscation has already taken or is taking place.

(signed) Dr. Lammers

ATTACHMENT 3

CONFIDENTIAL

CONFIDENTIAL

Abschrift

Der Reichsminister und Chef
der Reichskanzlei
RK. 15 666 B

Zu Anlage 3
Berlin W 8, den 18. NOV.1940.
Vosstrasse [sic] 8.

An den Herrn Chef des Oberkommandos der Wehrmacht.
Den Herrn Reichskommissar für die besetzten norwegischen Gebiete.
Den Herrn Chef der Zivilverwaltung im Elsass.
Den Herrn Chef der Zivilverwaltung in Lothringen.
Den Herrn Chef der Zivilverwaltung in Luxemburg.

Nach der Wiedervereinigung Österreichs mit dem deutschen Reich hat der Führer, als in der Ostmark in grösserem Umfänge (sic) die Vermögen von Staatsfeinden beschlagnahmt und eingezogen wurden, sich die Entscheidung über die Verwendung der beschlagnahmten und eingezogenen, zum Teil überaus wertvollen Kunstwerke vorbehalten, um von vornherein jede missbräuchliche Verwendung dieser Kunstwerke auszuschliessen. Dem Führer ist jetzt vorgeschlagen worden, auch für die von den deutschen Truppen besetzten Gebiete einen entsprechenden Vorbehalt zu machen. Der Führer hat diesem Vorschlag zugestimmt und sich die Entscheidung über die Verwendung von Kunstwerken vorbehalten, die in den von den deutschen Truppen besetzten Gebieten von deutschen Stellen beschlagnahmt worden sind oder beschlagnahmt werden. Dabei ist es gleichgültig, ob etwa auch durch einheimische Behörden eine Beschlagnahme erfolgt ist. Die deutschen Massnahmen haben in jedem Falle den Vorrang. Der Beauftragte des Führers für die Vorbereitung der Entscheidungen über die Verwendung der Kunstwerke ist der Direktor der Staatlichen Gemäldegalerie Dresden, Herr Dr. Posse.

Indem ich Ihnen hiervon Kenntnis gebe, bitte ich Sie für Ihren Geschäftsbereich zu veranlassen, dass Herr Dr. Posse benachrichtigt wird, falls Kunstwerke von deutschen Stellen beschlagnahmt werden. Im übrigen darf ich darauf hinweisen, dass der Vorbehalt des Führers keine Anordnung zur Beschlagnahme von Kunstwerken enthält. Er bezieht sich nur auf Fälle, in denen ohnehin [sic] eine Beschlagnahme bereits erfolgt ist oder erfolgt.

gez. Dr. Lammers.

ATTACHMENT 3

CONFIDENTIAL

CONFIDENTIAL

Translation

Chief Office Bildende Kunst
Berlin W 9, Bellevuestr. 3
Telephone: 21 0262

11 December 1940

To
Ministerialrat Dr. Hanssen
Verbindungsstab
Berlin W 8
Wilhelmstr. 64.

Dear Dr. Hanssen:

Reichsleiter Rosenberg has ordered me to ask you to report to Reichsleiter Bormann on the following matter.

The preparatory work of our office in Paris, charged with the seizure of ownerless Jewish art property, has progressed to such a degree that the shipment of the most valuable part of the collections can take place in the very near future, by special train as agreed with Reichsmarschall Goering. The complete inventorising, identifying and packing of the ownerless Jewish art property seized in France may still take some weeks, in view of the exceedingly voluminous material; especially as new material is still arriving.

Reichsleiter Rosenberg has decided, therefore, that we should not wait until all material has been inventorised and packed, but that the shipment should be made in two parts so that the movement of the most valuable part of the seized collections may be executed as soon as possible, perhaps leaving Paris within the next few days. Therefore, it must be decided promptly where the shipment is to be brought.

A representative of the military administration of Paris, Dr. Bunjes, after having talked to Reichsmarschall Goering about this matter, has informed us that he was told by the Reichsmarschall that the entire lot was to be brought to the cellars of the New Reichschancellery in Berlin. If this is true, preparations should be made to provide a suitable room in the cellars of the Reichschancellery to accommodate about 15 freight carloads of art objects (cases of paintings and furniture). As far as can now be ascertained, the first shipment will comprise this amount. It would be necessary to find out whether the cellars of the New Reichschancellery are fit for the storing of such valuable works of art. It might be important to settle this question, because the cellars of the Reichschancellery are said to be damp, and it cannot be risked under these circumstances to bring valuable paintings and furniture to this place. It is certain that the whole art consignment will not remain for long in the packing cases, as the Fuehrer will want to look at these paintings, furniture, etc., upon their arrival. It would also be necessary to unpack the whole shipment to check

the material delivered against the lists made in Paris; and to determine damage, if any etc. Reichsleiter Rosenberg therefore believes it imperative that the whole shipment be unpacked after its arrival in Berlin by expert representatives and assistants of our office, inasmuch as Reichsleiter Rosenberg will turn over all the seized property in this form to the Führer.

ATTACHMENT 4

CONFIDENTIAL

CONFIDENTIAL

Reichsleiter Rosenberg requests Reichsleiter Bormann to inform the Fuehrer concerning this matter and to obtain his decision as to where the shipment is to be brought and in what form the delivery is to take place.

It has not yet been possible to make a complete list of the ownerless Jewish art property seized to date in France. Although the inventorising of the material has been effected in the greatest haste, the seizure was exceedingly complicated and drawn out, owing to the fact that inventory lists of the seized collections were not to be found and that, therefore, all seized paintings had to be identified anew, inventorised in a scientific manner, photographed and packed. For this great undertaking - - there were hundreds of objects - - only a small number of assistants were at our disposal, and the technical work had to be carried out under difficult conditions by French laborers in Paris.

Also, the photographing of the material had to be done in the greatest haste; but only one photographer with an assistant had been lent for this purpose by the Army, and it took a long time to set up suitable work rooms for this photographer. These difficulties having been surmounted some time ago, the making of photographs is progressing well, and it will soon be possible to deliver a volume of photographs. At present, in Paris, they are about to complete the lists covering the first shipment to Berlin. These lists are to be ready within a few days.

I should be very much obliged to you if you would let me know the Fuehrer's decision, obtained through Reichsleiter Bormann, so that the shipment may start from Paris.

Heil Hitler!

(signed) Sch

-2-

ATTACHMENT 4

CONFIDENTIAL

CONFIDENTIAL

Abschrift

Hauptstelle Bildende Kunst
Berlin W 9, Bellevuestr. 3
Telefon: 21 0262

11.12.1940.

Herrn
Ministerialrat Dr. Hanssen
Verbindungsstab
Berlin W 8
Wilhelmstr. 64 .

Sehr geehrter Herr Dr. Hanssen !

Herr Reichsleiter Rosenberg hat mich beauftragt Sie zu bitten, Herrn Reichsleiter Bormann folgende Angelegenheit vorzutragen.

Die Vorarbeiten unserer in Paris mit der Erfassung des herrenlosen jüdischen Kunstbesitzes beauftragten Dienststelle sind jetzt soweit gediehen, dass der Abtransport des wertvollsten Teiles der Sammlungen in allernächster Zeit in der mit dem Herrn Reichsmarschall Göring vereinbarten Form durch Sonderzug erfolgen kann. Die restlose Inventarisierung, Sichtung und Verpackung des in Frankreich beschlagnahmten herrenlosen jüdischen Kunstbesitzes dürfte im Hinblick auf das ausserordentlich umfangreiche Material noch einige Wochen in Anspruch nehmen umsomehr, als immer noch neues Material hinzukommt.

Reichsleiter Rosenberg hat daher entschieden, dass mit dem Abtransport des allerwertvollsten Materials nicht bis zur Erfassung und Verpackung des gesamten Materials gewartet wird, sondern dass der Transport in zwei Teilen durchgeführt wird, sodass der Abtransport der wertvollsten Teile der beschlagnahmten Sammlungen so schnell wie möglich durchgeführt wird und in den nächsten Tagen von Paris abgehen kann. Es ist daher die Frage schnellstens zu klären, an welchen Bestimmungsort dieser Transport gebracht werden soll.

Durch einen Vertreter der Militärverwaltung Paris, Herrn Dr. Bunjes, der dem Herrn Reichsmarschall Göring in dieser Angelegenheit Bericht erstattet hatte, ist uns mitgeteilt worden, dass der Herr Reichsmarschall geäußert hätte, dass die gesamten Werke in die Keller der Neuen Reichskanzlei in Berlin gebracht werden sollen. Sollte dies zutreffen, dann müsste Vorsorge getroffen werden, dass im Keller der Reichskanzlei ein entsprechender Raum für die Übernahme von etwa 15 Waggons Kunstgut, Bilderkisten und Möbel, geschaffen wird. Diesen Umfang wird etwa, soweit sich bis jetzt übersehen lässt, der erste Transport haben. Zu prüfen wäre hierbei, ob die Keller der Neuen Reichskanzlei

-1-

ATTACHMENT 4

CONFIDENTIAL

CONFIDENTIAL

sich für die Übernahme von so wertvollen Kunstwerken eignen. Die Klärung dieser Frage erscheint deshalb wichtig, weil von irgendeiner Seite behauptet wurde, dass die Keller der Reichskanzlei feucht wären und man es unter diesen Umständen nicht riskieren könnte, für längere Zeit die wertvollen Gemälde und Möbel dahinzubringen. Es ist sicher anzunehmen, dass das gesamte Kunstmaterial nicht in den Kisten, in denen es ankommt, für längere Zeit lagern soll, sondern dass der Führer den Wunsch haben wird, die Gemälde, Möbel usw. nach ihrem Eintreffen zu besichtigen. Auch im anderen Falle wäre es unbedingt erforderlich, den gesamten Transport auszupacken, da nur so eine ordnungsgemässe Übergabe anhand der in Paris aufgestellten Inventarlisten und eine Kontrolle über den Zustand der Bilder, eventuelle Beschädigungen usw. getroffen werden kann. Herr Reichsleiter Rosenberg halt [sic] es daher für unbedingt erforderlich, dass der gesamte Transport nach seinem Eintreffen hier in Berlin durch die sachkundigen Verteter und Hilfskräfte unserer Dienststelle ausgepackt wird, da Herr Reichsleiter Rosenberg das gesamte beschlagnahmte Kunstgut in dieser Form dann dem Führer geschlossen übergeben möchte.

Herr Reichsleiter Rosenberg bittet Herrn Reichsleiter Bormann, dem Führer die Angelegenheit vorzutragen und eine Entscheidung des Führers herbeizuführen, wohin der Transport gebracht und in welcher Form die Übergabe vollzogen werden soll.

Es war bis jetzt nicht möglich, eine Gesamtliste des bisher in Frankreich beschlagnahmten herrenlosen jüdischen Kunstbesitzes fertigzustellen. Trotzdem die Inventarisierung des Materials mit grösster Beschleunigung betrieben wird, war die Erfassung ausserordentlich schwierig und zeitraubend dadurch, da [sic] die Verzeichnisse oder sonstigen Inventarlisten der beschlagnahmten Sammlungen sich nicht [sic] aufgefunden haben und sämtliche beschlagnahmten Gemälde neu erfasst, in wissenschaftlich einwandfreier Form inventarisiert, fotografiert und wiederum sachgemäss verpackt werden mussten. Für diese ausserordentlich grosse Arbeit, es handelt sich um hunderte von Objekten, stand nur eine sehr kleine Zahl von Mitarbeitern zur Verfügung und die technischen Arbeiten mussten unter sehr schwierigen Bedingungen in Paris mit französischen Arbeitern durchgeführt werden.

Auch die fotografische Erfassung des gesamten Materials wird mit grösster Beschleunigung betrieben, doch ist von der Wehrmacht hier auch nur ein Fotograf mit einem Gehilfen zur Verfügung gestellt worden und es hat lange Zeit gedauert, bevor für diesen Fotografen in Paris entsprechende Arbeitsräume für die Herstellung der Kopien geschaffen und die entsprechenden Apparate und das Material herbeigeschafft werden konnten. Nachdem diese Schwierigkeiten seit einiger Zeit überwunden sind, macht auch die Herstellung der Fotografien gute Fortschritte und es wird in absehbarer Zeit möglich sein, eine Mappe mit sämtlichen Aufnahmen vorzulegen.

ATTACHMENT 4

CONFIDENTIAL

-3-

CONFIDENTIAL

Augenblicklich wird in Paris an der Fertigstellung der Liste des ersten in Berlin eintreffenden Transportes gearbeitet. Mit der Fertigstellung dieser Liste wird in einigen Tagen gerechnet.

Ich wäre Ihnen sehr dankbar, wenn Sie mit die durch Herrn Reichsleiter Bormann herbeigeführte Entscheidung des Führers dann bald bekanntgeben würden, damit ich den Antransport von Paris veranlassen kann.

Heil Hitler
Ihr sehr ergebener

Unterschrift : Sch

ATTACHMENT 4

CONFIDENTIAL

TRANSLATION OF COPY

Memorandum for the Führer

SUBJECT: Jewish Property in France.

As a consequence of the Fuehrer's order concerning safeguarding of Jewish cultural possessions, a great number of Jewish dwellings have remained unguarded. The result has been that in the course of time many articles of furniture have disappeared, since naturally a watch could not be carried out. Throughout the EAST the administration found frightful living conditions, and the possibilities of procurement are so limited that practically nothing more can be purchased. I therefore request the Fuehrer to approve the seizure of all furniture of Jews who have fled or those who are about to flee, in PARIS as throughout the occupied WESTERN territories, to supply furniture, as far as possible, for the administration in the EAST.

BERLIN, 18 December 1941.

(Signed) ROSENBERG

ATTACHMENT NO. 5

TRANSLATION OF COPY

Der Reichsminister und Chef
der Reichskanzlei
Rk. 18483 B

BERLIN W 8, 31 December 1941
Voss-strasse 6
Present Headquarters of the
Fuehrer

TO: The Reichsminister for the Occupied EASTERN Territories, Herr
ROSENBERG, Rauchstrasse 17/18, BERLIN W 35.

SUBJECT: Disposition of furniture of Jews from the occupied WESTERN
Territories.

Very honorable Herr ROSENBERG:

Your memorandum of 18 December 1941 has been submitted to the
Fuehrer. The Fuehrer has declared himself basically in agreement with the
suggestion made under paragraph 1, I have transmitted copies of this part of
your memorandum, which pertains to the disposition of furniture of Jews, to the
Chief of the Army High Command as well as to the Reich Commissioner for
the occupied territories of the Netherlands, together with letters, copies of
which are attached herewith. I request you to communicate with them as well
as with the other authorities concerned, in order to carry out your proposal.

Heil Hitler!

(Signed) Dr. LAMMERS

ATTACHMENT NO. 6

CONFIDENTIAL

CONFIDENTIAL

Translation

Berlin, July 6th, 1943
St – U/Sz – Tgb. – Nr. 554 / 43

Order No. 13 / 43

Concerning the Authority of Department III

Because of certain events, I call your attention to Order No. 63, published in the general orders and communications, No. 7 of 26 January 1943; by which, under figure 2, the authority of Department III was outlined as follows:

“The Stabsfuehrer and the Stabsfuehrung are represented in all affairs of the Sonderstab Bildende Kunst (including staff-employment) by the head of Department III, who is, with respect to these tasks, subordinate and responsible only to the Stabsfuehrer personally.”

According to this decision, approved by the Reichsleiter, the head of Department III – as my permanent representative for all questions relating to the execution of art seizures – is performing his official duties by my direct order. The members of the Sonderstab Bildende Kunst are ordered to obey strictly the directions given by the head of Department III or his representative, whereas the heads of the chief departments and departments, as well as all heads of chief working groups and working groups, are requested to support, insofar as possible, Department III in executing its mission.

(Signed) Utikal
Head of the Einstazstab

TO:

Sonderstab Bildende Kunst
Arbeitsgruppe Füssen
Arbeitsgruppe Louvre
Einsatzstelle Brüssel
HAG Frankreich
HAG Belgien / Nordfrankreich

ATTACHMENT 7

CONFIDENTIAL

CONFIDENTIAL

Abschrift

Berlin 6. Juli 1943

St -U/Sz - Tgb. -Nr. 554/43

Anordnung Nr. 13/43

Betr.: Zuständigkeit der Hauptabteilung III.

Aus gegebener Veranlassung bringe ich die in den allgemeinen Anordnungen und Mitteilungen, Folge 7, vom 26.1.43, verlautbarte Verfügung Nr. 63 in Erinnerung, laut welcher unter Ziffer 2 die Zuständigkeit der Hauptabteilung III wie folgt festgelegt wurde:

“Der Stabsführer und die Stabsführung werden in allen Fragen des Sonderstabes Bildende Kunst (einschliesslich Personaleinsatz) durch den Leiter der Hauptabteilung III (Sonderaufgaben) vertreten, der für dieses Aufgabengebiet nur dem Stabsführer direkt unterstellt und verantwortlich ist.”

Nach dieser Anordnung, die vom Reichsleiter bestätigt wurde, vollzieht der Leiter der Hauptabteilung III als mein ständiger Vertreter für alle Fragen der Kunsterfassungsaktion seine Dienstgeschäfte in meinem unmittelbaren Auftrag. Die Angehörigen des Sonderstabes Bildende Kunst sind gehalten, den Weisungen des Leiters der Hauptabteilung III bzw. seines Vertreters unbedingt nachzukommen, während die Hauptabteilungsleiter und Abteilungsleiter, sowie alle Leiter der Hauptarbeitsgruppen und Arbeitsgruppen gebeten werden, die Hauptabteilung III bei der Durchführung ihres Auftrages weitgehend zu unterstützen.

(Utikal)
Chef des Einsatzstabes

Verteiler:
Sonderstab Bildende Kunst
Arbeitsgruppe Füssen
Arbeitsgruppe Louvre
Einsatzstelle Brüssel
HAG Frankreich
HAG Belgien/ Nordfrankreich

ATTACHMENT 7

CONFIDENTIAL

CONFIDENTIAL

Translation

June 18, 1942

U / Sz

To the
Reichsmarschall des Grossdeutschen Reiches
B e r l i n W.8.
Leipsiger Str. 3

Honorable Reichsmarschall,

I learn from your letter of May 30, 1942 that DRK-Oberfeldfuehrer von Behr has informed you of certain matters, as yet unknown to me. I am very pleased to hear that you expressed your appreciation of my Einsatzstab for the occupied territories. It goes without saying that the collaborators of my Einsatzstab will continue, as far as possible, to be at your disposal as heretofore.

As the new M-Action for safeguarding the furnishings of Jewish lodgings for the purpose of equipping the administrative offices in the East – a state measure – has been added to the former tasks of my Einsatzstab, it has been necessary, with respect to organization to divide the tasks corresponding to my party-official and state offices. In order to protect the interests of the Einsatzstab in the framing of the M-action, I have appointed DRK-Oberfeldfuehrer von Behr Head of the Dienststelle Westen of the Reichsministry for the Occupied Territories in the East, whereas another head of the (Party office of the) Einsatzstab Paris will be appointed.

Considering the importance which the tasks of the Einsatzstab will have for history, and to relieve my collaborators, I have ordered all documents revised, with a view to having correct inventories of art objects seized heretofore. This task is being accomplished at present.

I have given these orders for revision, since it is rumored in certain circles that one of my offices is supposed to be dealing in art objects. I have entrusted this task to the head of my Office for Pictorial Art, Bereichsleiter Scholz, and to the Ritterkreuztraeger Abschnittsleiter von INGRAM. Already some time back, I approved the instructions given by the head of my Einsatzstab, Stabsfuehrer Pg. Utikal, to Dr. Lohse of the Office for Pictorial Art, that he be at your disposal for the execution of your personal wishes. That arrangement will obtain in the future. I wish to point out expressly that your wishes will not be impaired in any way by the new arrangement made with respect to my offices in the West, and that the gentlemen of my Einsatzstab will be at your disposal as heretofore. But may I ask you to further the works of my Einsatzstab in the future in the same gracious manner as you have done. In particular, I beg to have the Stabsfuehrer of my Einstazstab, Reichsamtsleiter Utikal report to you the task of the Einsatzstab in very important

cases. I have charged Pg. Utikal to deliver to you a report concerning the difficulties which have arisen in connection

ATTACHMENT 8

-1-
CONFIDENTIAL

CONFIDENTIAL

with the Fuehrer's order of March 1, 1942. It is so ridiculous that, because of this Fuehrer-order, difficulties have arisen for my Einsatzstab, that you should know the circumstances. If you would take care of my Einsatzstab in this connection, I should be very much obliged to you.

Since you have already deposited in a special account amounts for the art objects you acquired, I should be much obliged to you if you would inform me of the purpose for which the money is supposed to be spent. I hope you will not take it amiss or interpret it in a wrong way. But I believe, and you will agree with me, that the tasks of my Einsatzstab could and still can be performed only in light of the struggle of the NSDAP. Besides, the Reichsschatzmeister has provided generously the means for executing these tasks. Therefore I believe, and you will agree with me, in this case, that the art property seized from Jewish possessions must be regarded as seized on behalf of the NSDAP. As to the documentary material, the Fuehrer has already decided that the material seized by the Einsatzstab is to be given to the "Hohe Schule". It would also be correct to give the valuable seized art objects, one day, to the NSDAP. Of course, the decision must be left to the Fuehrer. But such an arrangement might be reasonable, in that the NSDAP has paid for the struggle against the Jews for 20 years.

I should be obliged to you if you would let me know your opinion of this question, in order to be able to inform the Fuehrer. As the Reichsschatzmeister is continually placing large sums at the disposal of the Einsatzstab, I should like to settle this question soon.

I have been informed that your offices, especially in the East, have had good relations with my Einsatzstab. I shall see to it that in the future, anything important to you will be reported.

I enclose a document, received from my Einsatzstab in the East, which might interest you. It is the autobiography of the Russian parachutist, K. Katanow.

Heil Hitler!

(Signed) Rosenberg

ATTACHMENT 8

-2-

CONFIDENTIAL

CONFIDENTIAL
Abschrift.

18.Juni 1942
JJ/Sz

An den
Herrn Reichsmarschall des Grossdeutschen Reiches
Berlin W 8
Leipziger Str.3

Sehr verehrter Reichsmarschall,

Aus Ihrem Schreiben von 30.5.42 ersehe ich, dass Ihnen DRK-Oberfeldführer von Behr von bestimmten Dingen Kenntnis gegeben hat, über die er mir noch nicht berichten konnte. Ich freue mich über die Anerkennung, die Sie meinem Einsatzstab für die besetzten Gebiete aussprechen. Es ist für mich eine Selbstverständlichkeit, dass Ihnen die Mitarbeiter meines Einsatzstabes auch weiterhin wie bisher soweit wie irgend möglich zur Verfügung stehen.

Da zu den bisherigen Aufgaben meines Einsatzstabes noch die angelaufene M-Aktion zur Sicherstellung jüdischer Wohnungseinrichtungen für den Verwaltungsaufbau im Osten, die eine rein staatliche Massnahme darstellt, hinzukam, war es notwendig, eine organisatorische Trennung der Aufgabengebiete nach meiner parteiamtlichen und staatlichen Dienststelle vorzunehmen. Damit auch im Rahmen der M-Aktion die Interessen des Einsatzstabes gewahrt werden, habe ich den DRK-Oberfeldführer von Behr zum Leiter der Dienststelle Westen des Reichsministeriums für die besetzten Ostgebiete bestimmt, während die Parteidienststelle des Einsatzstabes Paris neubesetzt wird.

Mit Rücksicht auf die Bedeutung der Arbeiten des Einsatzstabes vor der Geschichte und zur Entlastung aller meiner Mitarbeiter habe ich angeordnet, dass im Interesse einer korrekten aktenmässigen Erfassung der bisher vorgenommenen Sicherstellungen von Kunstgegenständen alle Unterlagen hierüber überprüft werden. Diese Arbeit ist zurzeit im Gange.

Da in bestimmten Kreisen, wie Sie schreiben, der Vermutung Ausdruck gegeben wurde, eine meiner Dienststellen würde Handel mit Kunstgegenständen treiben, habe ich diese Überprüfungsmaßnahme angeordnet. Ich habe damit den Leiter meines Amtes für Bildende Kunst, Bereichsleiter Scholz, und den Ritterkreuzträger Abschnittsleiter von Ingram betraut. Ich habe weiter schon vor längerer Zeit die Massnahmen des Leiters meines Einsatzstabes, Stabsführer Pg.Utika, ausdrücklich gebilligt, dass Ihnen für Ihre persönlichen Wünsche Pg Dr. Lohse vom Amt Bildende Kunst zur Verfügung steht. Dass soll auch in Zukunft so gehandhabt werden. Ich möchte ausdrücklich betonen, dass durch die bei meinen Dienststellen im Westen getroffene Neuregelung Ihre Wünsche in keiner Weise beeinträchtigt werden, sondern dass Ihnen die Herren meines Ein-

ATTACHMENT 8

-1-
CONFIDENTIAL

CONFIDENTIAL

satzstabes in gleicher Weise zur Verfügung stehen wie bisher. Ich darf Sie aber auch bitten, die Arbeit meines Einsatzstabes auch künftig in gleicher Weise zu fördern wie Sie es bisher in so dankenswerter Weise getan haben. Insbesondere bitte ich, dem Stabsführer meines Einsatzstabes, Reichsamtseiter Utikal, auch weiterhin Gelegenheit zu geben, Ihnen insbesondere wichtigen Fällen von der Gesamtarbeit des Einsatzstabes berichten zu können. Ich habe Pg. Utikal beauftragt, Ihnen einen Bericht zuzuleiten über die Schwierigkeiten, die im Zusammenhang mit dem Führererlass vom 1.3.42 entstanden sind. Dass auf Grund dieses grosszügigen Führererlasses meinem Einsatzstab Schwierigkeiten erwachsen, ist so grotesk, dass Sie es um der Kuriosität willen schon wissen müssen. Wenn Sie sich darüber hinaus in diesem Zusammenhang noch für meinen Einsatzstab verwenden können, wäre ich Ihnen im Interesse der Sache sehr dankbar.

Da Sie für die von Ihnen erworbenen Kunstgegenstände bereits Beträge auf ein Sonderkonto hinterlegt haben, wäre ich für eine Mitteilung dankbar, welche Verwendung Sie den Geldern dieses Kontos zugedacht haben. Ich bitte, [sic] mir diese Frage nicht zu verübeln oder falsch auszulegen. Ich glaube jedoch, mit Ihnen einer Meinung zu sein, dass die Aufgaben meines Einsatzstabes nur auf Grund des Kampfes der NSDAP. durchführbar waren und sind. Darüber hinaus hat der Reichsschatzmeister in grosszügiger Weise die Mittel zur Durchführung dieser Aufgaben zur Verfügung gestellt. Ich glaube mich deshalb auch hierin mit Ihnen einer Meinung, dass man die aus jüdischem Besitz sichergestellten Kunstwerte als zugunsten für die NSDAP. beschlagnahmt ansehen muss. Bei dem Forschungsmaterial hat der Führer bereits entschieden, dass die vom Einsatzstab sichergestellten Bestände der Hohen Schule zugeeignet werden. Es wäre nicht mehr als recht und billig, dass man die grossen Werte der sichergestellten Kunstschatze eines Tages auch der NSDAP. übereignet. Dass die Verfügung darüber dem Führer selbst vorbehalten bleibt, ist selbstverständlich. Nachdem jedoch die NSDAP. den 20-jährigen Kampf gegen das Judentum finanziert hat, dürfte eine solche Regelung wohl angängig sein.

Ich wäre Ihnen dankbar, wenn Sie mir Ihre Meinung zu dieser Frage einmal mitteilen könnten, damit zu gegebener Zeit dem Führer die entsprechenden Vorschläge gemacht werden können. Da der Reichsschatzmeister laufend beachtliche Mittel für meinen Einsatzstab zur Verfügung stellt, liegt mir verständlicher Weise an der Klärung dieser Frage.

Wie mir mitgeteilt wird, bestehen vor allem in der Einsatzstabsarbeit im Osten mit verschiedenen Dienststellen Ihres Aufgabenbereiches gute Arbeitsverbindungen. Ich werde auch in Zukunft weiterhin veranlassen, dass alles, was für Ihren Dienstbereich von Wichtigkeit ist, Ihnen zugeleitet wird.

ATTACHMENT 8

-2-

CONFIDENTIAL

CONFIDENTIAL

Aus der Arbeit meines Einsatzstabes im Osten überreiche ich Ihnen anliegend ein Sie vielleicht interessierendes Dokument, den persönlich geschriebenen Lebenslauf des russischen Fallschirmspringers K. Katanow. _

HeilHitler!

gez. Rosenberg.

-3-

ATTACHMENT 8

CONFIDENTIAL

CONFIDENTIAL

(BUNJES' Report of 18 August 1942)

Abschrift.

B e r i c h t.

Betr.: Sicherstellung von Kunstbesitz geflohener
Juden im besetzten Frankreich.

I.

Deutsche Massnahmen zur Erhaltung [sic] u. Sicherstellung
staatlichen u. jüdischen Kunstbesitzes im besetzten
Frankreich.

Als im Mai 1940 die deutschen Truppen in Frankreich einrückten, waren grosse Landesteile wie auch die Stadt Paris von der Zivilbevölkerung in kopfloser Flucht geräumt worden. Öffentliche Gebäude, Privatwohnungen u. Geschäftshäuser standen offen oder nur mangelhaft bewacht.

Auf Anordnung des Führers wies das Oberkommando der Wehrmacht daher am 30.6.1940 den Militärbefehlshaber von Paris an, "neben den in französischem Staatsbesitz befindlichen Kunstschatzen auch die in privatem, vornehmlich jüdischem Besitz befindlichen Kunst- u. Altertumswerte vor Verschleppung bzw. gegen Verbergung einstweilen in Verwahrung der Besatzungsmacht sicherzustellen".(Anl. 1.)

In Ausführung dieser Anweisung begab sich in den ersten Julitagen 1940 ein Sonderkommando der Deutschen Botschaft in Begleitung des Generaldirektors der französischen Nationalmuseen J. J a u p a r d u. des Leiters der städtischen Museen von Paris, P. D a r r a s in die Bergungsorte der Staatlichen [sic] u. städtischen Museen an der Loire.

In den Bergungsorten wurden genaue Bestandsaufnahmen der untergestellten Kunstschatze angefertigt u. die Bergungsräume versiegelt bzw. unter gemeinsame Bewachung von deutschen Truppen u. französischen Museumsbeamten gestellt.

An den Fluchtstrassen aufgefundenes Kunstgut wurde an die Museen oder die Besitzer zurückgegeben oder ebenfalls in die Bergungsorte gebracht.

Die bedeutendsten jüdischen Kunstammlungen wurden durch ein Sonderkommando der Deutschen Botschaft in Paris versiegelt, bzw. die wertvollsten Gegenstände in einem zu diesem Zweck freigemachten Gebäude sichergestellt. Für die jüdischen Kunsthandlungen deren Besitzer entweder nach Amerika geflohen oder

CONFIDENTIAL

CONFIDENTIAL

-2-

in unbesetztem Gebiet geblieben waren, wurden durch den Chef der Militärverwaltung Paris Treuhänder eingesetzt.

Am 15.7.1940 erliess der Militärbefehlshaber in Frankreich die Verordnung zur Erhaltung von Kunstschatzen im besetzten Gebiet Frankreichs mit dem Ziel, nachträgliche Verschleppung u. Verbergung von Kunstschatzen tunlichst zu verhindern.

Als von den mit der Sichtung jüdischer Archive u. Wohnungen beauftragten Dienststellen (Geheime Staatspolizei Einsatzstab Reichsleiter Rosenberg, Devisenschutzkommando) überall verstecktes Kunstgut, vornehmlich jüdischer Herkunft aufgefunden wurde u. aus Truppen – u. Stabsunterkünften in den jüdischen Schlössern u. Palais in Paris u. Umgebung zahlreiche Kunstwerke gemeldet wurden, die wegen ihres Wertes unter Verschluss genommen werden mussten, ordnete der damalige Chef der Militärverwaltung Paris, Staatsrat Dr. Turner an, dass die französische Museumsverwaltung einige Säle des Louvre zur Verfügung stellte u. dorthin alle aufgefundenen Kunstschatze überführt wurden.

Nach Übereinkunft mit dem deutschen Botschafter Abetz wurde auch ein Teil der von der Deutschen Botschaft sichergestellten jüdischen Kunstsammlungen dorthin überführt.

Durch diese Massnahmen wurde eine grosse Zahl wertvoller Werke der Malerei u. Plastik - u.a. Gemälde von Rubens, von Rembrandt, Vermeer, von niederländischen, italienischen, französischen, spanischen u. englischen Meistern sowie auch historische Erinnerungsstücke - z.B an Napoleon vor der sicheren Vernichtung oder dem Diebstahl gerettet.

Als sich herausstellte, dass die Unterbringung der aus jüdischem Besitz stammenden Kunstwerke in den von der französischen Verwaltung zur Verfügung gestellten Räumlichkeiten sehr mangelhaft war, weil keine ausreichende Sicherheit gegen Feuer u. Diebstahl gegeben war u. als durch den englischen Rundfunk Luftangriffe auf Paris angekündigt wurden, bat Staatsrat Dr. Turner Herrn Reichsmarschall Göring gelegentlich eines Besuches in Paris um eine Besichtigung u. Entscheidung, was mit den sichergestellten Kunstwerken zu geschehen hätte. Herr Reichsmarschall Göring entschied, vorbehaltlich der Zustimmung des Führers, dass alle wertvollen Kunstgegenstände aus jüdischem Besitz vorläufig an einem Bergungsort in Deutschland zu überführen seien. Dort seien sie ordnungsgemäss zu inventarisieren u. auf ihre Herkunft zu überprüfen, denn es war festgestellt worden, dass sich darunter z.B. Werke aus nationalspanischem Besitz befanden, die während des Bürgerkrieges nach Frankreich verschleppt worden waren, Werke deutscher Herkunft aus dem Besitz von

CONFIDENTIAL

CONFIDENTIAL

-3-

Emigranten usw. Herr Reichsmarschall Göring ordnete weiter an, dass die Kunstschatze nach erfolgter Inventarisierung für eine Besichtigung durch den Führer zur Verfügung zu halten seien, der über den endgültigen Verbleib alsdann entscheiden würde.

Mit der Sicherstellung u. der Überführung der Kunstwerke nach Deutschland u. der ordnungsgemässen Inventarisierung u. Betreuung im [sic] Bergungsort wurde der Einsatzstab des Reichleiters Rosenberg beauftragt.

Am 20. März 1941 bereits wurde durch Stabsführer Utikal dem Militärbefehlshaber in Frankreich ein erster zusammenfassender Bericht über die Tätigkeit der Dienststelle des Reichleiters Rosenberg für die westlichen besetzten Gebiete u. die Niederlande eingereicht (Akten des Militärbefehlshabers in Frankreich, Verwaltung, ju.S.162 ff) mit einer Übersicht über die Sicherstellungen jüdischer u. freimaurerischer Bibliotheken, Archive u. Kunstschatze. Die genauen Inventare der sichergestellten Kunstwerke sind noch in Bearbeitung u. werden abschnittsweise jeweils nach ihrer Fertigstellung vorgelegt.

II.

Französische Einsprüche.

Die mit der Verwaltung u. Betreuung der französischen Kunstschatze beauftragten französischen Dienststellen haben bis heute nicht ein einziges Wort des Dankes für die obengeschilderten deutschen Massnahmen zur Erhaltung vor allem der staatlichen französischen Denkmaler u. Kunstschatze verlauten lassen. Statt dessen hat die Generaldirektion der französischen Staatsmuseen seit Herbst 1940 auf den verschiedensten Wegen gegen die Sicherstellung jüdischer Kunstschatze Einsprüche [sic] erhoben.

Zum ersten Mal geschah dieses in einer Vorsprache des französischen Justizministers Alibert bei dem Chef der Militärverwaltung in Frankreich, Herrn General der Inf. Streccius, am 21. Oktober 1940 (Anl.4.). Es ist zu bemerken, dass zu diesem Zeitpunkte erst ein ganz geringer Teil der auf Grund der Kunstschutzverordnung gemeldeten, bezw. von deutschen Stäben aufgefundenen jüdischen Kunstschatze in das Sammeldepot im Louvre gebracht worden war.

Am 18. Dezember 1940 reichte die Generaldelegation der französischen Regierung im besetzten Gebiet eine erste ausführliche Note ein (Anl.5.). Die Note wurde nach

Befragung den beteiligten deutschen Dienststellen am 1. Februar 1941 durch dien
[sic] Militärbefehlshaber in Frankreich dem Oberkommando des Heeres

ATTACHMENT 9

CONFIDENTIAL

CONFIDENTIAL

-4-

zugeleitet mit der Bitte, wegen des politischen Einschlags die Beantwortung durch die zuständige Stelle zu veranlassen, bzw. über die Behandlung, [sic] der Angelegenheit Weisungen zu erteilen.

Am 11. März 1941 übereichte das französische Finanzministerium eine weitere Note, die im wesentlichen eine Wiederholung der Note der Generaldelegation der französischen Regierung im besetzten Gebiet vom 18. Dezember 1940 war (Anl.6.).

Weiters legte die französische Regierung dem Militärbefehlshaber den Entwurf eines Gesetzes über sequestrierte Güter vor, der sich insbesondere mit den Vermögenswerten der durch das französische Gesetz vom 23.7.1940 (betr. Aberkennung der französischen Staatsangehörigkeit) expatriierten Staatsangehörigen befasste. Da die Gefahr bestand, dass damit die deutschen Massnahmen zur Erfassung jüdischen Kunstbesitzes durchkreuzt würden, erhob der Militärbefehlshaber gegen diesen Entwurf Einspruch.

Am 25. April 1941 teilte das Oberkommando des Heeres dem Militärbefehlshaber in Frankreich mit, dass das Oberkommando der Wehrmacht die Noten der französischen Regierung vom 18. Dezember 1940 u. vom 11. März 1941 betr. Sicherstellungen jüdischen Kunstbesitzes an den Beauftragten des Führers für die Überwachung der geistigen u. weltanschaulichen Schulung des NSDAP zur zuständigen Erledigung abgegeben hätte u. dass Rückfragen der Vertretung der französischen Regierung im besetzten Gebiet dahin zu beantworten seien, dass die Vorgänge in Berlin geprüft würden u. dass zur gegebenen Zeit Antwort erteilt würde.

Am 25. Juli 1941 richtete der Vizepräsident des Ministerrates, Generalkommissariat für die Judenfragen [sic], an den Chef des Verwaltungsstabes beim Militärbefehlshaber in Frankreich eine weitere Note (Anl.7.). Sie fasst im wesentlichen die vorausgegangenen Noten zusammen u. betont, dass nach dem Artikel 46 der Haager Landkriegsordnung (Anl.8.) das Eigentum von Juden, die die französische Staatsangehörigkeit verloren hätten u. das Eigentum von Juden, die noch im Besitz der französischen Staatsangehörigkeit seien, als Privateigentum anzusehen sei u. demnach der Schutz dieses Artikels auf das von deutscher Seite sichergestellte jüdische Kulturgut anzuwenden sei. Daran werden die Forderungen geknüpft, nachträglich von französischer Seite Inventare des sichergestellten Jüdegutes [sic] anfertigen zu lassen u. die sichergestellten Gegenstände der Domänenverwaltung zwecks Verwertung auszuhändigen. Diese Note wurde im Nachgang zu den ersterwähnten Noten am 14. August 1941 dem Oberkommando des Heeres zugeleitet, das sich entsprechend den früheren Vorgängen dem Oberkommando der Wehrmacht weiterreichte u. auf Anfrage am 23.8.1941 mitteilte, dass die Militärverwaltung gemäss der Verfügung des Herrn Reichsmarschalls vom 5.11.1940 der Verantwortung über die Behandlung des jüdischen Kunstbesitzes in Frankreich entbunden sei.

ATTACHMENT 9

CONFIDENTIAL

CONFIDENTIAL

-5-

Am 11. August 1941 richtete der Admiral der Flotte, Darlan, an den Militärbefehlshaber, General der Inf. von Stülpnagel, ein persönliches Schreiben mit der Bitte, der französischen Note vom 25. Juli 1941 entsprechende Anweisungen zu geben (Anl.9). Der Militärbefehlshaber beantwortete dieses Schreiben am 11. September 1941 mit den Hinweis, dass die Angelegenheit wegen ihres politischen Einschlags vom Oberkommando der Wehrmacht aus beantwortet wurde (Anl.10).

Weitere Beschwerden des Generalkommissars für Judenfragen über die Entnahme von Kunstbesitz flüchtiger Juden aus den Staatlichen Bergungsorten wurden in der Folge zu den Akten genommen.

Im Oktober 1941 wandte sich auf Grund der französischen Einsprüche Reichsleiter Rosenberg an das Auswärtige Amt mit dem Anheimgen, der französischen Regierung Kenntnis zu geben von der Tätigkeit des Einsatzstabes Rosenberg u. gegebenenfalls die französischen Einsprüche gegen die Sicherstellungen jüdischen Kunstbesitzes zurückzuweisen. Dabei wurde von Reichsleiter Rosenberg der Auffassung Ausdruck gegeben, dass die französischen Einsprüche nicht anerkannt werden könnten, da es sich bei den Personen, bei denen Beschlagnahme durch den Einsatzstab durchgeführt worden seien, ausschliesslich um Juden handle u. ein Waffenstillstand zwar mit dem französischen Volk jedoch nicht mit Juden u. Freimaurern geschlossen worden sei. Der deutsche Botschafter in Paris, Abetz, fügte dieser Stellungnahme den Vorschlag bei, die sichergestellten Kunstgegenstände später durch eine gemischte deutsche u. französische Kommission abschätzen zu lassen u. zum Verkauf zu bringen. Die einkommenden Summen könnten einem Fonds zugewiesen werden, der für die Losung [sic] der Judenfrage u. die Linderung der Kriegsschäden in Frankreich bestimmt sei. Die Bezahlung der von deutschen Stellen aus den sichergestellten jüdischen Kunstschatzen erworbenen Gegenstände konnte gegebenenfalls innerhalb des Friedensvertrages vorgenommen werden, so dass eine unmittelbare Bezahlung entfielen.

Am 28. Februar 1942 erhob der Vorsitzende der französischen Abordnung bei der Deutschen Waffenstillstandskommission, Armeekorpsgeneral Beynet bei dem Vorsitzenden der Waffenstillstandskommission General der Artillerie Vogel, erneut Einspruch gegen die Sicherstellung jüdischen u. freimaurerischen Kunstgutes im besetzten Frankreich (Anl.11).

In der Note wird mitgeteilt, dass nach Feststellung der Domänenverwaltung die Besatzungstruppen den grössten Teil des Kunstbesitzes der gemäss Gesetz vom 23.7.1940 Expatriierten aus ihren Wohnungen u. Schlössern u. aus den Banktresors entnommen u. anscheinend nach auswärts verbracht hätten, dass diese Wegnahmen eine materielle Einbusse für den Secours National u. einen unersetzlichen Verlust für den französischen Kunstbesitz darstellten u. dass alle Einsprüche fran-

ATTACHMENT 9

CONFIDENTIAL

CONFIDENTIAL

-6-

zösischer Regierungsstellen dagegen bisher erfolglos gewesen seien. Die Note fordert, dass weitere "Wegnahme von Gütern aus dem Besitz von Expatriierten" verhindert würde u. die bereits weggenommenen Gegenstände der Domänenverwaltung zurückgegeben würden. Der Note ist ein Verzeichnis der aus dem Besitz der Familie Rothschild sichergestellten Kunstwerke beigelegt, nebst Angaben über Dienststellen u. Personen, die diese Sicherstellungen durchgeführt haben sollen.

Der Militärbefehlshaber in Frankreich, Verwaltungstab, dem die Note zur Stellungnahme zugeleitet wurde, liess durch Rückfrage feststellen, dass die in der Note gemachten Angaben zu einem grossen Teil unrichtig sind, in allen Fällen aber den Tatbestand entstellen. Die deutsche Waffenstillstandskommission wurde mit Schreiben vom 21. Mai 1942 von dem Ergebnis der Rückfrage unterrichtet u. darauf hingewiesen, dass eine sachliche Erörterung der Note vom 28.2.1942 mit französischen Stellen zur Zeit nicht angebracht sein dürfte.

III.

Zusammenfassung.

Ihres diplomatischen Phrasengutes entkleidet enthalten die französischen Noten folgende Forderungen:

A.

Die Note vom 18. Dezember 1940 forderte:

- 1) Allgemeine Unterstützung der Domänenverwaltung bei der Wahrnehmung ihrer Aufgaben in den von der deutschen Wahrnehmung belegten, sequestrierten Gebäuden u. Liegenschaften.
- 2) Unterstützung bei der Aufstellung eines Inventars der beweglichen Gegenstände in diesen Gebäuden.
- 3) Verfügung, dass die in diesen Gebäuden befindlichen beweglichen Gegenstände nur im Einvernehmen mit der Domänenverwaltung aus diesen Gebäuden entfernt werden dürfen.
- 4) Zutritt der Beamten der Domänenverwaltung zu den Sälen des Louvre u. des Jeu de Paume sowie allen anderen Stellen, wo die zu den beschlagnahmten Vermögen gehörigen Sammlungen untergebracht sind, damit diese ein Inventar aufnehmen können.
- 5) Rückgabe der von deutscher Seite sichergestellten Gegenstände an die Domänenverwaltung.

CONFIDENTIAL

CONFIDENTIAL

-7-

Dazu ist zu bemerken, dass der Forderung, französischen Kommissaren Zutritt zu den von deutschen Truppen u. Stäben belegten Häusern zu gestatten u. dort Inventare anfertigen zu lassen, nicht stattgegeben werden kann, weil damit der Spionage Tür u. Tor geöffnet würde.

Der Forderung, Inventare durch französische Beamte aufstellen zu lassen u. zu verbieten, dass die in den belegten Gebäuden befindlichen beweglichen Gegenstände ohne Zustimmung der Dömanenverwaltung aus diesen Gebäuden entfernt würden, kann nicht stattgegeben werden, weil damit ebenfalls eine Handhabe zur Kontrolle deutscher Dienststellen u. der mit der Sicherung jüdischer Archive, Bibliotheken u. Sammlungen betreuten Sonderstäbe eröffnet würde.

Der Zutritt zu den Sälen des Louvre, bzw. des Jeu de Paume muss abgelehnt werden, weil den französischen Stellen kein Einblick gegeben werden darf in die Arbeitsweise u. die Ergebnisse der obengenannten Sonderstäbe. Im Übrigen sind deutsche Beamte u. Wissenschaftler in der Lage, die geforderte Inventarisierung selbst mit der gebotenen Gründlichkeit vorzunehmen.

Abgelehnt werden muss auch – zumindest im gegenwärtigen Stadium des Krieges – die Forderung auf Rückgabe der beschlagnahmten Gegenstände. Es klingt wie Hohn, wenn die auf Anordnung des Führers sichergestellten Archive u. Sammlungen der Familie Rothschild, die heute von Amerika aus den Krieg gegen Deutschland weiterführt, oder der namentlich genannten Hetzjournalisten u. “Lügentante”, Mme. Tabouis deren Bibliothek wertvolles Beweismaterial zur Kriegsschuldfrage enthielt, den Franzosen wieder ausgehändigt werden sollen.

Der französische Einspruch ist nach allem weiter nichts als der Versuch, das von deutschen Dienststellen sichergestellte belastende politische Material wieder in die Hand zu bekommen. Im gleichen Zuge möchte die Louvreverwaltung der von verantwortungsbewussten deutschen Dienststellen sichergestellten jüdischen Kunstschatze für die einigen Sammlungen habhaft werden. Die spätere Entwicklung hat bewiesen, dass die Louvreverwaltung falls diese Forderungen von deutscher Seite nicht erfüllt wurden, einen “deutschen Kunstraub in Frankreich” konstruieren wollte, um:

- 1) die deutschen Verdienste um die Erhaltung wertvollster französischer Kunstschatze durch die deutsche Wehrmacht (z.B. Rettung der Kathedralen von Amiens u. Rouen durch Generalfeldmarschall v. Kluge, Rettung wertvollster Napoleonreliquien durch den Feldkommandanten von Versailles, Sicherung der staatlichen Kunstschatze vor Plünderung) zu einem Zeitpunkt, als die französische Verwaltung geflüchtet oder nicht arbeitsfähig war vor ihren eigenen Behörden u. im Ansehen der Welt herabzumindern.
- 2)

CONFIDENTIAL

CONFIDENTIAL

-8-

- 3) Material für eine ev. antideutsche Kulturpropaganda zu gewinnen
- 4) Schon jetzt ein Gegenargument gegen die befürchteten deutschen Ansprüche auf Rückgabe des von französischen Truppen aus Deutschland geraubten u. in Deutschland zerstörten Kunstgutes zu gewinnen.

Die Verfasser dieser Note u. die eigentlichen Veranlasser auch der späteren Einsprüche sind, wie aus einem dem Berichterstatter vorliegenden Schriftwechsel hervorgeht,

der 1. Direktor des Louvre: Jacques Jaujard
der 1. Assistent des Louvre: Jacques Billiet,
der ehemalige Conservateur-adjoint am Louvre: Vergnet
Ruiz, heute Direktor des Museums in Compiègne.

B.

In der Note des Finanzministeriums vom 11. März 1941 werden die unter 1-5 erläuterten Forderungen aus der Note vom 18. Dezember 1940 wiederholt. Doch ist der Ton der Note im allgemeinen wesentlich schärfer gehalten u. bereits ein Verzeichnis über von deutscher Seite erfolgte Sicherstellungen beigefügt. Dieses Verzeichnis, das zahlreiche Fehler u. Unrichtigkeiten enthält, ist offenbar zustande gekommen durch Umfragen bei Hausverwaltern, Transportfirmen, Packern u. Polizeibeamten. Die Behauptung, dass auf Einspruch der Louvreverwaltung die beschlagnahmten Kunstwerke zunächst im Louvre hinterlegt worden seien, entspricht nicht den Tatsachen, wie aus den obigen Ausführungen hervorgeht.

Die Note 11. März [sic] 1941 fordert im einzelnen:

- 1) freien Zutritt der Beauftragten der Domänenverwaltung zu den Bergungsräumen zwecks Anfertigung von Inventaren.
- 2) Auskunft der beteiligten deutschen Dienststellen über die Herkunft der sichergestellten Gegenstände u. die Person ihrer ehemaligen Besitzer.
- 3) Aushändigung der beschlagnahmten Gegenstände an die Domänenverwaltungen.

C.

Die Note des Generalkommissars für Judenfragen vom 25. Juli 1941 stellt ein Meisterstück der Verschleierung –u. Unterstellungstaktik dar. Aus ihr geht hervor, dass als erster der Generaldirektor der Staatmuseen, J. Jaupard, der Secrétaire General a l'Éducation Nationale [sic] die Sicherstellungen der Archive, Bibliotheken u. Sammlungen der Rothschilds gemeldet hat, u. auch eine - sachlich unrichtige – Darstellung

des Beschlagnahmeverfahrens gegeben hat. Die Note zeichnet sich durch besondere Schärfe des Tones aus u. spricht zum ersten Male (S.4) offen von Wegnahme (enleve). "Güter, die entweder dem französischen Staat gehören (aus dem Besitz expatriierter Juden) oder Privatleuten, sind weggenommen worden (saisies), ohne dass der Staat oder die Eigentümer die geringste Möglichkeit haben, die Bestimmung oder die Verwendung dieser Güter zu kontrollieren." Geschickt wird dabei die Bezeichnung Jude vermieden, obwohl einige Zeilen weiter die Einschränkung gemacht werden muss, dass "der grösster Teil der von deutscher Seite sichergestellten Sammlungen Juden gehörten."

Die Note führt weiter aus, dass diese Güter zu Gunsten des Secours National liquidiert werden sollten, dass die mit der Verwaltung dieser Güter betrauten Beamten an ihrer Berufsausübung verhindert u. daher moralisch belastet würden u. dass dem Staate unersetzliche Verluste an Kunstschatzen entstünden.

Weiter wird behauptet, dass der bei Beginn des Krieges im den staatlichen Bergungsräumen untergestellte Kunstbesitz von Juden, denen die französischen Staatsangehörigkeit bisher noch nicht aberkannt worden sei, einen wesentlichen Teil des nationalen französischen Kunstbesitzes darstelle u. damit dem französischen Staat verloren ginge.

Dazu ist zu bemerken, dass unter den aus den staatlichen Depots sichergestellten Kunstwerken aus jüdischem Besitz bisher keine der grossen in aller Welt bekannten jüdischen Kunstsammlungen festgestellt worden ist. Diese müssen entweder nach Amerika geflüchtet worden sein [sic] oder werden an unbekanntenen Orten verborgen gehalten. Die Entnahme der jüdischen Sammlungen aus den staatlichen Bergungsorten erfolgte jeweils auf Anzeige u. mit Genehmigung des Militärbefehlshabers in Frankreich.

Wenn für die Kunstsammlungen in jüdischem Privatbesitz der Schutz des Artikels 46 der Haager Landkriegsordnung in Anspruch genommen wird, so kann diesem Einspruch einmal begegnet werden mit dem schon von Reichsleiter Rosenberg vorgetragenen Standpunkt, dass der Waffenstillstand in Compiegne wohl mit dem französischen Volk u. Staat geschlossen wurde u. der Artikel 46 der Haager Landkriegsverordnung ja auch auf diese Anwendung gefunden hat, dass der Waffenstillstand aber nicht mit Juden u. Freimauren geschlossen wurde. Zum anderen haben die Juden im Verein mit den Kommunisten seit dem Waffenstillstand zahlreiche Attentate auf Grund u. Leben von Wehrmachtsangehörigen u. reichsdeutschen Zivilpersonen verübt, so dass inzwischen noch weit härtere Massnahmen gegen die Juden ergriffen werden mussten.

Die Note definiert dann noch einmal den französischen Ansichtsstandpunkt, dass nämlich der Besitz der mit der dem Gesetz vom 23. Juli 1940 expatriierten Juden von den französischen Gerichtsbehörden unter Sequester gestellt worden sei u. der Verwaltung

ATTACHMENT 9

CONFIDENTIAL

CONFIDENTIAL

-10-

der Domänen übergeben worden sei. Diese sei mit Gesetz vom 5. Oktober 1940 beauftragt worden, sie zu verwalten u. zu Gunsten des Secours National zu Veräußern [sic]. Da die dafür einkommenden Gelder nicht dem Staatshaushalt zufließen, hätten die seguestrierten Güter den Charakter von Privatigentum u. unterlägen somit dem Schutz der Haager Landkriegsordnung besonders des Artikels 46.

Die Note wiederholt zum Schlusse die schon in den vorhergehenden Noten vorgetragene Forderung nach:

- 1) Zutritt zu den belegten Jüdenhäusern [sic] zwecks Bestandsaufnahme der vorhandenen Kunstschatze.
- 2) Zutritt zu den Depots u. Aufstellung von Inventaren.
- 3) Rückgabe der sichergestellten Kunstschatze zwecks Verwendung durch die beauftragten französischen Stellen, die hier auch zum ersten Male offen genannt werden: "Administration des Domaines et Direction des Musees [sic] Nationaux."

Die Note betont, dass den Musées Nationaux ein Sonderkredit zum Ankauf jüdischen Kunstbesitzes bewilligt worden sei.

D.

Die Note des Vorsitzenden der französischen Abordnung bei der deutschen Waffenstillstandskommission, General BEYNET, an den Vorsitzenden der deutschen Waffenstillstandskommission, General VOGEL, vom 28. Februar 1942 definiert erneut den französischen Rechtsanspruch u. leitet daraus den Einspruch gegen die deutschen Sicherstellungen ab.

"Diese Sicherstellungen (es ist immer von Wegnahme die Rede) entziehen dem Secours National sehr wichtige Hilfsquellen, "....." berauben Frankreich sehr wertvoller Kunstschatze u. fügen ausserdem seinem Besitz unersetzliche Verluste zu."

Die Note fordert dann entsprechend den früheren Vorstellungen, dass von deutscher Seite

- 1) Anweisungen gegeben werden, um jede weitere Wegnahme von Gütern aus den Besitze von Personen, die der französischen Staatsangehörigkeit verlustig gegangen sind zu verhindern;
- 2) die schon entnommenen Gegenstände gesucht u. der französischen Domänenverwaltung zurückerstattet werden, die dem Gesetze gemäss deren Versteigerung sichern u. den Ertrag derselben dem "Secours National" zuführen wird.

Die in dem Note beigefügten Verzeichnisse erhobenen Be-

ATTACHMENT 9

CONFIDENTIAL

CONFIDENTIAL

-11-

schuldigungen gegen deutsche Dienststellen wurden durch Rückfrage der Rechtsabteilung des Militärbefehlshabers in Frankreich geklärt u. das Ergebnis der Waffenstillstandskommission mitgeteilt

Zusammenfassend lässt sich zu den französischen Einsprüchen sagen:

- 1) Die in der Anlage beigefügten Führerbefehle bildeten die Grundlage für die Sicherstellungen jüdischen Schrift –u. Archivgutes u. Kulturgutes durch den Einsatzstab Rosenberg u. die Geheime Staatspolizei. Das Sonderkommando der Deutschen Botschaft in Paris nahm die Sicherstellung jüdischer Kunstsammlungen u. – handlungen vor auf Grund der Anweisung des OKW an den Militärbefehlshaber von Paris vom 30.6.1940.
- 2) Um ein Nebeneinanderarbeiten deutscher Dienststellen zu vermeiden u. eine Kontrollmöglichkeit zu haben, wurden auf einen Vorschlag des Chefs der Militärverwaltung Paris, der später durch Herrn Reichsmarschall Göring erweitert u. vom Führer gebilligt wurde, alle Sicherstellungen jüdischen Kulturgutes allein dem Einsatzstab Rosenberg übertragen.

Der Einsatzstab Reichsleiter Rosenberg sammelte die sichergestellten Gegenstände zunächst in einem Depot. Dort wurden sie durch Fachleute einer ersten Sichtung unterzogen u. dann nach Deutschland überführt, um dort ordnungsgemäss inventarisiert u. sachgemäss aufbewahrt zu werden. Es muss immer wieder

hervorgehoben werden, dass ohne diese Sicherstellungen unersetzliche Werte zugrunde gegangen wären, schutzlos den Unbilden der Witterung preisgegeben, der Gefahr der Plunderung durch die evakuierte Zivilbevölkerung u. aufgelöster Truppenteile u. in gewissen Landesteilen auch englischen Luftangriffen ausgesetzt, zu einem Zeitpunkt, als die französische Verwaltung überhaupt nicht arbeitsfähig war. Die durch den Einsatzstab Reichsleiter Rosenberg erfolgte Bergung u. Sicherstellung jüdischer Kunstschatze in Herbst 1940 kann so als ein Verdienst um die Erhaltung europäischen Kulturgutes angesehen werden.

Spätere französische Einsprüche gegen die Sichtung u. teilweise Sicherstellung jüdischer Archive, Bibliotheken u. Kunstsammlungen – im letzten Falle auf Betreiben der Louvreverwaltung - waren zu erwarten. Ebenso war mit ausgeklügelten juristischen Konstruktionen zur Begründung der französischen Ansprüche zu rechnen.

Sämtliche französischen Argumente dieser Art sind hinfällig durch den Führerentscheid vom 17. September 1940, demzufolge nach dem 1. September 1940 vollzogene Rechtsgeschäfte wie Vermächtnisse [sic], Schenkungen usw. nicht anerkannt werden. Seit dem deutschen Einmarsch vollzogene Besitzübertragungen von

ATTACHMENT 9

CONFIDENTIAL

CONFIDENTIAL

-12-

Kunstwerken im Werte von über 100 000 Franken bedürfen ausserdem auf Grund [sic] der Verordnung zur Erhaltung von Kunstschatzen vom 15.7.1940 der Genehmigung des Militärbefehlshabers in Frankreich, die bisher in keinem Falle erteilt wurde. Die französischen Einsprüche, es handele sich um Privateigentum, das den Schutz des Artikels 46 der Haager Landkriegsordnung genießt, können entkräftet worden mit der schon erwähnten Erwiderung des Reichsleiters Rosenberg, dass es sich um rein jüdisches Gut handelt u. dass der Waffenstillstand wohl mit den französischen Volk u. Staat, aber nicht mit Freimauren u. Juden, wie den nach Amerika geflohenen Rothschilds u. Hetzern wie Mme. Tabouis geschlossen worden ist.

Der Einspruch des Kommissars für Judenfragen kann mit dem Hinweis entkräftet werden, dass Deutschland nach anfänglichem Zusehen selbst die Lösung der Judenfrage im besetzten Gebiet in die Hand genommen hat. Der Behauptung, dass dem französischen Staat durch die Sicherstellungen grosse Geldwerte entrinnen, kann die Tatsache entgegengestellt werden, dass die noch gar nicht einmal systematisch, sondern immer noch rein zufällig sicherstellten Kunstwerke einen geringen Bruchteil dessen darstellen, was die Juden nach dem ersten Weltkrieg an Geldwerten aus Deutschland herausgeplündert haben.

Der Behauptung des Louvre, dass durch die genannten Sicherstellungen dem französischen Volke wertvolles nationales Kunstgut verloren ginge, steht die Tatsache gegenüber, dass viele unter den sichergestellten Werken von grossen Meistern germanischen Blutes stammen oder doch dem sichtlichen Einfluss deutschen Geistes unterliegen, dass vieles aus ehemals deutschem Besitz stammt u. nach dem Schandfrieden von Versailles für ein Spottgeld gekauft worden ist.

Weiter sind Gegenstände darunter, die vom französischen Besatzungsheer aus Deutschland mitgenommen wurden, von Emigranten aus Deutschland oder der Ostmark geflüchteten [sic] Kunstgut u. Besitz von bekannten Feinden Deutschlands u. des Nationalsozialismus. Werte, die in Geld umgesetzt, morgen schon in Gestalt von Panzerwagen oder Flugzeugen militärisch [sic] gegen Deutschland wirksam werden könnten. Weiter muss in Betracht gezogen werden, dass nach den inzwischen durchgeführten Erhebungen in Frankreich noch bedeutende aus Deutschland geraubte Kunstwerke lagern, deren Rückgabe von deutscher Seite noch nicht gefordert worden ist.

Es erscheint in Anbetracht der dargelegten Umstände angebracht, auf die französischen Einsprüche zu antworten;

Dass es sich bei den deutschen Massnahmen zunächst um eine einfache Sicherstellung von Kunstwerken handelt, die bei der Durchsuchung von Wohnungen geflüchteter Juden vorgefunden wurden, an einem nicht durch

ATTACHMENT 9

CONFIDENTIAL

CONFIDENTIAL

-13-

Luftangriffe gefährdeten Ort. Es müsste nachdrücklich darauf hingewiesen werden, dass die Kunstwerke verloren gegangen wären, wenn sie nicht von verantwortungsbewussten deutschen Stellen gesichert worden wären. Der Antrag auf Beteiligung französischer Museumbeamter an der Sichtung dieser Gegenstände wäre zurückzuweisen, weil einmal keine Kontrolle deutscher Dienststellen geduldet werden kann u. ausserdem deutsche Wissenschaftler bereits einen beschreibenden u. photographischen Katalog der sichergestellten Gegenstände anlegen u. sich bemühen die Herkunft der Kunstwerke einwandfrei festzustellen.

Erst wenn diese Feststellungen abgeschlossen sind u. der Führer die ausdrücklich vorbehaltene Entscheidung über die Verwendung der sichergestellten Kunstschatze getroffen hat, kann der französischen Regierung eine abschliessende Antwort übermittelt werden.

ATTACHMENT 9

CONFIDENTIAL

CONFIDENTIAL

TRANSLATED EXTRACT

(from the Hague Convention of 18
October 1907,
“Rules of Land Warfare”)

ARTICLE 46

The honor [sic] and the rights of families,
the lives and private property of citizens,
as well as religious convictions and practices,
will be respected. Private property will not
be confiscated.

ATTACHMENT 9A

CONFIDENTIAL

CONFIDENTIAL

Comprehensive List of Collections Confiscated
by the E.R.R., with Accompanying Code Symbols

Arthur Levy Paris, 145 rue de la Pompe	ALE
A.L. Mayer Paris, 9 rue Montabor	ALM
Arnhold, Lans Paris, Ave. Maurice Barres	ARN
Arnstein, Hermann Paris, Ave. Leipold [sic] II	ARNS
Aronson Bergungsort: Schloss Brissac	ARO
Aschberger Paris, 2 rue de la Blanche	ASCH
Auxente (Pregel) Paris, 18 rue Auguste Vacquerie	AUX
Ball, H. Fa. (Riesener) Paris, 169 rue St. Charles	BAL
Bauer Paris, 43 rue Blance	BAU
Bacri Paris, 141 Blvd.Haussmann	BC
Bernhardt, Paul Paris-Neuilly, 9 rue Casimir Pinel	BDT
Bemberg, Paul Paris, 1 rue de Noisiel	BEM
Bernheim-Jeune Paris, 83 rue Faubourg St. Honoré	BERN
Bernheim, Georges (I) Paris, 3 rue Dosne	Bernheim

Bialo Paris, 66 rue Francois Ier	BIA
Bing, Robert Paris, 10 rue Oswaldo Cruz	BING
Brussel	BN
Botschaft Rothschild	BOR
Mme. Benard de Pontois Paris, 62 rue Pierre Charon	BPO
Braun, Mme. Robert Paris, 23 Ave. Leipold [sic] II	BRAUN
Bredel Paris, 25 rue Raynouard	BRE
Brunsvick, Betty 53 rue Scheffer, Paris	BRU
Brunner Paris, 123 rue du Longchamp	BUN
Cahen Brussel, 51 Ave. des Cerisiers	CA
Cercle des Nations Paris, 21 rue Casimir Perrier	C.d.NAT
Van Cleef Paris, 1 Square Maurice Barres	CLE
Coblentz Paris, rue Jean Paul Laurens	COB
Cohn Paris	COHN
Colloredo, Princesse	COL

CONFIDENTIAL

Cremieuse Paris, rue de Clement Marot	CRE
Dennery Paris, 83 Ave. Niel	DENN
Deutsch Paris, 24 rue de Berri	DEUTSCH
Dreyfuss Paris, 53 rue Dominique	DRD
Dreyfuss Paris, 8 rue Elysee	DRE
Louis Dreyfuss Paris, 63 Ave. Raymond Poincare	DREY
Dreyfuss Tours	DRF
Elena Droin Paris, 92 Ave. Henri Martin	DRO
Dreyfuss Paris II, Ave. Victor Hugo	D.V.H.
David Weill	D.W.
Edelfinger Paris, 156 Ave. Victor Hugo	EDEL
Dr. Erlanger (Dr. Lazar Rosenfeld)	ELR
Epstein Delle b/Grenoble	EPS
Erlanger Schloss Brissac	ERL
Emil Strauss	E.S.
Edouard Esmond Paris, 54 Ave. d'Iena	EBM

Elisabeth Wildenstein Paris, 23 bis rue de Berri	E.W.
Hans Fürstenberg	F
Falius Paris, 14 Villa Scheffer	FAL
Salomon Flavian Paris	FLA
Frenkel – Reder Brussel	FRE
Frey Paris, 152 Blvd. Haussmann	FREY
Jules Fribourg Paris, 19 Octave Feuillet	FRI
Friedländer Paris, 43 Blvd. Victor Hugo	FRIED
Gimpel Nizza	G
Bernstein, Galerie Paris, 3 rue Dosne	GAL. BERNST
Geismar Paris, rue Charles Lafitte Ier	GEI
Gimpel Paris, 6 Place du Palais Bourbon	GIM
Bernheim, Marcel Bordeaux	G.M.
Oskar Goldschmidt Paris-Neuilly 137 Bd.de la Seine	GOL

ATTACHMENT 10

CONFIDENTIAL

Graupe	GRP
Güntzburg Paris, 54 Ave. d'Iena	GÜN
Andriesse, Hugo Daniel Brussel	HA
Hahn Paris, 11 rue Jules Sandeau	HAH
Halphen Paris, 18 Henri Martin	HAL
Hormann Jean Isaak Hamburger	HAM
Gabriel Hamparzouian Paris, 3 Sq. Petrelle	HAMP
Hamburger Paris, Ave. Wagram 121	HB
Heilbronn, Frau P. Paris, 1 Place de l'Alma	Heilbronn
Helft Paris, 16 Ave. Georges V	HEL
Emile Henry Paris, 49 Ave. Victor Emanuel	HEN
M. Raymond Hesse	HESS
Louis Hirsch, Wwe Paris	HIR
Horovitz Paris, 2 rue Gabriel Vicaire	HOR
Hugo Simon Paris, 102 rue de Grenelle	HS

Impressionisten Sonderinventar	IMP
Jakobson	JAC
Javal, H. Paris, 105 Ave. Henri Martin	JAV
Jeunesse Paris, 1 Square Maurice Barres	JEU
Henry Josef Paris, 3 rue de la Muette	JO
Juralides Paris, 5 rue Maubourg	JUR
Jean Zay	JZ
Alphonse Kann St. Germain-en-Laye	KA
Kaganovitsch Nizza	KAGA
Kalman Paris, Ave. Foch 51	KAL
Kalman-Levy Paris, 94 Ave. d'Iena	KALE
Mme. Kapferer	KAP
Klotz	KLO
M. Klotz Paris, Maison Pinoud	KLOT
Kohnreich Paris, 134 Ave. Malakoff	KOH
Soma Koti Paris, 17 Ave. de Messina	KOT
Kapferer Paris, Ave. Henri Martin	KPR
Galerie Krämer Paris, 46 rue Monceau	KRA

CONFIDENTIAL

CONFIDENTIAL

Carl Krämer
Paris, 66 Ave d'Iena KRAM

Joseph Kronigk
Paris KRO

Lambert
Paris, 93 rue de Courcelles LAM

Robert Lambert
Paris, rue Raffael LAMB

Frau E. Langweil
Paris, 61 rue de Varenne LAN

Lantz
Paris, 16 rue Greuze LAT

Levy de Benzion
Schloss Dravail LB

Bernheim Leonce L.BERN

Lévy de Leon
Paris, 185 rue du Faubourg
St Honoré LdL

Lehmann
Paris, 1 Place Victor Hugo LEH

Léon Reinach LE REI

Levy
Paris, 64 rue de Chezy LEV

Levy-Finger
Paris, 1 Théodore Rousseau LF

Levy-Hermanos, Mme. Paris, 81 Ave. Victor Hugo	LH
Leo Hirsch Paris, Ave. Raymond Poincaré 64	L-HIR
Alfred Lindenbaum Paris	LI
Libermann Paris, 3 rue de Lota	LIB
Levy Paris, 68 Bd. Malesherbes	L.Mh.
Levy Paris, 2 rue de Guy de Maupassant	L.Mp.
Loewensohn Brussel, Ave. Desilare	LO
Loewell	LOE
F. Löwenstein Hafen Bordeaux	L. Löwenstein
Lambert Lombard	LOM
Pierre Michel Levy Paris, 17 rue Cardinet	L.RC.
Levy Paris, 18 Villa Scheffer	L.VS
Levy Paris, 35 Bd du Chateau	LVY
Levy Paris, 128 Bd. Maurice Barres	LY
Lyndhurst, Eric-Emil Brussel, 64 rue Joseph II	LYN
Mandel	MAN
Manuel Paris, 4 rue de la Muette	Manuel

CONFIDENTIAL

CONFIDENTIAL

Marino Nizza	MAR
Marcus Paris, 50 Ave. Wagram	Marcus
Margolinas (Jude) Kultur-Museum Kauen	MARG
Marx Paris, 2 rue de Buenos-Aires	Marx
Mayr Paris, 5 Square Chezy	MAY
Mela Paris, 5 Ave. Foch	MEA
Leo Meyer Paris, 64 rue de Prony	MeP.
Jean Paul Merzbach Paris, 43 Ave. Foch	MER
Mesquich Paris, 113 Quai Branly	Mesquich
Frau Raoul Meyer Paris, 34 Ave. Raphael	Meyer
Mayr-Fuld Bayonne	Mfu
Moro Giafferi Paris, 27 Ave Kléber	MG
Michel Georges-Michel Paris, 14 rue Clement Marot	MGM

Michelsohn Paris, 68 rue de la Faisanerie	MIC
Marcol Millaud Paris, 21 Ave. Emanuel	MIL
Moritz Klotz Paris, 118 rue de Courcelles	MKL
Maurice Leven 9 rue d'Aumale	M LE
Dr. med. A. Magitot Paris, 9 rue de Marignan	MT
Mühlstein	MU
Muir	MUIR
Max Wasserman Paris, 17 rue de Phalsbourg	M W
Nesler Paris, 147 Bd.Malesherbes	NES
Pierre Netter Paris, 7/9 Ave. de Ségur	NET
Neumann Paris, Credit Lyonnais	NEUM
Neuwied	NWD
Oppenheimer Paris, rue Dumont d'Urville 49	OPPE
Oppenheimer Paris, rue Pergolèse	OPP
Beschlagnahme Osten	OST
Perls	PE
Pierrotet Paris, 9 rue de Marignan	Pierro
Klotz Paris, Ave. Victor Hugo 31	PLC
Propper	POP

Rosenberg-Bernstein	Rosenberg- Bernstein- Bordeaux
Paul Rosenberg Paris, 8 rue de la Boetie	Rosenberg- Paris
Rosengart-Famol Paris	Ros-Fa
Rosenthal Paris, 88 Bd. Maurice Barres	ROSE
Erwin Rosenthal Paris, 45 rue Emile Menier	ROST
Rosstein Paris, 59 Bd. Murat	Rosstein
Schick Nizza	S
Sauerbach Paris, 14 rue Jules Clarty	SAU
Pompe-Schifeld Paris, 6 rue Alberia Magnard	Schi
Swob d'Hericourt Paris, 47 Bd. Beausejour	SDH
Arnold, Andre and Jacques Seligmann, Paris	SEL
Simon-Levy	Simon-Levy
Seligmann Paris, 90 rue de la Faisandrie [sic]	SM
Spira Paris, 8 rue de Maubeuge	Spira
Bagen Spiro Paris, 16 e , 31 rue de la Faisanderie	Spiro
Sarah Rosenstein Paris	SROS
Caroline Stern Paris, 20 Ave. Montaigne	ST

Stall	Stall
André Stassel Paris, 22 rue Baudin	STAS
Jacques II Stern Paris, 24 Ave. Gabriel	STE
Stern (Jacques?)	STERN
Schumann, Robert Paris, 87 Ave. Poincaré	SUH
Thalmann Paris, 27 Ave. Foch	TAL

ATTACHMENT No. 10

-6-

CONFIDENTIAL

CONFIDENTIAL

Tauschbilder	Tausch
Frau Thierry née Rothschild	THI
Tinardou Paris, Ave. Foch 60	TI
Unger	U
Unbekannt	UNB
Vand Paris, 6 rue du Dobropol	VAN
Viterbo, Dario Paris, 26 rue des Plantes	VIT
Georges Voronoff Paris, 155 Bd. Haussmann	VOR
Georges Wildenstein	W

Paris-Bordeaux / Schloss Souches

Watson, N.	Watson
Alfred Weinberger	Wbg
Wormser-Bloch Paris, 7 rue Cardinet	W Bl
Lazare Wildenstein Paris, 57 rue de la Boetie	WIL
Frau Wolff Boulogne, 5 rue Marcel Loyau	WO
Wormser Paris, 115 Ave. Henri Martin	WOR
Weil-Picard Paris, 63 rue de Courcelles	W P
Strauss, Walter Paris, rue Raynouard	W.S.
Paul Wertheimer Paris, 38 Ave. Foch	Wth
Adolphe Weiss Paris, Bd. des Capucines	Ad.W.
Zach	Z.

ATTACHMENT No. 10

-7-

CONFIDENTIAL

CONFIDENTIAL

Confiscated Works of Art, Primarily from the
D Collections, Selected for Hitler, February 1941.

- | | | |
|----|--|--------------|
| 1. | <u>Mary with Christ and
John the Baptist</u> | (ROTHSCHILD) |
| 2. | Spanish 16 c.
<u>Portrait of a Lady</u> | (SELIGMANN) |
| 3. | Franz Hals
<u>Portrait of a Lady</u> | (ROTHSCHILD) |

4.	Rembrandt	<u>Portrait of a Man</u>	“	
5.	A.v.d. Neer	<u>Winter Landscape</u>	“	
6.	A. Cuyp	<u>River Scene</u>	“	
7.	Terborch	<u>Girl Drinking</u>	“	
8.	Dutch 17 c.	<u>Marine</u>	“	
9.	Vermeer	<u>The Astronomer</u>	“	
10.	Berchen	<u>River Scene</u>	“	
11.	P. Potter	<u>The Bridge</u>	“	
12.	Wouwermann	<u>Autumn Landscape</u>	“	
13.	Rigaud (?)	<u>Portrait of Mme. Lebrait</u>	“	
14.	Watteau (?)	<u>Guitar Player</u>	“	
15.	Watteau (?)	<u>Woman Guitarist Surprised</u>	“	
16.	Pater	<u>The Lovers</u>	“	
17.	Boucher	<u>Shepherds</u>	“	
18.	Boucher	<u>Portrait of Madame Pompadour</u>	“	
19.	Boucher	<u>Nymph at the Spring</u>	“	
20.	Fragonard (?)	<u>Banquet in the Country</u>	“	
21.	Fragonard	<u>Portrait of a Man</u>	“	
22.	French 18 c.	<u>Portrait of a Woman</u>	“	
23.	French 18 c.	<u>Portrait of a Girl</u>	“	
24.	French 18 c.	<u>Boy with a Flower</u>	“	
25.	French 18 c.	<u>Portrait of a Seated Abbé</u>		(ROSENBERG-BERNSTEIN)
26.	Vernet	<u>Harbor Scene</u>		(ROTHSCHILD)
27.	LaCroix	<u>Coastal Scene</u>	“	
28.	Efucie (?)	<u>Portrait of a Boy</u>	“	
29.	Pannini	<u>Christ at the Pool</u>		(Coll. FUER)
30.	Gainsborough	<u>Portrait of Lady Hibbert</u>		(ROTHSCHILD)
31.	Goya	<u>Portrait of a Boy</u>	“	
32.	Goya	<u>Portrait of Clara de Soria as a Child</u>	“	
33.	French 16 c.	<u>4 tapestries, Bacchanalia</u>	“	
34.	French 16 c.	<u>Gobelin, Chinese Scene</u>		(Coll. Helene de ZUYLEN de NYEVELT)
35.	French 18 c.	Commode		(ROTHSCHILD)
36.	French 18 c.	“	“	
37.	French 18 c.	“	“	
38.	French 18 c.	“	“	
39.	French 18 c.	“	“	
40.	French 1770-80 (Riesener)	“	“	
41.	G. Dou (School of)	<u>Peasant Woman at the Window</u>		(Armand ROTHSCHILD)
42.	Baudis	<u>Ships in a Harbor [sic]</u>	“	“
43.	Ostade	<u>Aged Peasant Woman</u>	“	“
44.	Mieris	<u>Portrait of a Woman</u>	“	“
45.	French 18 c.	<u>Country Dance</u>	“	“
46.	G. Dou (Sch. of)	<u>Violinist at the Window</u>	“	“
47.	Ostade	<u>Peasant Scene</u>	“	“
48.	Ostade	<u>Peasant Scene</u>	“	“

ATTACHMENT No. 11

CONFIDENTIAL

CONFIDENTIAL

49. Rubens (follower of)	<u>Portrait of a Woman</u>	“	“
50. Venetian 16 c.	<u>Portrait of a Youth</u>	“	“
51. French 18 c.	<u>Mythological Scene</u>	“	“
52. Rubens	<u>Portrait of Helene</u> <u>Fourment</u>	“	“
53. Rubens	<u>Family Portrait</u>	“	“

(Note: For further details see Consolidated Interrogation Report No. 4, “Linz: Hitler’s Museum and Library.”)

ATTACHMENT No. 11

CONFIDENTIAL

CONFIDENTIAL

Translation

STATE PICTURE-GALLERY DRESDEN

Der Direktor

Dresden-A 1, July 16, 1941.

To
Direktor Dr. Robert Scholz,
Office of Reichsleiter Rosenberg,
Berlin W 35,
Margaretenstr. 17.

Honorable Director:

Permit me to solicit once more your kind assistance with regard to the art objects from the Rothschild collection and other Jewish collections.

Last year, in the autumn, the Fuehrer was shown a collection of photos from which I was ordered to make a selection of those pictures which might be suitable for the Fuehrer-Museum in Linz (Group I) or which might be employed for decorative purposes (Group II). I have informed Reichsleiter Bormann of this matter.

On February 8, 1941, a part of these pictures were carried from the Jeu de Paume to Munich, two schedules enclosed, photo-copies of which were sent to me. After their arrival in Munich, the pictures were photographed in the Fuehrerbau. From the photos and the two schedules it is indicated that the greater part of the pictures, of which photos had been previously shown to the Fuehrer, had not been brought to Munich. Instead of the "Pompadour in the Garden" by Boucher, the well-known version of "Madame Pompadour in the Salon," from the collection of Marries de Rothschild, which did not figure in the erstwhile group of photographs, was sent. Another version of this picture had already been seized from the Rothschilds in Vienna, and had been transferred by permission of the Fuehrer to the Vienna Kunsthistorisches Museum.

I am enclosing a list of the pictures still missing, and I should be very much obliged to you if you would help me to settle the matter or tell me who is competent to do so. Moreover, it would be desirable, in the light of the order given me by the Fuehrer, should I be able to get a survey of the total stock of works of art seized in France.

With the best compliments

Heil Hitler!

(Signed) H. Posse

ATTACHMENT 12

CONFIDENTIAL

CONFIDENTIAL

Abschrift

STAATLICHE GEMÄLDEGALERIE DRESDEN

Der Direktor

Dresden- A 1,den 16.Juli 1941

Herrn

Direktor Dr. Robert S c h o l z,
Amt des Reichsleiters Alfred Rosenberg,
B e r l i n W 3 5,
Margaretenstr. 17.

Sehr geehrter Herr Direktor!

Gestatten Sie mir, noch einmal in der Angelegenheit der Kunstgegenstände aus der Sammlung Rothschild und anderer jüdischer Sammlungen in Paris Ihre freundliche Unterstützung in Anspruch zu nehmen.

Im Herbst vorigen Jahres wurde dem Führer eine Kollektion von Photographien vorgelegt, aus der ich in seine [sic] Auftrag eine Auswahl der Bilder traf, die für das Führermuseum in Linz geeignet wären (Gruppe I), bezw. für eine Verwendung zu dekorativen Zwecken (Gruppe II). Ich habe darüber Herrn Reichsleiter Bormann Bericht erstattet.

Am 8.11.41 wurde ein Teil dieser Bilder aus dem Jeu de Paume nach München abtransportiert, unter Beifügung von zwei Verzeichnissen, die mir in Photokopien übersandt würden [sic]. Die in München eingetroffenen Bilder wurden im Führerbau photographiert. An Hand dieser Photos und der zwei Verzeichnisse ergibt sich nun, dass ein grösser Teil der seinerzeit dem Führer in Photos vorgelegten Bilder nicht mit nach München gekommen ist. Statt der "Pompadour in Garten sitzend" von Boucher wurde das bekannte Exemplar der "Pompadour in Zimmer sitzend" aus der Sammlung Maurice de Rothschild mitgeschickt, dass in der ursprünglich vorgelegten Photo-Kollektion überhaupt nicht enthalten war. Ein weiteres, eigenhändiges Exemplar dieses Bildes wurde bereits bei den Wiener Rothschilds beschlagnahmt und mit Zustimmung des Führers dem dortigen Kunsthistorischen Museum überwiesen.

Ich lege eine Liste der noch fehlenden Gemälde bei und wäre Ihnen dankbar, wenn Sie mir bei der Aufklärung [sic] der Angelegenheit behilflich sein würden bezw. die Stelle angeben könnten [sic], die dafür zuständig ist. Darüber hinaus wäre es im Sinne des mir vom Führer erteilten Auftrags erwünscht, dass ich mir über den Gesamtbestand der in Frankreich beschlagnahmten Kunstwerke einen Überblick verschaffen könnte.

Mit den bestern Empfehlungen
Heil Hitler!
Ihr sehr ergebener
Unterschrift: Dr Posse
(Dr Posse)

Anbei
1 Liste

ATTACHMENT 12

CONFIDENTIAL

CONFIDENTIAL

Translation

Office for Pictorial Art
Berlin W 9, Bellevuestr. 3
Telephone: 21 0262

19 July 1941.

To the
State Picture Gallery, Dresden
Director Dr. Posse
Dresden A1.

Honorable Director,

I acknowledge with thanks receipt of your letter of July 16th, and beg to communicate the following.

The shipment of the paintings to the Fuehrerbau on February 8, 1941 was carried out according to a list which we had received from the Reichsmarschall personally in Paris. The Reichsmarschall had handed over to the Fuehrer the photographs mentioned by you, and had given us as a result the list according to which the art objects were assembled for shipment to the Fuehrerbau. The twenty-eight paintings listed by you did not appear on the list given to us by the Reichsmarschall. There seems to be a misunderstanding which I am not able to resolve. Three of the paintings mentioned in your list, namely: Fragonard Girl with a Chinese Doll, Reynolds Portrait and Prud'hon Bathing Girl have been taken over by Reichsmarschall Goering and transferred to his collection. The other twenty-five paintings mentioned by you are in the deposit at Schloss Neuschwanstein.

I am not able to give you any information as to the whereabouts of the "Pompadour Sitting in the Garden" by Boucher, the work being entered in the catalogue at hand without exact title or description. Besides, I must point out that the

two Bouchers which had not been included in the first shipment to the Fuehrerbau, were brought later on by special shipment from Füssen to Munich. Perhaps you may find out whether the picture of Madame Pompadour which you are looking for is one of those, as I have no statements concerning the two Boucher pictures in question which were sent afterwards. I have to content myself with this inexact information, as the exact statements are in Paris.

It would not be difficult to find in Neuschwanstein the works of art indicated by you as missing, and hand them over to you; but if the works in question are not easily identified, it would be necessary for me, in order to avoid errors, to receive the photographs from you; since only by seeing these photographs can the inventory numbers be checked.

I am acquainted with the whole matter and, being in this position, should like to help you to carry out your order. With respect to the further disposition of the material, the following has been settled by an order from the Fuehrer to Reichsleiter Rosenberg. Within the next few weeks an exhibition of the most important and valuable works of art will be prepared in a part of Schloss Neuschwanstein arranged for this purpose. The Reichsleiter intends to show the exhibition personally to the Fuehrer at Neuschwanstein and to give him a survey of the art property seized in France. The Reichsleiter desires, therefore, to avoid the removal of further important works of art before this exhibition has been viewed by the Fuehrer. Therefore I beg you to delay taking out the works selected by you for Linz

ATTACHMENT No. 13

-1-

CONFIDENTIAL

CONFIDENTIAL

before this exhibition has taken place. The identifying of these objects will be difficult, as the three officials acquainted with the material are now in Paris inventorying the rest of the property seized there and preparing it for shipment. In four weeks at the latest, the last shipment will start from Paris. The exact date of the shipment will be fixed by the Reichsmarschall, who wants to see the material in Paris at the Jeu de Paume before the shipment takes place. After the departure of the shipment from Paris, the officials who have dealt with the material will go to Neuschwanstein to begin unpacking the material and to prepare the aforementioned exhibition for the Fuehrer. I am sorry that I cannot give you a survey of the total lot, since the complete catalogue cannot be finished until the works of art still in Paris have been identified and inventoried. As the greater part of the works of art, stored at Neuschwanstein and at Chiemsee, are not yet unpacked, you might experience great difficulty in trying to making a survey on the spot. Therefore, I beg you to wait until the whole stock has been unpacked and until I am able to give you the complete catalogue. Of course, pursuant to the order of Reichsleiter Bormann, you will be the first to receive this complete catalogue when it is finished. I beg you to wait patiently for it, as I hope that it will be ready within a few weeks.

With the best wishes

Heil Hitler!

(signed)

ATTACHMENT No. 13

-2-

CONFIDENTIAL

CONFIDENTIAL

Abschrift

Amt Bildene Kunst
Berlin W 8, Bellevuestr.3
Telefon: 21 0262

19.7.1941

An die
Staatliche Gemäldegalerie Dresden
Herrn Direktor Dr. Posse
Dresden A 1.

Sehr geehrter Herr Direktor!

Ich bestätige dankend den Erhalt Ihres Schreibens von 16.7 und gestatte mir Ihnen folgendes mitzuteilen.

Die Absendung der Gemälde am 8.2.1941 an den Führerbau erfolgte aufgrund einer Liste, die wir durch den Herrn Reichsmarschall persönlich in Paris erhalten hatten. Der Herr Reichsmarschall hatte dem Führer die von Ihnen erwähnten Fotos vorgelegt und als Ergebnis uns die Liste gegeben, aufgrund der dann die Zusammenstellung für die Absendung an den Führerbau erfolgte. Die von Ihnen mir in der Liste angegebenen 28 Gemälde waren in der von Herrn Reichsmarschall uns gegebenen Liste nicht aufgeführt. Hier scheint ein Missverständnis vorzuliegen, das aufzuklären ich nicht in der Lage bin. Drei der in Ihrer Liste geführten Gemälde und zwar:

{ Fragonard "Mädchen mit chinesischer Puppe"
eines der Damenporträts von Reynolds sowie

Prud'hon "Badendes Mädchen"

sind von Herrn Reichsmarschall Goering übernommen und in seine Sammlung überführt worden. Die restlichen von Ihnen angeführten 25 Gemälde befinden sich im Bergungsort im Schloss Neuschwanstein.

Über den Verbleib des Bildes "Pompadour, im Garten sitzend" von Boucher, kann ich Ihnen eine Auskunft im Augenblick nicht geben, da ich in dem mir vorliegenden Katalog nur das Werk als solches aufgeführt habe, ohne dass ein genauer Titel oder [sic] Bezeichnung dabei wäre. Im übrigen muss ich darauf hinweisen, dass die beiden Bouchers, die der ersten Sendung an den Führerbau nicht beigelegt waren, später durch einen Sondertransport von Füssen nach München gebracht wurden. Vielleicht können Sie feststellen, ob dabei das von Ihnen gesuchte Bildnis der Pompadour sich befindet, da ich keine Angaben darüber habe, um welche beiden Boucher-Bilder es sich handelt, die da nachgeliefert wurden. Ich muss mich mit dieser ungenauen Angabe in der Angelegenheit des Boucher-Bildes begnügen, da die genauen Unterlagen sich in den Händen meiner Mitarbeiter Paris befinden und ich erst dort rückfragen muss.

Es bestände keine Schwierigkeit, die von Ihnen als fehlend bezeichneten Werke in Neuschwanstein herauszusuchen und an Sie auszuhändigen, um Irrtümer aber zu vermeiden, wäre es erforderlich, dass ich von Ihnen, soweit es sich nicht um einwandfrei feststellbare Werke handelt, die Fotos erhalte, da ich nur aufgrund dieser Fotos die Inventarnummern feststellen kann.

ATTACHMENT No. 13

-1-

CONFIDENTIAL

CONFIDENTIAL

Für das gesamte Material bin ich zuständig und gern bereit und in der Lage, Ihnen in jeder Weise bei der Erfüllung Ihres Auftrage behilflich zu sein. Über die weitere Behandlung des gesamten Materials ist aufgrund eines Herrn Reichsleiter Rosenberg vom Führer gegebenen direkten Auftrags folgendes bestimmt worden. Es wird für Neuschwanstein in einem dazu jetzt eigenst hergerichteten Teil des Schlosses in den nächsten Wochen eine Ausstellung der wichtigsten und wertvollsten Werke vorbereitet. Der Reichsleiter beabsichtigt, dem Führer die Ausstellung in Neuschwanstein persönlich zu zeigen und ihm einen Überblick über das gesamte in Frankreich sichergestellte Kunstgut zu geben. Der Reichsleiter möchte daher vermeiden, dass vor dieser Ausstellung und vor der Besichtigung durch den Führer weitere wichtige Werke herausgeholt werden. Ich würde Sie daher bitten, mit der Herausnahme der von Ihnen für Linz ausgewählten Werke bis nach Durchführung dieser Ausstellung zu warten. Das Heraussuchen diese Werke würde aus dem sehr umfangreichen Material jetzt auch Schwierigkeiten bereiten, da die drei Herren, die mit der Inventarisierung beschäftigt sind und das Material genau kennen, noch drei bis vier Wochen in Paris tätig sind, um den Rest des noch in Paris beschlagnahmten

Kunstgutes zu inventarisieren und zum Abtransport vorzubereiten. In spätestens 4 Wochen wird der letzte Transport von Paris abgehen. Der genaue Termin des Abtransports wird durch den Reichsmarschall bestimmt, der das in Paris noch vorhandene Material im Jeu de Paume vor dem Abtransport besichtigen möchte. Nach Abgang des letzten Transport von (illegible) werden die Herren, die das Material bearbeitet haben, sich nach Neuschwanstein begeben, um da mit geeigneten Hilfskräften daranzugehen, das Material auszupacken und die oben erwähnte Ausstellung für den Führer vorzubereiten. Einen Überblick über den Gesamtbestand [sic] kann ich Ihnen vor Ablauf dieser Zeit leider nicht geben, da der Gesamtkatalog vor Erfassung und Inventarisierung der noch in Paris befindlichen Werke nicht abgeschlossen werden kann. Da der Grossteil der in Neuschwanstein und jetzt neuerdings in Chiemsee geborgenen Werke noch nicht ausgepackt ist, würden Sie jetzt auf sehr sehr grosse Schwierigkeiten stossen, wenn Sie an Ort und Stelle sich einen Überblick verschaffen wollten. Ich bitte Sie daher abzuwarten, bis das gesamte Material ausgepackt ist und bis ich Ihnen dann den Gesamtkatalog überreichen kann. Sie werden diesen Gesamtkatalog selbstverständlich [sic] dem Auftrag von Reichsleiter Bormann entsprechend als Erster [sic] sofort nach Fertigstellung erhalten. Ich bitte Sie, sich bis dahin zu gedulden und ich hoffe, dass die Fertigstellung des Katalogs in einigen Wochen beendet sein kann.

Mit den bestern Empfehlungen
Heil Hitler!
Ich sehr ergebener
Sch

ATTACHMENT No. 13

-2-

CONFIDENTIAL

CONFIDENTIAL

Abschrift

Der Stabsführer

St. U. , den 18. Februar
U/sz 1941
Dienststelle Feldpost-
Nr. 43 071

Durch Kurier

An den
Beauftragten des Führers für die Überwachung
der gesamten geistigen und weltanschaulichen Schulung
und Erziehung der NSDAP
Reichsleiter Alfred R o s e n b e r g
Berlin W. 35.

Margaretenstr. 17.

Sehr verehrter Reichsleiter!

Von dem Mitarbeiter des Pg. Robert S c h o l z, Pg. Dr. Lochse, wurde ich darauf aufmerksam gemacht, dass ein Kunsthändler in Paris einen recht guten Tizian besitzt, der den Führer persönlich interessieren dürfte. Pg. Scholz hat angeordnet, dass dieses Gemälde nach Paris gebracht wird. Von seinem Beauftragten für die Durchführung [sic] der Inventarisierung und kunstlerischen [sic] Auswahl der Bilder wurde nun der Vorschlag gemacht, man solle doch versuchen, den Tizian gegen solche Gemälde einzutauschen, die nach unsere deutschen Auffassung für einen Abtransport nach Deutschland nicht in Frage kommen. Der Reichsmarschall hatte bei seinem letzten Besuch in Paris bereits darauf aufmerksam gemacht, dass man doch versuchen solle, solche Gemälde, die für Deutschland nicht in Frage kommen, bei den einschlagigen [sic] Kunsthändlern gegen Kunstwerke einzutauschen, die für uns von besonderem Wert seien.

Ich habe darauf hin [sic] im Einvernehmen mit Pg. von Behr und Pg. Dr. Schiedlauský vorgeschlagen, dem Kunsthändler [sic] die Möglichkeit zu geben, Tauschobjekte, die für den Eintausch gegen den Tizian in Frage kommen, auszusuchen. Das ist nun gestern gesehehen.

Herr Dr. Schiedlauský hat, wie in beiliegender Notiz festgelegt ist, die entsprechenden Vorschläge mit

ATTACHMENT No. 14

-1-

CONFIDENTIAL

CONFIDENTIAL

dem Kunsthändler besprochen. Der Kunsthändler würde die in beiliegender Liste aufgeführten elf Gemälde für einen Tausch gegen den Tizian nehmen. Ich habe Fotos von dem Tizian sowie Fotokopien über fachmannische [sic] Begutachtungn, dass der Tizian echt sei, ebenso Fotos von den elf für den Tausch vorgesehenen Gemälden anfertigen lassen und füge sie diesem Schreiben bei.

Der Kunsthändler kann den Tizian jedoch nur bis zum 22.2 reservieren, da er ihn sonst anderweitig verkaufen würde. Da es auf diese Weise nun möglich ware,

ohne irgendwelche Devisen dafür [sic] hergeben zu müssen, für das Deutsche Reich ein bedeutendes Gemälde zu erwerben, bitte ich Sie, sehr verehrter Reichsleiter, um die Mitteilung, ob dieser Tausch vorgenommen werden kann. Nach Aussagen unserer Kunstsachverständigen steht der Wert der Tauschobjekte in gar keinem Verhältnis zu dem des einzutauschenden Tizian. Die Auffassung hier geht dahin, dass man mit diesem Bild dem Führer eine besondere Freude machen würde.

Pg. Scholz ist über diesen Vorgang unterrichtet und ich darf mir erlauben, ihm diesen Brief zuzuleiten, damit er unseren Vorschlag gleich mit dem fachmännischen Urteil Ihnen, sehr verehrter Reichsleiter, unterbreiten kann. Ich werde am Freitag, dem 21.2. nachmittag, bei Pg. Scholz anrufen, um mich nach der zu fällenden Entscheidung zu erkundigen.

Im Hinblick auf die grundsätzliche Bedeutung bitte ich Sie, sehr verehrter Reichsleiter, auch für alle zukünftigen [sic] Fälle die vorgeschlagene Regelung für [sic] allgemein verbindlich zu erklären.

Heil Hitler!

Anlagen

ATTACHMENT No. 14

-2-

CONFIDENTIAL

CONFIDENTIAL

Translation

Der Stabsführer

St. U. February 18, 41
U/Sz.
Dienststelle Feldpost
Nr 43 071
By courier!

To the Appointee of the Führer
for Supervision of the
Intellectual and Ideological Training and Education
of the NSDAP
Reichsleiter Alfred Rosenberg

BERLIN W 35
Margaretenstr. 17

Esteemed Reichsleiter!

Pg. Dr. Lohse, collaborator of Pg. Robert Scholz, has drawn my attention to the fact that an art dealer in Paris is in possession of a very good Titian which would be likely to interest the Führer personally. Pg. Scholz has given orders to bring the painting to Paris. His representative for inventories and selection of pictures has proposed an exchange of the Titian for paintings which, according to our German conception, are out of the question for transfer to Germany. On his last visit to Paris the Reichsmarschall had suggested that pictures of no interest for Germany should be exchanged, if possible, with art dealers for objects which might be of special value to us.

I therefore suggested, in agreement with Pg. Von Behr and Pg. Dr. Schiedlausky, that the art dealer be given an opportunity to select objects considered appropriate for exchange with the Titian. This was done yesterday.

As stated in the enclosed note, Dr. Schiedlausky has discussed the respective proposals with the art dealer, who would accept the eleven paintings figuring in the enclosed list in exchange for the Titian. Photos have been made of the Titian and photo copies of expertises on its authenticity; also photos of the eleven paintings considered for the exchange, which I append to this letter.

The art dealer, however, can only reserve the Titian until February 22, as he can sell it elsewhere. Considering that this is an opportunity to acquire for the German Reich an important painting without spending foreign currency, I beg to request you, esteemed Reichsleiter, to let me know whether this exchange can be effected. According to the statements of our art experts, the value of the proposed exchange objects is in no sense equal to that of the

ATTACHMENT No. 14

-1-

CONFIDENTIAL

CONFIDENTIAL

Titian in question. We here all agree that the Führer would be particularly pleased with this picture.

Pg. Scholz is informed in the matter and I am sending him this letter, thus enabling him to submit to you, esteemed Reichsleiter, our suggestion together with his professional opinion. I shall telephone Pg. Scholz on Friday, Febr. 21, in the afternoon, to inquire after the pending decision.

In view of its essential importance, I beg to request you, esteemed Reichsleiter, to declare the recommended procedure effective in all future instances.

Heil Hitler!

Enclosures.

(signed) Utikal

ATTACHMENT No. 14

-2-

CONFIDENTIAL

CONFIDENTIAL

Translation

Der Stabsführer

St.U., February 18, 1941
U/Sz.
Dienststelle Feldpost Nr. 430

By courier!

To the
Head of the Office for Pictorial Art
Pg. Robert Scholz
B e r l i n W35
Bellevuestr.

Honorable Parteigenesse Scholz!

I enclose a letter addressed to the Reichsleiter, with the request that you settle with him as soon as possible the matter of the exchange.

The suggestions originated with Dr. Schiedlausky, Dr. Lohse and Dr. Kuntze jointly, and I believe that this is a unique opportunity. In my opinion, there could be no objections, and if we can acquire a picture as famous as this Titian in exchange for art objects which have been rejected by you personally as wholly

unsuitable for Germany, we will represent in the best sense the interests of the German Reich.

Unfortunately, the matter is urgent, as the art dealer wishes to sell the pictures as soon as possible. Unless I receive your decision before Saturday February 22, the whole affair will fall through. Therefore, I hope that by that date you will manage to obtain a decision, especially as you yourself urged that the picture be brought to Paris.

Kindest regards and

Heil Hitler

(signed) Utikal

ATTACHMENT 15

CONFIDENTIAL

CONFIDENTIAL

Der Stabsführer

St.U., den 18. Februar 1941
U/Sz.
Dienststelle Feldpost-Nr.430

Durch Kurier!

An den
Leiter des Amtes Bildende Kunst,
Pg. Robert S c h o l z
Berlin W.35.
Bellevuestr.

Sehr geehrter Parteigenesse Scholz!

Anliegend überreiche ich Ihnen ein Schreiben an den Reichsleiter mit der Bitte, auf schnellstem Wege die Angelegenheit des Tausches beim Reichsleiter zu klären [sic].

Die Vorschläge kommen von Dr. Schiedlausky, Dr. Lohse und Dr. Kuntze gemeinsam und ich glaube, dass es sich hier um eine einmalige Gelegenheit handelt. Es können meiner Meinung nach keinerlei Bedenken entstehen, und wenn wir gegen solche Kunstwerke, die von Ihnen persönlich als für Deutschland nicht in Frage kommende abgelehnt wurden, ein so berühmtes Bild wie den Tizian eintauschen können, so vertreten wir im besten Sinne des Wortes lediglich die Interessen des Deutschen Reiches.

Leider drängt die Zeit sehr, da der Kunsthändler den Wunsch hat, das Bild möglich schnell abzugeben. Wenn ich also am Sonnabend, dem 22.8 spätestens nicht Ihre Entscheidung habe, dürfte die ganze Angelegenheit leider ins Wasser fallen. Ich hoffe also, dass Sie bis dahin die Entscheidung erzwingen können, zumal Sie selbst veranlasst haben, dass das Bild nach Paris gebracht wird.

Herzliche Grüsse und
Heil Hitler
gez. Utikal

ATTACHMENT 15

CONFIDENTIAL

CONFIDENTIAL

T r a n s l a t i o n

EXCHANGE CONTRACT

Between the Einsatzstab Rosenberg, Hotel Commodore, Paris, on the one hand,
and Mr. Gustav Rochlitz, 222 rue de Rivoli, Paris, on the other hand,
the following contract for exchange has been made:

1. The Einsatzstab Reichsleiter Rosenberg gives the following 18 paintings, detailed description of which is found on an attached list:
Degas (2), Manet, Renoir (2), Boudin, Cezanne, Toulouse-Lautrec, Sisley (2), Morisot, Monet, Utrillo, Bonnard, Signac, Picasso, Matisse, Braque.

2. Mr Rochlitz gives in exchange 1 painting, namely:

Portrait of a young Lady (Lavinia, Titian's
Daughter), Northern Italy, middle 16 c., unsigned.

Mr Rochlitz guarantees that the painting is an original of the period stated, and that he is authorized to transfer the title of ownership.

3. Transfer will take place immediately upon the signing of this contract.

4. Both parties declare that no further claims will be made.

The contract will become effective with the signature.

The parties to the agreement declare that they waive a formal contract.

Paris, July 9, 1941.

For the Einsatzstab
Reichsleiter Rosenberg:

(signed) Von Behr

(signed) Gustav Rochlitz

ATTACHMENT 16

CONFIDENTIAL

CONFIDENTIAL

Abschrift

T a u s c h v e r t r a g

Zwischen dem Einsatzstab Rosenberg, Paris, Hotel Commodore, einerseits,

und

Herrn Gustav R o c h l i t z , 222, rue de Rivoli, Paris, andererseits,

wird folgender Tauschvertrag geschlossen:

- 1.) Der Einsatzstab Reichsleiter Rosenberg tauscht die in der Anlage näher bezeichneten 18 Bilder von:

Degas (2), Manet, Remoir [sic] (2), Boudin, Cezanne, Toulouse- Lautrec, Sisley (2), Morisot, Monet, Utrillo, Bonnard, Signac, Picasso, Matisse, Braque.

- 2.) Herr Rochlitz übergibt zum Tausch 1 Bild, nämlich:

Oberitalienisches Porträt einer jungen Dame (Lavinia, Tochter des Tizian), aus der Mitte des 16. Jahrhunderts (unsigned).

Herr Rochlitz versichert, dass das Bild ein Originalwerk des [sic] angegebenen Zeit ist, und er hinsichtlich der Eigentumsübertragung Verfügungsberechtigt ist.

- 3.) Die Übergabe erfolgt unmittelbar nach Unterzeichnung dieses Vertrages.

- 4.) Beide Parteien erklären, dass keine weiteren Forderungen erhoben werden.

Der Vertrag wird wirksam mit der Unterschrift. Die Vertragspartner erklären, dass sie auf eine besondere Form des Vertrages versichten [sic].

Paris, den 9. Juli 1940
Für [sic] den Einsatzstab
Reichsleiter Rosenberg:

Herr Gustav Rochlitz:

Unterschrift: von Behr

Unterschrift:
Gustav Rochlitz.

ATTACHMENT 16

CONFIDENTIAL

CONFIDENTIAL

Translation

Appraisal List

Prepared on 11 March 1942 by Prof. Beltrand, Boulogne s. Seine, rue Max. Blondat

- | | |
|--------------------------|----------------------|
| 1. M a t i s s e : | Woman in a Red Dress |
| 2. M a t i s s e : | Woman with Red Hair |
| 3. M o d i g l i a n i : | Portrait of a Woman |
| 4. R e n o i r : | Portrait of a Girl |

Nos. 1 – 4 are appraised jointly at ffrcs. 100,000 in words (ffrcs. cent mille francs)

(signed) Jacques Beltrand

ATTACHMENT 17

CONFIDENTIAL

CONFIDENTIAL

Abschrift

S_c_h_ä_t_z_u_n_g_s_l_i_s_t_e

aufgestellt am 11. März 1942 von Prof. Beltrand,
Boulogne s. Seine, rue Max Blondat

- | | |
|----------------|--------------------------|
| 1. Matisse : | Frau in rotem Überrock |
| 2. Matisse: | Frau mit rotblondem Haar |
| 3. Modigliani: | Frauenporträt |
| 4. Renoir: | Bildnis eines Mädchens |

Nr. 1 - 4 werden zusammen geschätzt auf

ffrcs: 100.000

In Worten (ffrcs. cent mille francs

gez. Jacques Beltrand

ATTACHMENT 17

CONFIDENTIAL

CONFIDENTIAL

TRANSLATION

Dr. Bruno Lohse

Memorandum for File

On the order of the Reichsmarschall, the following exchange was effected:

The Einsatzstab Rosenberg gave:

4 paintings by M a t i s s e ,
from the Rosenberg – Bernstein Collection

and received in exchange:

1 painting by Jan B r e u g h e l I,
representing the Harbor of Antwerp.
Oil on panel, 16.5 x 26.5 cm.

Paris, 3 December 1941

(signed) von BEHR

(signed) LOHSE

Leiter des Einsatzstabes Westen

ATTACHMENT 18

CONFIDENTIAL

CONFIDENTIAL

Abschrift

Dr. Bruno Lohse

Aktennotiz

Auf Befehl des Herrn Reichsmarschall wurde folgender

Tausch

abgeschlossen:

Der Einsatzstab Reichsleiter Rosenberg gab:
4 Ölgemälde von M a t i s s e
aus der Sammlung Rosenberg- Bernstein

und erhielt dafür

1 Gemälde von Jan B r e u g h e l I ,
darstellend den Hafen von Antwerpen.
Öl auf Holz
16, 5 : 20m 5 cn
bezeichnet.

Paris, den 3, Dezember 1941

gez.: von Behr.

(von Behr)

gez.: Lohse

(Dr. Lohse)

Leiter des Einsatzstabes Westen

ATTACHMENT 18

CONFIDENTIAL

Translation

ALFRED BOEDECKER AND CO.

Antiquities – Old Masters

27 March 1943

Dear Doctor Lohse

I have received your lines of 25 inst., and can inform you that word has come from Zurich that the exchange can be made in the Basle station on the 7th of April. The train which I will take arrives at 1340 in Basle. I have to count on leaving Basle again at 1712, as I can not go into the town and spend the night there. I would be very happy if you could find it possible to come personally, and if you do so,

please be good enough to bring at least the chalk water color study by Cezanne; so that if the Renoir does not meet the expected reception (since the subject is a little unfamiliar and the photograph doesn't show very much), we can present another smash hit and offer a choice.

Have you forgotten the Titian matter? I hope to see you in Basle, if all goes well, and I remain with best wishes and

Heil Hitler!

(signed) A. Boedecker

ATTACHMENT 19

Abschrift

KUNSTHANDLUNG

Antiquitäten / Gemälde alter Meister / ALFRED BOEDECKER

Fernsprecher 26 739

Frankfurt a. Main
Bethmannstrasse 27
Bank-Konto: Dresdner Bank
Frankfurt a. M
Filiale Rosmarkt

Den 27.III.43

Dienststelle der Feldpost No. 43071

Herrn Dr. Lohse

Sehr geehrter Herr Dr. !

Ihre Zuschrift v.25.ds. habe ich erhalten und kann ich Ihnen die Nachricht geben, dass auch bereits v. Zürich die Zusage eingetroffen ist den Austausch am 7. April in Basel DRB. vorzunehmen. Der Zug den ich fahre ist um 13 Uhr 40 in Basel. Ich muss damit rechnen können Basel um 17 Uhr 12 wieder verlassen zu können, da ich ja Basel nicht betreten kann um zu übernachten. Ich wäre sehr froh wenn Sie selber hinkommen konnten [sic] und wenn Sie mir folgen, so bringen Sie doch wenigstens die Kreide-Aquarell Studie von Cezanne mit, um für den Fall, dass wenn Renoir doch nicht die Arnahme finde sollte wie wir denken, zumal das Sujet etwas ungewohnt anmutet und die Abbildung nicht viel zeigt- dafür noch einen Schlager aufzeigen und die Wahl lassen können.

Haben Sie vergessen das Tizian-Material nochmals anzufordern? Ich hoffe Sie Basel zu sehen, wenn es geht und verbleibe

Mit besten Grüßen u. Heil Hitler!

Ihr

Unterschrift: A. Boedecker.

ATTACHMENT 19