

Aus datenschutz- bzw. urheberrechtlichen Gründen erfolgt die Publikation mit Anonymisierung von Namen und ohne Abbildungen.

**Honoré Daumier – Don Quixote et Sancho Pansa, ca 1865 - Lost Art ID: 477890**

**Yehudit Shendar/Yochanan Amichai, Yad Vashem**



Oil on canvas, 83.8 x 51.2 cm (per condition report)

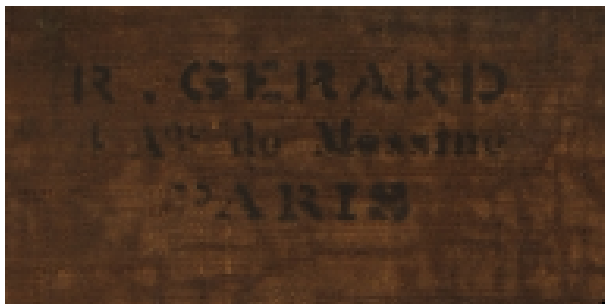
On recto: signed in black at lower left: "HD"

On verso: upper centre: two brownish round stamps. One reads clearly "Douane Centrale [...] Paris", second of same size and colour illegible. In proximity at upper centre: black stamp: "R. Gérard , 4 ave de Messine, Paris". At the same location three distinguishable "patches", seemingly brushed-over labels. To the right of this ensemble is a small roundish black stamp, illegible. Left centre patch. On left top of patch, a possibility of another stamp, larger in size, needs to be checked. Bottom centre black stamp of the canvas manufacturer in Paris: "Toile a la {...} VALLE & BOURNICHE / SEULS ELEVES ET / SUCCESSEURS DE BELOT / Rue de l'Arbre sec N°3 / P". One brownish stamp "Douane Centrale / Exportation / Paris".

Stamps on verso (enlargements)



© Staatsanwaltschaft Augsburg



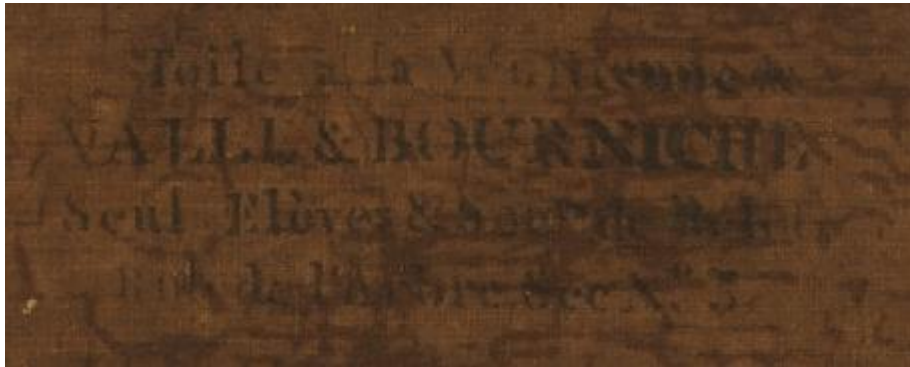
© Staatsanwaltschaft Augsburg



© Staatsanwaltschaft Augsburg



© Staatsanwaltschaft Augsburg



© Staatsanwaltschaft Augsburg

The following questions (However, not only those) are of relevance in determining the origin of the “work in question”:

- 1) Was the “work in question” an item of “looted art”, i.e. art which was divested from a private owner during the period of National Socialist rule in Germany (1933–1945) as a consequence of political persecution, in the manner defined by the Washington Declaration, as implemented by the Federal Republic of Germany?
- 2) If question 1 can be answered in the affirmative, then who was deprived of the work?
- 3) How did the “work in question” come into the possession of Hildebrand Gurlitt, and subsequently, through him, in that of his son, Cornelius Gurlitt?

#### Honoré Daumier and Don Quixote - A thematic analysis .

The Daumier Register lists 74 paintings and drawings on the theme "Don Quixote and Sancho Pansa", and by no criteria is this a complete account. Honoré Daumier became, no doubt, fascinated by Cervantes's comedy of knights and chivalry. As a social satirist he might have imagined himself to be Don Quixote - one who is on an endless quixotic journey in the midst of the post-revolutionary era in France.

In Daumier's depiction of the two protagonists, one may recognize the ethereal Don Quixote riding on his almost transparent horse, followed by the earthy Sancho Pansa on his rounded donkey. The differences between retired gentlemen Alonso Quixano versus local peasant, Sancho Pansa, are boldly portrayed in Daumier's depiction of the two.

However, there are more than two protagonists in Daumier's depictions. The third being space and light, adding the dramatic and ominous background to the scene. It all takes place within a dark and steep ravine, which the two riders approach, ascend and finally descend. The bright sky hovering above the scene allows the chivalrous Don Quixote on his white horse to bask in the light.

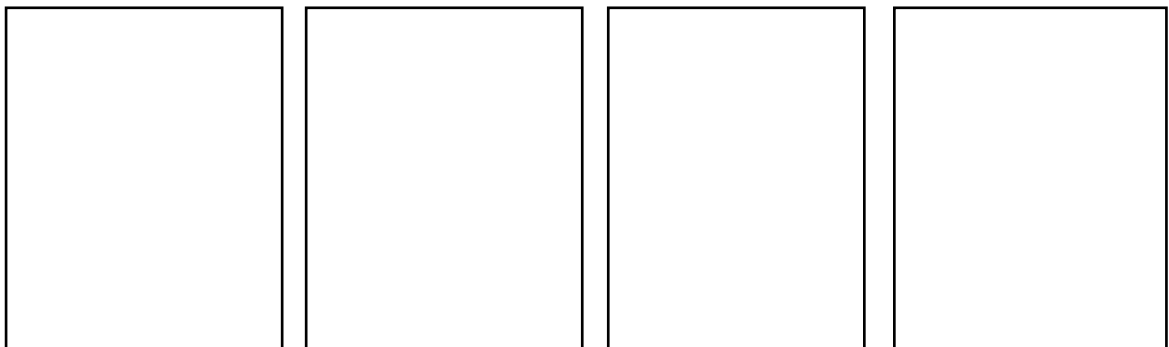
In the attempt to analyze the painting found in the Gurlitt cache, a closer look at the depiction was necessary, in order to identify this painting, for no records of it were found. The survey revealed the fact that the many variants of the compositions on this theme are not haphazard, and not repetitive, they rather constitute an interesting cinematographic sequence, as if serving as a storyboard for a film. For the sake of our research, pertaining to LostArt ID #477890, our focus dwells on three consecutive scenes. The three sequences are:

The approach and upward climb. Beyond the direction, the most noticeable characteristic constitutes the fact that it is the figure of Sancho Pansa, slouched on his donkey, which occupies the larger part of the scene. Don Quixote charging ahead, identified by his upright lance and white horse, has already reached the summit and is depicted as a merely fading figure in the distance.

The arrival at the summit. Sancho Pansa has drawn nearer to his master, the two protagonists are riding almost side by side, and it is Don Quixote, the master, who has already turned downwards, leading the cavalry of two.

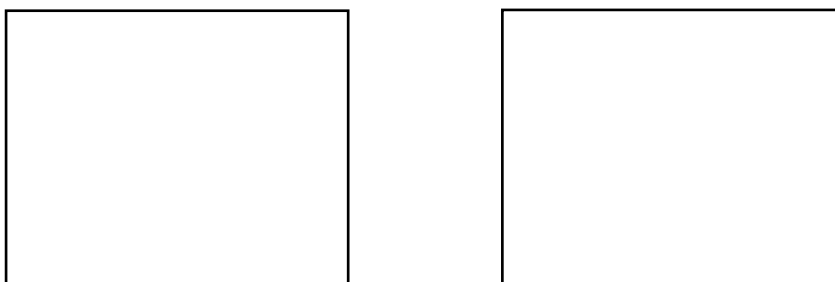
The downward ride. In this depiction for the first time Don Quixote is clearly the master riding in front, while his servant is lagging far behind on his clumsy donkey. Proportions of the two figures explicitly serve as an added indication to the social hierarchy between the two

The painting in question clearly can be attributed to group number one. The Daumier register lists four additional paintings of similar depictions.



DR 7171, DR 7172, DR 9127, DR 7238

Drawings DR 11446 and DR 11450



The uphill scene in all five paintings is depicted in portrait format, allowing the artist to achieve the distance placing of the two figures. The drawings focus on the approach to the uphill terrain and are in landscape format.

#### Analysis of physical findings LostArt # 477890

##### A. Dimensions

Once a defined scene within the broad definition of painting with the theme “Don Quixote and Sancho Pansa” was established, the attempt was to identify this specific scene in the various sources cited in the DR (Daumier Register).

The similar depiction of the subject matter in the four cited works necessitates a closer look at the dimensions of the various paintings, as the differing dimensions constitute the most reliable source of distinguishing between the similar depictions, where and when illustrations are missing, in exhibition catalogues or auction catalogues.

DR 7171 - Glasgow City Corporation, Burrell Collation, 1864 -1865; 323 x 240 mm

DR 7172 –[Private Collection], NY / Israel, 1866-68; 253 x 201 mm

DR 7238 - Private Coll. Zurich, 1870-75; 400 x 310 mm

DR 9127 - Present location unknown, 405 x 325 mm

Lost art 477890/DR 9153 H. Gurlitt cache, ca. 1865; 838 x 512 mm<sup>1</sup>

At a close look at the above list, one can clearly discern the odd measurements of the painting in question, i.e. the extremely elongated proportions. In light of the fact that the painting is off its stretcher, the notion that the canvas was cut off at some point, at its perpendicular edges, comes into mind. However, the entire scene as depicted in the paintings cited above is present, and the terrain of the ravine is clearly visible on both sides of the riders, in what may be termed as a long shot. In addition to the dimensions, the current state of canvas versus the discoloration, due to light being blocked by a former stretcher, should be analyzed, in the attempt to substantiate original dimensions. The discoloration of the canvas is indicative of a wide former stretcher with a middle bar. The severely torn narrow sides beyond the folding are unsuitable by their narrow dimensions to be stretched over a wide stretcher. The canvas clearly seems to have been torn at the edges. Moreover, the two rows of nail-holes may indicate reframing and re-stretching of the original.

##### B. Tears and Patches

The condition report outlines a number of places where pieces of canvas are missing, and at other patches cover missing parts, with varnish or solvent penetrating, probably indicative of late sloppy restoration work.<sup>2</sup>

---

<sup>1</sup> Condition Report/Zustandsprotokoll, Reg-Nr.: 0072, April-May 2015; Blatt1, Seite 1

<sup>2</sup> Condition Report/Zustandsprotokoll, Reg-Nr.: 0072, April-May 2015; Blatt 1, Seite 2

### C. Reworking of paintings surface

The condition report accounts for fluorescing under UV procedure indicating that the painting was excessively reworked and repainted. In light of these findings, the report questions the authenticity of the painting.

In light of the above, the recommendation calls for experts' analyses to verify or negate the possibility of an amended size of canvas, and reassess its originality due to its physical state, and addressing the problematic factors found.<sup>3</sup>

In light of the deteriorated state of the canvas, the re-stretching / reframing of the original, as well as the fact that customs stamps (to be discussed in the next paragraph) attest to export and then presumably import to France, led the team to research exhibitions abroad with listings of a Don Quixote paintings by Daumier. Indeed a match was found in the following.

In December 1945, 202 paintings had been brought to the United States "for safe keeping" by the Department of the Army, and stored at the National Gallery, in spite of furious opposition from museum directors, gallery staff, the public, and government officials<sup>4</sup>. A resolution in May 1946 from 98 leading art authorities demanded the immediate return of these works to Germany. The paintings were however exhibited in 1948 at the request of the Department of the Army and the Senate Armed Services Committee. Apparently the paintings had been discovered found in April 1945, along with 100 tons of Reichsbank gold, by the American Third Army when it captured the Kaiseroda Works at Merkers in Thuringia. The paintings had been stored in salt mines 2,100 feet underground for protection from Allied bombing of Berlin. The original frames, which had been removed for storage, were later destroyed in a fire. Thus, most paintings were exhibited in simple wood moldings.

Following the closure of the exhibition, custody of the paintings passed from the National Gallery to the Department of the Army. At a meeting of museum and army officials, it was agreed to send the works on an exhibition tour of the US. However, 52 paintings were considered too fragile to travel and were packed for return to the American Zone in Germany.<sup>5</sup>

Among the paintings listed in the catalogue of the exhibition, #46 registers Daumier Don Quixote.<sup>6</sup> In hope of a match with LostArt # 477890 "Don Quixote", a call for more details on the specific painting was submitted to , member of the Task Force and representative of the Smithsonian Institute, Washington D.C. The documents provided by her staff, minutes of meeting on June 10th 1948 of the "Committee to examine paintings from the Berlin Museums" reaffirm the poor condition of the Don Quixote, and its unfit state for further travel.<sup>7</sup> Disappointingly, the catalogue of the exhibition revealed the dimensions of the painting to be 32 3/4 x 41 7/8 inches (780 x 1002 mm), a landscape format, and the

<sup>3</sup> Condition Report/Zustandsprotokoll, Reg-Nr.: 0072, April-May 2015; Blatt 2, Seite 1

<sup>4</sup> <https://www.fold3.com/image/232053131> and <https://www.fold3.com/image/232053141>

<sup>5</sup> <https://www.fold3.com/image/291860309> and <https://www.fold3.com/image/291860338>

<sup>6</sup> <https://www.fold3.com/image/270126856> and <https://www.fold3.com/image/270126860>

<sup>7</sup> Holdings of Gallery Archive, National Gallery of Art, Washington D.C.



illustration clearly of a differing version of Don Quixote – the arrival at the summit.<sup>8</sup> The property card submitted by the National Gallery indicates the presumed owner to be the Nationalgalerie Berlin.<sup>9</sup> Further research by the team revealed that this particular version of Don Quixote was indeed formerly owned by the Nationalgalerie Berlin, and assigned # WIE 0/198 by the Wiesbaden Collection Point.<sup>10</sup> The file card indicates it was found unframed. Apparently the painting was included in a removal of works of art from the Nationalgalerie Berlin on September 20th 1939 and listed as # 35 in the list.<sup>11</sup>

The result of this probe unfortunately yielded a negative outcome. No other foreign displays were found in any of the many inquiries made in multiple sources.

In conclusion, the odd shape of canvas as well as the other problematic issues of its physical state may constitute a possibility of reuse of an old canvas for current recto painting. Reuse of old canvases was a recurring practice by forgers, to authenticate a former dating for a forged work of art. The reuse of an older canvas may also explain the problematic aspects of an export stamp with no records to verify foreign displays or sales.

However, this assumption needs to be substantiated by expert analyses of recto and verso of painting by an authorized laboratory. A request to the current owners of the cache have yielded a negative response to a request for laboratory expertise report, and thus all questions remain unanswered.

#### D. Condition Report – Rg-Nr:0072<sup>12</sup>

Condition report of painting dated: April-May 2015:

- Measurements amended to read: 838 x 512 mm
- Patches (to cover holes in original canvas), crude craftsmanship and crude over paint.
- Horizontal craquelée attesting to probable rolling up of canvas (for shipment purposes?).
- Thick shining varnish, fluorescent under UV, indicating reworking of old varnish
- Recto painting with signs of extensive reworking, especially in the sky, and contours of the donkey.
- Conclusion: Is this an original Daumier?
- Recommendation: Submission to Doerner Institute (conservation research).

the Condition Report clearly attests to significant flaws in the painting, indicating reworking of the recto and problems on verso. The recommendation to send the painting for further analysis of paint may yield a verdict as to authenticity of mid-19th century painting supplies, paint and varnish.

#### E. Stamps:

---

<sup>8</sup> Paintings from the Berlin Museums, National Gallery of Art, Smithsonian Institution, Washington D.C, March 17-April 18, 1948

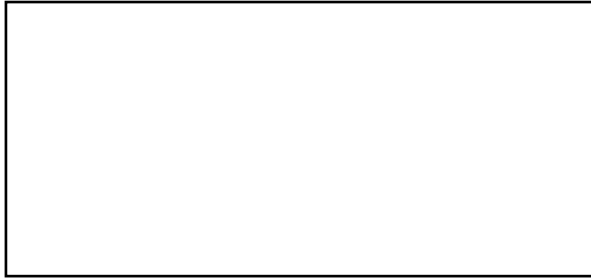
<sup>9</sup> Holdings of Gallery Archive, National Gallery of Art, Washington D.C.

<sup>10</sup> <https://www.fold3.com/image/231996849> and <https://www.fold3.com/image/231996856>

<sup>11</sup> <https://www.fold3.com/image/232073617> and <https://www.fold3.com/image/232073620>

<sup>12</sup> Condition Report/Zustandsprotokoll, Reg-Nr.: 0072, April-May 2015

Canvas manufacturer stamp Vallé & Bourniche.



The Valle & Bourniche firm was one of the most important art suppliers of the period, supplying canvases and colors to artists as well as restoration of paintings, in particular for the French state. When Michel Belot retired in 1824, Pierre Auguste Vallé (1801-45) and Prince Charlemagne Bourniche (1802-42), two of his pupils, formed a partnership to take on the business in 1825. Vallé & Bourniche formed one of the leading Paris businesses of the period. Starting in 1841, Vallé continued the business by himself, followed briefly by his widow in 1846. After that, beginning in 1847, Eugène Bellavoine continued the business.<sup>13</sup>

The Guide Labreuche verifies the same dates for the ownerships of the business Vallé & Bourniche 1825-1841, **Vallé** 1841-1845, **Vallé veuve** 1846, **Eugène Bellavoine** from 1847, canvas makers, color merchants, varnish makers and painting restorers. The reference also indicates the business to be located at 3 rue de l'Arbre Sec, Paris 1825-1847 and later, which is the address that clearly appears in the stamp on verso of canvas.<sup>14</sup>

The stamp on verso thus reveals the succession of ownership as described above, indicating that the canvas was produced not earlier than 1847, a date when Eugene Bellavoine (1847-1882) was the proprietor of the shop. As he ran the business until 1882, the notion that Daumier worked on a canvas around 1865, is indeed plausible.

Three customs stamps "Douane Exportation Paris Centrale", indicating the export of the painting (or just the canvas?) beyond French borders.

The three customs stamps found on the stretcher are partially faded, however the team was able to recognize the stamp on a differing work of art, revealing the missed word "exportation".

---

<sup>13</sup> National Portrait Gallery <http://www.npg.org.uk/>

<sup>14</sup> Guide Labreuche <http://www.labreuche-fournisseurs-artistes-paris.fr/g>





© Staatsanwaltschaft Augsburg

Public domain sources consulted indicate the stamp to be in use by the French authorities between 1850 until after WWII. An inquiry was sent to the French Customs Museum, with the hope to substantiate this info. The response received yielded the following answer: The stamp is probably from the 20<sup>th</sup> century, but no specifics were given. There also rises a need to establish the use of an import stamp. Our up to date inquiry presumes the import stamp to be void of a centerline and reading: "Douane Paris Central". This fact may indicate the reason for the multiple stamps found on verso.

No foreign exhibitions listings of Don Quixote by Daumier were found, as well as no sales catalogues. The presence of customs stamps thus may constitute another indicative of reuse of an old canvas with stamps by a modern forger.

Ownership stamp: Renée Gérard – Raphaël Gérard



© Staatsanwaltschaft Augsburg

The first report submitted to the TF on Daumier Lost Art ID #477890 listed R. Gérard as Mme Renée Gérard by mistake, following a red flagged listing of wartime art trade dealers involved in wartime trading of looted art in France.<sup>15</sup> Mme Renée Gérard is listed with address: 14 rue St. Simon Paris. The stamp on verso of the Daumier reads clearly the

<sup>15</sup> <https://www.fold3.com/image/231999435>

proprietor's address to be 4 Ave. de Messine – the location of Raphaël Louis Felix Gérard's dealership. Raphaël Louis Felix Gérard is listed with this address in the listings of red flagged dealers in Paris proclaiming Gérard to have "dealt in confiscated pictures; main source of supply to WUESTER and other German buyers. Indicted by French Government (Seine Tribunal, Judge FRAPIER)"<sup>16</sup>

American authority's reports on Wuester, Adolf, cite the following: "Long-time pre-war resident of Paris. Chief agent in France for acquisition of works of art for Ribbentrop. Appointed art adviser to the German embassy on 16 July 1942, with the rank of consul. Supplied with works of art primarily by Schoeller, Mandl, Leegenhoek, Raphaël Gérard and Hotel Drouot. Close contact of Goetz, Rochlitz, Schoeller, Pfannstiel, Avogli-Trotti and the Duc de Treviso. Travelled in Switzerland, Sweden and Spain, purchasing works of art. Extradition requested by French Government." <sup>17</sup>

In spite of the clear Raphaël Gérard's ownership stamp, no auction catalogues or other sources have yielded a Don Quixote Daumier painting as originating with this dealer. It has been repeatedly requested by the Yad Vashem team to further research in Paris of Gérard's sales, for his close connections with Hildebrandt Gurlitt have been established, however specifics are still missing. Records of the Gallery are apparently inaccessible.

#### F. Lack of citing of LostArt # 477890

Honoré Daumier is no minor artist, and Don Quixote is a prevalent and recurring subject matter in his oeuvre, in spite of this the painting LostArt #477890 was not to be found in all the listed sources referred to in the following paragraph. In light of lack of citing, the question remains as to why scholars, exhibition and sales catalogues fail to have any reference to this particular painting. Could this void be another indicative to the fact that the painting is a forgery?

Following sources consulted:

- Data Bases

Bibliothèque nationale de France (Sept. 2016)

<http://gallica.bnf.fr/>

Central Collecting Point München (Sept. 2016)

[http://www.dhm.de/datenbank/ccp/dhm\\_ccp.php?seite=9](http://www.dhm.de/datenbank/ccp/dhm_ccp.php?seite=9)

Cultural plunder by the ERR (Oct. 2016)

<http://www.errproject.org/>

Daumier register (Oct. 2016)

<http://www.daumier-register.org/>

Fold 3 (Oct. 2016)

---

<sup>16</sup> <https://www.fold3.com/image/273355630>

<sup>17</sup> <https://www.fold3.com/image/270270414>

<https://www.fold3.com/>

Getty Provenance Index, German Sales Catalogs (Sept. 2016)

<http://www.getty.edu/research/tools/provenance/search.html>

Guide Labreuche (Sept. 2016)

<http://www.labreuche-fournisseurs-artistes-paris.fr/>

Institut national d'histoire d'art (Aug. 2016)

<http://bibliotheque-numerique.inha.fr/collection/>

Internet Archive (Aug. 2016)

<https://archive.org/>

Note: DR – the Daumier Register listing # 9153 was added to the register only after it was listed on the LostArt database with no additional findings.

- Monographs

Champfleury. Expositions des peintures et dessins de H. Daumier, Paris 1878.

C. Holme (ed.) Daumier and Gavarni, London 1904.

Escholier, Raymond. Daumier: Peintre et lithographe. Paris: Floury, 1923.

Ruemann, Artur. Honoré Daumier. Berlin: Kunst Kammer, 1926. \*)

Baedeker, München und Südbayern, 1928.

A. Alexandre: Daumier. Paris 1928.

Lassaigne Jacques. Daumier, New York, Paris, 1938. \*)

Maison, Karl Eric. Honoré Daumier: Catalogue Raisonné of the Paintings, Watercolours and the Drawings. London: Thames & Hudson, 1968. \*)

H. Feliciano: The lost museum. New York 1997.

Hartau, Johannes. Honoré Daumier: Don Quijote: Komische Gestalt in großer Malerei. Frankfurt a.M.: Fischer, 1998. <sup>18</sup> \*)

\*Not accessible for inspection by YV team, thus information reliant on Berlin team's report.

The monographs provide an affirmation to the fact that the theme of Don Quixote is prevalent in Daumier's oeuvre, in paintings and drawings, on paper and on canvas.

- Auction catalogs

Collection de M. Hazard; G. Petit, Paris 1919.

Die Graphische Sammlung Rudolf Tewes - Berlin; Graupe, Auktion 105, Berlin 1932.

Die Daumier-Sammlung Schniewind; Boerner / Gutekunst & Klipstein, Leipzig / Bern 1933.

Gemälde und Kunstgewerbe aus der ehemaligen Sammlung J. G. / Berlin; Lange, Berlin 1941.

The notable collection of Stanley N. Barbee; Parke-Bernett Galleries, New York 1944.

To be noted: The Notable Collection of Stanley N. Barbee

Parke-Bernett Galleries, New York 1944. No. 15. The painting is one of five referred to in this report # DR 7172. The most similar depiction of Don Quixote theme, to the painting under investigation - the ascent to summit, however, medium: Oil on Paper

---

<sup>18</sup>\*) not online, not checked by us

glued to canvas, and measurements: 253 x 201 mm, clearly negate the probability of Lost Art 477890. This painting is in the collection of [private coll.] (NY / Israel). All other listings differ in dimensions, as well as rendering of subject matter.

- Exhibition catalogs:

Exposition des Peintures et Dessins de H. Daumier, Paris, 1878.

Exposition Daumier, Palais de l'Ecole des Beaux-Arts, Paris, 1901.

Corot Daumier; Museum of Modern Art; New York 1930.

Staatliche Museen zu Berlin; The eccentric gaze, 2013.

Exhibition "Paintings from Berlin Museums", National Gallery of Art, Washington D.C., 1948

None of the listed catalogs yielded the sale or offering of the painting under investigation, although the theme of Don Quixote is widely quoted. Size and technique negate the matching to the painting under investigation.

- Archival documents:

Fold3. 270225277 – # 3365 Confiscation card ERR (later evidence proves this painting to have the same subject matter, however with differing dimensions and renderings)<sup>19</sup>

Fold3. 312453301 – Property card Art 396/Aussee, presumed owner Alfonse Kann, arrival from Paris. Dimensions differ. Kann, a prominent Jewish art collector, left France for England in 1938 without making an inventory of his art collection, which was kept in a St.-Germain-en-Laye mansion and subsequently looted in October 1940 by ERR. Kann recovered only a small fraction of his large collection before his death in England in 1948.<sup>20</sup>

Fold3. 231996849 – Property Card - Art – Wiesbaden Collection Point #0/198, presumed owner Staatl. Museen Berlin Nationalgalerie. Dimensions differ, and the painting was returned to the museum in Sept. 1945.<sup>21</sup>

Fold3. 232073617, Document listing of paintings removed from the Nationalgalerie and the Pinakothek for protection on September 20<sup>th</sup>, 1939 # 35 Daumier Don Quixote<sup>22</sup>

Fold.3. 231984545. Wiesbaden Collection Point property card – art #4504/2 B?BRE?32. Painting of differing subject: Two Putten.<sup>23</sup>

Fold3. 231910484. Wiesbaden Collection Point property card – art # 1858/Heidelberg. Drawing of differing subject matter – Trial scene. Listing Philip Frank, director of Deutsche Bank as buyer.<sup>24</sup>

---

<sup>19</sup> <https://www.fold3.com/image/270225269> and <https://www.fold3.com/image/270225277>

<sup>20</sup> <https://www.fold3.com/image/312453301> and <https://www.fold3.com/image/312453305>

<sup>21</sup> <https://www.fold3.com/image/231996849> and <https://www.fold3.com/image/231996856>

<sup>22</sup> <https://www.fold3.com/image/232073617> and <https://www.fold3.com/image/232073620>

<sup>23</sup> <https://www.fold3.com/image/231984545> and <https://www.fold3.com/image/231984552>

<sup>24</sup> <https://www.fold3.com/image/232065888> and <https://www.fold3.com/image/232065894>

Fold3. 231923465. Report on Art purchased in France during occupation. Philip Frank reported on purchasing a Daumier drawing on 25.2.1942 for 7,500 FF.<sup>25</sup>

Primary sources consulted:

**Hildebrand Gurlitt's Ledger**

Book 2, (excel line 1586)

- 20.6 1942 Daumier Don Quixote Z (Zeichnung) J. Lenthal Paris.

The listing of Daumier refers to a drawing and not a painting. H. Gurlitt was meticulous in writing regarding medium. ( In a separate report submitted, regarding the J. Lenthal citing as the seller, an original letter by J. Lenthal from 1946 found in the correspondence, has proven that he was not the previous owner, and only abided to serve as seller as a favor to H. Gurlitt.

Book 3 (excel line 297)

- 20.6.42 Daumier Don Quixote Z (Zeichnung) J. Lenthal Paris.

Same information as Book 2.

Quellendokumente zu Paper I: Hildebrand Gurlitts Netzwerk in Frankreich  
Institut für Zeitgeschichte München – Berlin  
Dr. Johannes Gramlich , Juli 2015

Gramlich report: Dok. 1\_1/2

Gramlich report: Dok. 1\_2/2

Typewritten double-sided list of collection of works of art sold and signed by Raphaël Gérard in Paris (28.4.1944).

According to Gramlich, it refers to the art dealer Gérard who operated during this time in Paris and dealt with confiscated art. Hildebrand Gurlitt transferred the items to Germany in September 1953 at the latest. In this context, it is possible that Gurlitt could also have dated and stroke out Gérard's signature. On the reverse page, bottom left, Hildebrand Gurlitt handwritten added artworks may constitute later accessions in Paris to the original list (see Paper I, pp 4-11).

- No. 8 Daumier Two sided drawing
- No. 9 Daumier Prints
- No. 22 - 69 in the list refers to Daumier Don Quixote, in hand- writing at end of list.

Gramlich report: Dok. 2 1/7

---

<sup>25</sup> <https://www.fold3.com/image/231923465>

Gramlich report: Dok. 2 4/7

Handwritten document by Helene Gurlitt, a 7-page listing of collection of works of art, corresponding to Dok. 1 – The Raphaël Gérard collection.

The list was drawn by Helene Gurlitt probably in preparation to the transfer of the major portion of the collection from the Gurlitt residence in Paris to Germany, September 1953.

- No. 8 in the list: Daumier: Two sided drawing, to be unframed
- No. 69 in the list: Daumier: Don Quixote 2,500 000 – written in a smaller and different handwriting, seems to be a later addition.

At the end of document a categorization of the artworks appears as follows: disappeared, unframed, purchase, remains. Both Daumier works found in the Munich Cornelius Gurlitt cache attest to the fact that they were transferred to Germany, but not on the given date September 22, 1953 (see next document). The categorization of works as "purchase" in this context is not clear, as it is assumed that all of the listing is an acquisition. The works assigned as "disappeared" were no longer found in the Paris stock as recorded by Helene Gurlitt. The artworks referred to as "remains" are those works of art which remained in Paris. "To be unframed" refers to actions to be performed before transfer.

Gramlich: Dok 2 6/7

- No. 8 in 34 to be unframed refers to previous pages, and corresponds to the two-sided drawing
- No. 69 (Don Quixote) is missing from this list

Gramlich report: Dok 2 7/7

- No. 8 under the 34 to be unframed (two-sided drawing)
- No. 69 under the added 3 to sum the total to 25 works of art to remain in Paris.

2 Gramlich report: Dok 3 1/

1-page handwritten list signed and written by Raphaël Gérard. In differing handwriting (probably Hildebrand Gurlitt), added date: "September 1953"  
The artworks listed are apparently those which remaining in Paris in September 1953; almost all of these works were assigned the category "remains" in Dok. 2.

- No. 22 (69) Daumier Don Quixote – in differing handwriting 15

This list may attest to the fact that the unframed Daumier drawing was transferred to Germany, while the Don Quixote remained in Paris.

Gramlich report: Dok 4 1/1

1-page handwritten list by Cornelius Gurlitt dated "September 1953"  
It is assumed that C. Gurlitt compiled this list based on Dok. 3 and created it at a later date after Hildebrandt Gurlitt's death in 1957.

The artworks were probably brought from the Paris stock before March 1958.

The Daumier no. 22 refers for the first time to the dimensions, corresponding with exactness to those recorded by the team, and reported in the LostArt registry for 477890, the painting under investigation.

- No. 22 Nr. 69 Daumier Don Quixote 0.81 x 0.41

Gramlich report: Dok 5 1/1

1-page handwritten list by Cornelius Gurlitt, undated.

It constitutes a revised version of Dok. 4, with a new numbering, the former no. 22 becomes no. 15 for the Daumier Don Quixote. The same measurements are listed with addition in pencil Lwd(?)

- 15) Nr. 69 Daumier Don Quixote 0.81 x 0.41 15 Lwd (?)

Gramlich report: Dok 6 1/1

Equivalent list to Dok 5, however additional works in pencil have been incorporated into the list. The numbering has also changed. The assumption is that the list was compiled after 1958, when last works from Paris were transferred to Germany, In a letter of 24 October 1962, C. Gurlitt alludes to an agreement with Raphael Gérard to sell works of art listed in this list, and asks the art dealer to find buyers for several others. No 3 in the list, the Daumier, is not mentioned, thus assumed to be no longer in Paris at this date.

- 3.) Daumier Don Quixote 81 x 41 15 in pencil

Conclusions to be drawn from lists found and studies by Dr. Johannes Gramlich are the following:

Painting under investigation # 477890, "Don Quixote" by Daumier, was in Paris in 1953, in the stock of Hildebrand Gurlitt, and probably transferred to Germany in September 1953.

#### **Andre Schoeller certificate of authenticity, January 19<sup>th</sup> 1951, Paris**

Duplicate

The painting reproduced on the reverse side is part of a series of paintings by Daumier with subject 'Don Quixote and Sancho Panza'.

I know it from Mr. Gérard's father, who told me that he got it from Arsène Alexandre, author of a very good book on Daumier.

This painting is, in my opinion, an authentic work and of good quality by Honoré Daumier.

Paris, January 19, 1951  
(Signature :) André Schoeller



Schoeller, André 1898-1991, expert on 19<sup>th</sup> century art, served as appraiser for Parisian art dealers. According to the American Art Looting Intelligence Unit, his reputation is tainted.<sup>26</sup> After the war Schoeller continued to operate his dealership and also acted as appraiser of art, however, was accused of being involved in cases of selling fraudulent art pieces and involved in court trials on accusations concerning these matters.

Hector Feliciano, in his book *The Lost Museum*, alludes to the questionable business practices of Schoeller during the German occupation of France, specifically noting that he sold a Daumier to the Folkwang Museum.

In light of the above, the authenticity certificate provided by Schoeller needs to be taken with reservations. His wartime dealings with Raphaël Gérard and H. Gurlitt are to be viewed with suspicion of one who is willing to deal with dubious items for monetary reward. Furthermore, in 1951, Gérard, Schoeller and Gurlitt were all still involved in profiteering from deals initiated during the war. Thus, the quote by Gérard as to the provenance originating with Gérard's father needs to be taken with some caution, until evidence is indeed found to verify this fact.

It is also to be noted that in Arsène Alexandre's book *Honoré Daumier*<sup>27</sup> appear 4 listings of a Don Quixote, none of which corresponds to LostArt # 477890.

If the painting was owned by Arsène Alexandre, as claimed, it would be quite clear that it would have been included in this publication by a Daumier expert and close acquaintance, one who was given the painting as a gift by the artist himself. The omission of the painting is suspicious, to say the least.

The above outline points to a hypothesis raised before, that the painting under investigation, Lost Art # 477890, may be a forgery, and thus does not appear in any of the publications reviewed in this report.

#### **Response to question 1:**

No conclusive or direct evidence was found regarding the looting of the work in question, during the period of the National Socialist rule in Germany. However, until question of forgery is not further pursued, this notion cannot be excluded. If the forgery is proven as post WWII then the painting can be removed from list of suspected as being looted.

#### **Answer Question no 2:**

Not relevant - artwork has not been proven as looted under the provision of the Washington declaration.

---

<sup>26</sup> <https://www.fold3.com/image/271450273> and <https://www.fold3.com/image/270270453>

<sup>27</sup> Arsène Alexandre, *Honoré Daumier*, Les Éditions Rieder, Paris, 1928, p. 64

### Answer question no. 3

Listings of painting under investigation are to be found only in the correspondence, which confirms the painting to be in H. Gurlitt's stock in Paris in 1953. Probable transfer to Germany in September 1953 when some of the listed works were shipped to Germany. The listings adhere to the fact that the works of art originated with Raphaël Gérard although his signature at times erased by H. Gurlitt.

Schoeller certificate of authenticity, Paris 1951, also refers to the fact that Gurlitt has bought the painting from Raphaël Gérard, although no proof of sale or date is in our hand. The certificate of authenticity could have been provided for Raphaël Gérard before sale to H. Gurlitt.

To the best of the team's knowledge at this stage of the research, the painting's provenance may point to the following:

Gallery Raphael Gerard , Paris (Per Stamp)  
By latest 28 April 1944: Raphaël Gerard, Paris (per CG papers)  
By latest September 1953: Hildebrandt Gurlitt, Dusseldorf  
(per CG papers)  
By descent to Cornelius Gurlitt, Munich/Salzburg  
From 6 May 2014: Estate of Cornelius Gurlitt

### Recommended further research:

DR 7172, if possible locate current heirs of [private coll.] for investigation as to information to be present on verso of painting. If the hypothesis pointing to the painting to be a fake is to be established, this painting may have served as prototype for the forgery.

As recommended in the condition report submitted in April - May 2015, the notion of a forgery is raised and a recommendation to submit it for review by the Doerner Institute is noted.

To clarify, the investigation may yield answers to the hypothesis that secondary use was made of old canvas for the forgery.

Investigation into Raphaël Gérard's records of sales, during and after the war, by French team.

Investigation in the French Customs Archive, yielding information of a Don Quixote export and import to France, or of a painting with similar measurements and title.

Investigation in the French Customs Archive yielding an answer to dating of stamp.

An investigation of A. Schoeller's sales books in Paris in the hope of identifying sales of art during the occupation. The forgery of a Daumier may be one of his shabby endeavors.

Research into the collection and writings of Roger Claude Marx, the son of Roger Marx and Elisa Nathan (1859–1933), is recommended. During WWII, R. Marx was forced to flee Paris, he escaped to Marseille in 1941, and in 1943 to Isère. In February 1944, he lost his son, who

was imprisoned by the Gestapo. Apparently he wrote a book on Daumier's paintings, which our team was unable to locate. A request was submitted to the Berlin office for assistance. An exhibition about him was on display at the INHA, Paris.<sup>28</sup>

In light of the above, and before further investigation to this painting is conducted the team recommends to put the painting under the yellow category.

---

<sup>28</sup> Catalogue de l'exposition "Critiques et collectionneurs d'art Roger Marx et Claude Roger-Marx (1859-1977)", INHA, du 11 mai au 9 juillet 2007.