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*"People will wonder why I let this happen..."*

LILLY CASSIRER, affidavit, August 13, 1951

# LILLY AND CLAUDE CASSIRER

1876–1962 and b. 1921

"I've found a room at the Grand Hôtel du Louvre with an excellent view of the Avenue de l'Opéra and a corner of the Place de Palais-Royal. . . . It may not be exceptionally beautiful, but I'm looking forward to trying my hand at precisely these Paris streets. . . ." Toward the end of his life, Camille Pissarro withdrew behind the safe walls of hotel rooms and painted views of the "new," and at that time controversial, modern districts of the city. These were snapshots, captured moments of a world in constant flux. "They are often called ugly, but they are so silvery, so glowing, so full of life, and so different from the boulevards—so utterly modern." Individual motifs and street scenes, changing with the weather, with the time of day and the seasons, preoccupied the freethinker for months on end with their "coaches, horse-drawn omnibuses, people under tall trees, big buildings that have to be rendered vertically—it's difficult! But what am I to do, I have to adapt!"

Paris in 1897 was a restless city, rife with anti-Semitic sentiment as a result of the Dreyfus Affair, which divided even the group of Impressionists and hastened the end of their epoch. As an anarchist fighting against social injustice and as a Jew who had felt like an outsider his entire life and wished nothing more fervently than to be measured "exclusively by the general standards of art," Pissarro stood up for the Jewish artillery captain Alfred Dreyfus, convicted of alleged treason. He thus took sides against the owner of his gallery, Paul Durand-Ruel, and his painter

friends Pierre-Auguste Renoir and Edgar Degas. "I heard [Armand] Guillaumin say that it would have been better for all of us if they had shot Dreyfus on the spot. And he's not the only one who thinks so," wrote Pissarro. "I hear it everywhere. No, I'm dismayed by our fellow citizens. . . ."

In one of the first of fifteen oil paintings he executed at the Grand Hôtel du Louvre—*Rue Saint-Honoré, après-midi, effet de pluie* (*Rue Saint-Honoré, Afternoon, Rain Effect*)—Pissarro captured the subdued mood on the street. A light rain is falling. Almost all the coaches are waiting along the curb; only a few isolated figures brave the weather and cross the street. The painting, a late Pissarro masterpiece, currently hangs in the state-run Museo Thyssen-Bornemisza in Madrid. Few words are expended there with regard to the painting's provenance. This comes as no surprise to anyone who knows something about the circumstances under which Lilly Neubauer-Cassirer had to give up the work before fleeing from Nazi Munich.

## AN UNERRING SENSE OF THE NEW

The history of the picture: In 1892 Camille Pissarro achieved a breakthrough with a major retrospective at the gallery of Paul Durand-Ruel, the man who had discovered and patiently sponsored the Impressionists during their decades of penury. From then on, Pissarro's works were shown all over the world, including in Berlin and Munich. Despite the political and ethical differences between artist and gallery owner, Durand-Ruel organized another solo exhibition in 1898, featuring thirty views of Paris by the now sixty-year-old artist—among them the *Rue Saint-Honoré* in

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*Carefree moments at the puppet theater in Munich's English Garden: Klaus Wolfgang (Claude) Cassirer with his Grandmother Lilly on one of his regular visits to Munich, ca. 1928.*

the afternoon light. But a buyer was presumably found only two years later.

According to the records of the Cassirer family, it was the factory owner Jules Cassirer who purchased the painting in 1900, and evidence suggests that he bought it from his family's own gallery, the Paul and Bruno Cassirer Art Salon in Berlin.

It was only in the 1870s and 1880s that most of the seven Cassirer brothers had moved from Breslau in Upper Silesia to Berlin and risen to prominence within a single generation—in parallel, so to speak, with Berlin's rise from a provincial town to a cultural metropolis. With their pioneering spirit, philosophical leanings, and fine taste in art, the members of the close-knit Cassirer clan set standards and were successful in a wide variety of businesses and cultural endeavors: in banking, in the paper and cable industry, as art dealers, one as a publisher, another as a professor of philosophy, and yet another as a music theorist.

Julius Cassirer (1841–1924), who bore the title Royal Commercial Councilor, was partner in the firm Dr. Cassirer & Co. Kabelwerke Berlin-Spandau, which he had founded in 1896 with his brother Louis (1839–1904) and the latter's son Hugo (1869–1920). The profitable production of electric cables, insulated supply lines, and wires gave the family members financial independence and made it possible for Paul (1871–1926), another son of Louis Cassirer, and Bruno (1872–1941), Julius' son, to pursue their "genuine and strong passion for art," demonstrating in the process an unerring sense of what was new (Karl Scheffler). The two cousins founded the Bruno and Paul Cassirer Art and Publishing House, including a gallery, in 1898 (although they remained partners only until 1901). From the very beginning they had the luxury of modern, upscale exhibition rooms and above all independence in their purchasing policies. They soon made a name for themselves as key supporters of the Impressionist art



LILLY AND CLAUDE CASSIRER



that was still frowned upon by the kaiser. They had become enamored of these artworks at Paul Durand-Ruel's gallery, and brought to Berlin artists including Degas, Meunier, Renoir, Cézanne, and Pissarro.

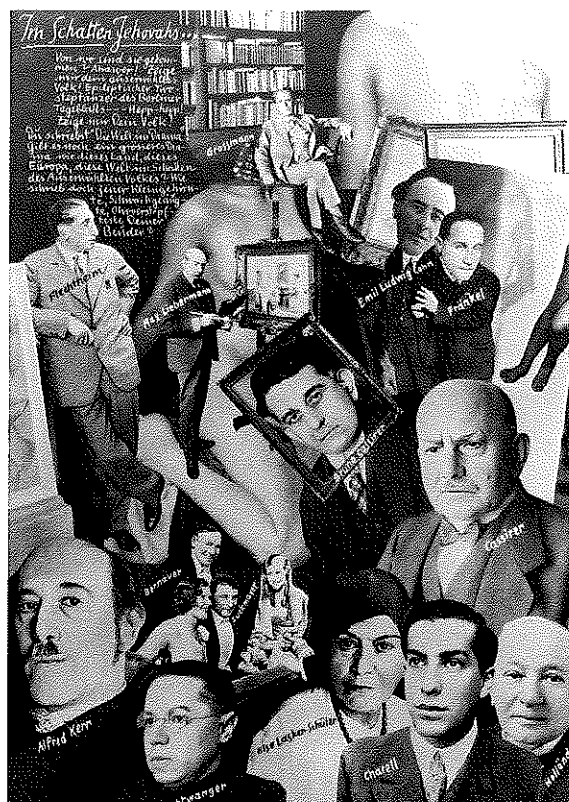
### COMPLEX FAMILY RELATIONS

When Bruno's father, Julius Cassirer, died in 1924, he left *Rue Saint-Honoré, après-midi, effet de pluie* to his oldest son, Fritz. "[He] was [a] musician in the grand style, whose musical paths were and are so new and unique that his life's work—an analytical, philosophical study of Beethoven's oeuvre—encountered vehement resistance from all quarters," said violinist Max Rostal. Fritz Leopold Cassirer first studied philosophy, then music; he is still recognized for his early support of composer Frederick Delius, who was unknown at the time. He worked as conductor of the Comic Opera in Berlin, among other posts, and later at a London opera house. He declined a job offer from the Manhattan Opera House in New York, however, deciding instead to devote his full attention to music theory. He died of a brain tumor at fifty-five, just two years after his father, Julius. His estate, and with it Pissarro's street scene, remained the property of his wife, Lilly Karolina, née Dispecker.

Despite her winning personality, Lilly did not have an easy time of it with her in-laws. The spirited, educated woman from the Bavarian town of Oberelsbach was not a born Cassirer, and was therefore an outsider. The Cassirers liked to keep to themselves; it was more the rule than the exception to marry within the family. For her grandson, however, Lilly was a safe

OPPOSITE: Five of the seven Cassirer brothers moved to Berlin. From left: Louis (1839–1904), Isidor (1859–1929), Max (1857–1943), Julius (1841–1924) and Eduard (1843–1916)

ABOVE: Anti-Semitic pamphlet: attack on Berlin artists and their patrons, including Bruno and Max Cassirer. Photomontage published in *Illustrierter Beobachter*, weekly newspaper of the NSDAP, December 1932.



harbor in a lonely childhood, the embodiment of love and warmth in a success-oriented man's world—the "Mamsi" he so sorely needed.

Eva Charlotte, Fritz and Lilly Cassirer's only child, had followed the family tradition and in 1920 married one of her father's first cousins, Friedrich Wilhelm Cassirer. Son of Julius Cassirer's brother Isidor (1859–1929), the paper and cellulose manufacturer, he too was nicknamed Fritz. Although his first name might be regarded as expressing the nationalist Prussian loyalties of his branch of the family, Friedrich Wilhelm went his own way politically, allegedly joining Carl von Ossietzky's Republican Party of Germany for a short time in the mid-1920s. "After completing my schooling and studying chemistry, I worked my entire life in the paper industry and paper trade as well as related areas," he later said for the record. Among other things, he was personally responsible for the business of the private limited partnership Fritz Cassirer &



Co., which not only dealt in paper and related products but also, starting in the late 1920s, ran an "extensive advertising business." "This proved extremely lucrative, because the company had . . . taken charge of the advertising sections of two daily newspapers, *Die Welt am Abend* and *Berlin am Morgen*, as well as a weekly magazine, the *Arbeiter Illustrierte Zeitschrift (AIZ)*." All of these were founded by the Neuer Deutscher Verlag publishing house under the editorial management of Willi Münzenberg, a communist who wanted to spread "the truth versus the lies of the bourgeoisie," deploying "art and literature as the weapons of class warfare." Münzenberg knew how to use moderate language to win over the sympathies of intellectuals for the Communist Party. The advertising business of Fritz Cassirer & Co. financed these publications.

Fritz and his wife, Eva, thirteen years his junior and a gifted violinist, took an apartment on the same floor of the building in Berlin-Charlottenburg where his parents-in-law lived. Their first child was born on April 27, 1921, and they named him Klaus Wolfgang—

an expression of their urgent wish to assimilate. Only four months after giving birth to Klaus, Eva succumbed to the Spanish flu.

Klaus grew up with an array of nannies, his very busy, disciplinarian father (who took charge of business matters for the Max Reinhardt Theater in Berlin for a few years in addition to his regular job), and his father's sister Betty, but he was only genuinely happy in the company of his Grandmother Lilly. When "Mamsi" moved back to Munich in 1926 soon after her husband's death, Friedrich Wilhelm Cassirer would bring Klaus to the train station at the beginning of every school vacation. The young boy would then travel alone through the night to stay with his grandmother. In her roomy

ABOVE LEFT: "A musician in the grand style": Klaus Wolfgang's grandfather Friedrich (Fritz) Leopold Cassirer (1871–1926). ABOVE RIGHT: Talented violinist Eva Charlotte Cassirer (1901–1921), Klaus Wolfgang's mother.

OPPOSITE: Klaus Wolfgang with his nanny at the Munich Hofbräuhaus, ca. 1926.



LILLY AND CLAUDE CASSIRER



apartment at Ludwigstrasse 176 he felt at home. He was used to the modern furnishings of his grandmother's house in Berlin, with Pissarro's *Rue Saint-Honoré* hanging over the sofa. Memories of his walks in the English Garden or visits to the State Theater on Gärtnerplatz would later comfort "Bibi," as his Munich relatives called him, through the hard times to come. Lilly's sister Johanna, whom he called Tante Hannchen, loved the theater and had a reserved seat there. She brought Klaus to many productions in the years before 1933—and nearly burst with pride when the singer Rudolf Seibold called out from the stage one evening, "I see my friend Bibi is here again tonight!" Hannchen Arnold was later deported to the Theresienstadt concentration camp, where she died.

#### NIGHTTIME FLIGHT FROM NAZI GERMANY

"On March 30, 1933, the . . . three newspapers were *gleichgeschaltet* [synchronized] and expropriated from their owners. Simultaneously, the same authority or-

dered the closure of the offices of Fritz Cassirer & Co. on Ritterstrasse. All books were confiscated," Klaus's father, Fritz, testified after the war. "I was given the friendly piece of advice that I had better accept this and that in the interest of my safety I should disappear as quickly as possible." That very same night, he and his twelve-year-old son left their stately duplex on Siemensstrasse in Grünewald and fled to Prague. Except for the contents of two suitcases, they had to leave all their belongings behind.

For Fritz Cassirer, Prague was a natural choice as a destination. Although he had been to the United States several times over the years, that country still felt alien to him. Many Germans politically persecuted by the Nazi regime sought refuge in liberal Czechoslovakia at the time, including Franz Höllering, editor in chief of the *Berliner Zeitung am Mittag*, and some of his staff. Together—and once again with the support of Fritz Cassirer—they founded the daily paper *Prager Mittag*. After all, some three million German-speaking Czechs lived in the country, and more émigrés arrived from Germany every day.

*Prager Mittag* did not shy away from criticizing Nazi Germany, and published contributions from Alfred Kerr, Joseph Roth, Willy Haas, and Friedrich Torberg. The newspaper managed to keep its head just above water for five years.

"But I couldn't achieve anything [in Prague] and was just barely able to scrape by," Fritz Cassirer recalled later. Following the Munich Agreement of September 29–30 and the "annexation" of the Sudetenland to Hitler's Germany, the editors finally gave up. The world in which they had believed, they wrote in the last issue on October 19, 1938, no longer existed, and had been "swept away by recent events."

ABOVE: Three generations of Cassirers: Klaus Wolfgang, his father, Friedrich (Fritz) Wilhelm (1888–1979), and Uncle Max, the head of the family, ca. 1933.

OPPOSITE: The Berlin living room of Fritz and Lilly Cassirer with Pissarro's *Rue Saint-Honoré* over the sofa and a Barlach sculpture in the next room, early 1920s.





By then Fritz Cassirer was on his way to Paris. "The day before the Munich Conference, I had to flee from Prague in danger for my life. I traveled through Hungary, Yugoslavia, Italy, and Switzerland under the most difficult of circumstances and finally reached Paris. As a foreigner, however, I was unable to obtain a work permit, and it was therefore impossible to earn a living." His son, Klaus, was seventeen years old at the time, and had already been living in London for about three years.

Klaus had never really felt at home in Prague. Although he had attended an English school there, the annual exams had to be taken in Czech, which caused him enormous difficulty. He had traveled twice to Munich to see his "Mamsi," but after the Nuremberg Race Laws were passed, this became too dangerous. He still longed to see his grandmother, of course, so he decided to spend the next school vacation in Salzburg. Lilly Cassirer traveled to the Bavarian town of Freilassing, and on a bridge over the River Saalach they saw each

other again. A barrier divided the bridge into an Austrian half and a German half. On three consecutive days, Klaus and Lilly came to the gate and spent hours talking there. Then a border officer forbade them from meeting again because he suspected them of smuggling currency.

There was no longer anything to keep Klaus in Prague. Ina Westermann, his father's new partner (she and Fritz married in 1936), had made it quite clear to the teenager that her relationship with his father did not by any means entail one with him. Klaus spent the following summer in England. Lilly financed a language-learning holiday at a camp run by the Young Men's Christian Association (YMCA), and Klaus enjoyed it so much that he persuaded his father to let him stay in England.

Although he had relatives in and around London, Klaus to a large extent made his own decisions from then on—with the financial assistance of his grandmother—and among them was finding the right school. Because he found the first boarding school he





attended too liberal, he switched to a more conservative boys' school "with no slovenliness," where, although corporal punishment was still practiced, the teachers were of high caliber. He was the only foreign pupil and was thus soon anointed translator of Hitler's speeches for his teachers and classmates.

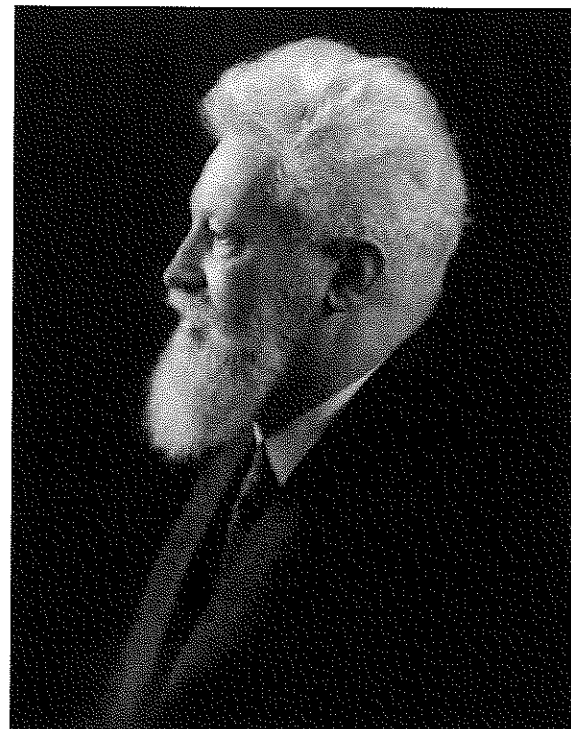
#### "A SERIOUS CASE OF EXPROPRIATION"

In early summer 1939, Klaus Cassirer finished school as one of the best in his class. He knew that his Grandmother Lilly and her second husband, the respected Munich internist Otto Neubauer, who had long been her family doctor, were trying to get visas to leave Germany and move to the United Kingdom, and he looked forward to their possible arrival in autumn, when he planned to begin studying science. He had already been accepted at Oxford, Cambridge, and the University of London.

In November 1938, following the Nazi pogroms against the Jewish population throughout Germany, Lilly Neubauer-Cassirer had come to the realization that every day she remained in her homeland could be life threatening. But nine months would pass before she could finally emigrate. First, the National Socialists wanted to "take care of" her assets.

In addition to considerable holdings in stocks and bonds, Lilly Neubauer-Cassirer had a small but exquisite art collection, featuring, among other works *Small Jura Landscape* by Jacob van Ruysdael, a bronze by Ernst Barlach, and Pissarro's Paris street scene. Her brother-in-law, the publisher Bruno Cassirer, had been able to safeguard some of the Impressionist works in his collection by sending them to Switzerland and advised her to at least hide the Pissarro. Lilly didn't dare.

Upon the orders of the Munich Currency Office, an official expert and appraiser with a concession from the Reichskammer für bildende Künste (Reich Ministry of Fine Arts) obtained a warrant to examine the art objects in Lilly Neubauer-Cassirer's home. His name was Jakob Scheidwimmer, an art dealer like his father and his brother Xaver—and a party member since 1929. "He wanted to buy the Pissarro from me for his estimated value of RM 900," Lilly testified under oath following the war (in August 1951). "I went along with it, although I knew this price didn't even remotely reflect its true value. Theoretically, I would have had the option of trying to sell the painting to another Aryan art dealer (a sale to a private person or giving the painting to my sister in Munich as a gift were not allowed). But the way things were at the time, with this kind of forced sale . . . I wouldn't have been able to get an appropriate price; the negotiations would have delayed our speedy emigration, which had become a question of life and death. Furthermore, we had to consider the possibility that Scheidwimmer—we weren't sure whether he had connections with the Gestapo—might take offense at our refusal to sell." On March 16, Jakob Scheidwimmer and Lilly "Sara" Neubauer concluded a contract for the sale of *Rue Saint-Honoré*. The art dealer immediately transferred the agreed sum of 900 Reichsmarks to Lilly's



blocked account—money that she admittedly could not access. It went to the German state.

The events surrounding the most valuable picture in the collection at the time, the landscape by Jacob van Ruysdael, further illustrate the possibilities art dealers had to finagle personal advantages while working on behalf of the regime—all the while suggesting they had done the persecuted seller “a favor” (Jakob Scheidwimmer). “In order to determine whether I would be permitted to take the picture with me when I left the country, he took it to the Reichskunstkammer in Munich,” recalled Lilly. “Some time later, on about April 3, he visited me again, the Ruysdael in hand, and told us that the Reichskunstkammer had released the picture

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OPPOSITE: *An attempt to build on the success of the newspaper Berliner Mittag, Prager Mittag was published from 1933 to 1938 for German-speaking émigrés.*

ABOVE LEFT AND RIGHT: *First patient, then wife: Lilly Cassirer's (née Dispecker) second husband was Munich internist Otto Neubauer. They emigrated to England in 1939.*

because it wasn't a genuine Ruysdael. He himself believed it was the real thing, though. The gentlemen at the ministry had been led astray because the painting had been stretched on a new canvas. I was of course glad to get the valuable picture back.” But Scheidwimmer refused to hand it over to Lilly Cassirer. He didn't give any reasons for this. “People will wonder why I let this happen and didn't stand up for my rights. In order to understand, you must realize the difficult position we were in at the time. Back then, we weren't living in a state where law and order prevailed; in fact, we Jews in particular were deprived of all rights and ostracized. Day and night we lived in fear of being picked up by the Gestapo for no apparent reason and taken to Dachau, so we didn't dare stand up for our rights.” To her mind, the fact that Scheidwimmer didn't hand over the painting “could have only one explanation: that he somehow planned to use the Ruysdael picture for his own personal benefit.” “In my opinion,” another émigré claimant testified in May 1955, “Scheidwimmer never did appraisals, but instead threatened confiscation in order to break down

Jewish people's resistance and make them hand over their possessions to him at ridiculously low prices."

Scheidwimmer defended himself—quite successfully, as it turned out—by claiming that he had helped Lilly Neubauer-Cassirer at his own personal risk by "declaring the painting to be a forgery" and estimating it at "a believable 150 RM." In the process, he had gotten himself entangled in "legal trouble for aiding and abetting capital flight abroad, etc." Lilly Cassirer knew better. All of her holdings in stocks and cash had already

flight tax, emigration fees in the amount of 11,750 RM, and an additional 6,000 RM listed as "relocation credit." The Ruysdael landscape had been sent ahead. "I then managed to bring the painting to England; a former assistant of my husband . . . took the picture, which had been removed from its frame . . . with him to Paris, where he brought it to an acquaintance for me. When we emigrated we traveled via Paris and picked up the picture, and then took it with us to London. Mr. Scheidwimmer did not help us in any way to take the

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By SR NARA Date 9-30-99

**CONFIDENTIAL**

WIMMER, Jakob.

Munich 22, Wagnmüllerstrasse 15, and Liebigstrasse 21  
(Tel: 20421/22)

This was formerly the firm of Hugo HELBING which was taken over on his death by SCHEIDWIMMER, who is an old member of the NSDAP. His attempts to obtain a permit to hold auctions, which had been held by the Prokurist Adolf ALT (qv), were frustrated by the auction firm of Adolf WEINMÜLLER (qv).

been seized when she finally worked up the courage and paid a visit to Scheidwimmer, presumably in mid-April 1939. "When I heard that [he] was a patient in Nymphenburg Hospital, I went there with all the cash we were able to scrape together (RM 2,000). I explained to Scheidwimmer that we urgently needed the picture for our future after leaving the country and offered him RM 1,000 if he would give me the painting immediately. He refused. It was only when I offered him RM 2,000 that he let himself be persuaded and gave me the picture, making it perfectly clear that he was not satisfied and saw the surrender of the painting as a special act of mercy. Even though I was happy at the time to have the Ruysdael back in my hands, I can only say that Mr. Scheidwimmer used extortion to his own advantage."

Three months later, on July 24, 1939, Lilly Neubauer-Cassirer and her husband Otto left Germany. Lilly alone had received a bill from the government for 104,800 RM in Jewish asset taxes, 136,713 RM in Reich

picture out of the country; I didn't ask him for his assistance and he did not offer it. I assure you under oath that this statement represents the full truth."

#### RESCUE BY MISTAKE

Lilly and Otto first settled in Bournemouth in southern England, and later in Oxford. They did not meet with her grandson Klaus right away. He was spending the summer months before starting university in Gurs, a small town in the French *département* of Pyrénées-Atlantiques, near the Spanish border, learning French

ABOVE: *In the Americans' sights: Art dealer Jakob Scheidwimmer was blacklisted for having been a member of the NSDAP.*

OPPOSITE: *Camille Pissarro's late masterpiece Rue Saint-Honoré, après-midi, effet de pluie, 1897, today hangs in Madrid.*





Der Oberfinanzpräsident  
Berlin-Brandenburg  
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Berlin B 15. 21. September 1943  
Ausfertigungsnummer 191.741

1. Dem Herrn Reichsminister der Finanzen (Abteilung B)  
Auftrag: Verkauf von Bildwerken jüdischer Künstler.  
2.7c-Signaturen

Beitrag: Verkauf von Bildwerken jüdischer Künstler.  
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Erstellt am 27. 8. 1943  
U 5400-199 Via.

Hier eingegangen am 27. 8. 1943  
Name: Cassirer

Registrierung:

Registrierung: Dr. Schumacher

Beleg: Keine.

Die Versteigerung der in dem Bericht  
aufgeführten Bilder von Camille Pissarro,  
Toulouse-Lautrec und Löffel ist nicht von  
mir veranstaltet worden. Ich habe bei der  
Firma W. Lange folgendes festgestellt:  
1.) Camille Pissarro, "Blick auf die Rue  
St. Honore" erzielter Betrag 95.000,- RM,  
Auftraggeber: Herr A. A. Kampf, Trabach,  
Trabach, Augustastr. 2.  
2.) W. Löffel, "Kardinal", erzielter  
Betrag 39.000,- RM, Auftraggeber: Herr  
Prof. Heinrich Hoffmann, München 13,  
Friedrichstr. 34.

LM B Rep. 99-82, Nr. 54418 / 4

CRM 07. 10. 43.



in a language camp for young people. He maintained sporadic contact with his father in Paris.

On September 1, 1939, German troops invaded Poland. France and England responded by declaring war on the German Reich, and Klaus was trapped—as holder of a German passport, he was no longer able to return to England. The red “J” stamped on his passport did not protect him. The French interned him, and his father, Fritz Cassirer, was also sent off to a camp: “In autumn 1939 I was imprisoned as an enemy alien . . . in a camp near Vichy, where I remained until February 20, 1940. On May 3, I was transferred to Le Cheylard camp. I was released from there on July 27, 1940.” Fritz Cassirer had appealed for help to two French generals with whom he had presumably become acquainted during World War I. The first obtained the early release of a “Mr. Cassirer”—and then the second one did as well. It was thus purely an oversight that Klaus, too, was released from internment camp.

The father, his wife, and his son went underground

in Nice. Separately. “I had to go with my family to the unoccupied zone of France, where I hid until July 1941 under inhuman conditions.” With the help of the Hebrew Immigrant Aid Society (HIAS), Fritz Cassirer finally boarded the Spanish steamship *Navemar* in Seville and arrived—after a forty-day “layover” in the Bay of Cadiz—in New York in September 1941. (He lived there, under the name Fred Cassirer, with his wife until his death in February 1979.)

Klaus had obtained his visa for the United States two or three months earlier and, with it, the chance to escape across the “Martinique Line” tolerated by Great Britain’s war fleet. For a brief period in spring 1939, German refugees had been able to flee using this route from Marseille via Casablanca and Oran to French Martinique, and from there to either the United States or Mexico. Klaus had earned the money for his passage by tutoring future U.S. immigrants in English. But his journey would end in Casablanca. There, he and about 120 other passengers were loaded onto a train and



brought as prisoners to a Foreign Legion camp in the Sahara Desert. There were about thirty internment and work camps of this kind in Morocco. Letters written by the prisoners convey the hardships they faced in the extreme climatic conditions. "There is a terrible shortage of water for laundry and hygienic needs, and we have to buy drinking water daily, which will soon eat up all our money. The sanitary conditions are less than inadequate, there's a shortage of soap and medications. . . . We are housed in wooden huts with corrugated metal roofs, which makes it impossible to stay inside all day. . . ."

OPPOSITE, LEFT: *In only four years, the price of the Pissarro painting increased a hundred fold, as a document from 1943 concerning the "sale of pictorial works by Jewish artists" attests.*

OPPOSITE, RIGHT, AND ABOVE: *Labeled for life: To be allowed to travel from England to France in summer 1939, Klaus Wolfgang Cassirer had to have his passport stamped "J" and add "Israel" to his name.*

When the refugees were finally brought back to Casablanca following successful negotiations, Klaus Cassirer had a high fever and was unable to stand without help. Malaria? Supported by a fellow prisoner, he dragged himself onward. At the railing of the ship to New York, a man asked him how he was feeling. Such kind attention did Klaus good. "Miserable," he answered truthfully—and was promptly turned back. "If you don't let me board the ship, I'll die," he implored. The man understood. Klaus traveled in quarantine.

In New York harbor, he had another stroke of luck. "Please pick me up—I'm very ill," he had telegraphed to a friend of his father's before his arrival. Fortunately, no doctor came on board when the ship docked in the harbor, as per the usual procedure, and the feverish young man was able to disembark unchallenged. He was held in quarantine at Mount Sinai Hospital for weeks, suffering from typhoid. It was only after spending months in a convalescent home that





was he able to begin his new life in the United States—as Claude Cassirer.

He could no longer even think of attending college, let alone an elite university such as Oxford or Cambridge, as he had originally planned. There was no money for that. With the address of Hermann Tietz, Jr., in his pocket (the department stores of the Tietz family were the first German merchandising chain to be “Aryanized”), he took a bus from New York to Cleveland, Ohio. Tietz found him a job as a salesman before he began training as a photographer. In 1942 he met his future wife, Beverly. After the war, Klaus, or “Claude,” purchased a ticket on the *Queen Mary* at the first possible opportunity to visit his Grandmother Lilly in London. He hadn’t seen her for almost ten years.

#### THE ODYSSEY OF THE PISSARRO PAINTING

After the war, Lilly Cassirer began searching for her lost Camille Pissarro painting. Little by little, she discovered what had happened to the Paris street scene in the intervening years. Jakob Scheidwimmer himself had apparently had little interest in the picture; at any rate, he soon handed it on to Julius Sulzbacher, who ran a department store on the corner of Augustenstrasse and Steinheilstrasse in Munich-Schwabing until he was dispossessed by the Nazis. Scheidwimmer and Sulzbacher had known each other for years. Sulzbacher had accumulated a lovely little collection of Biedermeier pictures. During the November pogroms in 1938, Sulzbacher had been arrested, interned until December 20, and then released only on the condition that he leave Germany at once.

"When I was released from Dachau, Scheidwimmer approached me and, when he saw my pictures, said: 'For God's sake, hide these . . . pictures, or I'll have to confiscate them.' At the time, we Jews were very scared and they could do with us as they pleased, terrified as we were," wrote Sulzbacher in a letter of May 24, 1955. "He made me an offer: 'I'll take the pictures off your hands and give you 3,000 marks for them.'" The pictures in question were Carl Spitzweg's *Andacht im Freien* (*Outdoor Prayers*), *Landschaft mit Kühen* (*Landscape with Cows*) by Heinrich Bürkel, and *Der kranke Dackel* (*The Sick Dachshund*) by Franz von Defregger. Scheidwimmer ended up taking them for the sum of 3,000 Reichsmarks.

A few weeks later, Scheidwimmer brought the Paris street scene by Jewish painter Pissarro to Sulzbacher, who was still trying desperately to arrange his departure from Germany. Why Scheidwimmer gave the picture to Sulzbacher in the first place, and what kind of deal the two men made—for example, whether it was regarded as part of the payment for the Biedermeier pictures that had been purchased far below their value, as Scheidwimmer later portrayed it, or as a gift, as Sulzbacher viewed it—is still unclear today. What we do know is that the Pissarro traveled in Sulzbacher's luggage when he emigrated to Rotterdam, and it was supposed to be shipped from there to Brazil. But the German occupational forces in Holland confiscated Sulzbacher's wooden container—including the painting. How the *Rue Saint-Honoré, après-midi, effet de pluie* made its way from there into the hands of the Rhineland painter Ari Walter Kampf (1894–1955), and what he paid for it, if anything, is still shrouded in mystery. Kampf, the son of landscape painter Eugen Kampf and nephew of historical painter Arthur Kampf (the Nazis regarded the latter as one of the twelve most important artists of the Third Reich,

OPPOSITE: *Lifelong love: Claude Cassirer and Beverly Bellin married on January 29, 1944, in Cleveland, Ohio.*

ABOVE: *Coerced from its owner for far below its worth and then lost: Der kranke Dackel (The Sick Dachshund) by genre painter Franz von Defregger.*



including him on the "divinely gifted" list), soon delivered the painting to the Hans W. Lange auction house in Berlin. There it was offered between January 27 and 29, 1943, as "lot 190." It was worth 95,000 Reichsmarks to the private bidder—105 times the amount Jakob Scheidwimmer had transferred to Lilly Cassirer's blocked account.

#### "IT IS IMPOSSIBLE FOR ME TO UNDERSTAND SPAIN'S BEHAVIOR"

For ten long years the renowned Munich attorney Siegfried Neuland worked on behalf of Lilly Neubauer-Cassirer, arguing the facts of the case with Jakob Scheidwimmer and the Regional Finance Office in Munich, which was in charge of restitution issues until 2006. (Neuland himself had survived the war in hiding and after 1945 helped reestablish the Jewish community in Munich.) Although it could never be proven conclusively that Scheidwimmer's "deals" with Lilly Neubauer-Cassirer and with Julius Sulzbacher were di-



rectly related, the two cases remained bound up with each other over the years and were heard together. In February 1958 the "first claimant," Lilly Neubauer-Cassirer, now eighty-two years old, along with Grete Kahn, daughter of the now-deceased "second claimant," Julius Sulzbacher, the "German Reich represented by the Regional Finance Office of Munich," and Jakob Scheidwimmer reached a settlement before the restitution division of the Munich Regional Court on Lilly's Pissarro picture and the Biedermeier paintings of Julius Sulzbacher. (In 1948, during the so-called denazification process, Scheidwimmer was sentenced by the Munich Denazification Tribunal II as a "Group IV participant" to a penance of 2,000 Reichsmarks or twenty-five work days and the payment of trial expenses.)

The German government confirmed that the loss of the *Rue Saint-Honoré* had been due to Nazi persecution and granted Lilly Neubauer-Cassirer 120,000 marks in "damages" for the painting she had sold under duress. A share of 14,000 marks went to the heirs of Julius Sulzbacher, and a considerable portion was eaten up by lawyers' and trial fees, which had accumulated over the years. There was even something in it for Jakob Scheidwimmer: he was permitted to keep the paintings by Spitzweg and Bürkel that he had taken from Sulzbacher and deposited for safekeeping after the war in the Americans' Central Collecting Point. (The Defregger picture had supposedly been stolen.)

Should the lost Pissarro ever surface, the settlement plainly states, Lilly Neubauer-Cassirer's claim to her property would still pertain unchanged—provid-

ed that she pay back the compensation for damages she received from the German government. But the picture remained lost.

Lilly Cassirer died in 1962 after spending the last years of her life with her grandson in Cleveland. It was not until 2001 that Claude Cassirer, Lilly's sole heir, got wind of the whereabouts of the picture. Until a client and friend showed the photographer a catalog of the Thyssen-Bornemisza art collection with an illustration of the *Rue Saint-Honoré, après-midi, effet de pluie*, 1897, he had assumed it had been destroyed.

In the meantime, the Cassirer family has learned how the picture came into the possession of Baron Hans "Heini" Thyssen-Bornemisza. (Heinrich Thyssen operated one of the largest enterprises in the Third Reich, and his donations made a substantial contribution to the rise of the NSDAP. The son went on to further expand his father's art collection.) At some point in the 1940s, most likely, the painting was taken on by Knoedler & Company. As several spectacular restitution cases have shown, the prestigious gallery on New York's tony Upper East Side repeatedly resold artworks that had been lost by victims of persecution in Europe. Did Knoedler try to research the problematic provenance of these works of art beforehand? In the case of a Matisse painting from the "Aryanized" holdings of the Paris art dealer Paul Rosenberg, Knoedler & Co. acknowledged its duty to compensate for damages. The gallery had resold the work to a private art collector, although it would have been possible to clarify the picture's origins.

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ABOVE: *The largest depot in the U.S. occupation zone for art looted by the Nazis: the Central Collecting Point on Königsplatz in Munich (1945–49).*

OPPOSITE: *Lilly Neubauer-Cassirer and her lawyer Siegfried Neuland had to fight for more than a decade to win compensation for the Pissarro painting she had lost under duress. In February 1958 they reached a settlement before the restitution division of the Munich Regional Court, in which the art dealer Scheidwimmer was also awarded compensation.*



In 1952 Knoedler & Co. sold the Picasso to the collector Sydney M. Schoenberg in St. Louis, Missouri. In 1976 it changed hands again. This time, "Heini" Thyssen-Bornemisza acquired it from the Stephen Hahn Gallery on Madison Avenue. Did Thyssen-Bornemisza and Hahn exchange even a single word regarding the provenance of the painting? We know that the baron always relied on advice from high-caliber experts on his art-market buying sprees.

In 1993 the baron sold off portions of his extraordinary art collection to the Spanish state for U.S. \$350 million. Ever since then, *Rue Saint-Honoré* has hung in the Museo Thyssen-Bornemisza in Madrid. Claude Cassirer's requests that the picture be returned to him have been ignored for years, despite Spain's assurances that it would seek to find fair and just solutions for cases such as this. The country has responded neither to the inquiries of the Commission for Art Recovery, which assists state authorities in clearing up restitution cases and to which Claude Cassirer appealed for help, nor to the interventions of Stuart Eizenstat, a U.S. ambassador and Special Representative of the President and Secretary of State on Holocaust-Era Issues during the Clinton administration. Instead, Cassirer has been told only that Thyssen obtained the picture legally, and that he should go ahead and "assert his claims in court."

And in fact, encouraged by the success of Maria Altmann (heir of Adele and Ferdinand Bloch-Bauer) in reclaiming five paintings by Gustav Klimt in a case against the Republic of Austria, Claude Cassirer did lodge a claim before the California Central District Court on May 10, 2005, against the Kingdom of Spain and the museum, which is run as a foundation. Claude found it "unfitting that a painting belonging to my grandmother should be associated of all things with the name of Nazi profiteer Thyssen."

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Zeugnis des Aktenzeichens der Wiedergutmachungskammer I WKY 190/54.

Rechtskräftig

München, den 2. April 1958

Der Vorsitzende der Geschäftsstelle der Wiedergutmachungskammer beim Landgericht München I

Dr. J. E. J.

Präsident des Landgerichts München I

in öffentlicher Sitzung

der Wiedergutmachungskammer beim Landgericht München I

München, den 28. Februar 1958

Gegenwärtig: Landgerichtsrat Dr. Fittiger als Vorsitzender, Landgerichtsrat Sachsenhauer Landgerichtsrat Wiers als beisitzende Richter, Justizangestellte Hofmann als stv. Urkundsbeamtin.

In Sachen

1) K. S. a. n. e. r. Killy, 18 Herben Rd., Oxford, England,

2) Greta K. h. n., Sao Paulo; Rua José Maria Lisboa 1255 als Erbin v. Julius Sulzbacher (Erschein zu 178 d. A.) - Antragstellerinnen -

zu 1) vertreten durch Rechtsanwalt Siegfried Neuland, München, Maximilianstr. 15/II, vor. Leg.,

zu 2) vertreten durch Rechtsanwalt Dr. Erich Grünwald, München, Isarstr. 11 (Tollmarcht) angeklagt,

1.3.1958,

gegen

1) Jakob S. o. h. e. i. d. m. a. n. e. r., Kunsthändler, München 2, Ostentstr. 6,

2) Deutsches Reich vertreten durch die Oberfinanzdirektion München, Bundesvermögensverwaltung, München, Marienstr. 21/a, Antraggegner

Despite an appeal by the opposing party, Cassirer's suit was declared admissible by the court. But up to now, the Spanish seem to be relying on delay tactics. "It is impossible for me to understand Spain's behavior," wrote Tom Lantos (who died in February 2008), for example, during his term as chairman of the House Committee on Foreign Affairs in the U.S. Congress to the Spanish ambassador in Washington. "I am concerned that the Kingdom of Spain appears to have made no effort to resolve the claim of Mr. Cassirer."

Melissa Müller