

Findings from the bindings: An overview of Nazi-Era spoliation research at the British Library

Entdeckungen in den Einbänden: Ein Überblick über die NS-Provenienzforschung an der British Library

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Abstract

Since the signing of the Washington Conference Principles in 1998, the British Library has taken its duties seriously to identify collection items that might have been displaced between the years 1933 through 1945. The present paper will provide a brief overview of Spoliation Research projects at the library and a longer summary of its most recent investigations into the Henry Davis Collection of Bookbindings. Resources and methodologies employed for investigating questions pertaining to the Nazi era will be discussed, and the challenges and limitations faced when examining printed material, and how these challenges are confronted on a daily basis, underlined. In sharing case studies of items in the library collection that were identified as having been spoliated, the paper will furthermore highlight the ethical, moral and legal considerations that arise in seeking just and fair solutions for the return of cultural property dispossessed as a result of Nazi persecution.

Keywords: *British Library; provenance research; Washington Principles*

Zusammenfassung

Nach der Unterzeichnung der Washington Principles im Jahr 1998 nahm die British Library eine umfangreiche Untersuchung jener Bestände, die

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möglicherweise zwischen 1933 und 1945 geraubt worden sein könnten, vor. Im Folgenden werden ein kurzer Überblick über das NS-Provenienzforschungsprojekt an der Bibliothek und eine Zusammenfassung der Forschungen an der Henry Davis Collection of Bookbindings gegeben. Darüber hinaus werden die Ressourcen und Methoden der Forschung sowie die Grenzen, an die das Projekt gestoßen ist, dargelegt. Anhand von Raubgutfällen in der Sammlungsbibliothek wird auf die ethischen, moralischen und rechtlichen Überlegungen eingegangen, damit faire und gerechte Lösungen bei der Rückgabe von entzogenem Kulturgut ermöglicht werden.

Schlagwörter: *British Library; NS-Provenienzforschung; Washington Principles*

A history of spoliation research at the British Library

Since the signing of the Washington Conference Principles in 1998, the British Library has taken its duties seriously to identify collection items that might have been displaced between the years 1933 through 1945.¹ Between 1999 and 2003 a provenance researcher investigated the Western illuminated manuscripts collection, the Oriental illuminated manuscripts collection including Hebraica, the Incunabula collection and other early print and antiquarian material. In 2007, the Heritage Acquisitions Group was implemented to oversee the acquisitions process, including implementing a rigorous cultural property training programme. In 2015, a part-time Spoliation Curator was hired to investigate collection areas including the Hanover Military Library and the Stefan Zweig Collection of Music and Literary Manuscripts. Most recently in 2017, a full-time Spoliation Curator was hired as part of a three-year project to review and re-review areas of the collection. Upon completion of the project, the British Library continues to renew its commitment to the Washington Principles through a series of Provenance Research Master Seminars for its curatorial departments and in its contribution to a nation-wide Provenance Research Tra-

1 Displacements under consideration have included objects that might have been confiscated, lost, looted, forcibly sold or sold under duress as a result of Nazi persecution or events surrounding World War Two.

veling Roadshow Seminar in conjunction with the National Gallery of Art and Victoria and Albert Museum.

The latest Spoliation Research Project completed between 2017 and 2020 examined two areas of the library's collection: the Henry Davis Collection of Book-bindings, an encyclopedic collection of decorative bindings, acquired by British businessman and bibliophile, Henry Davis, O.B.E. (1897–1977), and continued research into the Stefan Zweig Collection of Music, Literary and Historic Manuscripts. The present paper will discuss research and methodologies regarding the former, underlining the challenges and limitations faced when examining printed material, and how these challenges are confronted on a daily basis. In sharing case studies of items in the library collection that were identified as having been spoliated during the Nazi era, the paper will similarly highlight the ethical, moral and legal considerations that arise in seeking just and fair solutions for the return of cultural property dispossessed as a result of Nazi persecution.

The Henry Davis Collection of bookbindings

Henry Davis, a British businessman and bibliophile built up vast wealth owning factories in London and Belfast. He began collecting bindings in the early nineteen-thirties, initially for their decoration, later for the content of the books and manuscripts. With the earliest binding dating to the twelfth century, and the latest to the nineteen-sixties, and items crafted by binders from the United Kingdom, Continental Europe, North Africa, the near East and Far East, the collection is encyclopedic. The bindings can be considered works of art in their own right with examples that are cloth-bound, embroidered, painted, leather-cut and wood-cut (fig.s 1–3). However, by virtue of the printed nature of the material, the group entered the British Library Collections with the British Library Act of 1972.²

2 For a History of the British Library, and its origins as the British Museum Library see: <https://www.bl.uk/about-us/our-story/history-of-the-british-library> (accessed on February 28th, 2020).



Fig. 1: Davis 34,
by Permission of the
British Library



Fig. 2: Davis 638,
by Permission of the
British Library



Fig. 3: Davis 693,
by Permission of the
British Library

The Davis Collection was researched and published in a series of catalogues by British Library Curator Mirjam J. Foot between 1978 and 2010.³ Much of the provenance within the catalogue was gathered from information compiled from Davis himself: Davis recorded each purchase in a log book documenting date, vendor, and price paid for each title. In most instances it is known where and from whom Davis acquired each item, chiefly from antiquarian bookdealers and at auction. In other instances, provenance prior to Davis has been gathered



Fig. 4: Davis 768,
by Permission of the
British Library

through consultation of auction records, exhibition catalogues, sale archives, and markings and labels fixed to each binding. However, as is frequently the nature with printed material, provenance for the majority of the collection is incomplete. As questions of Nazi-era spoliation were rarely, if ever, considered at the time of the group's acquisition, and during subsequent study by Foot, given the time frame of Davis's acquisitions and nature of the European material, the collection was identified as one of interest for further research. The impetus for ex-

3 Mirjam J. Foot: *The Henry Davis Gift: A Collection of Bookbindings*. Vol. I–III. London: British Library 1978–2010.

aming the Davis Collection was also due to the identification of the *Biccherna Panel* (fig. 4).

The *Biccherna Panel*

In 2013, the British Library received a restitution claim for Davis 768, the *Biccherna Panel*, a fifteenth century painted wooden panel attributed to the workshop of Guido Cozzarelli (1450–1517). The panel was designed to encase tax records in the treasury of the Palazzo Pubblico, Siena. Acquired at auction in 1930, the panel had been in the gallery stock of a Jewish owned firm, A.S. Drey, Munich.⁴ The firm was forced to liquidate their assets in order to leave Germany,⁵ and the gallery stock was sold at auction at Paul Graupe, Berlin, June 17th through 18th, 1936. The *Biccherna Panel* sold as lot 49. While the buyer at the sale is unknown, the panel passed to the collection of British businessman and collector Arthur Bendir (b. 1872), who was based in London. Shortly afterwards, Bendir sold the panel at Sotheby's, London, June 24th, 1942, lot 69, where it was acquired by Henry Davis.⁶ In 1968, the panel was gifted along with the rest of the Davis Collection to the British Museum, and in 1972 entered the collection of the British Library. As research showed that the *Biccherna Panel* had never been returned to the Drey firm, or its heirs, the 1936 sale recognized as forced, and the contents of the auction, including the panel, were sold for a fraction of their value, the British Library was open to restitution.⁷

4 The panel was sold from the Albert Figdor Collection, Vienna, by auction at Paul Cassirer, Berlin, September 29–30th, 1930 lot 15. The panel was previously recorded as in the Fontange Collection, Montpellier.

5 The gallery stock was sold in order that the Drey Firm and its proprietors could pay the Reichsfluchtsteuer imposed upon Jewish citizens who wished to flee and emigrate from Germany.

6 According to an annotated sale of the auction, the panel sold for £200.

7 The 1930 cost price for the *Biccherna Panel* is listed as 15,000 Reichsmark, with sale price estimates at the time of acquisition and the Sale of 20,000 Reichsmark and 6,000 Reichsmark respectively. The price obtained at the 1936 sale by comparison was given as 2,800 Reichsmark. For a full report on the proceedings of the claim and the panel's subsequent restitution, see: The Honourable Sir Donnell Deeny, Report of the Spoliation Advisory Panel in Respect of a Painted Wooden Tablet, 'The Biccherna Panel,' now in the possession of the British Library, Ordered by the House of Commons, June 12th, 2014.

National legislation typically prevents de-accessioning collection items from the British Library. However, a 2009 act of the UK Parliament, The Holocaust (Return of Cultural Objects) Act 2009, authorises some national institutions to return an object in the event of specific circumstances. Any claim must first be reviewed by the Spoliation Advisory Panel, a non-departmental public body created under the Department for Culture, Media and Sport (DSMS) in 2000. If presented with a Holocaust era claim, the Panel has the authority to recommend an object's return, with final approval being given by the Secretary of State for the DCMS. Alternatively, the Panel may also recommend financial compensation be paid to a claimant. After reviewing documentation from both the Drey heirs and the British Library Board, the Advisory Panel recommended the return of the *Biccherna Panel* to the claimants. Through amicable discussions the heirs chose compensation in lieu of physical restitution, and the panel has

been retained by the library since. The *Biccherna Panel* continues to be researched and studied, and its unique history within the fields of bookbinding, early Italian panel painting, the history of collecting, and Nazi era spoliation shared (fig. 5–7). The discovery of the panel furthermore led to the decision to investigate the rest of Henry Davis's Collection.



Fig.s 5–7: The Treasures Gallery, British Library, London

The Henry Davis Gift

Henry Davis (1897–1977) was the successful director of cable-making firms in London and Belfast. A discriminating collector of bookbindings, he presented his collection in 1968 to the British Library to enable a wider audience to appreciate their beauty. Davis bought the panel (Davis 768) from the Bendir Sale, Sotheby's, London, 1942. Unbeknownst to him, the panel had been subject to a forced sale under the Nazi regime in 1936 from the Firma AS Drey, Munich. After investigation, the heirs of the former owner and the British Library agreed a sum to ensure legal title passed to the Library in 2015.



Investigation of the Henry Davis Collection of bookbindings

Investigations of the Henry Davis Collection were undertaken between September 2017 and December 2019. Research involved review of each known provenance as published in Foot (1978–2010), checking all known published information including exhibition history for accuracy of information, cross referencing each object against the Davis Acquisition Log Book, checking each object against a series of publically available lost art and object databases and inventories, and examining each object for markings or labels and additional clues as to ownership history.⁸ Names in the provenance were also checked against published inventories and databases of victims of spoliation and Nazi persecution.⁹ Two-hundred and fifty-seven of the Davis Collection items were flagged for further research on the basis their provenance indicated they were in continental Europe

8 Each binding in the collection was systematically checked against the following databases, inventories and publications of lost art and objects: German “Lost Art Database” (<http://www.lostart.de/Webs/DE/Datenbank/Index.html>); Cultural Plunder by the Einsatzstab Reichsleiter Rosenberg: Database of Art Objects at the Jeu de Paume (<https://www.errproject.org/jeudepaume/>); Database of the Central Collecting Point Munich (<https://www.dhm.de/datenbank>); CR: Database of the Central Registry of Information on Looted Cultural Property, 1933–1945 (<https://www.lootedart.com/search2.php>); Sophie Lille: Was einmal war: Die enteigneten Kunstsammlungen Wiens. Vienna: Czernin Verlag 2003; László Mravik: “Sacco di Budapest” and the Depredation of Hungary 1938–1949: Works of Art missing from Hungary as a result of the Second World War. Budapest: Hungarian National Gallery Publications 1998; Luisa Morozzi, Rita Paris: Treasures Untraced: An Inventory of the Italian Art Lost During the Second World War. Rome: Istituto poligrafico e Zecca dello Stato 1995; The Division for Looted Art, Objects Lost as a Result of the Second World War (<http://lootedart.gov.pl/en/>); Fold3, Historical Military Records www.fold3.com (all accessed on February 28th, 2020).

9 In addition to the above inventories including names, unknown names identified in the provenance were also checked against the following databases of victims and individuals or entities involved in the confiscating, trafficking or sale of cultural property between the years 1933 and 1945: Art Looting Intelligence Unit (ALIU) Reports 1945–1946 and ALIU Red Flag Names List (<https://www.looted-art.com/MVI3RM469661>); LootedCulturalAssets.de (<http://lootedculturalassets.de/>); Names of Owners of Looted books in the Nuremberg Municipal Library (<https://www.lootedart.com/P4HLNN260591>); Yad Vashem “The Central Database of Shoah Victims’ Names” (<https://yvng.yadvashem.org/>) (all accessed on February 28th, 2020).

between 1933 and 1945 and changed hands, sensitive or red flag names identified in the ownership history, they presented positive or “generic” matches on lost art and object databases or inventories, or they presented no provenance prior to 1945 and originated in or were known to have been collected on the continent. Additional research steps included historical and genealogical research, and archival research where auction, collector and dealer records were accessible. Of the group flagged for additional research, seventy-one were cleared from suspicion through establishing a continuous line of provenance through the period of concern or through ruling out the objects as matches to those listed on the object database and inventories. The remaining group have been added to the UK Collections Trust page.¹⁰ Looking beyond the group for which research has been concluded or external inquiries are pending, two items were positively confirmed as having been spoliated during the Nazi period.

Davis 874: Collection Jean Furstenberg

Davis 874, a sixteenth century Venetian manuscript, with a named scribe, Cyprianus Mantegarius, is listed in the *Répertoire des biens spoliés en France durant la guerre 1939–1945*.¹¹ The repertoire indicates the manuscript was spoliated from the collection of Monsieur Jean Furstenberg (1890–1982). Physical examination of the manuscript shows that an ex-libris had at some stage in history been deliberately scratched out. (fig. 8) Comparing the label with reproductions of Furstenberg’s book label published in association with sales of his collection, as well as the Zentral- und Landesbibliothek Berlin, it is evident that the label in Davis 874 is one used by Furstenberg after 1938.¹²

10 The Collections Trust page has been designed in order that external parties – whether claimants, heirs and their representation, or other institutions or scholars – can step forward with additional information. <http://records.collectionstrust.org.uk/records/british-library/> (accessed on February 28th, 2020).

11 Le Répertoire des biens spoliés en France durant la guerre 1939–1945. Tome vii (livres et manuscrits) 1947, p. 34, no. 396. The manuscript is described as “Ordinarium – Missæ pontificales. Venise, ms. italien de 1595 copié par Fr. Cyprianus Montegarius – Jean Furstenberg”.

12 http://raubgut.zlb.de/index.php/Detail/Object/Show/object_id/216758 (accessed on February 28th, 2020).

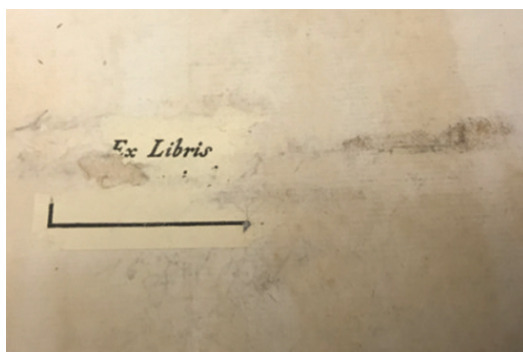


Fig. 8: Davis 874,
Ex Libris, by Permission
of the British Library

Jean, formerly Hans, Furstenberg was a prominent German-French banker and bibliophile.¹³ He began collecting from a young age as a child in Berlin, amassing a vast collection of chiefly French and Italian publications dating between the sixteenth and nineteenth centuries.¹⁴ In 1938, as a Jew, Furstenberg was forced to flee Germany. By paying the *Reichsfluchtsteuer* he was able to salvage his collection and transport his library to France. After buying the Renaissance castle Beaumesnil in Normandy, he took French citizenship, and changed his name from Hans to Jean. Following the German occupation of France in 1940, Furstenberg was pursued by the Gestapo, and fled to Switzerland. Shortly thereafter his collection was confiscated by the *Einsatzstab Reichsleiter Rosenberg* and brought back to Germany, where it was transferred to the *Zentralbibliothek der Hohen Schule*. At the end of the war, items from Furstenberg's collection were

13 For additional biography see: Paul R. Quarrie: The Book and Print Collector Hans Fürstenberg. In: *Print Quarterly* 28 (2011), 4, pp. 435–439.

14 The exact size of Furstenberg's collection is unknown, but according to Martine Poulain Furstenberg's first collection consisted of about 7,500 volumes: Martine Poulain: *Livres pillés, lectures surveillées Les bibliothèques françaises sous l'occupation*. Paris: Gallimard 2008; Bernard Breslauer has suggested that the collection consisted of sixteen-thousand volumes of which he says about 5,000 were "rare books", the others "bibliographical, art historical and economic reference works, and 'reading' books" Bernard H. Breslauer: *Contemporary Collectors XXV*. Jean Furstenberg. In: *The Book Collector* 9 (1960), pp. 423–434, at p. 428–429 and Bernard H. Breslauer: Jean Furstenberg, 1890–1982. Portrait of a Bibliophile [obituary]. In: *The Book Collector* 31 (1982), pp. 427–444.

recovered at repositories in Austria, Annenheim and Schloss Tanzenberg. Shortly thereafter the recovered volumes were repatriated to France and restituted to Furstenberg.

Upon first examination of the manuscript, without local access to archival documentation, it was not immediately apparent whether Davis 874 had been one of the items restituted to Furstenberg. Nevertheless, scrutiny of the postwar provenance suggested this was possibly the case: Davis 874 was acquired in 1958 by Henry Davis in London from antiquarian bookseller Bernard Breslauer (1918–2004), the son of German-émigré bookseller Martin Breslauer (1871–1940).¹⁵ Similar to Furstenberg, Martin Breslauer, his wife and son Bernard had fled Germany in 1936, settling in London. Martin's bookshop, which was in Unter den Linden, and subsequently the Franzosenstraße in Berlin, had been very close to the Fürstenberg's Berliner Handelsgesellschaft. In the postwar portrait of the collector, Bernard describes how the young Furstenberg made the acquaintance of Martin, and how this developed into a genuine friendship, with Martin cultivating the young Furstenberg's collecting tastes.¹⁶ The catalogue in which Davis 874 is advertised was issued to mark the 60th anniversary of the foundation of the firm Martin Breslauer; in a preface by Bernard Breslauer, he discusses the life and career of Martin Breslauer, and mentions Hans Furstenberg amongst his father's friends. Biographer Adolph similarly refers to Furstenberg's affection for Martin Breslauer and how this later developed into a friendship with Bernard.¹⁷ It was therefore reasonably deduced that Davis 874 was one of the items recovered by Furstenberg, and later sold through the son of his friend, Martin: indeed, upon consultation with the heirs and legal representation of the Furstenberg Collection, it was confirmed that the manuscript was one of these items.

15 The manuscript is advertised in *Manuscripts and printed books from the eighth to the present century from the Library of the late Wilfred Merton, F.S.A., and other distinguished collections*, Catalogue 90, Published in Celebration of the Sixtieth Anniversary of Martin Breslauer (London, 1958), as no. 38, offered for sale for £275.

16 Breslauer: *Contemporary Collectors XXV*. Jean Furstenberg (ref. 14), p. 428–429.

17 Rudolf Adolph: *Hans Fürstenberg*. Aschaffenburg: Paul Pattloch Verlag 1960, p. 92.

Davis 849: The Zamoyski Family Library

Shortly after commencing research on the Davis Collection, BL Collection Davis 849 (fig. 9), a sixteenth century manuscript on parchment with the painted arms of Benedetto Moro and Doge Pasquale Cicogna on the frontispiece, circa 1590, was identified as having originated from a privately formed aristocratic library in Poland, the Zamoyski Family Library, Warsaw. The clue, an ex-libris on the front pastedown, from an ancestor of the collection dating to the early 19th century: Stanislaus Kostka Zamoyski (1775–1856) (fig. 10). While the full history of the library was initially unknown to the British Library, preliminary research indicated the library had suffered considerable loss, both theft and destruction, during the German occupation of Poland.



Fig. 9: Davis 849,
by Permission of the British Library



Fig. 10: Bookplate of the
Zamoyski Family Library, Davis 849,
by Permission of the British Library,

The roots of the Zamoyski library can be found through the initiative of Jan Zamoyski (1542–1605), who built up a large scholarly collection, and Stanislaus Kostka Zamoyski (1775–1856), who allowed for public access

to the collection from 1811.¹⁸ Passed down in the family through the nineteenth and first half of the twentieth centuries, the library was entrusted to the Polish National Library in 1946 by the sixteenth and last principal heir to the Zamoyski Estate, Jan Zamoyski (1912–2002). While there were a few instances of loss or collection damage under the family's custodianship in the nineteenth century, there are no recorded sales or deaccessions of the collection, and the organization of the library was preserved until World War II. The war, which broke out shortly after Jan Zamoyski inherited possession of the Zamoyski Estate, brought about a nearly complete destruction of the library. On September 7th a bomb hit the manuscript stacks of the library; on September 25th, the palace, museum gallery and a recently constructed library space burnt down. On August 8th, 1944, during the Warsaw uprising, the remaining library was set on fire by the Nazis and the collections burned down. In addition to the physical destruction of the library, two episodes are recorded which involve the theft of holdings at the hand of Nazi looting task forces.

On November 23rd, 1939 fifty manuscripts, dating from between the fourteenth and sixteenth centuries, and including Italian, Latin, Persian and Arabic examples, were seized by the *Sonderkommando Paulsen*.¹⁹ While the most valuable of the group, the Codex Suprasliensis, was sent to Berlin, the rest of the confiscated items remained in Warsaw, and were transferred to the Staatsbibliothek Warschau, December 15th, 1941; shortly thereafter they were returned to the Zamoyski Library.

A second episode of Nazi confiscation has also been described in accounts of the library during the Nazi period. Reliant on notes taken during the occupation by Bogdan Horodyski (1904–1965), a curator at the Zamoyski Family Library from 1936, in February 1940 a group of

18 For a longer history of the Zamoyski Family Library, see: Tomasz Makowski: The Zamoyski Family Library in Warsaw as an Institute of Polish History. In: *Polish Libraries, National Library of Poland* vol. 1 (2013), pp. 234–240.

19 For documentation and description of these events, see: Andrzej Mezynski: *Kommando Paulsen: Organisierter Kunstraub in Polen (1942–1945)*. Cologne: Dittrich-Verlag 2000, pp. 99–102.

Italian manuscripts were taken from the library.²⁰ According to the published accounts, the exact number of manuscripts taken was either eighteen or twenty-one. Likewise, the confiscation was varyingly attributed to the *Sonderbeauftragten für die Sicherung der Kunstschatze* in Occupied Poland, Austrian art historian and Nazi art dealer Kajetan Muehlmann (1898–1958); his stepbrother Josef Muehlmann (1886–1972), who oversaw cultural plunder in Warsaw and Northern territories of Poland under the direction of the *Sonderbeauftragten*; and unknown German soldiers. It was indicated that no receipts were given, and no documentation survives. In one instance it was suggested that the manuscripts had ended up in Vienna.²¹ While the exact number and agents involved are inconsistent in published accounts, indication is given that the group included eight Venetian manuscripts, which had once been bought for the library by Stanislaus Kostka Zamoyski. This information is also alluded to in a 2005 exhibition celebrating the 400th anniversary of the passing of Jan Zamoyski.²² Included in the exhibition catalogue is another Venetian manuscript the cataloguing of which states that it is one of at least ten Venetian documents purchased in 1802 by Stanislaus, but that only two have survived.

Given that published evidence suggested a high probability of the manuscript having been expropriated during the second episode of confiscation, and possibly not restituted, it was decided to conduct additional archival research in Warsaw and Berlin. Consultation of archival records at the Polish National Library and the Bundesarchiv in Berlin confirm that

20 These events have been described in the following publications: Bogdan Horodyski: *Straty Biblioteki Ordynacji Zamojskiej*. In: *Straty bibliotek i archiwów warszawskich w zakresie rękopiśmiennych źródeł historycznych*. Warszawa 1955, p. 330; *Biblioteka Narodowa, Katalog Rekopisów, Zbiory Ordynacji Zamojskiej, Rekopisy od XVI do XIX Wieku, Seria III, Tom II*. Warsaw: Biblioteka Narodowa 1991, pp. 23, 26; *Biblioteka Ordynacji Zamojskiej w latach wojny*, ed. by H. Łaskarzewska. Warszawa 2005, pp. 19, 42.

21 *Biblioteka Ordynacji Zamojskiej* (ref. 20), p. 42.

22 *Biblioteka Ordynacji Zamojskiej: od Jana do Jana = The Zamoyski Library: from Jan to Jan*; *Biblioteka Narodowa, 17 maja – 17 lipca 2005; Muzeum Zamojskie, 25 sierpnia – 2 października 2005*.

the manuscript was part of a group taken in winter 1940 by the art looting taskforce overseen by Kajetan Muehlmann.²³

The manuscript, along with nineteen others, was initially placed on deposit at the National Museum Warsaw, where it was catalogued and inventoried alongside other cultural property removed from private and public Polish collections.²⁴ In 1943, the manuscript was sent to Krakow by order of Governor General of Poland, Hans Frank (1900–1946), and transferred to his headquarters at Wawel Castle.²⁵ By 1944, with Germany's defeat increasingly apparent, and the invasion of Poland by the Soviets imminent, Frank's offices began sending art treasures in Krakow to distant repositories in Poland and Germany for safekeeping; Davis 849 was one of many objects to remain in Krakow. However, research conducted in the archives of the National Museum Warsaw by Jacek Kordel, a curator at the Polish National Library, show that in 1946 the manuscript was recovered by Polish officials, and in July of that same year sent back to Warsaw with the instruction that it be returned to the collection from which it came.²⁶

That same year, during the widespread nationalisations of private property under Poland's new communist leadership, Jan Zamoyski, entrusted the surviving parts of his collection to the Directorate of the National Library under the Polish Ministry of Education: in theory, the manuscript should have thus been returned to the National Library; instead, it was

23 The initial intake inventory recording confiscation of the manuscript is dated January 15th, 1940 (Karol Estreicher Archives, Krakow); subsequent inventories reflect the date as February 10th, 1940. The discrepancy between dates is at present unknown.

24 The manuscript was catalogued as Wahl II. No 46, Quittungsbuch, Warschau: Graphik und Handzeichnungen, Bundesarchiv, Berlin, R52 II. 274.

25 Inventory: contents of crates sent from Warsaw (n.d.), Bundesarchiv, Berlin, R52 II. 274; Inventory: objects sent by Warsaw Museum, 1943, Bundesarchiv, Berlin, R52 II. 274.

26 List of objects from the Biblioteki Ordynacji Zamojskiej sent to Warsaw on July 26th, 1946, box XX, transport XII; National Museum Warsaw Archives, ref. 837f; List of cases transported to Cracow on November 19th, 1943, National Museum Warsaw Archives, file no. 716; Letter from Tadeusz Mańkowski to Stanisław Lorentz July 21st, 1946, case number 273/46; MNW Archive, file number 837f.

sent to the National Museum Warsaw. In 1948, it entered the care of the department of prints and drawings;²⁷ and in 1962, it appeared on the market at a Sotheby's sale in London offered for sale by Czesław Bednarczyk (1912–1944), a Polish national who had emigrated to Vienna in the 1960s.²⁸ The manuscript was purchased at the 1962 sale by Bernard Breslauer, who subsequently sold it to Henry Davis.

Research on the status of the manuscript is thus ongoing, with additional information being sought from the National Museum Warsaw, to clarify when and under what circumstances the manuscript left the care of the museum. The Polish National Library has since requested return of the manuscript on behalf of the Zamoyski Family. As the library has requested the manuscript's return on the basis it was lost during the postwar period it is unclear how a restitution claim would fare in the United Kingdom in light of the legal status surrounding postwar nationalisations.²⁹

When it comes to researching library material, relative to questions regarding Nazi era dispossession, the Henry Davis Collection is particular. Although many of the items have thin provenance, relative to other collection areas, they have a fair amount of documentation, and by virtue of the bindings, many of the items are distinct, and where potential issues are identified, their losses can be verified. A final item in the British Library's collection highlights the realities of conducting provenance research on printed material, particularly when it comes to items made in multiples, and how more often than not, there is slim documentation, and findings can be accidental or based on the object itself.

27 National Museum, Warsaw, inventory book no. 210954.

28 Sotheby's London Sale Archives.

29 Two publications regarding the ongoing research and implications of the case are forthcoming: the first in conference proceedings for War and the Book: Book collections, libraries, publishers, and authors during armed and political conflicts. State of the art and research perspectives, Conference, Poznan, Poland, November 13th–15th 2019, and the second, also for public lecture, Terms of Art: Understanding the Mechanics of Dispossession During the Nazi Period, Symposium, May 7th–8th 2020, Holocaust Claims Processing Office, New York, New York.

YA.1991.a.22092: Collection Karl Maylaender

In 2016, the library received an enquiry about a copy of the German play *Die Goldenen Waffen* by Hans José Rehfisch. Valued at around 20 pounds on the market, the book is neither exceptionally valuable, nor rare. Rehfisch, a successful playwright during the Weimar Republic and after the Second World War, as a Jew, spent much of the Nazi era and late 1940s in the UK and America as an exile. The enquirer was one of his descendants, who had identified a newspaper cutting inserted in the book, a review of Rehfisch's play *Doktor Semmelweis* performed in Vienna in 1934; he wondered if anything about the play's former owner who added the cutting was known. The British Library archives yielded little information beyond the book's acquisition in July 1988 from the Berlin and London based dealer, A.W. Mytze. Examining the item itself revealed a bookplate pasted into the inside front cover:

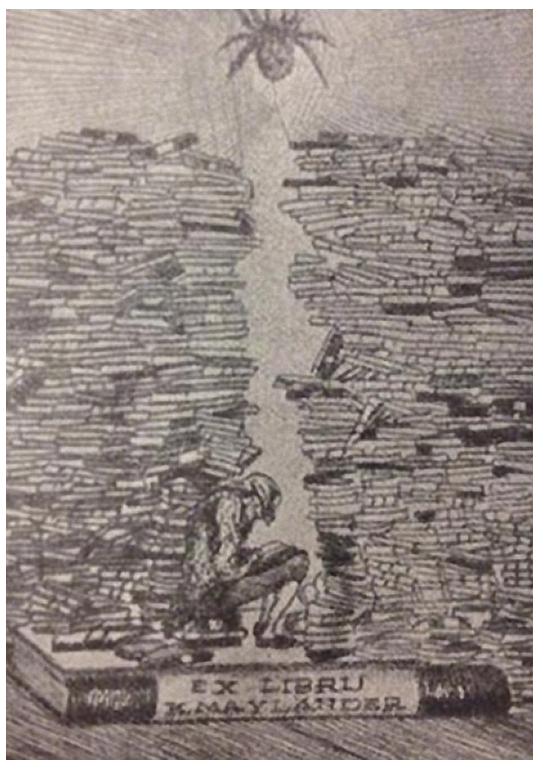


Fig. 11: Bookplate of
Dr. Karl Maylaender,
Former BL Collection Item
YA.1991.A.22092

Research conducted by British Library Curator Susan Reed yielded the following: Karl Maylaender (d. circa 1941) was a Jewish businessman, art collector, and critic, from Vienna.³⁰ A patron and friend of many young Austrian artists, he had a substantial collection, including works by the expressionist artist Egon Schiele, who he knew personally. In 1941, Maylaender was deported from Vienna to the Lodz Ghetto in Poland. Although the exact fate of Maylaender's collection is unknown, it has been subject to lengthy, complex restitution claims. Documentary evidence nevertheless suggests that his library was expropriated or lost sometime between the Anschluss in 1938, and 1941 prior to his deportation to Lodz. In Maylaender's 1938 property declaration, Maylaender lists his pictures and library in tandem, valued at 5,000 Reichmark, although with the commentary that despite various attempts, both the pictures and library were unsellable, as the latter were by young, unknown Austrian painters, and many of the written works by Jewish authors, for which there were no prices.³¹ On Maylaender's subsequent property declaration form, completed October 21st, 1941, two days before his deportation to Lodz, there is no mention of either his art collection or his library. While Maylaender's exact date of death is unknown, mass deportations from Lodz to the Chelmno death camp began in January 1942, with the ghetto liquidated in July 1944.

While the British Library understood that the case for drawings from Maylaender's collection is complex, looking to the example of the Austrian National Library, who had returned a book in 2005 to the Maylaender collection heirs, it was decided to restitute the book by Rehfish. As the book in this instance was accessioned after the 1972 British Library Act, the library was able to act independently of the Spoliation Advisory Panel in order to deaccession the item, and the book was returned to Maylaender's heir in December 2016.

30 For Reed's report, see: <https://blogs.bl.uk/european/2017/01/making-good-a-cultural-restitution-story.html> (accessed on February 28, 2020).

31 Michael Wladika: Leopold Museum Privatstiftung: Dossier Karl Mayländer Provenienzforschung, December 21st, 2009, p. 17.

7 million items, where do we go from here?

As previously noted, the cases of the *Biccherna Panel*, Furstenberg manuscript and Zamoyski manuscript are particular, based on the rarity and unique nature of the items in question. When it comes to every-day library material, such as the Maylaender Rehfish, in the absence of physical evidence – book plates, markings and labels – published inventories or archival documentation, there is minimal evidence to go on. Nevertheless, in a collection of seven million items pre-dating the Nazi period, while research might start with the uniquely identifiable, it is not where it ends. The British Library's commitment to the Washington Principles continues through research into its holdings, training of its curators, transparency and proactivity, and to the acknowledgment that the collection can achieve more through collaboration with others. These investigations into Nazi era spoliation, and the creation of an infrastructure that will support this research in the long-term, are continued, however, not only as moral and ethical fulfillment of the Washington Principles, but as part of a duty as custodians of a collection to prioritize research and knowledge, and the interpretation of objects and their past.