

In accordance with Section 3 of the Federal Law on the Restitution of Art Objects from Austrian Federal Museums and Collections (Art Restitution Act), Federal Law Gazette (BGBl. I) No. 181/1998 as amended by BGBl. I No. 117/2009, at its meeting on 15 October 2015, the Art Restitution Advisory Board at the request of the Verein für Volkskunde unanimously adopted the following

DECISION

Insofar as the following objects in the dossier of the Museum of Folk Life and Folk Art (9/2015) are owned by the State and thus subject to the Art Restitution Act BGBl. I No. 181/1998 as amended by BGBl. I No. 117/2009, the condition of Section 1.(1).2 of the Art Restitution Act would be met

	Inv. no.	Description
1.	44079	Wood relief in box with glass: Holy Trinity enthroned in the clouds
2.	44080	Zither decorated with fine ornamentation on the neck and body, 18th cent.
3.	44081	Majolica plate with light blue painting, groups of houses and acacia trees with landscape background, after 1700
4.	44083	Majolica group, painted, doe resting next to a tree with fruit, Vyškov, 18th cent.
5.	44084	Pewter screw-cap bottle in the form of a čutura with tremolierstich ornamentations and pewter cap, Hungarian
6.	44085	Glass with wax coating and coloured pendant, Zopf style, c. 1790
7.	44287	Pair of droplet earrings, copper with simple fastening
8.	44289	Filigree button, large, hemispherical with reinforced mounting
9.	44932	Picture, oil on sheet metal, from 1848 era
10.	44933	Picture, oil on sheet metal, from 1848 era

The Board would therefore recommend the transfer to the legal successors *causa mortis* of Siegfried Fuchs.

GROUNDINGS

In its decisions of 29 June 2005, 28 June 2006 and 20 April 2012, the Board already recommended the transfer of collection objects owned by the State to the legal successors of Siegfried Fuchs. These recommendations concern the Austrian National Library, the MAK – Museum of Applied Arts / Contemporary Art, and the Kunsthistorisches Museum. Two further decisions are pending with the Vienna restitution commission.

On the basis of the dossier submitted to it, the Board establishes the following facts.

The Vienna-born lawyer Siegfried Fuchs (1883–1946) was persecuted by the Nazis as a Jew. In his asset declaration of 15 July 1938 he stated that he had a “collection compiled over a 40-year period of books, pictures, engravings, watercolours, boxes, sticks, porcelain, etc.” with a total value of RM 10,500.

Siegfried Fuchs was banned from practising as a lawyer by virtue of the Fifth Regulation on the Reich Citizenship Act and was forced to sell his collection to finance the discriminatory levies and his flight. He was forced to flee in 1940 and died in Shanghai on 25 July 1946.

A total of 17 objects were acquired and inventoried in 1939 and 1940 in three purchases, as demonstrated both by the inventory book of Museum of Folk Life and Folk Art collection and the surviving correspondence between Fuchs and the museum director at the time.

During the provenance research, some of the objects were found to be missing. of the 17 objects purchased from Fuchs, the 10 objects listed above were found. According to the inventory books, the following 7 objects were also acquired as part of the purchases from Fuchs. Their whereabouts are unknown at present.

	Inv. no.	Description
1.	44082	Majolica figure, St John of Nepomuk, Vyškov, 18th cent.
2.	44283	Woman's Belt with silver border on velvet
3.	44284	Two needles with spherical head, filigree, with small gilded beads on chains and set with pearls
4.	44285	Two needles with spherical head, filigree, with small gilded beads on chains and set with pearls
5.	44286	Pair of earrings with horseshoe fastener and three pendant beads, gilded
6.	44288	Screw-top box for Walpurgis oil, white alloy with illustration of saints and "SWB" insignia
7.	44290	Blacksmith's seal with bird holding a horseshoe in its beak

During the digitization of the Museum of Folk Life and Folk Art holdings, however, it is possible that the missing objects and ones that have lost their inventory number will be identified as having belonged to Fuchs on the basis of the description in the inventory.

The Advisory Board considered the following:

As the Board already determined in its recommendations of 29 June 2005, 28 June 2006 and 20 April 2012, pursuant to Section 1 of the 1946 Annulment Act, the sales by Siegfried Fuchs as a

person considered to have been persecuted are invalid, regardless of whether a reasonable price was paid or whether Fuchs initiated the sale himself. Insofar as these objects are owned by the State, the condition of Section 1.(1).2 of the Art Restitution Act is therefore met. This applies initially to the 10 identified objects but also to the remaining 7, should they be found in the course of the current work on the association's collections.

Vienna, 15 October 2015

Univ. Prof. Dr. Dr. h.c. Clemens Jabloner
(chairman)

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