

Public Meeting of the  
Office of Restitution  
At the Regional Court

Duisburg, August 4, 1960

13 Rü Sp 57/60  
Rü 707/59

To the  
OFD

Düsseldorf  
05608 B/ 7721 VB 22 c (W)

Present:

Regional Court Director Oberthür  
as principal judge

[Stamp:] Regional Finance Office  
Düsseldorf  
October 12, 1960

Regional Court Council Bigge  
Court assessor Schemmann  
as assisting judges

Court Clerk Manthey  
as certifying official for the court

Concerning the restitution case

of Fred, formerly Fritz, Grunwald, formerly Grunewald, 93577 Cresta Dr., Los Angeles, California,

Plaintiff,

Legal Counsel: Dr. Fritz Goode, 707 South Broadway, Los Angeles 14, California,

Authorized recipient: Dr. Heinrich Schaefer, Sprendlingen, District of Offenbach, Foststr.7,

against

the German Reich, represented by the Federal Finance Minister, and he is representing the Oberfinanzdirektion  
[Senior Finance Office], Federal Treasury and Building Department Dusseldorf,

Defendant,

Present on call:

- 1.) For the applicant Dr. Fritz Goode
- 2.) For the defendant administration clerk Scheib
- 3.) Witnesses listed hereinafter and expert witnesses

(b./w.)

Upon request by the plaintiff, the witness designated by him shall be heard.

After the witnesses have been obligated to tell the truth and been informed of the significance of declaration under oath, as well as false statements made under oath or not, they were heard as follows:

**1<sup>st</sup> witness**

**Concerning his person:** My name is Alex V ö m e l. I am owner of the Vömel Gallery in Dusseldorf, 62 years of age, reside in Büberich, Poststr. 57.

See above.

I have known the plaintiff since the 1920s. At that time, I was employed at the Flechtheim Gallery in Dusseldorf. I have visited the plaintiff's house one time in 1928 or later. The applicant had been at our gallery multiple times and purchased. That is where I know him from. He showed me his art collection while I visited his house. He mostly had art by masters of the "Brücke" [Bridge] and the "Blaue Reiter" [Blue Riders]. Of course I can no longer provide all the details of what I saw, but I remember that the plaintiff had drawings, woodcuts, etchings and lithographs by Kirchner, Gauguin, Klee, Kollwitz, Kandinsky, Macke, Mare, Otto Mueller, Ensor, Toulouse-Lautrec, Barlach, Heckel, Schmidt-Rottluff, Beckmann, Degas, Manet, Renoir, Matisse, Picasso and others. I can remember that he had such works. They were consistently originals, definitely not reproductions. Given the change in prices over the intervening period, I would say that their value was less by 30 to 40 % on April 1, 1956. Such a value cannot be calculated exactly down to the Mark. It could be estimated at about 160,000.00 DM at the reference date.

I otherwise refer to my written statement dated August 1, 1960.

Approved after dictation.

Confirmed after reading.

**2<sup>nd</sup> witness**

**Concerning her person:** My name is Mrs. Udo Beitzen, Alice, born Ritterschmidt, 66 years of age, residing in Wuppertal-Elberfeld, Holzerstr. 21.  
See above.

We previously had our apartment in the same building as the plaintiff. His apartment was on the first floor [European usage]; we were on the ground floor. We had friendly relations. We often looked at the art collection referred to here. I also knew that the plaintiff kept it in the chest that stood in the study. The action in question took place in 1934 or 1935. It was known that house raids were conducted at the residences of influential Jews. As far as I remember, the plaintiff was a member of a lodge. He also assumed a raid would come his way and said that he had heard that in the next few days it was to happen. He asked me to open the door for those people as needed. I can still remember exactly that one morning the doorbell rang shortly after 7 a.m. Since it was clear to me that this must have been the action (raid), I went to the door. There were 3 to 4 people in plain clothes, that pushed me aside and said, "Where is this Jew?" They had not arrived with a motor vehicle. I had followed them to the first floor and witnessed the raid from the side room. These people harshly opened the desk drawers and other drawers, pulled out everything and threw it out in a mess. I also saw that they opened the chest and tampered with it. I could not see what they took out of it. But I did see them leave with 3 or 4 thick portfolios under their arms. Once they were gone, Mr. Grunwald immediately said that they had taken the art portfolios with them. Later, Mr. Grunwald told me that they had left behind only works from Jewish artists. Exactly what the plaintiff owned, I cannot say any more today. At that time, we were not so familiar with the artists of the modern movement. I can still recall the names Munch and Feininger.

Upon further questioning by the plaintiff's legal counsel:

I can still remember Mr. Grunwald telling me after this

raid, that the big, heavy man was the head of the Gestapo.

Read and approved.

The witness called forward again declared: The portfolios were up to 25 cm thick. I do not know how many prints were contained in them. A few days after the raid, my husband said he knew that this raid of Mr. Grunwald's house was planned.

Approved after dictation.

Negotiations were made on this matter.

Based on recommendations of the office the parties concluded the following

**Settlement:**

The German Reich owes damages to the plaintiff for art prints as listed out in the affidavit dated June 23, 1960, page 37 to 39 of the document. (Pages 75 to 77 HA)

II.

The parties agree on an amount of 125,000.00 DM, which is paid in accordance with the German Federal Restitution Act.

III.

The involved parties waive monitoring of the implementation of the settlement by the Administrative Office of Internal Restitutions in Stadthagen.

IV.

Extrajudicial costs are not refundable.

V.

The settlement goes into effect for the defendant only after approval by the Federal Finance Minister.

Read and approved.

The representative of the plaintiff stated that he would consider the still pending claim concerning the 2,000.00 RM 4 ½ % Meininger Mortgages Gold Covered Bonds settled once this settlement becomes legally effective.

signed Oberthür

Manthey

Decision

The proceedings concluded through the above-stated legally effective settlement is free of court charges.

Duisburg September 30, 1960

Regional Court, Office of Restitution

signed Oberthür

Bigge

C. Schemmann

Drawn up

[Signature]  
Court Clerk  
as Registrar of the Office

[Seal]