

Camille Pissarro (1830–1903), *La Maison Rondest, l'Hermitage, Pontoise, 1875*

Summary of the Historical Facts

On the occasion of the exhibition "Camille Pissarro. The Studio of Modernism" (September 4, 2021 – January 23, 2022), the Kunstmuseum Basel received Pissarro's painting *La Maison Rondest, l'Hermitage, Pontoise* (1875) as a gift. It came from the Riehen collection of Dr. Klaus von Berlepsch, who was a generous lender to the exhibition and the donor of the work in question. When the provenance of the painting was checked after it entered the Kunstmuseum's collection (since the adoption of the 2022 Strategy for Provenance Research, such research is routinely carried out *before* objects are accepted), previous ownership by the Jewish entrepreneur Richard Semmel (1875–1950) was quickly revealed. The painting is listed as a search request on the website www.lostart.de. The private owner prior to von Berlepsch was not aware of the sales history of *La Maison Rondest, l'Hermitage, Pontoise*. Semmel had been selling off his art collection at auction while in exile from 1933 onward, which makes it reasonable to suspect that this was a case of a "flight asset" sale.

The painting was produced in 1875 and thus dates from the period between 1866 and 1883, when Pissarro lived for the most part in the small town of Pontoise. After it passed from the estate of Camille Pissarro's widow Julie Pissarro (1838–1926) to their daughter Jeanne Bonin Pissarro (1881–1948) in 1921, the painting was sold at auction in 1924 by the art dealer Rudolf Bangel in Frankfurt am Main. The buyer in this transaction is unclear. It was subsequently offered for sale at an auction at Mensing & Fils (Muller) in Amsterdam on June 13, 1933 as the property of the German-Jewish entrepreneur Richard Semmel. When exactly the latter acquired the work and from whom could not be determined. The painting most likely failed to meet its reserve price at this Amsterdam auction and did not sell. In October 1933, it was on display in Basel at the Willi Raeber Gallery and listed as on consignment from the Tanner Gallery in Zurich. Raeber sold the painting quickly to the Riehen collector Walther Hanhart. Around 1974, the latter bequeathed it to his daughter, who was married to von Berlepsch. Early in 2021, the now widowed von Berlepsch donated the work to the Kunstmuseum Basel.

Richard Semmel was a German-Jewish textile entrepreneur who was married to Claire (Clara Cäcilie) née Brück (1879–1945). They were without children. Semmel came from Sobotka/Lower Silesia, in what is now Poland, and had three sisters and a brother. The latter perished in the Holocaust. The Semmels lived in a luxurious villa in Berlin-Dahlem, Cecilienallee 19-21, which was surrounded by a large garden with a guest house and a tennis court. The walls were adorned with numerous paintings by old and new masters. Semmel had made his fortune in the textile industry. He owned the Berlin linens manufacture Arthur Samulon G.m.b.H. at Magazinstrasse 15-16 and was probably partner of Textor A.G. in St. Gallen, Switzerland. Semmel had become a partner in the linens manufacture in 1905 and helped the company to achieve considerable size and correspondingly large sales. Arthur Samulon Grundstücks G.m.b.H. was added later, and encompassed properties in Berlin on Am Zirkus and Schiffbauerdamm.

At the time that Adolf Hitler assumed power, Semmel was in St. Gallen on business. When he returned in the spring of 1933 he was warned immediately upon arrival at the train station in Berlin of impending reprisals against him. He therefore did not go back to his company or his home, but stayed in a hotel in Berlin until June 1933, when he emigrated to the Netherlands. According to his own statements, Semmel left the country not only due to "racial" persecution, but also because he was accused of association with the Social Democrats. The Semmels were officially registered as residing in the Netherlands starting in November 1933 and living in Amsterdam starting in March

1934. In June 1939, the couple emigrated to Santiago de Chile via Paris. As Richard Semmel had difficulties with the climate there, the couple moved to New York in May 1941. The Semmels' living conditions in New York were marked by poverty and poor health. On August 19, 1946, Richard Semmel was registered and naturalized in New York. An acquaintance from his Berlin days, Grete Gross, née Eisenstaedt (1887-1958), took care of the ill Semmel and was appointed by him out of gratitude as his sole heir after his wife's death. When Gross died in 1958, her daughter Ilse Kauffmann, a resident of South Africa, became the beneficiary. After her death, the right of inheritance passed to her two daughters.

The textile company Arthur Samulon had been in financial difficulties since at least 1933. As early as that year, Richard Semmel was no longer able to pay the agreed upon interest on his loans to the company's shareholders (the heirs of the deceased Ernst Samulon). The latter then demanded repayment of the entire principal that Semmel owed them at once. In order to satisfy the creditors of the German textile company, a kind of roundabout swap was made involving the mortgage claims on the Berlin real estate of Semmel's second company, Arthur Samulon Grundstück G.m.b.H.. Semmel assigned the claims of 70,000 RM to Deutsche Bank, which in turn transferred them to Semmel's company Textor AG, registered in St. Gallen, in August 1934. Textor AG was then appointed as joint and several debtor to settle the claims of Samulon's heirs in monthly installments.

In addition, in August 1933, both Deutsche Bank, where Semmel had taken out loans, and Dresdner Bank filed a lawsuit for debt repayments of RM 360,000 and RM 150,000 respectively. As Richard Semmel had moved his residence abroad, the banks filed an application for attachment and had the household possessions seized. These included not only furniture, wines, and a car, but also around 40 paintings as well as additional works on paper. No details are known about the artworks other than they were released again in September in exchange for securing the debt with the factory property of the Samulon company instead. The works of art that remained in Semmel's villa after his emigration to the Netherlands were seized to cover the partial amounts demanded by the banks. In July 1934, he sold his property, including the house. However, Semmel received nothing of the purchase price, as the money went directly towards paying off the mortgage debt and the notary/broker commissions. Semmel had great difficulty satisfying the creditors of his companies from his location in the Netherlands (and later from Chile and New York) and it was equally difficult for him to secure from there the sums of money due to him. In 1937, Semmel's compulsory Reich flight tax was declared as paid. It is unclear whether he also paid a Jewish property levy. By 1940, he had sold practically all his remaining possessions in Berlin and Amsterdam. The proceeds were used to pay creditors, taxes, and storage and insurance fees.

Richard Semmel can be seen as an active art collector since the 1910s. Individual documented purchases demonstrate that he was already engaged in growing his art holdings by 1917 at the latest. Further insights into his collection are provided by his loans to various exhibitions in the 1920s and 1930s. There is evidence that by June 1933 Semmel had succeeded in transferring large parts of his collection to the Netherlands, where it was offered for sale that same year at two different auctions. Semmel needed the proceeds to support himself.

The painting *La Maison Rondest* by Camille Pissarro was listed in the auction of June 13, 1933 at Mensing & fils. A causal link exists between Nazi persecution and the sale of the works consigned to this auction by Richard Semmel. However, it is not clear whether Semmel already had intentions to sell prior to June 1933 for reasons other than Nazi persecution. There is evidence of individual sales to art dealers such as Jacques Goudstikker (1897-1940) even before the Nazis came to power. Therese Kühne – the widow of the canning manufacturer Wilhelm Kühne who had purchased Semmel's Berlin villa in 1934 – later asserted that Semmel had already left the country permanently prior to 1933 due to tax debt, but this has been impossible to confirm. There is, however, evidence of

some isolated stays in Switzerland and France. It is unclear when the 130 or so objects, including *La Maison Rondest*, were taken abroad. It is possible that the transfer had already taken place before 1933.

Semmel initially tried to sell the painting in question at the public auction in Amsterdam, but apparently did not achieve the desired price. In the Netherlands, he was free to choose where, to whom and for how much he sold the artwork. He then subsequently exercised this right and sent the Pissarro painting from the Netherlands to Switzerland between June and October 1933 to have it sold through Galerie Tanner in Zurich. There is no reason to believe that Semmel would not have received the proceeds from this sale on the open market or that he could not have disposed of them. However, due to lack of documentation, it is not possible to determine exactly how much he received from the sale via the art dealers Tanner and Raeber. Semmel's financial situation at the time of the sale also remains unclear, even after a thorough examination of the post-war documents and the investigations carried out at the time. Both the consequences of the global economic crisis and the increasingly discriminatory measures against Jewish concerns damaged Richard Semmel's companies. The impossibility of effectively managing his German businesses from exile and the high taxes he was forced to pay as a Jewish citizen brought both his companies and him personally into such great difficulties that bankruptcy could no longer be averted. To cover his personal debts and to finance his living expenses, Semmel sold his art collection. Furthermore, in an attempt to support his brother, he took on some of the latter's debts as well, leading to additional financial constraints. As he also took the opportunity to sell other works of art in Switzerland, it can be assumed that his financial interests were looked after by the art dealer Gottfried Tanner (1880-1958). Finally, Semmel also sold artwork through the Moos Gallery in Geneva, which demonstrates that he had a choice as to with whom he placed what sales orders and for what amount. The approximate conversions of the proceeds between CHF and fl. suggest that the estimate of 1800 fl. for *La Maison Rondest* noted by hand in the auction catalog of June 13, 1933 may have corresponded roughly to the selling price in Switzerland, including commission.

Two cases investigated by public institutions (Restitutie Commissie Netherlands and National Gallery of Victoria, Melbourne) have already recognized that the 1933 transactions taking place in the course of auctions at Mensing constitute losses due to Nazi persecution. In the present case, it can also be confirmed on the basis of the preceding investigation that the sale by Semmel constitutes a sale due to Nazi persecution. This is despite the fact that it cannot be clearly demonstrated that the bankruptcy of the companies was caused purely by discriminatory measures. Semmel's financial situation appears to have been weakened by the global economic crisis. However, the damage to his economic advancement must be honored in any case, as he did not have the opportunity to take charge of the companies on site in order to actively avert the bankruptcy or to subsequently wind up the businesses in a way that was advantageous to him.