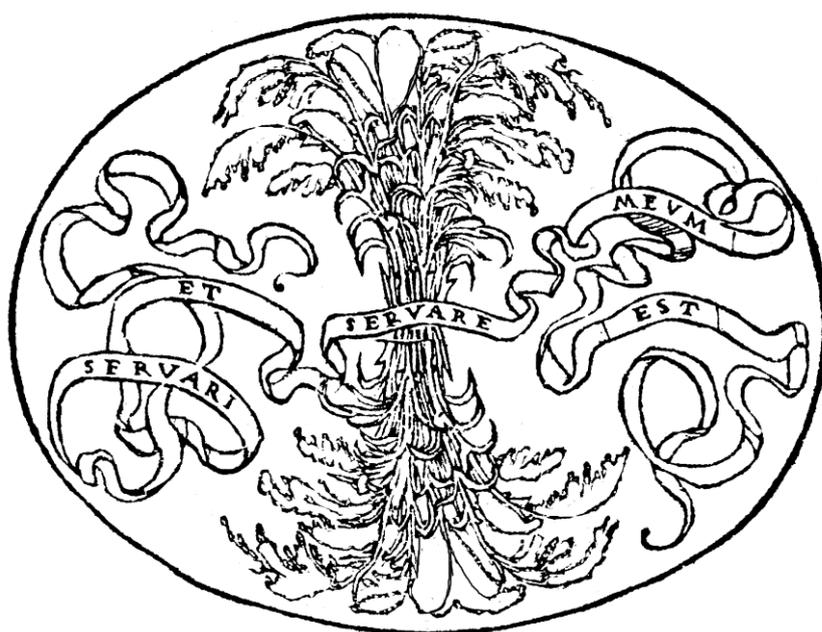


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## THE CASE OF MORPURGO DE NILMA'S ART COLLECTION IN TRIESTE: FROM A JEWISH LEGACY TO A 'GERMAN DONATION'

On the 22<sup>nd</sup> of February 1941, the Jewish Baron Mario Morpurgo de Nilma<sup>1</sup> (Fig. 1), in the presence of the Notary Silvio Quarantotto, wrote his will<sup>2</sup>, naming the Municipality of Trieste as heir of both his art collection and his library, as evidence of love from its «figlio affettuoso e devoto».

The city should have provided the collections, which included paintings, carpets, prints, potteries, glasses and majolicas, with a proper location under the name of «Collezione Mario Morpurgo de Nilma»<sup>3</sup>.

### 1. The confiscation and the removal of the art collection

With the establishment of the Operational Zone of the Adriatic Littoral (*Operationszone Adriatisches Küstenland*, OZAK, 1943-1945), headed by Friedrich Rainer<sup>4</sup>, holder of all the public and civil authorities in the area<sup>5</sup>, and in accordance with the Nazi racial laws, the validity of the will was contested.

On 22<sup>nd</sup> October 1943, the Baron's residence in Trieste was confiscated and, in November, some SS soldiers began the removals: almost all carpets, «quadri, mobili e porcellane di considerevole valore» were taken away<sup>6</sup>.

At this point, it is important to remember that with the outbreak of the Second World War, Morpurgo had transferred several paintings, Japanese prints (Fig. 2) and potteries to his property in Sant'Andrea di Pasiano<sup>7</sup>, most likely to protect them from war damages<sup>8</sup>.

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<sup>1</sup> Giuseppe Mario Morpurgo de Nilma (Trieste, 1867-Pordenone, 1943) was a member of an important family of bankers from Gorizia. He was also a collector and philanthropist. An active figure in the cultural life of Trieste, he was member of various associations, such as the Società di Minerva and the Comunità dei Collezionisti d'Arte di Trieste; within this latter, he collaborated in organizing several exhibitions in the 1930s. In 1934, fearing the promulgation of the racial laws also in Italy, he was baptized in Rome. After the promulgation of the racial laws in 1938, the Baron tried to obtain the certificate of *discriminazione*, a fascist provision that allowed distinguished Jews to avoid certain persecutory forms. In 1943, with the German occupation of Trieste, this attestation would have been in any case useless due to the implementation of the German racial law (BENEDETTI 1977, pp. 13-22, MILLO 1989, pp. 169, 180; BORTOLIN 1999, p. 65; BON 2000, pp. 131-132).

<sup>2</sup> AMM, Serie 1, 6/14, Trieste, 29<sup>th</sup> November 1943. Attachment B of *Verbale di richiesta di registrazione di testamento pubblico*.

<sup>3</sup> The library, too, was part of the legacy, and was intended for the Civic Library as Morpurgo's gift. The will also provided that his patrimony should be constituted as moral body for charitable purposes. Due to this reason, the Fondazione Mario Morpurgo de Nilma was established on 25<sup>th</sup> October 1947.

<sup>4</sup> Since 1941, Friedrich Rainer (Sankt Veit an der Plan, 1903-Ljubljana, 1947) was Governor and Lieutenant of Carinthia (STUHLPFARRER 1979, p. 62).

<sup>5</sup> ASTs, Prefettura, Gabinetto, b. 465, f. *Frigessi Arnaldo*, document entitled *Foglio ufficiale delle ordinanze del Supremo Commissario nella Zona di operazioni Litorale Adriatico*, Trieste, 15<sup>th</sup> October 1943. The OZAK, part of the Third Reich, included the provinces of Udine, Pordenone, Trieste, Gorizia, Pula, Ljubljana and Rijeka. For further information on the condition of the Jews and their properties during the Third Reich and, especially, in the OZAK: WALZL 1991; LA NORMATIVA ANTIEBRAICA 2001; LA SPOLIAZIONE 2001.

<sup>6</sup> ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 19<sup>th</sup> November 1943. Unsigned report of the Superintendent Fausto Franco.

<sup>7</sup> *Ivi*, Trieste, 10<sup>th</sup> January 1943. Letter from Pagnini to Schranzhofer. Both this property and the one in Varda were in the province of Udine in Friuli.

<sup>8</sup> AMM, Serie 3, 70/11. *Quadri depositati a S. Andrea*, undated and unsigned draft of the Baron Morpurgo himself (his handwriting is recognizable thanks to a comparison with other autograph letters).

After the Armistice of Cassibile on the 8<sup>th</sup> of September 1943, some of these artworks were moved by the Germans to Villa Varda, another Baron's property in Friuli that had been confiscated since November. This residence, whose furnishings had already been inventoried by Jeschke of the Financial Department of the High Commissioner<sup>9</sup>, was occupied by a Luftwaffe Kommando<sup>10</sup>.

Knowing Morpurgo's intention well<sup>11</sup>, and having been informed of the pillage and the removals, the local authorities implemented a series of initiatives to recover the objects which had already been taken away and to protect the unity and the integrity of the collection.

The complex negotiations only ended on the 4<sup>th</sup> of July 1945, after the liberation of Trieste and the abrogation of the racial laws. The Municipality of Trieste could officially accept the legacy, once removed « l'impedimento legale che fino ad allora vi ostava», that is, the impossibility to recognize the lawfulness of the will of a Jew<sup>12</sup>. The steps towards the resolution were long and winding.

## 2. Autumn-Winter 1943: the intervention of the local authorities

On 14<sup>th</sup> November 1943<sup>13</sup>, after an inspection of the art contents of Morpurgo's residence on behalf of the Financial Department<sup>14</sup>, the *Beauftragter für Denkmalschutz* Walter Frodl<sup>15</sup> wrote to the Superintendent of Monuments and Galleries of Venezia Giulia and Friuli Fausto Franco<sup>16</sup> about the matter. Aware of the Baron's intention, because «ripetutamente espresso», he asked for a written statement as to the donation of the collections to the City. Only in this way could all measures aimed at their transfer to the Civic Museums be taken.

The Superintendent promptly acted, involving the people closest to the Baron and recommending to Rainer and Frodl, pending the statement requested, «voler tutelar le opere d'arte», with the implementation of all needed procedures<sup>17</sup>.

Among the people involved was Professor Piero Sticotti, Director of the journal «Archeografo Triestino»<sup>18</sup>, published by the Società di Minerva. He updated his old friend Morpurgo<sup>19</sup>, then at the hospital of Pordenone, on the events following the confiscation.

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<sup>9</sup> This Department was responsible for the management of Jewish properties in the OZAK.

<sup>10</sup> Bundesdenkmalamt Archiv, Wien, Italien Jüdischer Besitz, Udine, 15<sup>th</sup> December of 1943. Letter from Hanfstaengl to Frodl.

<sup>11</sup> ASTs, Prefettura, Gabinetto, b. 467, f. *Morpurgo Mario asporto oggetti artistici*, Trieste 22nd November 1943. Letter from Cocceani to Hinteregger.

<sup>12</sup> AGCTs, Deliberazioni, 1947, Trieste, 24<sup>th</sup> October 1947. Report of the municipal deliberations.

<sup>13</sup> ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, 14<sup>th</sup> November 1943. Letter from Frodl to Franco.

<sup>14</sup> Bundesdenkmalamt Archiv, Wien, Italien Jüdischer Besitz, Trieste, 14<sup>th</sup> November 1943. Letter from Frodl to Financial Department.

<sup>15</sup> The art historian Walter Frodl (Strasbourg, 1908-Vienna, 1994), *Gaukonservator für Kärnten* and Director of the *Reichsgaummuseum* of Klagenfurt, was responsible for the protection of artworks and monuments in the OZAK. After the Nazi annexation of Austria he had already been commissioned to choose artworks in Polish private collections and for Hitler's museum in Linz (WEDEKIND 2012, p. 156; BRASCA 2017, p. 100).

<sup>16</sup> The architect Fausto Franco (Vicenza, 1899 - Venice, 1968) was Superintendent of Monuments and Galleries of Venezia Giulia and Friuli from 1939 to 1952 and was also responsible for the provinces of Pula and Fiume. After the German surrender, in the immediate post-war period, he took care of the restoration of the historical-artistic heritage of Venezia Giulia (LIGUORI 2011, pp. 275-284).

<sup>17</sup> ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 19<sup>th</sup> November 1943. Letter from Franco to Frodl and Rainer.

<sup>18</sup> Piero Sticotti (Dignano d'Istria, 1870-Trieste, 1953), Honorary Inspector of the Superintendency, headed the Civic Museums of Trieste from 1919 to 1940.

<sup>19</sup> ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 19<sup>th</sup> November 1943. Letter from Sticotti to Morpurgo.

Despite his precarious health conditions, the Baron promptly replied that his wishes in favor of Trieste were already clearly expressed in his will of 1941, certified and deposited at Notary Quarantotto's office<sup>20</sup>.

Meanwhile, the Superintendent wrote to Carlo Alberto Biggini, the Minister of National Education of the Italian Social Republic, about the issue<sup>21</sup>. Pointing out that he didn't intend to dispute the validity of German racial law in the Italian territory but to stay within the limits of art protection, he requested that an agreement with the occupying forces be established in order to suspend the removal of artworks and temporarily entrust them to the civil authorities responsible for artistic matters, hoping for future specific regulations which could preserve the unity of Morpurgo's collection. Germans authorities seemed willing to keep it in the city, provided that an official donation was made to the Municipality of Trieste.

Franco's commitment obviously included what had been brought to Morpurgo's properties in Friuli: the Honorary Inspector (ispettore onorario) Carlo Someda de Marco<sup>22</sup>, Director of the Civic Museums of Udine, was entrusted with protecting, as far as possible, the works of art and objects of Villa Varda<sup>23</sup>.

Thus, the protection mechanism was put into action outside of Trieste as well. Here the Head of the Province, Bruno Coceani<sup>24</sup>, and the Mayor of the City, Cesare Pagnini<sup>25</sup>, had already been alerted and had taken initiatives to protect the collection.

On the 22<sup>nd</sup> of November, Coceani drew the attention of the High Commissioner<sup>26</sup> proposing the same temporary solution that Franco had suggested to Biggini. He mentioned, as a reference, the circular on the safeguarding of art heritage he was in train to diffuse among local Italian authorities<sup>27</sup>. Relying on collaboration with the occupying authorities, with the circular he aimed at preventing or putting an end to any military operation in buildings of artistic value. A few days later, Frodl told Franco<sup>28</sup> that the assignment to the Civic Museums of History and Art of Trieste (*Civici Musei di Storia ed Arte*) of the collection seemed certain and that Rainer's official confirmation was imminent. However, as we will see below, the process turned out to be very long.

Due to this positive but ambiguous response, on November 25<sup>th</sup>, at the Mayor's office, a meeting was held relating to the rescue of Morpurgo's collections. The meeting was attended

<sup>20</sup> *Ivi*, Pordenone, 21<sup>st</sup> November 1943. Letter from Morpurgo to Sticotti.

<sup>21</sup> AGCTs, Segreteria Generale, 4-28/1943, f. *Morpurgo de Nilma*, Trieste, 20<sup>th</sup> November 1943. Letter from Franco to Biggini and, for information, to Coceani and Pagnini.

<sup>22</sup> Carlo Someda de Marco (Mereto di Tomba, 1891-Udine, 1975) was Director of the Civic Museums of Udine from 1932 to 1958. During the Second World War, he was commissioned by the Superintendent for the protection of artworks in Friuli Venezia Giulia (SOMEDA DE MARCO 1949, p 124).

<sup>23</sup> ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 19<sup>th</sup> November 1943. Letter from Franco to Someda de Marco.

<sup>24</sup> Bruno Coceani (Monfalcone, 1893-Trieste, 1978), a prominent political figure in the Fascist circles of the region, was also active in the cultural field: he worked for the reorganization of the Società di Minerva and was associated with the Università Popolare of Trieste. He directed «La Porta Orientale», a journal of politics, art and history with a distinct racist imprint. Rainer chose Coceani as Head of the Province of Trieste both for his long political militancy in the National Fascist Party and for his links with the business circles of the city ([http://www.treccani.it/enciclopedia/bruno-coceani\\_%28Dizionario-Biografico%29/](http://www.treccani.it/enciclopedia/bruno-coceani_%28Dizionario-Biografico%29/), <May, 2018>).

<sup>25</sup> Cesare Pagnini (Trieste, 1899-1989), a politician and a lawyer, made considerable contributions to research on the history of Trieste, in particular on the period of the Risorgimento and of the Irredentism ([http://sa-fvg.archivi.beniculturali.it/fileadmin/inventari/altri\\_archivi\\_publici/Pagnini\\_Cesare\\_Antonio\\_Trampus\\_9.1.2.2014.pdf](http://sa-fvg.archivi.beniculturali.it/fileadmin/inventari/altri_archivi_publici/Pagnini_Cesare_Antonio_Trampus_9.1.2.2014.pdf), <May, 2018>).

<sup>26</sup> ASTs, Prefettura, Gabinetto, b. 467, f. *Morpurgo Mario asporto oggetti artistici*, Trieste, 22<sup>nd</sup> November 1943. Letter from Coceani to Hinterreger.

<sup>27</sup> ACMSATs, Atti non protocollati 1943, Trieste, 25<sup>th</sup> November 1943. Circular from Coceani to local authorities (Police, Carabinieri, Mayor, Prefect's Commissioners of the Province) and, for information, to Deutschen Berater of the province of Trieste.

<sup>28</sup> ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, 24<sup>th</sup> November 1943. Letter from Frodl to Franco.

by Pagnini, Franco, the Notary Quarantotto and Professor Sticotti. From the report written by the Superintendent<sup>29</sup>, we learn that Silvio Rutteri, Director of the Civic Museums of Trieste<sup>30</sup>, would soon be authorized to collect and transport the collections in the museums, but it was necessary that the Baron formalized the donation according to his intentions, «fermo restando, per il resto, il testamento». Indeed, the will, in addition to being revocable and coming into effect only in force with the Baron's death, couldn't constitute a legal title for the Municipality of Trieste. Therefore the Municipality was not entitled to use it as a basis for its own requests. The best solution was that Morpurgo immediately donate his collection to the city, thus endowing it with a title of current validity.

This donation never took place: on the 18th of December Mario Morpurgo de Nilma died<sup>31</sup>, a fact which further complicated an already difficult situation, and which didn't help a quick and positive conclusion, despite the constant assurances from the German authorities<sup>32</sup>.

After having deposited the death certificate, on December 29<sup>th</sup>, the Notary Quarantotto registered Morpurgo's will in the presence of Pagnini, «in rappresentanza del Comune di Trieste, [...] avente interesse nella successione»<sup>33</sup>.

On the 31<sup>st</sup> of December, Someda de Marco updated Franco about the situation in Varda: the villa, actually hosting a German commando, was in good order and the contents had already been listed and kept by the occupants. Soon he intended to inform Frodl as well<sup>34</sup>.

### *3. January-July 1944: the slow evolution of the situation, between bureaucracy and protection*

During the first months of 1944, informed by the German Advisers (Deutsche Berater)<sup>35</sup> about how the High Commissioner intended to handle the Morpurgo affair<sup>36</sup>, Pagnini and Coceani made special efforts in favor of the collection.

Rainer still had to examine the matter in order to decide whether and to what extent the artworks should be entrusted to the City of Trieste, and this only if Pagnini and Coceani, through their respective Deutsche Berater Schranzhofer and Lange, expressly requested it.

Thus, from January 10<sup>th</sup> onwards<sup>37</sup>, they wrote several times to the German Advisers, and therefore to Rainer, requesting that the Baron's goods be consigned to the Municipality.

The letters emphasized the obligation for the heir «di destinare le rendite della sostanza a scopi di beneficenza e le raccolte artistiche alla costituzione di una speciale collezione», and therefore, to «fini [...] di esclusiva utilità pubblica»<sup>38</sup>.

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<sup>29</sup> *Ivi*, Trieste, 25<sup>th</sup> November 1943. Report by Franco.

<sup>30</sup> Silvio Rutteri (Trieste, 1895-1982) began his career in 1921 as Curator of the Civic Museums of Trieste, under the direction of Sticotti; from 1940 to 1963 he was Director. At the same time, he taught ancient history and history of modern art at the Liceo Petrarca and at the Università Popolare (RESCINITI 2004, p. 272).

<sup>31</sup> ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*. Death certificate in «Testamento pubblico e codicilli del signor Mario Morpurgo de Nilma, 1943».

<sup>32</sup> *Ivi*, 11<sup>th</sup> December 1943. In a report, Rutteri wrote that, according to Frodl's assistant Erika Hanfstaengl, the will was accepted and the collections were made available to the Director. In a note of the same day, Rutteri wrote that the Morpurgo case was still «in corso di risoluzione».

<sup>33</sup> AMM, Serie 1, 6/14, 29<sup>th</sup> December 1943. *Verbale di richiesta di registrazione di testamento pubblico*.

<sup>34</sup> ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Udine, 31<sup>st</sup> December 1943. Letter from Someda de Marco to Franco.

<sup>35</sup> The Deutsche Berater were the German administrative advisers who acted as intermediaries between the Italian officials and Rainer. Hinteregger and, then, Lange were the German Advisers for Coceani, Schranzhofer for Pagnini.

<sup>36</sup> ASTs, Prefettura, Gabinetto, b. 467, f. *Mario Morpurgo asporto oggetti artistici*, Trieste, 6<sup>th</sup> January 1944. Letter from Lange to Coceani.

<sup>37</sup> *Ivi*, Trieste, 10<sup>th</sup> January 1944. Letter from Pagnini to Schranzhofer.

<sup>38</sup> *Ivi*, Trieste, 5<sup>th</sup> February 1944. Letter from Pagnini to Schranzhofer; *Ivi*, Trieste, 25<sup>th</sup> February 1944. Letter from Coceani to Lange.

The City of Trieste was now considered the incontestable holder of the art collections. Their confiscation due to racial rationale no longer had any grounds as the new ‘owner’ wasn’t a Jew. Pagnini and Coceani therefore required to lift the restrictions placed by the German authorities on the property and to take possession of it. Time was running out: it was necessary to certify the transfer of ownership within the terms established by the law<sup>39</sup>.

However, despite many requests, on March 20<sup>th</sup>, Pagnini had to admit that «la questione [...] non ha approdato finora ad alcun risultato concreto neppure parziale»<sup>40</sup>.

Meanwhile, waiting for answers from the High Commissioner, Franco and Someda de Marco continued to take care of the objects transferred to Friuli, where there had been some progress.

Indeed, the Honorary Inspector Someda de Marco had discovered that some boxes of Morpurgo materials, which were previously thought to be lost, were indeed in Villa Varda<sup>41</sup>. He had informed Frodl, who, though interested in the issue, had answered making it clear that very little could be done without «la possibilità di correre dietro alla roba sparsa qua e là»<sup>42</sup>.

### *3.1. 20<sup>th</sup> of June 1944: the order of High Commissioner Rainer*

According to archival documents, the long-awaited turning point took place between June and July 1944 when, following the umpteenth request by Mayor Pagnini<sup>43</sup>, the Deutsche Berater Schranzhofer communicated the decision of the High Commissioner<sup>44</sup>.

On June 20<sup>th</sup>, 1944, Rainer’s order established that, «riguardo alla proprietà sequestrata del defunto ebreo Mario Morpurgo de Nilma, [...] la metà della stessa, di cui egli era proprietario» was to be given to the city of Trieste. The same for «la seconda metà di questa proprietà, [proveniente] dal patrimonio sequestrato della sorella»<sup>45</sup>. Along with Morpurgo’s flat in Trieste (via Imbriani 5), the Municipality of Trieste became the official owner of his art collections and of his library. Schranzhofer assured that, as far as possible, the objects transferred to Villa Varda and to S. Andrea would also be recovered. According to Rainer’s order, the art objects should not form an autonomous collection, but had to be scattered among the several museums of Trieste, in order to prevent that they should be associated with Mario Morpurgo. Rainer aimed evidently at suppressing the Jewish identity of the collection<sup>46</sup>.

Thus, according to this order, the paintings were temporarily divided between the Revoltella museum and the Civic Museums of History and Art, while the books were placed in the Civic Library<sup>47</sup>.

### *4. Silvio Rutteri’s role in the transfer of the collection*

The Director of the Civic Museums of Trieste, Silvio Rutteri, was in charge of the transfer and the inventory of Morpurgo’s collections, including the artworks in Friuli. Two

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<sup>39</sup> See footnote 37.

<sup>40</sup> ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 20<sup>th</sup> March 1944. Letter from Pagnini to Franco.

<sup>41</sup> *Ivi*, Udine, 17<sup>th</sup> January 1944. Letter from Someda de Marco to Franco.

<sup>42</sup> *Ivi*, Udine, 25<sup>th</sup> January 1944. Letter from Someda de Marco to Franco.

<sup>43</sup> ASTs, Archivio Pagnini, b. 5, f. 3, Trieste, 13<sup>th</sup> July 1944. Letter from Pagnini to Schranzhofer.

<sup>44</sup> ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*, Trieste, 19<sup>th</sup> August 1944. Letter from Schranzhofer to Pagnini.

<sup>45</sup> The Princess Matilde, wife of the Prince Fabio Colonna di Stigliano.

<sup>46</sup> According to the order, the Mayor had to contact Fischbach, member of the Financial Department, to assume the assignment.

<sup>47</sup> ASTs, Archivio Pagnini, b. 5, f. 3, Trieste, 29<sup>th</sup> July 1944. Letter from Pagnini to Schranzhofer.

reports of his, one of January 1944 addressed to Schranzhofer<sup>48</sup> and the other of July 1945 addressed to the Superintendent Franco and forwarded by him to the Allies<sup>49</sup>, allow to reconstruct what happened in 1944 as regards the protection of the Morpurgo objects. The Director uses the definition «donazione tedesca» in his second report: ironically, according to Rainer's order, this was the new condition of Morpurgo's legacy, deprived of its Jewish identity.

However, even before Rainer's order, when in April 1944 – despite the efforts of Pagnini and Coceani – the acquisition issue was still ongoing, Rutteri had managed to exploit the concomitant war events to put into practice a simple, but effective stratagem for the protection of Morpurgo's collections. On the 23<sup>rd</sup> of that month a partisan attack took place against the Casa del Soldato Tedesco in Via Ghega<sup>50</sup>. Therefore, for security reasons, the local branch of the Todt Organization, as responsible for buildings, had forbidden the access to the nearby Casa del Combattente that also housed the Museo del Risorgimento. This last had thus been forced to move elsewhere. At this point, the Director, supported by Pagnini, had the idea, approved by Rainer, to move the Risorgimento collections to Morpurgo's apartment: in this way he succeeded in controlling the Baron's art objects. Soon afterwards he obtained from the Financial Department officer Fischbach the keys of Via Imbriani, thus preventing their use by the Germans.

In spite of Rainer's order of June 20<sup>th</sup>, the donation could not be immediately certified through an official act. Nonetheless, on July 22<sup>nd</sup>, following a joint meeting at the offices of the Financial Department<sup>51</sup>, Fischbach and Frodl entrusted Rutteri with the task of inventorying the objects of the residence and of safeguarding the collections. Two months later, the office of the High Commissioner acknowledged the receipt of the inventory, which had previously been signed by Frodl. Although Rainer had promised to return all things which had been illegally removed in November 1943, many art objects were never recovered: specifically the whole collection of local prints, about 200 Japanese prints, all carpets and several majolicas<sup>52</sup>.

Regarding the prints and the paintings from Friuli, two letters by Erika Hanfstaengl are of fundamental importance in order to integrate Rutteri's reports: one, addressed to Frodl, is dated 15<sup>th</sup> of December 1943<sup>53</sup>, the other, to Zojer<sup>54</sup>, head of the Financial Department, is dated the 7<sup>th</sup> of February 1944.

It appears that at Sant'Andrea there were 13 boxes of art objects. Of these, ten were moved to Villa Varda by Jeschke, official of the Financial Department, on December 13<sup>th</sup> 1943; eight of them were further moved to Udine at Palazzo Pontoni, venue of the local Deutsche Berater. The three other boxes from Sant'Andrea were also stored in Udine, but their specific destination is not documented. On October 22<sup>nd</sup>, 1944, these eleven boxes were transferred to Trieste at Fischbach's office and soon entrusted to the Civic Museums<sup>55</sup>. We

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<sup>48</sup> *Ivi*, Trieste, 17<sup>th</sup> January 1944. Letter from Pagnini to Schranzhofer, as an attachment the report of Rutteri, dated January 10<sup>th</sup>.

<sup>49</sup> ASDSABAPFVG, b. 291, f. *Eredità Morpurgo*. Report undated but probably written for the Superintendent Franco who, with modifications and additions, sent it to the Colonel Ward-Perkins on 14<sup>th</sup> July 1945.

<sup>50</sup> G. Liuzzi, *Episodio di via Ghega Trieste 23-4-1944*, in *Atlante delle stragi naziste e fasciste in Italia*, [http://www.straginazifasciste.it/?page\\_id=38&id\\_strage=5352](http://www.straginazifasciste.it/?page_id=38&id_strage=5352), <May, 2018>.

<sup>51</sup> In an official note by Frodl of 14<sup>th</sup> August 1944 (Bundesdenkmalamt Archiv, Wien, Italien Jüdischer Besitz), it appears that the meeting, also attended by Hanfstaengl, had taken place two days earlier. Furthermore, in the note it is specified that the Director was asked for three copies of the inventory: one for the Financial Department, while the other two were probably for Frodl and Rutteri.

<sup>52</sup> See footnote 49.

<sup>53</sup> Bundesdenkmalamt Archiv, Wien, Italien Jüdischer Besitz, Udine, 15<sup>th</sup> December 1943. Letter from Hanfstaengl to Frodl.

<sup>54</sup> *Ivi*, Udine, 7<sup>th</sup> February 1944. Letter from Hanfstaengl to Zojer.

<sup>55</sup> See footnote 49.

have a list of the artworks of three of these boxes: «Ingres: *Portrait of a Lady* (Fig. 3) [...] Delacroix: *Hexenverbrennung* [...] Luca Giordano: *Schlafender Putto in Landschaft* [...] G. Induno (sig.): *Soldatenszene* [...] Paul Baudri (sig.): *Putto in einem Wald* [...] Mosé Bianchi (sig.): *Nonne (Brustbild)* [...] Unbekannt (vielleicht Tominz d. J.) [...] *Damenportrait*» and two coloured Japanese prints<sup>56</sup>.

We also have the list of the two boxes (out of the 13 from Sant'Andrea) which had remained in Varda: «A. Böcklin: *Badende Nymphen und Faun* [...] Daubigny: *Landschaft mit Haus* [...] Gerome (sig.): *Löwenpaar* [...] (ohne Rahmen) D. Morelli (sig.): *Weibl. Kopf (blond) Emma Ciardi: Rokokoszene (2 Damen vor geschnitt. Hecken)* [...] [Emma Ciardi]: *Rokokoszene auf einer Treppe*» and three coloured Japanese prints<sup>57</sup>. On October 25<sup>th</sup>, 1944, these boxes were consigned to Pietro Opiglia, archivist of the Civic Museums of Trieste, who represented Rutteri, who was busy due to war damages occurred in the meanwhile at Villa Basevi, venue of the Museo di Storia Patria<sup>58</sup>. All the boxes were brought to the anti-air stores of the Civic Museums of Trieste, thus dismembering the collections, as indeed required by Rainer's order.

The original arrangement of the Morpurgo's collection was thus completely destroyed. Besides the storage of the 13 boxes, the contents of the flat of Via Imbriani were mingled with the archival materials of the Museo di Storia Patria and with the objects of the Museo del Risorgimento; moreover, many of the Morpurgo's artworks were inventoried among other objects of the municipal collections, temporarily deposited in the apartment for safety. In order to protect the municipal heritage, it was deemed more effective to scatter art works in different deposits, instead of concentrating them in a single place which, if damaged or destroyed, would have caused «la totale perdita dei valori museali».

«Così, la raccolta Morpurgo si incorpora nelle altre e si divide fra le varie sezioni di questi musei»<sup>59</sup>.

##### *5. The liberation of Trieste and the end of the negotiation. The intervention of the Subcommittee of Monuments, Fine Arts, and Archives*

On the 1<sup>st</sup> May 1945 the German occupation of Trieste ended and, consequently, so did the dispute that involved the Morpurgo's collection. On May 12<sup>th</sup>, the order no. 13 of the Trieste Commando of the Yugoslav army abrogated all the Nazi-Fascist laws and decrees with retroactive effect. Thus, the affair of Morpurgo's legacy became current again<sup>60</sup>: «ora soltanto il Comune [poteva] liberamente registrare il lascito»<sup>61</sup>. Thus, on July 4<sup>th</sup>, the Municipality of Trieste resolved to accept Mario Morpurgo's will with a provision published two days later by the Civil Affairs Officer of the Allied Military Government of the occupied territories (AMGOT), according to the Belgrade agreement of 9<sup>th</sup> June 1945<sup>62</sup>.

The collections of art objects, prints, porcelains, paintings, glass, and majolicas were assigned to the respective municipal museums of Trieste, where they would be kept under the name of «Collezione Mario Morpurgo de Nilma», as requested by the Baron. The same thing happened for the library: the books should be included in the Civic Library under the same denomination; only much later they will be transferred to the Civic Museums of History and

<sup>56</sup> See footnote 54.

<sup>57</sup> See footnote 54.

<sup>58</sup> See footnote 49.

<sup>59</sup> See footnote 49.

<sup>60</sup> AGCTs, *Deliberazioni*, 1945, Trieste, 4<sup>th</sup> July 1945. Report of the municipal deliberations.

<sup>61</sup> ACMSATs, *Atti non protocollati*, 1945, draft of *Relazione sulle collezioni Mario Morpurgo de Nilma* by Rutteri.

<sup>62</sup> *Accordo per l'amministrazione provvisoria della Venezia Giulia, 9 giugno 1945*, ([http://aestovest.osservatoriobalcani.org/documenti/Accordo\\_Belgrado\\_1945\\_Morgan.pdf](http://aestovest.osservatoriobalcani.org/documenti/Accordo_Belgrado_1945_Morgan.pdf), <May, 2018>).

Art<sup>63</sup>. On July 27<sup>th</sup>, Director Rutteri could officially declare the Baron's apartment in Via Imbriani as one of the venues of the Civic Museums of History and Art<sup>64</sup>. In the days following the municipal deliberation, as requested by the Allies<sup>65</sup>, the Superintendent Franco sent reports on the Jewish collections Pollitzer and Morpurgo to the Colonel John Bryan Ward-Perkins, Deputy Director of the MFAA Subcommittee<sup>66</sup>.

During his interrogation by the Carinthian Department of the Subcommittee, Frodl provided a detailed list of the Jewish assets of artistic interest confiscated in the OZAK. It was transmitted by Major John Forrest Hayward, official of the section, to the Colonel, specifying the current locations of the artworks<sup>67</sup>. The list is divided into seven parts, each of one referring to specific owners and/or seats. Artworks coming from the Brunner, Luzzato, Jeserum, Morpurgo (Enrico) and Jacchia families are included, as well as the Morpurgo paintings and prints coming respectively from Sant'Andrea di Pasiano and Varda di Sacile<sup>68</sup>. The Carinthian Department of the Subcommittee also later sent photographs of some of the listed objects, including the paintings from Sant'Andrea.

As soon as in possession of the list, Major Norman Thomas Newton, regional officer of the MFAA<sup>69</sup>, checked whether the pieces of information provided by Frodl were correct: were the artworks at the Civic Museums of Trieste<sup>70</sup>? The response from the Superintendent Franco arrived on November 20<sup>th</sup><sup>71</sup>. According to the comparison carried out by Rutteri as regards Morpurgo's collection, both the artworks coming from Sant'Andrea and then temporarily deposited in Udine, and those coming from Varda and taken over by Opiglia, coincided with Frodl's lists, except for G r me's painting, whose research was unsuccessful<sup>72</sup>. On 28<sup>th</sup> November, Newton thanked Franco for the information; the missing painting of G r me was to be considered stolen<sup>73</sup>.

## 6. Conclusions

Although probably non-exhaustive, the (mostly unpublished) archival documentation examined here is important not only in order to reconstruct the events regarding Morpurgo's collection since its seizure in October 1943, but also to better understand the role played by the several personalities involved in the affair and their mutual relationships.

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<sup>63</sup> In 1964 the book collection was finally assigned to the Civic Museums of Trieste, after a review of the holdings made by Sauro Pesante, Director of the Civic Library.

<sup>64</sup> ACMSATs, Atti non protocollati, 1945, Trieste, 27<sup>th</sup> July 1945. Letter from Rutteri to Ufficio II-Personale del Municipio.

<sup>65</sup> ASDSABAPFVG, b. 291, f. *Eredit  Morpurgo*, Trieste 14<sup>th</sup> July 1945. Report from Franco to Ward-Perkins.

<sup>66</sup> John Bryan Ward-Perkins (Bromley, 1912 - Cirencester, 1981), British archaeologist, was appointed Deputy Director of the MFAA Subcommittee in Italy in March 1944 (<http://www.monumentsmenfoundation.org/intl/it/the-heroes/the%20-monuments-men/ward-perkins-lt.-col.-john-bryan>, <May, 2018>; COCCOLI 2017, p. 41). For the role played by the MFAA Subcommittee in Venezia Giulia, see COCCOLI 2017, pp. 386-390.

<sup>67</sup> ACS, ACC, HAC, MFAA, coil 153D, frame n. 37.0-38.0, 28<sup>th</sup> July 1945. Letter from Hayward to Ward-Perkins.

<sup>68</sup> ASDSABAPFVG, b. 291, f. *Eredit  Morpurgo*, Trieste 14<sup>th</sup> July 1945. Report from Franco to Ward-Perkins.

<sup>69</sup> In 1943, the American landscape architect Norman Thomas Newton (Corry, 1898-Cambridge, 1992), was sent to Italy as a member of the MFAA. Until the 10<sup>th</sup> of August 1945 he was a regional officer for Veneto and Venezia Giulia (<http://www.monumentsmenfoundation.org/intl/it/the-heroes/themonuments-men/newton-lt.-col.-norman>, <May, 2018>; COCCOLI 2017, p. 46).

<sup>70</sup> ACS, ACC, HAC, MFAA, coil 153D, frame n. 37.0-38.0, 6<sup>th</sup> August 1945. Letter from Newton to Franco.

<sup>71</sup> *Ivi*, Trieste, 20/11/1945. Letter from Franco to Newton.

<sup>72</sup> *Ivi*, Trieste, 19<sup>th</sup> November 1945. Letter from Rutteri to Franco.

<sup>73</sup> *Ivi*, 28<sup>th</sup> November 1945. Letter from Newton to Franco. In the same document there are also references to the Pollitzer collection.

First, it has been possible to highlight the attitudes of the Mayor Pagnini and of the Head of the Province Coceani: both of them fervent fascists, despite their duties towards the German authorities, they appear to have been fully committed first of all in protecting a collection to which they attributed a high cultural value for the City of Trieste.

Furthermore, we can't forget the work carried out by the Superintendent Franco. During the German occupation, he promptly sought to ensure that the Jewish collections remain in Trieste and, though unsuccessfully, asked the Minister of Education, Biggini, to allow their confiscation in favour of the city's institutions. He also was constantly in contact with local authorities such as Someda de Marco, Sticotti and Rutteri, as well as with Frodl, his German counterpart. The latter, in charge of the protection of monuments in the OZAK, ensured, as far as possible, the preservation of the Jewish collections in the local museums and in some cases apparently complied with the desire of local authorities to avoid the dispersal of the art objects.

Finally, the Director Rutteri played an essential role and to him we owe both the decision of not considering the Baron's apartment and his collections simply as one of the several venues of the Civic Museums of History and Art, and the idea to establish a specific Morpurgo Museum<sup>74</sup>. This choice not only respected the Baron's will, but also assumes a symbolic meaning as it constituted exactly the opposite of what the High Commissioner Rainer would have wanted: to delete the remembrance of the Baron and, in general, of Jewish cultural identity.

Luckily, thanks to the efforts of local institutions and of the people at their heads, this didn't happen.

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<sup>74</sup> For further information on the museum: RESCINITI 1999.



Fig. 1: Photograph of Mario Morpurgo de Nilma, Archivio, Civici Musei di Storia ed Arte, Civico Museo Morpurgo, Trieste, inv. 129/64



Fig. 2: Studio with Japanese prints, Palazzo Morpurgo, Fototeca, Civici Musei di Storia ed Arte, Trieste, inv. 33177



Fig. 3: Jean-Auguste-Dominique Ingres (attributed), *Female portrait*, Palazzo Morpurgo, Fototeca, Civici Musei di Storia ed Arte, Trieste, inv. 33193

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ACS, ACC, HAC, MFAA

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bobina 153D, fotogramma n. 37.0-38.0

Bundesdenkmalamt Archiv, Wien, Italien Jüdischer Besitz

## ABSTRACT

The article concerns the dispossession of the art collection of the Jewish Baron Mario Morpurgo de Nilma (Trieste, 1867-Pordenone, 1943) who in 1941 named the city of Trieste as the heir of his goods.

With the institution of the *Operational Zone of the Adriatic Littoral* (1943-1945) and in accordance with the Nazi racial laws, the validity of the will was contested and some objects were confiscated from the Baron's residence in Trieste in October 1943. Thus, a complex negotiation evolved between German and local authorities for the preservation of the collection in the town and as a whole.

On the 20<sup>th</sup> of June 1944, the affair was settled: due to the Mayor Cesare Pagnini and the Prefect Bruno Coceani, the High Commissioner Friedrich Rainer agreed to donate the collection to Trieste, therefore ironically becoming a 'German donation'. Later, the Director of the municipal museums Silvio Rutteri, who obtained the possession of the apartment, which had become the temporary location of other civic collections, drew up an inventory: unfortunately, many of Morpurgo's art objects were missing.

Only after the liberation of Trieste, on 4<sup>th</sup> July 1945, did the city officially accept the legacy, and in turn the house of Baron Morpurgo became one of the municipal museums.

Il saggio riguarda la spoliazione della collezione d'arte del barone di origine ebraica Mario Morpurgo de Nilma (Trieste, 1867-Pordenone, 1943) che nel 1941 accettò di donare i propri beni a Trieste.

Con l'istituzione della *Zona d'Operazioni Litorale Adriatico* (1943-1945) e in base alle leggi razziali tedesche, la validità del testamento fu messa in discussione e numerosi oggetti vennero asportati dall'abitazione triestina del barone, sequestrata dall'ottobre 1943. Iniziò così un complesso contenzioso tra autorità locali e naziste, per mantenere la collezione in città e garantirne l'unità.

Il 20 giugno 1944 la vicenda pareva conclusa: grazie all'insistenza del podestà Cesare Pagnini e del prefetto Bruno Coceani, il Supremo Commissario Friedrich Rainer accettò di donare la collezione a Trieste, facendo sì che l'eredità diventasse ironicamente una 'donazione tedesca'. In seguito, il direttore dei Civici Musei Silvio Rutteri, ottenuta la custodia della residenza di Morpurgo, sede provvisoria di altre raccolte civiche, stilò l'inventario dei beni di nuova acquisizione: purtroppo risultarono mancanti diversi oggetti d'arte.

Solo il 4 luglio 1945, dopo la liberazione, il Comune accettò formalmente l'eredità e la residenza diventò una delle numerose sedi dei Civici Musei di Trieste.