

KETTERER KUNST



19TH CENTURY ART

December 10, 2022





AUCTION 532

19th Century Art

Auctions

Lots 300–395 19th Century Art (532)
Saturday, December 10, 2022, from 2.30 pm

Ketterer Kunst Munich
Joseph-Wild-Straße 18
81829 Munich

**For seat reservations please call: +49 (0) 89 5 52 440
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Further Auctions

Lots 100–206 Contemporary Art Day Sale (534)
Friday December 9, from 1.30 pm

Lots 1–64 Evening Sale (535)
Friday, December 9, from 5 pm

Lots 400–537 Modern Art Day Sale (533)
Saturday, December 10, from ca. 4.30 pm

Online Only onlineonly.kettererkunst.de
Sunday, November 20, 2022, from 3.30 pm –
Sun, December 11, 2022, 3 pm, Phased ending

Preview

Hamburg

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Wed. November 16 11 am – 7 pm
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Thu. November 17 1 am – 4 pm

Cologne

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Sun. November 20 11 am – 7 pm
Reception 4 pm – 7 pm
Mon. November 21 11 am – 4 pm

Frankfurt

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phone +49 (0)6221 58 80 038, infoheidelberg@kettererkunst.de

Wed. November 23 11 am – 7 pm
Reception 4 pm – 7 pm
Thu. November 24 11 am – 4 pm

Berlin

Ketterer Kunst, Fasanenstraße 70, 10719 Berlin
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Sat. November 26 10 am – 7 pm
Reception 4 pm – 7 pm
(Lecture on Max Liebermann, Dr. Lucy Wasensteiner,
director of Liebermann-Villa am Wannsee 5 pm)
Sun. November 27 10 am – 6 pm
Mon. November 28 10 am – 6 pm
Tue. November 29 10 am – 6 pm
Wed. November 30 10 am – 6 pm
Thu. December 1 10 am – 8 pm

Munich (all works)

Ketterer Kunst, Joseph-Wild-Straße 18, 81829 Munich
phone +49 (0) 89 5 52 440, infomuenchen@kettererkunst.de

Sat. December 3 3 pm – 7 pm
Reception 4 pm – 6 pm
Sun. December 4 11 am – 5 pm
Mon. December 5 10 am – 6 pm
Tue. December 6 10 am – 6 pm
Wed. December 7 10 am – 6 pm
Thu. December 8 10 am – 5 pm
Fri. December 9 10 am – 5 pm

Exchange rate: 1 Euro = 1 U.S. dollar (approximate value).

Front cover: Lot 301 C. Spitzweg – Frontispiece: Lot 338 F. Nerly – Page 2: Lot 334 J. Faber – Page 6: Lot 335 F. v. Amerling –
Rear inside cover: Lot 365 H. Bürkel – Rear outside cover: Lot 349 A. Volkman

INFO

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AUTUMN AUCTIONS 2022

Bids

Auctions 532 | 533 | 534 | 535 | @

Rechnungsanschrift | Invoice address

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ADOLF HEINRICH LIER

1826 Herrnhut – 1882 Wahren/South Tyrol

Ernte am Chiemsee. 1861.

Oil on canvas.

Mennacher 193. Lower right signed and inscribed "München".

Verso with collection label and an old label numbered "95".

98 x 148,5 cm (38.5 x 58.4 in).

Called up: December 10, 2022 – ca. 14.30 h ± 20 min.

€ 15,000 – 20,000 ^{R/D}

\$ 15,000 – 20,000

PROVENIENZ

- Adalbert Karl
- August Stier, Berlin (from 1928 the latest - 1934: Lepke Berlin).
- Collection "Schwentz" (?), no place (acquired from the above in 1934).
- Collection Georg Schäfer, Schweinfurt (with the label).
- Private collection Bavaria (acquired in 2007).

LITERATUR

- Rudolph Lepke's Kunst-Auctions-Haus Berlin, Gemälde neuerer Meister der Sammlung St., Berlin, alte und neuere Gemälde aus Privatbesitz: April 25, 1934, lot no. 37 with ill. plate 4.
- Neumeister Auktionshaus, Munich, auction on September 19, 2007, lot 616 (with ill.).

- **Large-size work by Lier, excellent in terms of composition and technical mastery**
- **Lier was one of the main representatives of the Munich School**
- **Summery harvest motifs count among his most sought-after motifs**
- **14 of his works are in the Bayerische Staatsgemäldesammlungen, Munich**



Summer heat and the golden glow of the vast cornfields are the defining motifs in Adolf Heinrich Lier's landscapes. Increasingly characterized by Realism, landscape painting in the mid-19th century had also embraced the motif of the crop harvest, exploring new artistic paths that linked landscape, genre and figure painting. Lier, who studied in Munich under Richard Zimmermann and later under Eduard Schleich, traveled to Paris in 1861 to find out about the latest developments in landscape painting. Though he was not particularly enthusiastic while in Paris, his impressions of the simple, unaffected approach of the Barbizon School were all the more powerful after his return to Germany, although the artistic clearly outweighed the social aspect in Lier's work. The fundamental aspect here is a harmonious color tonality dominated by bright, warm and summery yellow, contrasted with the hazy, transparent blue of the mountain silhouettes of the distant Alpine foothills and the lake below. The

imposing cloud formations arching across the sky echo the powerful bulky shapes of the large trees, lending the landscape an imposing expanse and grandeur despite the idyllic motif. Although the figures appear small in contrast, they are more than mere decorative accessories thanks to the detailed portrayal of their activities and the richness of their diversity. Lier captures women, men and children at work, devoid of all hardship and toil, nestled in warm and nurturing natural surroundings. A characteristic feature of the works attributed to the Munich School is their elongated format which suggests a continuation of the picture beyond the edges and hints at a panoramic expanse that reaches deep into the extended picture plane. With his landscapes still characterized by a certain romanticizing Realism but on the cusp of a pre-Impressionist style focusing on light and atmosphere, Lier became an influential figure in Munich landscape painting. [KT]

CARL SPITZWEG

1808 Munich – 1885 Munich

Mönch (“Sie liebt mich von Herzen, ein wenig...”).
1848.

Oil on panel.

Wichmann 509. Lower left monogrammed “S in diamond” and datiert. Verso with an old label inscribed “Carlos Fürst Auersperg” and numbered “35”. 31,3 x 25,5 cm (12,3 x 10 in).

Not identical with Roennefahrt 1111.

We are grateful to Mr Detlef Rosenberger, who saw the original work, for his kind support in cataloging this lot.

Called up: December 10, 2022 – ca. 14:31 h ± 20 min.

€ 60.000 – 80.000 ^{R/D}

\$ 60,000 – 80,000

PROVENIENZ

- Princess Auersperg (acquired from the artist).
- Karl (Carlos) Wilhelm Philipp Prince Auersperg (1814-1890) (with the label on the reverse).
- Fürst Rohan. [Alain Benjamin Fürst Rohan 1853-1914?]
- Carlos Fürst von Auersperg (reobtained from the above)
- Private collection Leipzig (1947, according to Roennefahrt)
- Private collection Bavaria.

AUSSTELLUNG

- Carl Spitzweg - Reisen und Wandern in Europa und der glückliche Winkel, Sedamm Kulturzentrum, Pfäffikon, September 22, 2002 - January 5, 2003; Haus der Kunst, Munich, April 24 - May 4, 2003, pp. 156-157, no. 72 (with illu.).

LITERATUR

- Carl Spitzweg, sales register no. 81, “Mönch (Sie liebt mich v. Herzen ein wenig) Prag, 6. März 49, angeb. C/60 = 72 Bayer. p. Pichler, Bild 54, Rahmen 6, (60) verk. für 72 Gulden”.
- Siegfried Wichmann, Carl Spitzweg. Kunst, Kosten und Konflikte, Frankfurt a.M. et al 1991, p. 315, no. 81 (sales register).
- Siegfried Wichmann, Carl Spitzweg, Sie liebt mich von Herzen, Dokumentation, Starnberg-Munich, R.f.v.u.a.K. 1993, pp. 5-13, Bavarian State Library, Munich, inv. no. Ana 656 SW 48.
- Galerie Koller Zürich, Gemälde & Graphik, Alter Meister & des 19. Jh., Möbel, Spiegel, Leuchter, Helvetica & Bücher, Skulpturen, Varia, Waffen, Pendulen & Armbanduhren, Silber, Zinn & Schmuck, Teppiche, Tapisserien, March 10 - 12, 1993, lot 78 (with illu.).

- Particularly impressive and empathic depiction of a single figure
- The “Mönch” is a key figure in Spitzweg’s oeuvre
- Wonderful combination of figure study and landscape picture
- Formerly in the collection of Carlos Fürst von Auersperg (1814-1890), Austrian statesman and art collector

In this work, Spitzweg devotes an unusual degree of attention to the figure of the monk, a solitary presence in the scene. Placed on the narrow path that has taken him to the top of the hill, the monk is silhouetted against the blue transparent sky. The minimalist scene subtly emphasizes the psychological expression of the monk’s character. Dressed in a secular manner with walking stick and red umbrella, he has plucked off the petals of a chamomile flower growing by the wayside, holding them in delicate hands whose gestural expression is reminiscent of the pointed fingers of the “Poor Poet”. Spitzweg is a true master of subtle, nuanced gestures and movements; with a questioning look, the monk turns his gaze to the village below, which features a church steeple and the cozy drift of smoke rising from a house. What kind of decision may the monk be making at this very moment? To be on the safe side, he has picked a second flower, allowing him to repeat the fortune-telling ritual in case he does not like the outcome first time round. Spitzweg began to paint clerics as solitary central figures amid the surrounding landscape in the 1840s. Among them are a country priest memorizing his breviary, a hermit longingly gazing at a passing girl and a Jesuit priest languidly smelling a bouquet of roses while a love-struck couple cuddles in the background. On a trip to Switzerland with his brother Eduard, Spitzweg stopped off in Solothurn to visit the local Capuchin monastery. He went on to see the rock-hewn dwellings of the hermitage of St. Magdalene in the Verena Gorge, leaving him with lasting impressions which he recorded in his richly themed Swiss Sketchbook of 1841/42.



Following the dissolution of many monasteries during the period of secularization, monks took up occupations such as nursing and teaching, or went into hermitages. Both the bourgeoisie and the authorities began to question the validity of these life choices as well as the practice of celibacy, with several German states, among them Hesse, Bavaria and Saxony, advocating their abolishment at the start of the 19th century. Against the backdrop of Biedermeier-era family love, even the laity regarded the lonely monastic figures with a certain pity. Spitzweg's monk may well be deliberating on such a decision of renunciation. The view of the church steeple, which resembles that of the Capuchin monastery in Solothurn, the little love flower and the view of the cozy home with the smoking chimney once again evokes one of the typical dramatic situations caught between duty and passion, reality and wishful thinking that define Spitzweg's remarkable psychological and narrative skills. [KT]



Carl Spitzweg, Das Abendbrevier, um 1845, Öl auf Holz, Musée du Louvre, Paris.

Carl Spitzweg, Studie eines Mönches, Schweizer Skizzenbuch 1841/42, Bleistift auf Papier, Privatbesitz.



Carl Spitzweg, Pflanzenstudie, Bleistift auf Papier, Privatbesitz.



302

FRIEDRICH VOLTZ

1817 Nördlingen – 1886 Munich

Weidelandschaft mit Hirte, 1885.

Oil on panel.

Lower right signed and dated. With two small fragmentarily preserved labels on the reverse. 27,5 x 41,5 cm (10,8 x 16,3 in).

Called up: December 10, 2022 - ca. 14.32 h ± 20 min.

€ 3.000 – 4.000 R/P

\$ 3,000 – 4,000

PROVENIENZ

· Private collection Baden-Württemberg.

Having received his first artistic training from his father, who was a painter in his own right, Friedrich Voltz pursued further studies at the Munich Academy from 1834 onwards. In the main, however, he remained a self-taught artist. Initially, he ventured to the Munich countryside in search of motifs, specializing in landscape and animal painting. A study trip to Holland, where he was introduced to the landscape painting of Barend Cornelis Koekkoek and his circle who were influenced by the groundbreaking Dutch masters of the 17th century, proved to be a crucial inspiration. From the 1850s onwards, he worked closely with his artist friends Carl Spitzweg and Eduard Schleich the Elder. Several major collaborative works exploring popular themes of the Munich School – pastoral scenes or herds of cattle, horses and goats set against a backdrop of trees – bear witness to the mutual influence between Voltz, a distinctive draftsman and outstanding visual arranger, and Schleich, a pioneer of German outdoor painting. Ambient air and weather scenes, the even, mellow distribution of light in the landscape composition and the effective use of chiaroscuro contrasts all add to the special appeal of the intimate pastoral landscapes Voltz created in his studio. [KT]



303

CARL SPITZWEG

1808 Munich – 1885 Munich

Einsiedler in der Dämmerung
(Der Anachoret). Around 1870-75.

Oil on panel.

Wichmann 807. Lower left monogrammed "S in diamond". 15 x 32 cm (5.9 x 12.5 in).

We are grateful to Mr Detlef Rosenberger for his kind support in cataloging this lot.

Called up: December 10, 2022 – ca. 14.34 h ± 20 min.

€ 20.000 – 30.000 R/P

\$ 20,000 – 30,000

PROVENANCE

- Collection Heinrich Carl Fahrig, Leipzig (until 1910: Fleischmann's Hofkunsthändler March 8, 1910).
- Oberst von Pflaum, Irschenhausen (until 1921: Helbing November 15/16, 1921).
- Karl Wilhelm Zitzmann, Starnberg (acquired from the above in 1921, until 1927: Helbing June 11, 1927).
- Neue Galerie Schönemann & Lampl, Berlin (acquired from the above).
- Private collection (since 1981: Koller November 11/12, 1981).

LITERATURE

- E. A. Fleischmann's Hofkunsthändler, Munich, Katalog der Gemälde-Sammlung des † Herrn H. C. Fahrig, Leipzig, auction on March 8, 1910, no. 63 (with illu. on plate 45).
- Hugo Helbing, Munich, auction on November 15/16, 1921, no. 460 (with illu. plate 18).
- Hugo Helbing, Munich, Ölgemälde, Aquarelle und Handzeichnungen moderner Meister aus dem Besitze eines süddeutschen Kunstfreundes und aus anderem Besitz, auction on June 11, 1927, no. 234 (with illu. plate 4).
- Günther Roennefahrt, Carl Spitzweg, Beschreibendes Verzeichnis seiner Gemälde, Ölstudien und Aquarelle, Munich 1960, no. 1218 (with illu.).
- Galerie Koller, Zürich, auction on December 11/12, 1981, lot 5096 (with illu. on plate 34).

The narrow horizontal format, described by Spitzweg as "slim strips", shows the hermitage built into the barren, stony landscape, modeled atmospherically from ochre and brown tones, with the hermit reading on a simple bench at the table in front of it. Spitzweg stages the scene of the dwelling, which is pieced together from ruin-like stones, planks and pieces of rock, entirely out of the changeable chiaroscuro and creates effective perspectives of the blue sky and the creek bed. Inspired by the rock caves of the hermitage St. Magdalenen in Switzerland, which he visited in 1841/42, the motif of the Christian hermit in a cowl appeared in his repertoire from then on. However, our hermit with the gray-haired philosopher's head is reminiscent of the pre-Christian predecessors, the Greek anchorites. The most famous figure of such a way of life is Antony the Great, who withdrew to the Egyptian desert in the 3rd century, initially to an abandoned fort on the banks of the Nile. Above all, the motif of the legend about the temptations of this forerunner of Christian monasticism went down in art history, which led to outstanding pictorial inventions. Spitzweg also made a "Versuchung des Heiligen Antonius" (Temptation of Saint Anthony, Wichmann 833). What is also impressive about the small format is the movement of the reduced landscape in its natural and architectural rock formations, which must have challenged Spitzweg as a nature observer interested in geology in his painting. [KT]



304

CARL SPITZWEG

1808 Munich – 1885 Munich

Straße in Kairo, Türk' findet eine Rose. Around 1851.

Oil on canvas, laminated on thin board.

Wichmann 434. With signature remains in lower right. 19 x 12,5 cm (7.4 x 4.9 in).

We are grateful to Mr Detlef Rosenberger, who saw the original work, for his kind expert advice.

Called up: December 10, 2022 – ca. 14.35 h ± 20 min.

€ 8.000 – 10.000 R/P

\$ 8,000 – 10,000

PROVENANCE

- Private collection Czech Republic.

LITERATURE

- Siegfried Wichmann, Carl Spitzweg, Straße in Kairo, Türk' findet Rose Dokumentation, Stgarnberg-München, R.f.v.u.a.K. 1989, p. 32, Bayerische Staatsbibliothek Munich, inv. no. Ana 656 SW 28.
- Siegfried Wichmann, Carl Spitzweg, Kunst, Kosten und Konflikte, Frankfurt/Berlin 1991, p. 318, no. 105 (sales register).
- Cf. Wichmann WVZ 273 for the version executed around 838.

Political events in the 19th century brought the theme of the Orient to the attention of artists and painters. In particular, the upheavals affecting the Ottoman Empire, such as the liberation of Greece, the conquest of Algeria by France in 1830 and the formation of nation states in the Balkans, are discussed in newspapers and caricatures. In addition, there is a geographically diffuse, romanticized notion of a luxurious oriental world that included North Africa, Egypt, the Levant, Turkey and sometimes even India in painting. Famous painters such as Eugène Delacroix, Alexandre Decamps and Eugène Fromentin shaped orientalist painting in France from 1830, which Spitzweg saw during his trip to Paris and at the World Exhibition in London in 1851. Here he also visited the Ottoman-Turkish pavilions with fabrics, clothing, handicrafts and a bazaar specially recreated for this presentation. As a result, several paintings were created that show how stimulating the journey was for Spitzweg's imagination and creativity. He also drew inspiration for earlier drawings and motifs from Napoleon Bonaparte's "Description de l'Égypte" from 1809. The idea of the harem and a tabooed eroticism fascinated Western artists. In the present work, Spitzweg stages the alley in which the walker in a yellow caftan finds a rose in a dreamy and hazy light. [KT]



305

HERMANN BAISCH

1846 Dresden – 1894 Karlsruhe

Flußlandschaft mit Vögeln und Weide. 1880/90.

Oil on paper, laminated on board.

Lower right with stamp signature. Verso with the estate stamp and a label of Kunsthaus Bühler, numbered "91a" and inscribed "G. Schönleber".
24,5 x 34 cm (9.6 x 13.3 in).

Called up: December 10, 2022 – ca. 14.36 h ± 20 min.

€ 1.500 – 2.000 ^{R/D}

\$ 1,500 – 2,000

PROVENANCE

- Artist's estate (with the stamp on the reverse).
- Gustav Schönleber, Karlsruhe (with ownership note on the reverse).
- Kunsthaus Bühler, Stuttgart (with a label on the reverse).
- Private collection Baden-Württemberg.

Hermann Baisch is widely regarded as the main exponent of the "paysage intime" style in Germany. Dedicated to the simple, unadorned portrayal of the artist's personal, intimate experience of nature, the paysage intime format was conducive to Impressionism thanks to its proponents' penchant for sketching in the open air. While in Paris in 1868, Baisch was introduced to the style through works by artists of the Barbizon School, such as Theodore Rousseau and Camille Corot. After his return, he continued to apply this romantic, emotive approach to his landscape painting at Adolf Lier's studio in Munich. Focusing specifically on landscapes in Upper Bavaria, which he often portrayed in a special silvery-golden hue inspired by Corot, his work bears witness to his preference for an impressionistic-atmospheric tone-on-tone technique combined with looser, less academic brushwork. [KT]



306

ANTON BRAITH

1836 Biberach an der Riss – 1905 Biberach an der Riss

Kleine Hirtin mit Schafen. 1881.

Oil on canvas.

Lower left signed and dated.

49 x 76 cm (19.2 x 29.9 in).

We are grateful to Dr. Judith Bihr, Museum Biberach, for her kind expert advice.

Called up: December 10, 2022 – ca. 14.38 h ± 20 min.

€ 3.000 – 4.000 ^{R/D}

\$ 3,000 – 4,000

PROVENANCE

- Private collection Baden-Württemberg.

Anton Braith grew up on a farm in Biberach, which was under the stewardship of his father. While herding cattle as a child, he started to sketch goats, sheep and cows grazing on the meadows. In 1851, Braith won a scholarship and enrolled at the Stuttgart School of Art. After moving to Munich in 1860, his painting style was initially inspired by the Piloty school. Munich was also home to Albrecht Adam and Friedrich Voltz, two of the most important painters of animal motifs of the time. Having studied landscapes with animal portraits typical of the Golden Age in Holland, notably the works of Paul Potter, Voltz also devoted himself to the depiction of farm animals. While Voltz still focused on the precise rendering of animal species, Braith's work, which is characterized by a more animated, lively portrayal employing an Impressionistic, free brushstroke style, represents a new development of the genre. Spending many summers in Upper Bavaria and at Lake Chiemsee with his friend Christian Mali, he was also in contact with various artists' colonies. Increasingly, Braith also worked as an outdoor painter. While traveling with Mali to the 1867 Universal Exhibition in Paris, he was introduced to the works of Constant Troyon, a painter of animal motifs, which had a lasting influence on Braith. From then on, the artists devoted himself almost exclusively to realistic-dramatic representations of animals and successfully exhibited his works in Munich, Paris and Vienna. [KT]



307

FRANZ VON DEFREGGER

1835 Stronach/Tyrol – 1921 Munich

Mädchen im Dirndl. 1887.

Oil on panel.
Defregger p. 326. Signed and dated in left margin above the shoulder. Verso of the stretcher with several hand-written numbers.
52 x 40,5 cm (20.4 x 15.9 in).

Called up: December 10, 2022 – ca. 14.39 h ± 20 min.

€ 8.000 – 12.000 R/D

\$ 8,000 – 12,000

PROVENANCE

· Private collection Southern Germany.

LITERATURE

· Sotheby's, Munich, auction on December 3, 1996, lot 52 (with illu.).

Defregger owes his fame and his great success with upper-class buyers in the last third of the 19th century to his portraits of girls. The most common of these are the so-called 'Dirndls', portraits of Tyrolean country girls in their characteristic costumes, embodying a healthy, rural beauty untouched by the effects of city life. In contrast to the impressionist glamorous lady of the early fin-de-siècle, which the Parisian impressionists depicted in high numbers, Defregger, himself a Tyrolean farmer's son, drew a different female ideal. Defregger grew up on his parents' farm in Stronach in the Puster Valley. In the 1860s, his career as a painter began in Innsbruck and led him via the Munich Academy to Paris and finally to Karl von Piloty's history class, where he completed his studies from 1867 to 1870. A number of the Dirndl portraits go back to his stays in Bozen from 1872, where he finally had a villa with studio built. From the beginning of the 1880s, his representative villa in Munich on Königstraße became a cultural center and underlined his status as an emerging artist in the Munich art scene, which he held alongside Lenbach and Stuck, who are celebrated as the 'painter princes' today. Some of his models also seem to change. Here he shows an elegant bourgeois daughter in an elegant blue silk dress with a cashmere scarf and a silver choker in front of a red-brown background. The serious, slightly melancholic gaze is typical of Defregger's very own gallery of beauties. A demure, respectable, harmless beauty in a traditional robe elevated to the ideal type, following the tradition of a 'gallery of beauties'. [KT]

Find more art-historical background information, images, videos and updates on www.kettererkunst.com

308

FRANZ VON DEFREGGER

1835 Stronach/Tyrol – 1921 Munich

Der Liebesbrief. 1884.

Oil on canvas.
Defregger p. 307. Lower left signed and dated.
Verso of the stretcher with several hand-written numbers. 38,5 x 27 cm (15.1 x 10.6 in).

Called up: December 10, 2022 – ca. 14.40 h ± 20 min.

€ 8.000 – 12.000 R/D

\$ 8,000 – 12,000

PROVENANCE

· Prof. Dr. Georg Scherer, Munich (until 1909: Hugo Helbing December 16, 1909).
· Art trader Gustav Seidenander, Munich (acquired from the above in 1909).
· Th. von Hörmann, Vienna (until 1918: estate auction at Kunst-Auktions-Salon December 16, 1918).
· Private collection Southern Germany.

LITERATURE

· Hugo Helbing, Munich, February 16/17, 1909, lot 525 (with plate).
· Kunst-Auktions-Salon S. Kende & L. Schidlof, Vienna, estate Th. v. Hörmann, December 16, 1918, lot 211 (with illu.).
· Internationale Sammler-Zeitung, issue 1, vol. 11, 1919, p. 5 (review of estate auction).
· Der Cicerone, vol. 11, 1919, p. 66 (review of estate auction).



309

EDUARD VON GRÜTZNER

1846 Großkarlowitz/Silesia – 1925 Munich

Was ihr wollt. 1871.

Oil on canvas.

Balogh 648. Lower right signed and dated.

Verso of the stretcher with a later typographic stamp "BV 594". 74,5 x 59,5 cm (29.3 x 23.4 in).

Called up: December 10, 2022 – ca. 14.42 h ± 20 min.

€ 7,000 – 9,000 ^{R/D}

\$ 7,000 – 9,000

PROVENANCE

- Collection Webb, London.
- Galerie Weber, Munich.
- Private collection Baden-Württemberg (acquired after 1960).

LITERATURE

- Die Kunst für Alle, year 1, issue 6, 1885, p. 87 (with xylogr. illu.)
- Ernst Friedrich Wüstemann, Eduard Grützner, in: Allgemeine Kunst-Chronik, year 11, issue 6, 1887, p. 146.
- Fritz von Ostini, Grützner, Bielefeld/Leipzig 1902, p. 100.



A number of artists working in 19th-century historical and genre painting drew upon literary themes which had become part of general cultural knowledge through their frequent appearance in books. In Grützner's case, for instance, the main themes are the likeable drunkard Sir John Falstaff from William Shakespeare's "Henry IV" and "The Merry Wives of Windsor" and scenes from comedies such as "The Twelfth Night", which was written around the year 1600. Mistaken identities, masquerades, debauchery and tumultuous events make this play an obvious choice for an artist like Grützner who enjoyed the challenge of scenic productions. With consummate skill and imagination, he dresses his characters in the costumes of 17th century England and has them strike a pose befitting an actor. Beyond his love of rediscovering historical periods, this work demonstrates Grützner's effortless delight in linking theater, literature and art, and the opportunity to stage a production that allows the artist to become the director. [KT]

310

NIKOLAOS GYSIS

1842 Sklavochori/Tinos – 1901 Munich

Geduldsprobe. Around 1880.

Oil on canvas.

Lower left signed. 38 x 29 cm (14.9 x 11.4 in).

Called up: December 10, 2022 – ca. 14.43 h ± 20 min.

€ 10,000 – 15,000 ^{R/D}

\$ 10,000 – 15,000

PROVENANCE

- Collection James Staats Forbes (1823-1904), London.
- Estate of James Staat Forbes, London.
- Galerie Heinemann, Munich (December 7, acquired from the above in 1904 - April 5, 1907, Heinemann no. 7363).
- E.A. Fleischmann's Hofkunsthdlgung, Munich (acquired from the above on April 5, 1907, presumably on behalf of the following).
- Privy councillor Dr. Isidor Groedel, Bad Nauheim (acquired from the above).
- Galerie Heinemann, Munich (in an exchange from the above on February 15, 1907 - July 25, 1907, Heinemann no. 8708).
- Charles Brown, Baden/Zürich/Montagnola (acquired from the above on July 25, 1907).
- Galerie Heinemann, Munich (in an exchange from the above on April 3, 1914 - February 19, 1916, Heinemann no. 12396).
- General director Dr. Hans Berckemeyer, Berlin (acquired from the above on February 19, 1916).
- Private collection Bavaria.

EXHIBITION

- Permanente Ausstellung von Werken erstklassiger deutscher, französischer, altenglischer und altspanischer Meister, Galerie Heinemann, Munich 1914, p. 64 (with illu.).

LITERATURE

- Galerie Heinemann, Munich, file on Heinemann numbers 7363, 8708, 12396.
- E.A. Fleischmann's Hofkunsthdlgung, Munich, catalog of the painting collection (German part) of + Herrn J. S. Forbes, Chelsea, London, March 28, 1905, lot 23 (with illu.).
- inventory catalog, Galerie Heinemann, Munich 1907/08, cat no. 84 (with illu.).



Born on the Cycladic island of Tinos, Nikolaos Gysis later went to art school in Athens. In 1856, supported by a scholarship, he traveled to Munich, which enjoyed an eminent international reputation in Greece as well as throughout Europe. Gysis worked at the Munich Academy until 1871, spending three formative years in the class of the renowned historical painter Carl Theodor von Piloty. On subsequent study trips to Asia Minor and Greece, he began to dedicate himself to genre painting. Instead of folkloristic scenes, however, he committed himself to the kind of searching and authentic Realism that dominated international academic exhibitions at the time. Trained at one of the best contemporary academies in Europe, he showed great technical skill in reproducing materiality and detail, illustrating his artistic talent. In 1882, Gysis was appointed professor at the Munich Academy where he continued to teach until his death. Counted among the representatives of the so-called Greek Munich School, he was part of the close cultural ties between Bavaria and Greece that prevailed in the 19th century. [KT]

FRANZ VON DEFREGGER

1835 Stronach/Tyrol – 1921 Munich

Beim Tanz. 1880 s.

Oil on canvas.

Defregger p. 311. Lower left signed. 79 x 64 cm (31.1 x 25.1 in).

Called up: December 10, 2022 – ca. 14.44 h ± 20 min.

€ 18.000 – 28.000 ^{R/D}

\$ 18,000 – 28,000

PROVENIENZ

· Private collection Southern Germany.

Born in 1835 on the Ederhof farm in Stronach, Tyrol, Franz Defregger was the second son of the wealthy farmer Michael Defregger. After the death of his father, he sold the family farm and moved to Innsbruck, taking up an apprenticeship as a carver with Michael Stolz in 1860. The latter soon noticed his extraordinary talent and arranged a meeting with Karl Theodor von Piloty. Following the painter's advice, Defregger attended Hermann Dyck's preparatory class at the Munich School of Applied Arts and subsequently transferred to Hermann Anschütz's painting class at the Academy of Fine Arts in the fall of 1861. A study trip took him to Paris in 1863. While spending some time in the city, he was introduced to the Barbizon School of painting which was to have a lasting influence, particularly on his nature-based works. On his return from Paris, Defregger lived in Munich and East Tyrol, where he worked mainly on portraits of relatives and acquaintances. In addition to genre-like renderings of recent historical events, which are in marked contrast to the lavishly staged historical and society paintings produced by his teacher, he primarily created everyday scenes depicting peasant life in Tyrol.

Defregger's work quickly made him one of the most popular genre painters of the Munich School who went on to exert a formative influence in this field. In 1878, he was appointed professor of historical painting at the Munich Academy's composition class, where he taught until 1910. Built in 1880, his prestigious villa in Munich's Königinstrasse became a popular social meeting point. Defregger received numerous awards and honors in the following years, culminating in the award of the Bavarian Order of the Crown along with a peerage in 1883. In addition to his academic genre and history paintings, which are regularly shown at exhibitions, he also produced a series of free-form portraits, landscapes and portrayals of private life in the 1890s. Above all, he was a master observer of the human physiognomy, allowing him to create genre scenes with nuanced narrative content. This young girl may have enjoyed too much twirling around with the frightened young lad standing behind the doorpost. Most likely, she is about to receive a sermon from her enraged father, which may well become physical given the rough social conventions of the countryside. [KT]



WILHELM TRÜBNER

1851 Heidelberg – 1917 Karlsruhe

Studiosus Michaelis, mit Papierrolle. 1873.

Oil on canvas.

Rohrandt G 203. Upper right signed and dated. Verso of the canvas with stamps and inventory numbers. Verso of the stretcher inscribed, with stamps and inventory numbers, with an old fragmentarily preserved label, as well as numbered "D 2232". 46 x 30,5 cm (18.1 x 12 in).

We are grateful to Dr. Klaus Rohrandt, Kiel, for his kind expert advice.

Called up: December 10, 2022 – ca. 14.46 h ± 20 min.

€ 2.000 – 3.000 ^{R/D}

\$ 2,000 – 3,000

PROVENIENZ

- Art trader Jos. Schall, Wiesbaden (1911, presumably on consignment from the artist's).
- Artist's estate (until 1918: auction at Lepke).
- Collection Carl Sachs (1858-1943), Breslau/Basel (acquired from the above, presumably in 1918, the latest since 1923, until 1943: auction Galerie Fischer).
- Works from the Collection Sachs kept at Kunsthau Zürich, Kunstmuseum Basel und Kunstmuseum Luzern (as of 1934).
- "Fischer", no place (acquired in 1943: auction Galerie Fischer).
- Art dealer Winfried Flammann, Karlsruhe (acquired in 1988: auction Galerie Fischer).
- Ministerium für Wissenschaft und Kunst Baden-Württemberg (acquired from the above in August 1989), on loan at Kurpfälzische Museum, Heidelberg.

Returned to the heirs of Carl Sachs in July 2022.

No pending restitution claims.

AUSSTELLUNG

- Ausstellung Deutscher Kunst aus der Zeit von 1775-1875, Königliche Nationalgalerie Berlin, 1906, no. 1815.
- Sonderausstellung von Gemälden Wilhelm Trübners, Kunstverein Leipzig, Sept.-Oct. 1908, no. 19 (with illu.).
- 1. Große Kunst-Ausstellung, Wiesbaden 1909, no. 378 or 388 (with illu.).
- Große Internationale Kunstausstellung, Kunsthalle Bremen, 1910.
- Wilhelm Trübner. Ausstellung anlässlich des 60. Geburtstages, Kunstverein Karlsruhe, February 2 - March 2, 1911, no. 2612.
- XXVI. Ausstellung der Berliner Secession, Ausstellungshaus am Kurfürstendamm 208/9, Berlin 1913, no. 124.
- Baltische Ausstellung, Malmö, May 15 - October 4, 1914.
- Wilhelm Trübner 1851-1917, Kurpfälzisches Museum, Heidelberg, December 10, 1994 - February 19, 1995; Kunsthalle der Hypo-Kulturstiftung, Munich, March 10 - May 21 1995, cat. no. 25 (with illu.).

- **From 1989 to 2022 in the Kurpfälzischen Museum Heidelberg**

- **Part of the important Trübner retrospective in 1994/95**

- **Restitution case from the acclaimed Collection Carl Sachs**

LITERATUR

- Georg Fuchs, Wilhelm Trübner und sein Werk, Munich 1908, pp. 89f. (illu. 25).
- Hans Rosenhagen, Wilhelm Trübner, Bielefeld 1909, p. 80 (illu. 19, p. 22).
- Die Internationale Kunst-Ausstellung in Bremen, in: Die Kunst für Alle, 25, 1910, p. 308.
- Julius Elias, Wilhelm Trübner, in: Kunst und Künstler, 14, 1916 (illu. p. 188).
- Joseph August Beringer, Trübner: des Meisters Gemälde in 450 Abbildungen, Stuttgart 1917, p. XX (with illu. p. 47).
- Rudolph Lepke's Kunst-Auctions-Haus, Berlin, Nachlass Wilhelm Trübner: Versteigerung (no. 1806b): Eigene Gemälde, Arbeiten seiner Gattin Alice, Werke aus dem Freundeskreise, June 4, 1918, no. 16, illu. plate 11 (note Haberstock: Sachs).
- Versteigerung von Trübners Nachlass, in: Kunst und Künstler, 16, 1918, p. 407.
- Karl Scheffler, Breslauer Kunstleben, in: Kunst und Künstler, 21, 1923, p. 123 (with illu. on p. 119).
- Galerie Fischer, Luzern, Mobiliar aus westschweizerischem Adelsbesitz - Aus Berner und holländischem Privatbesitz - Gemälde alter und neuer Meister, May 25 - 29, 1943, no. 1829.
- Galerie Fischer, Luzern, Mobiliar, Kunstgewerbe, teils aus Besitz des Comte de Lenzbourg (...), November 27 - December 1, 1956, no. 2466 (not sold).
- Galerie Fischer, Luzern, Möbel, Zinn, Glas, (...) Gemälde alter und moderner Meister, November 8 - 10, 1988, no. 2253 (with illu.).
- Monika Tatzkow, "Es schwimmen aber ja im Kunsthandel eine Menge Arbeiten [...] herum aus den Sammlungen ausgewiesener oder geflohener Leute", in: Peter Mosimann und Beat Schönenberger (ed.), Fluchtgut - Geschichte, Recht und Moral, Bern 2015, pp. 37-51, here illu. on p. 44 (on Collection Sachs cf. ibidem).
- Ministerium für Wissenschaft, Forschung und Kunst, Land gibt Trübner-Gemälde an die Erben des jüdischen Industriellen und Kunstsammlers Carl Sachs zurück, press release no. 084/2022, mwk.baden-wuerttemberg.de, July 18, 2022.
- Land gibt Gemälde an Erben des jüdischen Besitzers zurück, Süddeutsche Zeitung Online, dpa:220718-99-66910/2, July 18, 2022.
- Baden-Württemberg gibt Trübner-Gemälde an Erben zurück, Deutschlandfunk Kultur, deutschlandfunkkultur.de, July 12, 2022.



Created in Trübner's early years, after he had completed his studies at Hans Canon's private studio in Stuttgart as well as a brief stint at the Academy in Munich, this work shows an as yet unidentified student. In the years following 1869, Trübner's work was clearly influenced by the painting style of the great Realist master Gustave Courbet, whose works he saw at the International Art Exhibition at Munich's Glaspalast. Instead of focusing on detailed, meticulous reproductions of objects, Courbet's realism is devoted to pure painting itself which stands out for its broad impasto brushstrokes. Aside from landscapes, Trübner also liked to paint human subjects, incorporating the essential ideas of Wilhelm Leibl whose circle he belonged to in 1871. The summer of 1872/73 was spent in his native Heidelberg, partly in response to yet another cholera outbreak in Munich. Thanks to its picturesque landscape, Munich is widely regarded as one of the main thematic sources of Romanticism and landscape painting; however, it was primarily due to its university, the oldest in Germany, and its liberal atmosphere that the city gained

prominence in the late 1840s. The student depicted here may have been one of the many young men enrolled at the popular, top-ranking law school. This work of art was part of the distinguished collection of the Jewish industrialist and art collector Carl Sachs (1858–1943) from Breslau. Over the course of his life, Sachs had acquired a wide-ranging and highly prestigious collection of 19th-century German and French artists with a strong emphasis on Impressionism, which included works by Corinth, Liebermann and Trübner as well as Corot, Courbet, Monet and Renoir. Facing discrimination and persecution during the rise of National Socialism, Carl Sachs and his wife Margarethe, already at an advanced age, were forced to emigrate to Switzerland in February 1939. In 1943, deprived of the fortune he had to leave behind in Germany, Sachs sold the art collection he had brought to Basel, including the Trübner painting. With the state of Baden-Württemberg returning the painting to the heirs of Carl Sachs in 2022, it is now being offered for sale without any restitution claims attached to it. [KT]

CARL SPITZWEG

1808 Munich – 1885 Munich

Lagernde Karrner (Rast der Streuner). 1870.

Oil on panel.

Roennefahrt 685. Wichmann 1460. With the paraph in lower righth. 15,5 x 31,5 cm (6.1 x 12.4 in).

We are grateful to Dr. Stephan Kligen, ZI Munich, Detlef Rosenberger, Oberostendorf, Filip Strubbe, Algemeen Rijksarchief Brussels, Geert Sels, Brussels, and Stefanie Wilson, Berlin, for the kind expert advice.

Called up: December 10, 2022 – ca. 14.47 h ± 20 min.

€ 30.000 – 40.000 ^{R/D}

\$ 30,000 – 40,000

PROVENIENZ

- Presumably E. Pütterich, Munich (acquired from the artist titled “Streuner“ in 1882, sales register no. 443).
- Galerie Wimmer & Co., Munich.
- Collection Carl Hugo Schmeil, Dresden (acquired from the above in 1908, until 1916: Cassirer/Helbing).
- Collection Alfred and Olga Mengers, Berlin (acquired from the above in 1916, until 1942 the latest).
- Presumably private collection Deggendorf/Würzburg.
- Private collection Germany (inherited from the above, until 1982: Sotheby’s).
- Private collection Süddeutschland (until 2008: Ketterer Kunst).
- Private collection Tschechien (acquired from the above in 2008).

Amicable agreement with the heirs after Olga Mengers (2022).

The work is sold subject to the amicable agreement with the heirs after Olga Mengers on basis of a just solution. No pending restitution claims.

AUSSTELLUNG

- Carl Spitzweg: Reisen und Wandern in Europa und der glückliche Winkel, Seedamm Kulturzentrum, Pfäffikon, 2002/03 / Haus der Kunst, Munich, 2003, cat. no. 35, p. 78 (with illu.; with the label on the frame).
- Carl Spitzweg, “Das ist deine Welt”. Gemälde - Aquarelle - Zeichnungen, Reuchlinhaus Pforzheim, 2003 / Von der Heydt-Museum, Wuppertal, 2004 / Schleswig-Holsteinische Landesmuseen, Schloss Gottorf, Schleswig, 2005 / Landesmuseum für Kunst und Kulturgeschichte, Oldenburg, 2005 / Kulturelles Forum, Langenfeld, 2007, cat. no. 209, p. 150 (with illu.; verso with the label).

LITERATUR

- Fotoalbum der Galerie Wimmer, (before) 1908, no. 267. Archiv of BStGS, Munich, with hint at sale to Carl Hugo Schmeil, 1908.
- Filing box of Galerie Wimmer, files (after) 1916, files Cassirer/Helbing 1916. BStGS archive.
- Kunstsalon Paul Cassirer, Berlin / Galerie Hugo Helbing, Munich, Collection Schmeil, Dresden, auction October 17, 1916, lot 112 (with the label on the reverse).
- “Hanfaengl-Album” no. 12908: “Zigeunerlager”. ZI Munich, Photothek, inv. no. 216 357.
- Günther Roennefahrt, Carl Spitzweg. Beschreibendes Verzeichnis seiner Gemälde, Ölstudien und Aquarelle, Munich 1960, no. 685.
- Sotheby’s London, Europäische Gemälde, Zeichnungen und Aquarelle des 19. Jahrhunderts, auction on November 24 1982, lot 64 (with illu.).
- Siegfried Wichmann, Carl Spitzweg. Kunst, Kosten und Konflikte, Frankfurt/ Berlin 1991, p. 342, no. 443.
- Ketterer Kunst, Munich, auction on October 25, 2008, lot 346 (with illu.).

- Humorous and subtle landscape picture
- From the artist’s best period of creation
- Formerly in the Collection Schmeil, Dresden
- “It was the collector’s wish to compile the possibly best paintings from the last third of the nineteenth century to the present day.“ (Fritz von Ostini about the Collection Schmeil, 1916)

Carl Spitzweg. “His name alone evokes a sense of sunny well-being and his outstanding talent as a painter is no longer in dispute; we just have to admire this talented inventor of rare ingenuity in the history of art. Although he is first and foremost a landscape artist, few modern landscapers have brought nature to life with such ingenious and striking human and animal accessories. One might easily mistake the accessories for the main thing, even though they are usually intended merely as a means of conveying the mood, as the ultimate point of the landscape theme. [...] In “Thunderstorm”, a small group of fleeing peasants adds the defining urgency, a landscape of bare hills punctuated by a family of resting carters or gypsies who observe a policeman approaching from far back beyond the hills. Here it is the subtle gift of humor that makes the picture come alive [...]” This is how the authoritative art critic and writer Fritz von Ostini aptly described the outstanding quality of Spitzweg’s painting “Lagernde Karrner” (Carters at Rest) for the auction of the Schmeil collection in 1916: It is the cheery tongue-in-cheek humor in this everyday scene that gives the painting its special appeal. Spitzweg even contrives to make the landscape “speak” for itself: By contrasting light and dark, open and concealed, above and below, the sunlit mountain ridge and the shady resting place by the water, bordered by shrubbery, add another level to the anecdotal narrative of the figures’ characters.

Not surprising then that this subtle work of art found a home in various distinguished houses. Until 1916, for instance, it was part of Carl Hugo Schmeil’s renowned collection. When the commercial



councilor’s collection was liquidated by auction in Dresden in 1916, the Helbing/Cassirer catalog appeared in a richly illustrated grand edition, with the auction itself generating a great deal of interest. Among the bidders was the eminent judge at the Berlin commercial court, Dr. Alfred Mengers, who acquired “Lagernde Karrner” for the hefty price of 7,000 marks.

Alfred Mengers, head of the family-owned “Velvetfabrik M. Mengers & Söhne” in Berlin, lived with his wife Olga Henriette in a large villa at Buchenstrasse 6. Olga, for her part, came from a wealthy family and had inherited an art collection from her father, the important Kassel-based entrepreneur and city district designer Sigmund Aschrott.

After 1933, Olga Mengers, now a widow, and her art dealer sons Heinz and Kurt faced persecution by the Nazis. Although a baptized Protestant, Olga Mengers was classified as one-hundred percent Jewish according to Nazi racial doctrine and was driven to ruin by the National Socialists. The velvet factory was “Aryanized”, the paternal inheritance was confiscated for the “Judenvermögensabgabe” (Jewish property levy) and the house was sold. Before long, Olga was restricted to occupying just two rooms of her apartment. Her sons Heinz and Kurt fled Berlin as early as 1938 and 1936, respectively. Like many others of her generation, the elderly mother, whose vision was severely impaired, stayed behind despite the danger. On returning to her apartment from an eye clinic in the fall of 1942, Olga Mengers was arrested and deported to Theresienstadt. Her long-serving housekeeper had to bid the old lady a hasty good-bye in the hallway.

Olga Mengers was fortunate to survive the concentration camp and was liberated on July 10, 1945. After returning to Berlin, she died in abject poverty in 1948.

So what happened to the Carl Spitzweg painting? After Olga’s deportation, according to usual National Socialist practice, all household effects including the collection of paintings were sealed, inventoried and “utilized”. As it happened, Spitzweg’s painting along with several other valuable paintings did not appear in the lists compiled by the Nazi henchmen, although the sons Heinz and Kurt were certain that Spitzweg’s small, rectangular “Landscape with Figures” had still been in the apartment.

What actually happened to the painting remains a mystery. Was it among the pieces of furniture and works of art from the sealed apartment that were offered “underhand” to high-ranking military officers and private individuals? Or was the small, valuable item part of Olga Mengers’ “air-raid bag”? Individual items from her bag went undiscovered during her deportation and were later taken to apparent safety in southern Germany, but not all of them were returned. It is assumed that the painting passed back into private hands before the end of the war, most likely into the collection of a military doctor from southern Germany.

The eventful history of “Lagernde Karrner”, which saw both glorious and dark times, has come to a happy conclusion thanks to a “just and fair settlement” with the heirs of Olga Mengers. There are no outstanding restitution claims connected with the painting and it is offered for sale with the full consent of the Mengers family. [AT]



314

HEINRICH VON ZÜGEL

1850 Murrhardt – 1941 Munich

Bauer mit Kühen. Around 1915-20.

Oil on canvas.

Cf. Diem 893, 925. Signed in bottom center. Verso of the canvas once more signed. Verso of the stretcher numbered. 46 x 60 cm (18.1 x 23.6 in).

Called up: December 10, 2022 – ca. 14.48 h ± 20 min.

€ 5.000 – 7.000 R/D

\$ 5,000 – 7,000

PROVENANCE

· Private collection Baden-Württemberg.

Heinrich von Zügel devoted his entire life to the art of animal painting, showing a particular interest in the depiction of farm and domestic animals. A tribute to his childhood, sheep and cattle played a central role in his works throughout his life. The painting offered here shows a rural scene with a farmer moving his cows to, or from, the pasture. While starting out with an academic approach to painting, Zügel later adopted an Impressionist style. The artist liked to paint outside his studio to capture the play of light. Working with rapid brushstrokes and an impasto paint application technique, Zügel created charming portrayals of animals which focus on the relationship between man and beast.



315

HUGO MÜHLIG

1854 Dresden – 1929 Düsseldorf

Erntefeld am Niederrhein.
Presumably before 1900.

Oil on panel.

Körs 318. Lower right signed. 33 x 58,5 cm (12.9 x 23 in).

Called up: December 10, 2022 – ca. 14.50 h ± 20 min.

€ 3.000 – 4.000 R/D

\$ 3,000 – 4,000

PROVENANCE

· Private collection.

· Private collection North Rhine-Westphalia.

After entering the Dresden Art Academy in 1871, Hugo Mühlig devoted himself entirely to landscape painting. In 1881, he moved to Düsseldorf whose Academy played a preeminent role in the landscape painting genre but had already moved away from the sentimental, romanticized approach. The dominant force in Mühlig's time, however, was the "Malkasten" artists association which was also a lively forum for discussions about the latest developments in art. Together with his painter friend Adolf Lins, Mühlig went on numerous hikes in the Lower Rhine region, which was the source of many of his motifs. Imbued with a vivid immediacy of nature, his brushwork became noticeably looser and he used a bright color range with an Impressionistic flavor. His portrayal of the plains of the Lower Rhine is dominated by its expansive perspective, with the narrow poplars hazily silhouetted in the distance. Mühlig employed a spontaneous crispness whilst dabbing the corn ears and clouds onto the canvas, which he must have painted directly in front of the motif. The artist's generous, loose painting style captures the exuberance of summer and the luminosity of nature in the warm golden yellow of the cornfield. [KT]

316

EDWARD THEODORE COMPTON

1849 London – 1921 Feldafing

Zürsersee gegen die Wildgrubenspitze. Presumably 1905.

Watercolor.
Brandes p. 113. Lower left signed. On wove paper. 22,8 x 37 cm (8.9 x 14.5 in).

Called up: December 10, 2022 – ca. 14.51 h ± 20 min.

€ 2.000 – 3.000 ^{R/D}

\$ 2,000 – 3,000

PROVENANCE

· Private collection Hesse.



317

EDWARD HARRISON COMPTON

1881 Feldafing – 1960 Feldafing

Blick vom Zugspitzgipfel. 1937.

Watercolor and gouache over pencil.
Lower right dated "13.X.07". Verso with the estate stamp. On cardboard. 33,4 x 49 cm (13.1 x 19.2 in), the full sheet.

We are grateful to Ms Sibylle Brandes, Tutzing, for her kind support in cataloging this lot.

Called up: December 10, 2022 – ca. 14.52 h ± 20 min.

€ 1.000 – 1.500 ^{R/D, F}

\$ 1,000 – 1,500

PROVENANCE

· From the artist's estate
(with the stamp on the reverse).
· Private collection Hesse.



318

EDWARD THEODORE COMPTON

1849 London – 1921 Feldafing

Am Morteratschgletscher. 1903.

Oil on canvas.
Cf. Brandes p. 127. Lower right signed.
51 x 40 cm (20 x 15.7 in).

We are grateful to Ms Sibylle Brandes, Tutzing, for her kind support in cataloging this lot.

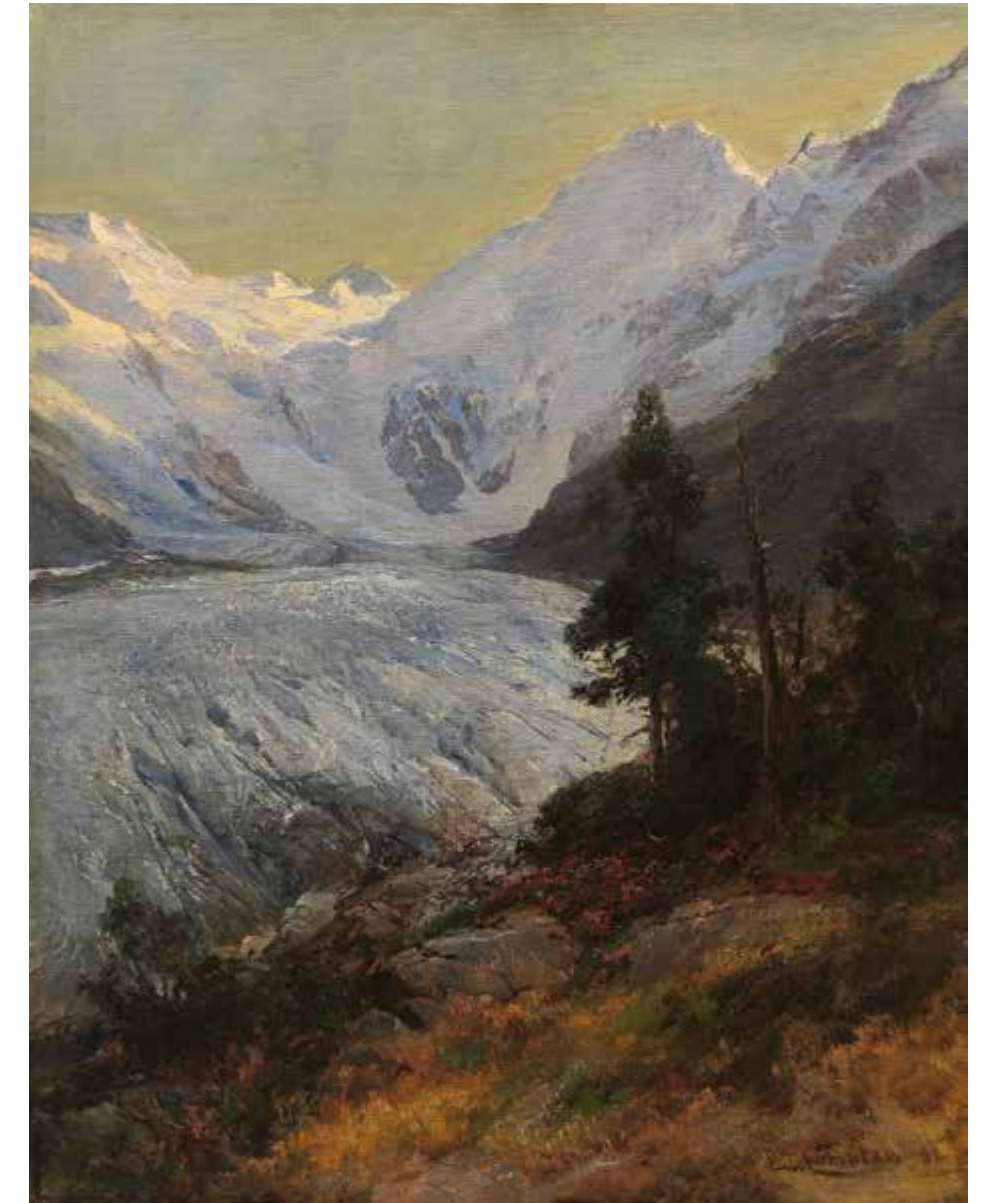
Called up: December 10, 2022 – ca. 14.54 h ± 20 min.

€ 4.000 – 6.000 ^{R/D}

\$ 4,000 – 6,000

PROVENANCE

· Private collection Hesse.



Born in England, Compton first climbed the mountains of Westmoreland and Cumberland, near the home of his grandparents. Fascinated by this impressive natural landscape, he decided to specialize in mountain painting. As a keen mountaineer, he was able to conquer the peaks both physically and artistically. Before attending several art schools in England, Compton began to study nature in 1863 to teach himself the art of painting. For this oil painting, Compton climbed the Morteratsch glacier in Switzerland, which is well over 4,000 meters high. The third longest glacier in the Eastern Alps, it is surrounded by several three-thousand-meter peaks, offering a unique panoramic view. Compton chose a vantage point from a plateau at the tree line where a bare tree and a sparsely-needled tree protrude from the green-yellow meadow at the right edge of the picture, directing the viewer's gaze to the surrounding scenery. The vast icy glacier plateau extends to the towering steep mountains on the horizon. Both the sky and the snow-covered mountain peaks are tinged with yellow, most likely reflecting the evening sun. While the changeable effects of the light and the fast pace of the weather phenomena evoke a certain subliminal menace in this mountain setting, the painting also communicates a sense of idyllic serenity. [JG]

319

EDWARD HARRISON COMPTON

1881 Feldafing – 1960 Feldafing

Die Königsspitze. 1914.

Oil on canvas.

Lower right signed and dated.

80,5 x 90,5 cm (31.6 x 35.6 in).

We are grateful to Ms Sibylle Brandes, Tutzing, for her kind support in cataloging this lot.

Called up: December 10, 2022 – ca. 14.55 h ± 20 min.

€ 3.000 – 4.000 ^{R/D, F}

\$ 3,000 – 4,000

PROVENANCE

- Kunstsalon Behrens, Meran (inscribed in pencil on the reverse).
- Private collection Hesse.

LITERATURE

- Bolland & Marotz, auction on April 8, 1995, lot 1716 (with illu.).



320

EDWARD THEODORE COMPTON

1849 London – 1921 Feldafing

Vierwaldstätter See mit Tellskapelle gegen Uri Rotstock. Around 1895.

Gouache.

Brandes p. 118. Signed in lower left. Verso with an older and a later label, typographically numbered and inscribed. On laid paper laminated on cardboard. 59,6 x 84,5 cm (23.4 x 33.2 in).

Called up: December 10, 2022 – ca. 14.56 h ± 20 min.

€ 3.000 – 4.000 ^{R/D}

\$ 3,000 – 4,000

PROVENANCE

- Private collection Bavaria.

321

EDWARD THEODORE COMPTON

1849 London – 1921 Feldafing

Col du Géant. 1903.

Watercolor.

Brandes p. 182. Lower right signed, inscribed "Col du Géant" and dated "9.VIII.03". On J. Whatman wove paper (with the watermark).

37,3 x 54 cm (14.6 x 21.2 in).

Called up: December 10, 2022 – ca. 14.58 h ± 20 min.

€ 4.000 – 6.000 ^{R/D}

\$ 4,000 – 6,000

PROVENANCE

- Private collection Hesse.

322

EDWARD THEODORE COMPTON

1849 London – 1921 Feldafing

Landschaft am Starnberger See.
1890.

Watercolor.

Lower right signed and dated "Oct 1890" and inscribed "Starnbergersee". On wove paper, laminated on thin cardboard.

28 x 38,9 cm (11 x 15,3 in).

We are grateful to Ms Sibylle Brandes, Tutzing, for the kind support in cataloging this lot.

Called up: December 10, 2022 – ca. 14,59 h ± 20 min.

€ 1.400 – 1.800 ^{R/D}

\$ 1,400 – 1,800

PROVENANCE

· Private collection Bavaria.



Before attending several art schools in England, Compton began to study nature in 1863 to teach himself the art of painting. At the age of 18, he moved to Darmstadt with his family. In July 1868, Compton had a profound experience on a family trip to the Bernese Oberland. While crossing Lake Thun, with the Eiger, Mönch and Jungfrau mountains appearing through the clearing fog like a vision, the young man made the spontaneous decision to become a mountain painter. Thanks to this pivotal experience, the artist returned time and again. The watercolor painting on offer here is a portrayal of this exceptionally beautiful spot. The Jungfrau peak is the third highest mountain in the Bernese Alps and part of the distinctive "Triumvirate". For this watercolor, the artist chose a vantage point from the adjacent mountain with a view of the Jungfrau looming on the horizon. A shroud of mist envelops the mountain range and the sky is painted a light shade of grey. White paint adds nuance to the steep mountains in places where sunlight is reflected. [JG]

323

EDWARD THEODORE COMPTON

1849 London – 1921 Feldafing

Die Jungfrau. Around 1900.

Watercolor.

Lower left signed. On wove paper. 26,5 x 40 cm (10,4 x 15,7 in). Sheet: 33 x 50,5 cm (12,9 x 19,8 in).

We are grateful to Ms Sibylle Brandes, Tutzing, for her kind support in cataloging this lot.

Called up: December 10, 2022 – ca. 15,00 h ± 20 min.

€ 3.000 – 4.000 ^{R/D}

\$ 3,000 – 4,000

PROVENANCE

· Private collection Hesse.

324

THOMAS THEODOR HEINE

1867 Leipzig – 1948 Stockholm

Englands Traum in Südafrika. 1899.

Gouache, India ink and opaque white over pencil.

Lower left monogrammed. Verso of the backing board with the sales label of Albert Langen/Simplicissimus, there inscribed with the artist's name, titled, numbered "120" and with the price. With another old label, numbered "120", titled, inscribed and with various numbers.

On thin board, laid on backing board.

42 x 38 cm (16,5 x 14,9 in).

Original draft, published in *Simplicissimus*, vol. 4, issue 32, November 4, 1899, cover.

We are grateful to Prof. Dr. Thomas Raff, Munich, for his kind expert advice.

Called up: December 10, 2022 – ca. 15,02 h ± 20 min.

€ 1.000 – 1.500 ^{R/D}

\$ 1,000 – 1,500

PROVENANCE

· Company collection Air Berlin.

· Private collection Northern Germany (acquired from the above).



325

LUDWIG HOHLWEIN

1874 Munich – 1949 Berchtesgaden

Nachtigall vor Vollmond. 1910.

Gouache.

Signed and inscribed "Ludwig Hohlwein / München" in lower right on backing board. On wove paper. 8,8 x 10,1 cm (3,4 x 3,9 in).

Study for the advertising poster "Nachtigall-Schlag. / Einzig existierende Aufnahme der Nachtigall / Grammophon".

Called up: December 10, 2022 – ca. 15,03 h ± 20 min.

€ 2.000 – 4.000 ^{R/D}

\$ 2,000 – 4,000

PROVENANCE

· Boecher Brand & Package Design Collection, Heidelberg.

EXHIBITION

· Fatal genial - Ludwig Hohlwein, Stadtmuseum am Markt, Wiesbaden, December 1, 2020 - October 10, 2021, no. 1 (with illu.).



WILHELM BUSCH

Featuring such iconic characters as Max and Moritz, Wilhelm Busch's illustrative work and the poetic writing that usually accompanied it have shaped many a child's imagination. Busch created his idiosyncratic worlds with a quick and nimble talent for drawing, filling several sketchbooks in the course of his life. Looking at the motifs he set his eyes on, it seems that his drawings flowed naturally and effortlessly from his hand, reflecting a continuous preoccupation with the reality around him. A big hodgepodge, the sheets of his sketchbooks contain studies of figures and characters, robes, individual limbs and precise anatomical studies along with preparatory sketches of scenes, but also glimpses of simple objects like brooms in a corner or kitchen utensils, as well as landscapes. Busch effectively created an archive of objects, spaces, and figures, which he thus appropriated through drawing and occasionally incorporated into his illustrations and paintings. At his father's request, Wilhelm Busch initially studied mechanical engineering in Hanover, but later switched

to painting in 1851, studying at the art academies in Düsseldorf and Antwerp. In the year 1854, he lived in Munich for a while where he studied at the Munich Academy and joined the "Jung München" art association. After the death of his sister Anna in 1858, he dedicated himself fully to drawing and painting, in particular to anatomical studies and nudes, and became a contributor to the "Fliegende Blätter" and "Münchener Bilderbogen" magazines. Following a two-year sojourn in Frankfurt, where he had his own studio, he returned to his native Wiedensahl and subsequently embarked on a tour of Italy and the Netherlands in 1872. By 1884, he had published some of his most famous stories, including "Max and Moritz" in 1865, "Helen Who Couldn't Help It" in 1872, and "Fips the Monkey" in 1879. Busch's prolific output of humorous illustrated stories and his literary talent made him world famous. "Max and Moritz" was translated into ten languages during his lifetime, including Japanese in 1887. [KT]

We are grateful to Dr. Ruth Brunngraber-Malottke, Wilhelm Busch Museum, Hanover, for her kind expert advice for the following Lots 326-335.

326

WILHELM BUSCH

1832 Wiedensahl near Hannover – 1908 Mechtshausen near Seesen/Harz

Die Bestrafung der unartigen Kinder (Max & Moritz). Around 1870/80.

India ink drawing and watercolor.
On Vergé. 17,3 x 22,1 cm (6.8 x 8.7 in), the full sheet.

Called up: December 10, 2022 – ca. 15.04 h ± 20 min.

€ 3.000 – 4.000 R/D
\$ 3,000 – 4,000

PROVENANCE

· Private collection North Rhine-Westphalia.



327

WILHELM BUSCH

1832 Wiedensahl near Hannover – 1908 Mechtshausen near Seesen/Harz

Landschaft mit Maler.
Around 1858/59.

Pencil drawing.
Brunngraber-Malottke 973 fol. 47. On Ingres laid paper.
13,7 x 23,9 cm (5.3 x 9.4 in), the full sheet.
From the Brannenburger sketchbook II.

Called up: December 10, 2022 – ca. 15.06 h ± 20 min.

€ 1.500 – 2.000 R/D
\$ 1,500 – 2,000

PROVENANCE

· Private collection North Rhine-Westphalia.



328

WILHELM BUSCH

1832 Wiedensahl near Hannover – 1908 Mechtshausen near Seesen/Harz

3 Bl.: Zwei Kühe (Bl. 1). Wall-inneres mit Brücke über Bach (Bl. 2). Haus hinter Bäumen und Sträuchern, verso: Tannenscho-nung im Wald (Bl. 3). Between 1865–1890.

Drawing s. Pencil, India ink.
Some monogrammed. On wove paper.
From 3,7 x 10 cm (1.4 x 3.9 in) to 23 x 16,8 cm (9 x 6.6 in).

Called up: December 10, 2022 – ca. 15.07 h ± 20 min.

€ 3.500 – 4.500 R/D
\$ 3,500 – 4,500

PROVENANCE

· Private collection North Rhine-Westphalia (acquired between 1994 and 2000).



329

WILHELM BUSCH

1832 Wiedensahl near Hannover – 1908 Mechtshausen near Seesen/Harz

4 Bl.: Handstudie (Bl. 1). Hand- und Gewandstudie (Bl. 2). Rückenmuskelstudien (Bl. 3). Arm- und Gewandstudie (Bl. 4). Between 1860–1875.

Drawing s. Pencil, India ink.
Brunngraber-Malottke 302 (sheet 1), 303 (sheet 2), 297 (sheet 3, verso 298), cf. 283 (sheet 4). Some monogrammed and belatedly signed. On wove paper, Ingres laid paper and light cardboard. From 6,2 x 10,2 cm (2.4 x 4 in) to 20,6 x 12,2 cm (8.1 x 4.8 in).
Sheet 3 comes from the posthumous incompletely reconstructed sketchbook IV.

Called up: December 10, 2022 – ca. 15.08 h ± 20 min.

€ 2.500 – 3.500 R/D
\$ 2,500 – 3,500

PROVENANCE

· Collection Reinhard Piper (1879-1953), Munich (until 1953, 1 sheet with the collector's stamp on the reverse, Lugt 5594) (sheets 1 and 2).
· Estate of Reinhard Piper (sheets 1 and 2).
· Private collection North Rhine-Westphalia (acquired from the above in 1981: Karl und Faber) (sheets 1 and 2).
· Private collection Poland (sheet 3).
· Private collection North Rhine-Westphalia (acquired in 1982: Hauswedell & Nolte) (sheet 3).
· Private collection North Rhine-Westphalia (sheet 4).

LITERATURE

· Karl & Faber, Munich, auxction 155, June 4/5, 1981, lots 434 and 435 (sheets 1 and 2).
· Hauswedell & Nolte, Hamburg, 243rd auction, June 11/12, 1982, lot 265 (sheet 3).



330 WILHELM BUSCH

1832 Wiedensahl near Hannover – 1908 Mechtshausen near Seesen/Harz

5 Bll.: Junge Dame mit Fächer (Bl. 1). Mädchenkopf (Bl. 2). Glatze (Bl. 3). Lehnstuhl am Ofen (Bl. 4). Besen (Bl. 5). Zwischen 1865–1875.

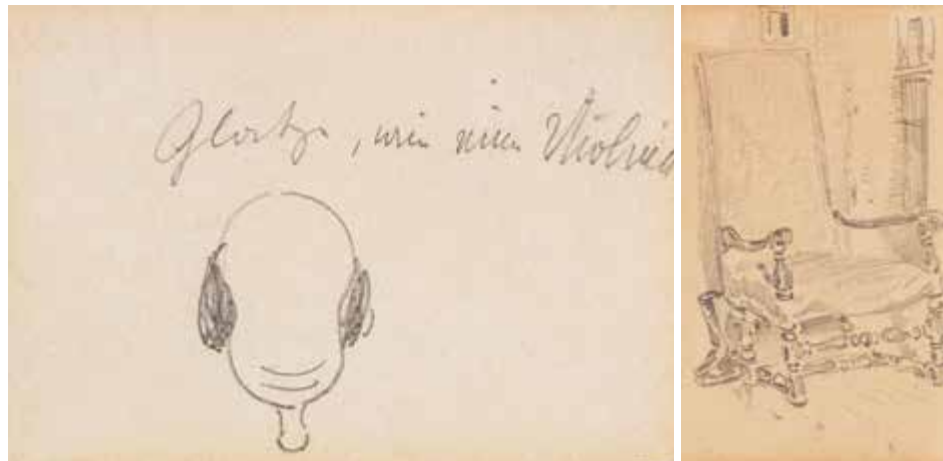
Pencil drawings.
Brunngraber-Malottke cf. 168 (sheet 1), 622 (sheet 4), 617 (sheet 5). On wove paper. From 10 x 6,2 cm (3,9 x 2,4 in.) to 12,5 x 7,6 cm (4,9 x 2,9 in.).

Called up: December 10, 2022 – ca. 15,10 h ± 20 min.

€ 1.800 – 2.400 R/D
\$ 1,800 – 2,400

PROVENANCE

· Private collection North Rhine-Westphalia (sheets 1-5).



331 WILHELM BUSCH

1832 Wiedensahl near Hannover – 1908 Mechtshausen near Seesen/Harz

6 Bll.: Küchenutensilien (Bl. 1a u. b). Säulenkapitelle (Bl. 2). Säulen, Kapitell und Konsole (Bl. 3). Fensterportale und Architekturoornamente (Bl. 4). Buchstaben (Bl. 5). Zwischen 1865–1886.

Pencil drawings.
Brunngraber-Malottke 612 (sheet 1), 613 (sheet 2), 634 (sheet 3, verso 630), 635 (sheet 4, verso 960), 636 (sheet 5), not mentioned (sheet 6). On wove paper. From 12,6 x 7,5 cm (4,9 x 2,9 in.) to 23 x 16,9 cm (9 x 6,6 in.). Sheets 1a and 1b come from the posthumous incomplete reconstructed sketchbook VII.

Called up: December 10, 2022 – ca. 15,11 h ± 20 min.

€ 1.500 – 2.500 R/D
\$ 1,500 – 2,500

PROVENANCE

· Private collection Poland.
· Private collection North Rhine-Westphalia (acquired in 1982).

LITERATURE

· Hauswedell & Nolte, Hamburg, 243rd auction, June 11/12, 1982, lot 265 II, lot 266 III; lot 267; lot 267, lot 268 (sheets 1-5).



332 WILHELM BUSCH

1832 Wiedensahl near Hannover – 1908 Mechtshausen near Seesen/Harz

3 Bll.: Mann im Wirtshaus (Bl. 1). Schlachtender Bauer (Bl. 2). Das Jaussi im Winter (Bl. 3). Zwischen 1858–1875.

Drawing s, pencil, India ink.
Brunngraber-Malottke 412 (sheet 2). Monogrammed (sheet 1). With the artist's monogram (sheet 3). On wove paper and on light cardboard. From 10 x 5,1 cm (3,9 x 2 in.) to 16,4 x 10,2 cm (6,4 x 4 in.).

Called up: December 10, 2022 – ca. 15,12 h ± 20 min.

€ 1.500 – 2.000 R/D
\$ 1,500 – 2,000

PROVENANCE

· Collection Reinhard Piper (1879-1953), Munich (until 1953). (sheet 1)
· Estate of Reinhard Piper. (sheet 1)
· Private collection North Rhine-Westphalia (acquired from the above in 1981). (sheet 1)
· Collection Reinhard Piper (1879-1953), Munich (until 1953, with the collector's stamp on the reverse, Lugt 5594).(sheet 2)



· Estate of Reinhard Piper. (sheet 2)
· Private collection North Rhine-Westphalia (acquired from the above in 1981: Karl und Faber) (sheet 2).
· Private collection North Rhine-Westphalia (acquired in Dec. 1980) (sheet 3).

LITERATURE

· Karl & Faber, Munich, 155th auction, June 4/5, 1981, lot 435 (sheet 2).

333 WILHELM BUSCH

1832 Wiedensahl near Hannover – 1908 Mechtshausen near Seesen/Harz

3 Bll.: Handgreifliches Armutszeugnis (Bl. 1). Der Steuereintreiber (Bl. 2). Der Schmied (Bl. 3). Between 1858-75.

Drawing s, India ink, pencil.
Signed (sheet 1). With the artist's monogram (sheet).
Monogrammed and dated (sheet 3).
From 13,5 x 9 cm (5,3 x 3,5 x 11,4 in.) to 20 x 29 cm (7,8 x 11,4 in.).

We are grateful to Dr. Ruth Brunngraber-Malottke, Wilhelm Busch Museum, Hanover, for her kind expert advice.

Called up: December 10, 2022 – ca. 15,14 h ± 20 min.

€ 2.800 – 3.400 R/D
\$ 2,800 – 3,400

PROVENANCE

· Private collection North Riine-Westphalia (acquired between 1981 and 1992).

LITERATURE

· Otto Nöldeke, Chronik. Wilhelm Buschs Leben, in: Sämtliche Werke, Munich 1943, vol. I, illu. p. 45: "Der Vereinskassenzmeister und ein Drückeberger" (sheet 2).



JOHANN JOACHIM FABER

1778 Hamburg—1846 Hamburg

Die Bucht von Pozzuoli bei Neapel. 1829.

Oil on canvas.

Lower right signed and dated "I. Faber fec. 1829". 66,5 x 80,5 cm (26.1 x 31.6 in).

Called up: December 10, 2022 — ca. 15,15 h ± 20 min.

€ 12.000—15.000 ^{R/M}

\$ 12,000—15,000

PROVENIENZ

· Private collection Norway (obtained from family ownership).

- Faber's landscapes are among the finest and most atmospheric works of the romantic picture of Italy
- The view over the Bay of Naples is the key motif of the early 19th century longing for Italy
- Today, Faber's landscapes are in many important collections of 19th Century Art, among them the Kunsthalle Hamburg and the Alte Nationalgalerie, Berlin



Having completed his first apprenticeship with Carl Waagen in Hamburg, Johann Joachim Faber spent time in Dresden, Prague and Vienna before moving to Rome for two years in 1806. He was based in Hamburg from 1808-1816 and spent the next eleven years in Rome alongside other significant landscape artists, such as Joseph Anton Koch and Johann Christian Reinhart. The Bay of Pozzuoli is a perfect example of the enthusiasm for nature typical of the Romantic period, which inspired artists to create intense portrayals of real-life landscapes, detailed plant studies and ambient weather observations. In Faber's painting, this enthusiasm for nature combines with the classicistic-idealistic compositional schemes that continued to prevail at the time and still retained traces of the great French master of 17th-century landscape painting, Claude Lorrain, who worked almost exclusively in Rome. In the soft evening light, the scene stretches out into the distance between the delicate trees drawn in elegant lines on the left and right. The pastoral middle ground of the painting is dominated by a woman fetching water who points out the way to a man with a pilgrim's hat,

looking out over the peaceful bay beyond the town of Pozzuoli. Capo Miseno rises in the calm sea, with the islands of Procida and Ischia visible behind, just off the coast. Faber took a special interest in the portrayal of cloud phenomena which, in contrast to the ideal-typical scenery, display a certain element of realism. Epitomizing a widespread passion for Italy, the Bay of Naples south of Rome, which could be reached by carriage in two days, had a special reputation as an idyllic paradise. On his arrival one spring, Johann Wolfgang von Goethe wrote: "Naples is a Paradise: everyone lives in a state of intoxicated self-forgetfulness, myself included. I seem to be a completely different person whom I hardly recognize." (Goethe, Italian Journey, on March 16, 1787, quoted from Frank Büttner, Herbert Rott (eds.), Kennst du das Land... Italienbilder der Goethezeit, exhibition catalog, New Pinakothek, Munich, Munich 2005, p. 236). Faber's painting reveals the longing for an all-embracing harmony between man, nature, light and air that made Italy an inspiring place of pilgrimage for artists of various genres well into the 19th century. [KT]

FRIEDRICH VON AMERLING

1803 Vienna – 1887 Vienna

Bildnis eines Mädchens. 1839.

Oil on canvas.

With the scratched signature and the date in lower right. Verso of the stretcher with an old label with inscription and the number "2734".

45,5 x 38 cm (17.9 x 14.9 in).

Called up: December 10, 2022 – ca. 15.16 h ± 20 min.

€ 40.000 – 60.000 ^{R/M}

\$ 40,000 – 60,000

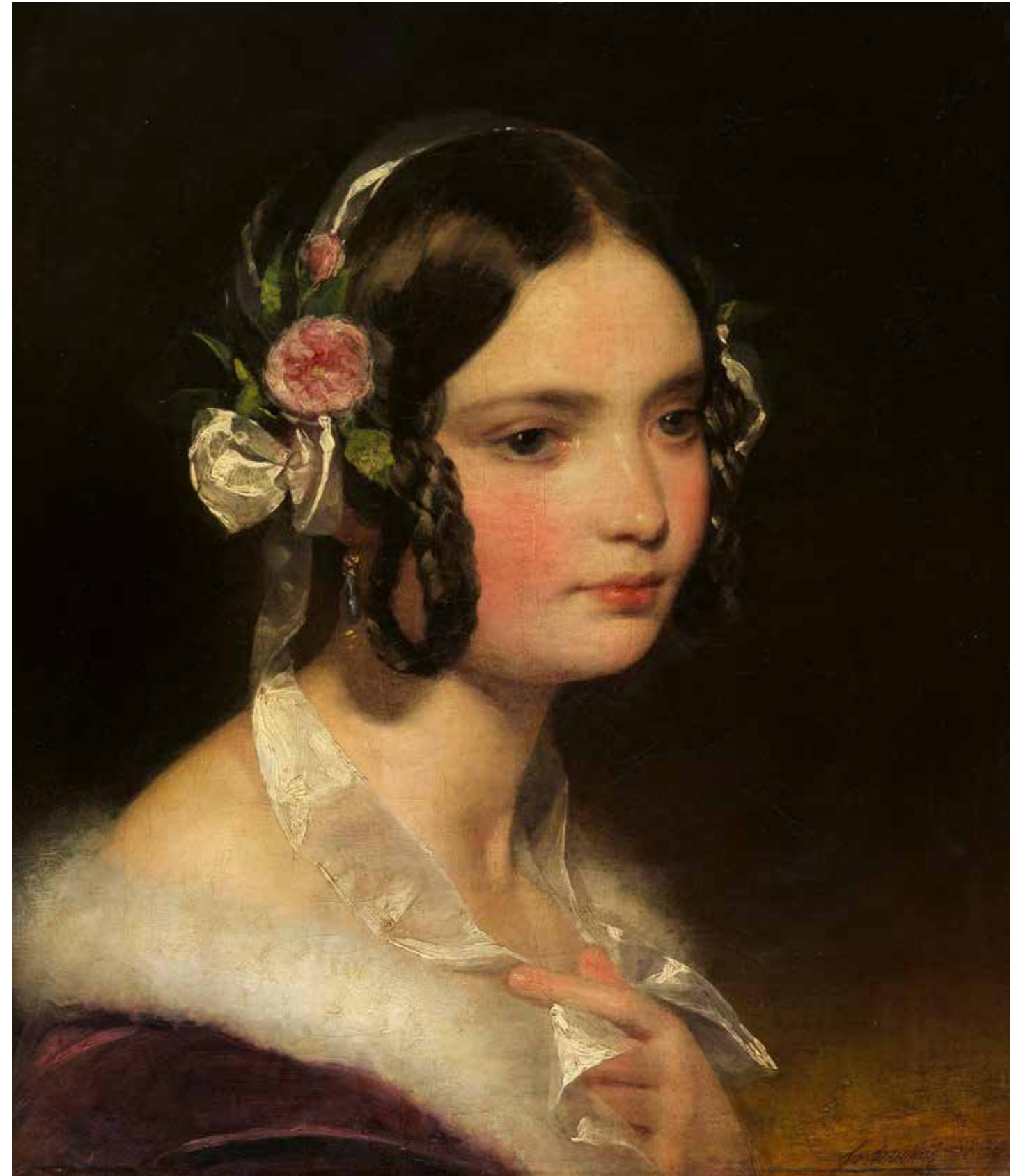
PROVENIENZ

· Private collection Vienna/USA (family-owned for at least three generations).

- Next to Waldmüller, Amerling was one of the most virtuoso portraitists of the Viennese society
- His depictions were formative for the romantic ideal of beauty typical of the Biedermeier era
- His portraits are in the Bavarian State Painting Collections, Munich, the Belvedere and the Kunsthistorisches Museum, Vienna and the Alte Nationalgalerie, Berlin

Together with Ferdinand von Waldmüller, Friedrich von Amerling is one of the most eminent portrait painters of the Austrian Habsburg Empire. Beginning his education in 1815 at the Academy of Arts in Vienna, he subsequently spent several years at the Academy in Prague. His educational journeys took him to London, Paris and Rome, where he studied the art of prominent masters of the school, such as Thomas Lawrence and Horace Vernet, as well as studying the ancient world, which was an essential part of the artistic curriculum at the time. In the course of his life, his extensive travels also took him to Spain, England, Greece, Scandinavia, the North Cape and eventually, in 1886, to Egypt and Palestine. Shortly before he created the portrait on offer here, von Amerling traveled to Italy, the Netherlands and, in 1839, to Munich. At this time, he was already one of the most sought-after portraitists for the upper middle classes and the high nobility; one of his greatest works is the portrait of Franz I in imperial regalia (1821, Kunsthistorisches Museum, Vienna), which occupies a unique place in his oeuvre thanks to the subject's unusually lifelike pose and the

accurately rendered materiality of the robe and the jewelry-adorned imperial insignia. "Girl with Straw Hat" (1835, The Princely Collection, Liechtenstein, Vaduz/Vienna), the most expensive von Amerling painting sold at auction to date, is among the portraits of unknown beauties. Beautiful women from the world of music and theater, who lent him their faces for type portraits such as the "Oriental Woman" or the "Lute Player" (1828, Belvedere, Vienna), often served as models for his portraits. This portrait of a young girl, whose physiognomy is eminently representative of the innocent gentleness of von Amerling's preferred type of woman, displays the same technical sophistication of detail, from the shiny silk ribbons and the delicate roses in the braided hair to the transparent shimmering porcelain complexion and rosy cheeks and the dark red velvet dress with the puffy fur collar. The dark background accentuates the effect of a meticulously rendered materiality and the impact of the light effects, which von Amerling employs to create the archetype of a naïve, untouched young beauty, portrayed with a romantic, slightly absent-minded gaze. [KT]





336

RUDOLF VON ALT

1812 Vienna – 1905 Vienna

Blick nach San Giorgio Maggiore von der Mole in Venedig. After 1864.

Oil on canvas.

Hussl-Hörmann 57. Signed in lower left. Verso with an illegible round stamp and adhesive paper labels. 39,5 x 50 cm (15,5 x 19,6 in).

Called up: December 10, 2022 – ca. 15,18 h ± 20 min.

€ 18.000 – 24.000 ^{R/D}

\$ 18,000 – 24,000

PROVENANCE

- Presumably collection Gottfried and Dr. Hermann Eissler, Vienna (the latest 1911 - the latest 1916).
- Private collection Baden-Württemberg.

EXHIBITION

- Presumably Rudolf von Alt commemorative exhibition on occasion of his 100th birthday, XLII. Ausstellung der Vereinigung bildender Künstler Österreichs, Secession, Vienna 1912, no. 41.

LITERATURE

- perhaps Otto Erich Deutsch, Rudolf von Alt, in: Thieme/Becker, Künstlerlexikon, vol. I, Leipzig, 1907, p. 344 (under "undatierbar"; Provenienz: Sammlung Lobmeyr).
- Ludwig Hevesi, Rudolf von Alt. Sein Leben und sein Werk, Vienna 1911, p. 162.
- C.J. Wawra, Vienna, 237. Catalog, December 6, 1916, lot 14 (with plate).
- Dorotheum, Vienna, 389th auction, October 23 - 25, 1928, lot 3 (with plate).

337

EDUARD (EDWARD JAKOB) VON STEINLE

1810 Vienna – 1886 Frankfurt am Main

Heilige Familie mit Johannesknaben. 1855.

Pastel, charcoal and gouache.

Monogrammed in ligature and dated in the rock to the right of Mary. On wove paper. 80,5 x 49,7 cm (31.6 x 19.5 in), almost the full sheet.

Called up: December 10, 2022 – ca. 15,19 h ± 20 min.

€ 8.000 – 10.000 ^{R/D}

\$ 8,000 – 10,000

PROVENANCE

- Private collection Bavaria (family-owned since ca. 1900).



Before losing its relevance and validity towards the end of the 19th century, religious art experienced a great upswing in the first half of the century. The new trend in biblical-religious historical painting was shaped by the Nazarenes. An informal group, the Nazarenes developed around the Viennese painting students Friedrich Overbeck, Franz Pforr and Ludwig Vogel who were all based in Rome. Following some time later, Eduard von Steinle joined the trio in Rome in 1828. Essentially, the Nazarene approach involved a revival of religiously-inspired art and focused on large-scale fresco technique. Steinle subsequently learned this technique from Peter von Cornelius, who had returned to Munich to take charge of the Munich Academy. Henceforth, Steinle also devoted himself chiefly to large-scale fresco decoration and the design of stained-glass windows in religious buildings, among them the Cologne Cathedral and the Strasbourg Cathedral. High-profile projects such as these qualified him for a professorship at the Städelschule in Frankfurt, which he took up in 1850. Steinle also created romantic easel paintings of profane content in the historical and genre styles, such as "The Loreley" (1864, Schack Collection,

Munich) and the medieval "Warden of the Tower" (1859, Schack Collection, Munich). The overwhelming majority of his paintings, however, were devoted to the central theme of the Holy Family. Largely intended for private worship or private side chapels, these works continued to reflect the principles of the Nazarenes. Their composition displays a harmonious structure, inspired by the old German masters and the spirit of grace and religious sensitivity typical of Raphael, whose Madonna paintings such as "The Canigiani Holy Family" (1508, Old Pinakothek, Munich) play an important role in terms of both motif and style. A certain charm and intimacy are also evident in the scene depicted here, with the infant Jesus shrinking back from the water that the boy John is scooping with the scallop shell, a complex symbol of Christian iconography that foretells the future baptism ceremony. The pastel-matte surface texture suggests an affinity with the fresco technique. In keeping with the Nazarene program, the figure of Mary combines the elegance and grace of the Renaissance with the angular, Dürer-like appearance of Joseph – a vivid reference to Steinle's fundamental artistic principles. [KT]

FRIEDRICH NERLY

1807 Erfurt – 1878 Venice

Insel und Kirche San Giorgio Maggiore, Venedig. Around 1870.

Oil on canvas.

Signed on one of the boats in bottom right. Verso once more signed. 63,5 x 98 cm (25 x 38,5 in).

With a written confirmation of authenticity from Dr. Wolfram Morath-Vogel, Erfurt, from November 2022.

Called up: December 10, 2022 – ca. 15,20 h ± 20 min.

€ 70.000 – 90.000 ^{R/D}

\$ 70,000 – 90,000

PROVENIENZ

- Wilhelm Winter, Hamburg
(with shipping address on verso, presumably 1940s).
- Private collection Schleswig-Holstein.

- With his views of Venice, Nerly coined the romantic idea of the city like no other 19th century artist
- As of 1835 he devoted his entire painterly skills to Venice
- One of the very few large-size view available on the auction market
- Nerly's works are in many important collections of 19th century art, like the Alte Nationalgalerie, Berlin, the Hamburger Kunsthalle, and the Österreichische Galerie Belvedere, Vienna

Friedrich Nerly's romantic and atmospheric paintings of the lagoon city provide an unforgettable portrayal of 19th-century Venice. While in Hamburg, Nerly met Carl Friedrich von Rumohr. A writer, art historian and patron of the arts, von Rumohr was pivotal to the early Romantic period and took Nerly under his wing as a student. Together they set off for Italy in 1827, passing through Weimar, where Nerly had the pleasure of making Goethe's acquaintance, and later Dresden and Munich. In keeping with the spirit of Romanticism, Rumohr impressed upon the young Nerly the importance of precise observation and empathy with nature. Traveling back via Venice, the young artist felt so moved by the city that he decided to stay. He married and moved into rooms with a studio in Palazzo Pisani on the Grand Canal. Thanks to his charming and intriguing personality, he quickly became a favorite among German artists and art lovers in Venice. With his artistic vision now fully devoted to the diverse facets of the city, he produced large views of the Bacino and the Grand Canal, along with detailed architectural studies and picturesque glimpses of the smaller winding tributary canals and alleyways. His preoccupation with the city also had

conservational overtones. As early as 1845, he expressed his displeasure at the restoration work going on everywhere, which was destroying the mysterious city's morbid, melancholy character. Residing in a "dilapidated palace" himself, the artist made the acquaintance of John Ruskin in 1852 whose 1851 work "The Stones of Venice" revealed similar sentiments. Nerly, for his part, lamented the "house and palace speculation frenzy" and the fact that "much beauty is going to ruin through nonsensical, tasteless restoration"; "On top of that, we now have gas lanterns, crafted in the most modern form, on the Doge's palace! On the St. Marcus church! Dousing everything in this insolent brightness in which even romantic couples are no longer safe and have to take refuge under a black gondola." (Letter from 1857, in: Römische Tage - Venezianische Nächte (Roman Days - Venetian Nights), exhibition catalog Erfurt 2007, p. 20). Of course, his romantic image of the city could not be preserved forever. Yet in his portrayal of the church island of San Giorgio Maggiore opposite the central Piazza San Marco, bathed in golden evening light, Nerly succeeded in immortalizing, in his very own way, the grandiose atmosphere still tangible in his time. [KT]





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ANSELM FEUERBACH

1829 Speyer – 1880 Venice

Landschaft, Felsenstein.
Around 1857/58.

Oil on canvas.
Ecker 293. 74 x 62 cm (29.1 x 24.4 in).

Called up: December 10, 2022 – ca. 15.22 h ± 20 min.

€ 4.000 – 6.000 ^{R/D}
\$ 4,000 – 6,000

PROVENANCE

- Art dealer Fritz Gurlitt, Berlin.
- Private collection Bavaria (family-owned since the 1920s).

LITERATURE

- Hermann Uhde-Bernays, Feuerbach: beschreibender Katalog seiner sämtlichen Gemälde, Munich 1929, no. 158 (with illu.).
- Fotokonvolut: Wolfgang Gurlitt-Archiv, Bildarchiv Foto Marburg, image file no. fm145146 (www.bildindex.de/document/obj20418121).

In the 1870s, Anselm Feuerbach achieved great fame as a representative of a new school of mythological-literary historical art, which he created alongside the so-called “Teutonic Romans” Arnold Böcklin and Hans von Marées. Large-scale paintings such as “Medea” (1870, Bavarian State Painting Collections, New Pinakothek, Munich) or “Iphigenie” (1871, State Gallery of Stuttgart) translate into their visual equivalent the grandiosity and sublimity he believed to have found in his adopted hometown of Rome. During his first years of study at the Düsseldorf Academy, he met famous artists like Wilhelm von Schadow, who was inspired by the Nazarenes, and Johann Wilhelm Schirmer, the paragon of Romantic landscape painting. His time at the Paris studio of the historical painter Thomas Couture also had a formative effect on him. In 1855, Feuerbach traveled first to Venice and then on to Rome, where he stayed with brief interruptions until 1872. Feuerbach searched for an idealism and a continuation of ancient sublimity which he believed to have found both in the Italian people – especially in his idolized muse Nanna – and in the nature that had survived there for centuries. His search gave rise to a number of landscapes that are imbued with a mysterious effect. Deserted and yet strangely animated in its ragged and shaded structure, towering in the heat against the blue sky, the craggy rock appears to be the perfect abode of forest and nature spirits like fauns and dryads. Feuerbach’s fellow artist in Rome, Arnold Böcklin, painted this concept in 1858/1860, with Pan hiding in the reeds or emerging from the rocks, frightening a shepherd. (New Pinakothek and Schack Collection, Munich). Lying on the ground in the shady grass, looking on, the viewer seems to be waiting for the emergence of the mystical creatures. Similar to Feuerbach’s approach in his historical paintings, the landscape – despite its dormant monumentality – becomes a turbulent vehicle of emotions, merging perceptions of reality with the ideational and the imaginative. [KT]



340

CHARLES-FRANÇOIS DAUBIGNY

1817 Paris – 1878 Paris

Bords de l’Oise. Around 1870.

Oil on canvas.
Lower left signed. Verso with an old seal in red. 38 x 65 cm (14.9 x 25.5 in).

With an expertise from M. François Delestre, London/Paris, October 2022. The work will be included into the 2nd addenda vol. of the Catalogue raisonné.

Called up: December 10, 2022 – ca. 15.23 h ± 20 min.

€ 6.000 – 8.000 ^{R/D}
\$ 6,000 – 8,000

PROVENANCE

- Private collection Bavaria.
- Private collection Baden-Württemberg (obtained from the above in 1979).

Much of Charles-François Daubigny’s work unfolds in dialogue with the Oise, a picturesque river that originates in Belgium and eventually flows into the expansive Seine north of Paris. Based in Paris himself, Daubigny regularly exhibited at the Salon from 1838 onwards. He later joined the Barbizon artists’ community and painted his first Barbizon landscape in 1844. Daubigny greatly admired Camille Corot with whom he later formed a friendship. The so-called Barbizon School developed a new landscape perception in which Romantic and Realistic elements combine in a harmonious blend. Daubigny’s small paintings are magnificent examples of this approach. One of the first to place himself directly in front of the motif while working on his river landscapes, he created a fluid calmness and lyrical atmosphere in his paintings. Having organized a small studio boat, “Le Botin”, for this purpose, he traveled the Oise between Cergy, Pontoise, Valmondois and L’Isle Adam at different times of day and throughout the year. He also occupied a house with a studio in Auvers-sur-Oise. Daubigny adopted a very loose and free style of painting during his time on the Oise which began to suggest Impressionist elements through its attention to atmosphere, light and weather conditions. Starting in 1866 when he became a member of the rather conservative Salon jury, he declared his support for the paintings of the younger generation of Realist and Impressionist painters, until the repeated rejection of Claude Monet’s works prompted him to resign from this post. Daubigny nevertheless declined to take part in the first Impressionist exhibition in 1874 and continued to present his works at the official Salon. Paul Cézanne, Claude Monet, Auguste Renoir and Vincent van Gogh all expressed great appreciation for his art with its subtle poetic magic and touching intimacy. [KT]

ADOLF SCHREYER

1828 Frankfurt am Main—1899 Kronberg im Taunus

Arabische Reiter. Around 1860-70.

Oil on canvas.

Signed in lower right. 52,5 x 86 cm (20.6 x 33.8 in).

We are grateful to Dr. Christoph Andreas, Frankfurt am Main, for his kind expert advice.

Called up: December 10, 2022 – ca. 15.24 h ± 20 min.

€ 10.000 – 15.000 R/D

\$ 10,000 – 15,000

PROVENIENZ

· Private collection Hesse.

- The group of Beduin horsemen is Schreyer's most successful motif
- Schreyer was one of the main German representatives of the oriental genre
- Starting in France, oriental scenes became increasingly popular with collectors in Europe and the USA since the 1830s
- Paintings of Arabic horsemen are in international collections like the Metropolitan Museum of Art, New York, the Musée d'Orsay, Paris and the Saint Louis Art Museum



Adolf Schreyer is one of the most famous and successful German Orientalist painters, whose works were highly sought after at the time, especially among aristocratic and upper middle-class buyers. Towards the end of the 19th century, several works also made their way into prestigious American collections, among them the Vanderbilts or Rockefellers. Schreyer's motifs were largely inspired by his lifestyle and his extensive travels. Following his studies at the Städelsches Kunstinstitut in Frankfurt, he joined Prince Emmerich von Thurn und Taxis on a journey through Hungary, Wallachia and southern Russia. In 1855, he accompanied the Prince to the Crimean War in the role of draftsman and volunteer. Living the life of a soldier and traveling the mysterious and folkloric countries of the Black Sea and the Balkans, he filled his sketchbooks with numerous horse and equestrian scenes that would later serve him as a repertoire of motifs. Orientalist painting, which combined fierce battle scenes with animal portrayals and the folkloric genre, was beginning to emerge at that time, especially in Paris which Schreyer first visited in 1856. In the wake of the conquest of Algeria in the early 1830s,

painters developed an interest in "exotic lands", which some of the Romantic artists, such as Eugène Delacroix, Eugène Fromentin, and Alexandre Décamp, explored themselves. Their focus, thoroughly romanticized and exoticized, was on Arabian warriors, noble horse breeds and the unfamiliar desert landscape, which they interpreted with an animated and colorful artistic expression. Schreyer's travels to Spain, the North African French colonies, Egypt and Syria in the 1850s resulted in the creation of numerous Orientalist scenes. Painting in a free, dynamic style which abandons the graphic element in favor of color, Schreyer is primarily interested in portraying people and animals in motion and capturing the fascinating appearance and bearing of the Bedouin horsemen. However, the Orient depicted in the paintings is not a place that can be pinpointed geographically. Egypt, Morocco, Algeria and the Middle East all blend into a stretch of land that existed only in the painters' imagination. Schreyer successfully exhibited his works at the Paris Salon, the epicenter of the movement. Honoring its poetic, striking expression, his oeuvre was awarded the Gold Medal in 1865. [KT]

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KARL HAGEMEISTER

1848 Werder a. d. Havel – 1933 Werder a. d. Havel

Waldinneres – Birkenstämme im Herbststurm.
Around 1912.

Oil on canvas.

Warmt G 481 (2015; G 483). Verso of the stretcher with a hand-written number. 67,5 x 45 cm (26,5 x 17,7 in).

Accompanied by an expertise issued by Dr. Hendrikje Warmt, Karl Hagemeister Archive & catalogue raisonné, Berlin, July 2015.

Called up: December 10, 2022 – ca. 15,26 h ± 20 min.

€ 6.000 – 8.000 R/P

\$ 6,000 – 8,000

PROVENANCE

- Collection Alfred Daus, Berlin (1975)
- Private collection Lower Saxony.



343

WALTER LEISTIKOW

1865 Bromberg – 1908 Berlin

Swaroschin (Polen). Nach 1889.

Oil on canvas, laminated on cardboard.

Lower left signed. Monogrammed and inscribed in right of bottom center. Verso with inscription and numbered. 30 x 45,3 cm (11,8 x 17,8 in).

Called up: December 10, 2022 – ca. 15,27 h ± 20 min.

€ 6.000 – 8.000 R/P

\$ 6,000 – 8,000

PROVENANCE

- Collection Rock (until 1910: Lepke November 22, 1910).
- Collection Walter (acquired from the above).
- Ron Krausz art dealer, Munich.
- Private collection Lower Saxony (acquired from the above in 2012).

LITERATURE

- Rudolph Lepke's Kunst-Auctions-Haus Berlin, Gemälde erster Meister unserer Zeit, auction on November 22, 1910, lot 48.



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WALTER LEISTIKOW

1865 Bromberg – 1908 Berlin

Hafen. Around 1895.

Oil on canvas.

Lower left signed. Verso of the canvas with a stamp of the art supplies store Hermann Neisch & Co, Dresden. Verso of the stretcher with several numbers by hand and in typography, various old numbered and inscribed labels, e.g. of Galerie Heinemann, no. 5070. 73 x 121 cm (28,7 x 47,6 in).

Called up: December 10, 2022 – ca. 15,28 h ± 20 min.

€ 15.000 – 20.000 R/P

\$ 15,000 – 20,000

PROVENANCE

- Galerie Paul Cassirer, Berlin.
- Galerie Heinemann, Munich (verso with the label, no. 5070, on consignment from Paul Cassirer, April 1905).
- Galerie Paul Cassirer, Berlin.
- Collection Dr. Ulrich Thieme, Leipzig (acquired from the above in 1908).
- Private collection Baden-Württemberg.

EXHIBITION

- Leipziger Kunstverein, no. 3866 (verso with the label).

Walter Leistikow, who played a major role in setting the stage for the advent of modernism in Berlin, is widely recognized as one of the most defining artists of the turn of the century. In 1883, at the age of 17, he left his home town of Bromberg, West Prussia, to attend the Berlin Academy. In his biography of the artist, which was published two years after Leistikow's death, Lovis Corinth, with whom Leistikow formed a close friendship after some initial animosity, wrote that his friend was dismissed from the Academy after six months due to his "lack of talent" (The Life of Walter Leistikow. A Piece of Berlin's Cultural History, Berlin: Cassirer 1910). No doubt, this was the kind of anti-academic seal of approval that typified the advent of modernist movements around the year 1900. Leistikow finally approached the private studio of Hans Gude, a Norwegian landscape painter of the Düsseldorf School. His first motifs, which he found in the Berlin countryside and his native Pomerania, are entirely rooted in an understated, sincere realism that nevertheless exhibits hints of the delicately tinged color atmosphere of the later Symbolist period. In 1892, Leistikow was among the co-founders of the "Vereinigung der XI" (Association of the XI) group, named simply after the number of its members. Foregoing a mandatory artistic program, the group demanded fundamental changes concerning the selection criteria dictated by jury decisions at exhibitions. A decade later, in 1903, Leistikow and Harry Graf Kessler were involved in the establishment of the Deutscher Künstlerbund (German Artists' Association) in Weimar. One of Leistikow's closest friends, the writer and journalist Theodor Wolff, described his landscapes as "realistic Romanticism". Although based on a realistic impression of nature, Leistikow's paintings were infused with the artist's deep empathy which transformed them into psychologically charged landscapes. Through his enthusiastic support of the northern, symbolist-imbued paintings by artists like his friend Edvard Munch, whom he had championed as early as 1893, Leistikow became the representative of the "nervous Romantics" (Hermann Bahr) whose works conveyed a contemplative, mystified visual experience. The eye is drawn along the dark canal towards the sea, providing glimpses of moored boats and sailing ships. Peaceful lines of expansive trees, topped by rosy cloud formations hovering in the distance, shroud the view in enigmatic mystery. [KT]

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KARL HAGEMEISTER

1848 Werder a. d. Havel – 1933 Werder a. d. Havel

Mädchen im Kohlfeld. 1886.

Oil on canvas.

Warmt G 197 (2015; G 167). Lower right signed and dated. Verso of the canvas with two faded illegible stamps. Verso of the stretcher with an old label inscribed: "Eigenthum von / Friedrich Hagemeister / Prof. Hagemeister", sowie mit weiterem Etikett "Nr. 693 / Schulamt / Brandenburg G.H. / Ölgemälde / Prof. K. Hagemeister / 'Mädchen im Kohlfeld' Brandenburg 15 / IV [19]43". Numbered "B-0149" and "69.3". 119 x 73 cm (46.8 x 28.7 in).

Accompanied by a written expertise from Dr. Hendrikje Warmt, Karl Hagemeister Archive & catalogue raisonné, Berlin, October 24, 2022.

Called up: December 10, 2022 – ca. 15:30 h ± 20 min.

€ 20.000 – 30.000 ^{R/D}

\$ 20,000 – 30,000

PROVENIENZ

- From the artist's estate.
- Ms M. Schweitzer, Brandenburg/Havel (obtained from the above).
- Private collection Berlin (acquired in 1975).

AUSSTELLUNG

- Karl Hagemeister, Bröhan-Museum, Berlin, March 12 - July 12, 1998, cat. no. 49.

LITERATUR

- Peter Paret, Die Berliner Secession. Moderne Kunst und ihre Feinde im Kaiserlichen Deutschland, Berlin 1981, p. 105.
- Irmgard Wirth, Berliner Malerei im 19. Jahrhundert, Berlin 1990, plate 75.
- Margit Bröhan (ed.), Karl Hagemeister (1848 - 1933) - Gemälde-Pastelle-Zeichnungen, ex. cat. Bröhan Museum, Berlin 1998, p. 100 (illu. p. 101).

In the second half of the 1880s, Hagemeister's encounters with European Modernism and the emerging Impressionism in Paris prompted him to experiment with Impressionist concepts of perception and representation. Inspired by the bright and powerful colors of the French artists and their sweeping, expressive brushstrokes, he began to search for his own artistic language. While living in Ferch, a small fishing village in Havelland, from 1880 to 1891/92, Hagemeister explored the rich local flora and fauna and, inspired by the French masters, the art of figure drawing. During his childhood in the countryside, Hagemeister developed an intimate love for the world of animals and plants. This devotion was rooted in his direct exposure to the natural world. "If you paint landscapes, you have to be where the landscape is; if you paint princesses, you have to be where the princesses are." Hagemeister saw nature as a "spiritual element" which he sought to sense and feel by immersing himself in the natural world and working through the painting process. He developed a style of painting that contrasts a rough impasto foreground with a glazed background. Framed by

these, the middle ground of his compositions usually present peasant women either in a resting position or going about their work. Presenting a snapshot of the reality experienced by simple country people, his works avoid the classic motifs of bourgeois portraits or historical scenes. Hagemeister's rejection of any embellishment approaches a realism that foreshadows subsequent developments in Germany's art salons. Far from urban censorship, Hagemeister is thus part of a slowly unfolding process towards fundamental future changes in the history of art. Our portrait, "The Girl in the Cabbage Field", reveals a harmonious interaction between the native beauty found in mankind and nature. Sitting in the field, a plain-looking peasant girl is surrounded by natural scenery imbued with a more dynamic atmosphere. With serene grace, the girl gazes into the distance beyond the outer edge of the picture. A brief moment of stillness unfolds while the trees, shrubs and field move in the wind. Strong impasto applications of light yellow and green shades create a natural spectacle that swirls around the delicate girl in her simple dress. [CS]



FRANZ VON STUCK

1863 Tettenweis – 1928 Munich

Bildnis der Tochter Mary. Around 1916.

Oil on panel.

Voss 475. Signed in lower right. Verso with the stamp of 'Gebrüder Oberndorfer', Munich. 59,5 x 51,5 cm (23.4 x 20.2 in).

In the original Irlbacher frame (verso with two labels).

Called up: December 10, 2022 – ca. 15:31 h ± 20 min.

€ 40.000 – 60.000 ^{RM}

\$ 40,000 – 60,000

PROVENIENZ

- Piccadilly Gallery, London.
- (with the label on the reverse)
- Private collection Great Britain (acquired from the above in 1974).

AUSSTELLUNG

- Franz von Stuck 1863-1938, Piccadilly Gallery, London, March 26 - May 4, 1974, cat.no. 18 (with illu.).

LITERATUR

- Neumeister KG, vorm. Münchener Kunstversteigerungshaus Adolf Weinmüller, Munich, auction On June 20 - 22, 1968, no. 1988 (with illu. plate 97).
- Franz von Stuck und die Photographie, ed. by Josef A. Schmoll et al, ex.cat. Museum Villa Stuck, Munich 1996, frontispiece and cat. no. 239: Photograph from the estate.

The only biological daughter of Franz von Stuck, Mary was the result of a love affair with Anna Maria Brandmaier (1875-1944), a waitress at Café Luitpold who also posed as model for the painting "Sin". In the absence of children from Stuck's 1897 marriage to the wealthy widow Mary Lindpainter (1865-1929), the couple obtained the right to adopt Mary from Prince Regent Luitpold. Stuck painted portraits of his cherished daughter throughout his entire artistic career. Among other works, Mary is represented in the painted ceiling of the Villa Stuck music room featuring a starry night sky. In 1917, Mary married Albert Heilmann of the Heilmann & Littmann construction company, which had built both the Stuck's villa and the "New Studio" in the period 1914-15. With Stuck devoting his attention primarily to his grandchildren after his daughter's marriage, our painting is one of the last portraits of Mary. Created at the beginning of her married life, it marks a significant turning point in the relationship between father and daughter. In this portrait, the typically young, playful child portrayed in fancy dress has become a young adult. Playing with his own unmistakable Symbolist pathos, Stuck shows his daughter in a demure yet self-assured poise. Mary is seen reclining over the armrest of a red chair, which the artist himself had

- **The Munich artist Stuck was the master of mythologic scenes and portrait art**
- **From early on, his only daughter Mary was his favorite motif, of which he made a great variety of successful portraits**
- **In this work Stuck stages the 20 year old with reduced yet strong means of composition as an elegant and cultivated young lady**
- **One of the last Mary portraits before she married Albert Heilmann**

designed for the furnishings of the Villa Stuck and which also appears in other portraits of women. Her engagement ring is clearly visible on her elegantly poised hand. Mary's forward-leaning stance creates a sense of space that is quite unusual for Stuck. As a whole, the general composition gives the impression of a moment in time. The chance discovery of an exceptionally large collection of photographs during a review of the estate in the cellar of the Villa Stuck in 1968 revealed that Stuck actually used photographs, mostly taken by himself or his wife Mary, as models for his portraits. Further paper prints and sketches give an indication how the artist worked directly with the photographs. Even the great painters of his time, for instance Degas and Manet in France, used photography as a tool. Despite these useful tools, however, Stuck focused on artistic elegance and decorative effect rather than the precise photorealistic portrayal of his models. In this simple half-profile view of Mary, he achieves this by foregoing any complicated details, thus creating room for a soft, almost sweet harmony. Following a Symbolist-mythic approach, Stuck has his daughter emerge dramatically into a serene twilight, coming into view from a dark background that almost merges with her hat. [CS]



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FRANZ VON STUCK

1863 Tettenweis – 1928 Munich

Herrenbildnis (Heinrich Butzer). 1921.

Syntonos- Tempera on canvas, laid on a panel from 'Gebrüder Oberndorfer'.

Lower right signed and dated. 60 x 50 cm (23.6 x 19.6 in).

In the original artist frame.

Called up: December 10, 2022 – ca. 15:32 h ± 20 min.

€ 4.000 – 6.000 ^{R/D}

\$ 4,000 – 6,000

PROVENANCE

· Collection Dr. Heinrich and Martha Butzer, Dortmund (ever since family-owned).

EXHIBITION

· Permanent loan to Villa Stuck, Munich, 1991-2021 (inv. no. G-L 91 1-4).
· Franz von Stuck. Gemälde, Zeichnungen, Plastik aus Privatbesitz, Augustinermuseum Freiburg, 1994 (not in catalog).

LITERATURE

· Jo-Anne Birnie Danzker (ed.) and Barbara Hardtwig, Franz von Stuck. Die Sammlung der Villa Stuck, Eurasburg 1997, cat. no. 23 (with illu. on p. 103).



Alongside his symbolic and mythological scenes, Franz von Stuck also made his mark as an outstanding portrait painter. Although he favored portraits of actresses and Munich's fashionable socialites, as well as his own daughter Mary, his reputation extended all across Germany. In 1921, the successful Dortmund building contractor Heinrich Butzer (1884-1965) also had his portrait painted. On the strength of the impressive result, Stuck was commissioned to paint further portraits of Butzer's wife Martha (1923) and their three children. Like his colleague and competitor Franz von Lenbach, Stuck used photographs, taken by himself or his wife Mary in his own studio, to reduce the time his models had to be present in the studio during the painting process. This approach also reflected a change in patterns of visual perception at a time when painting was starting to face competition from photography. Besides serving as a visual aid to memory, Stuck also made extensive use of the photographs to prepare the technical details of his paintings. The photograph of Martha Butzer, for example, which is preserved as part of the estate, thus bears characteristic scratch marks on the front and a charcoal drawing along the contours of the face, along with an arrow and measurements, on the back. Nevertheless, Stuck often tweaked the proportions of the face and body in his paintings, adapting the subject's appearance to the artistic image and ideal of beauty of the time. Using Syntonos tempera paints produced in Fürth in 1893, Stuck gives the surface a matte, fresco-like appearance, which recalls the Renaissance art that served as Stuck's main inspiration. [KT]



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FRANZ VON STUCK

1863 Tettenweis – 1928 Munich

Damenbildnis (Martha Butzer). 1923.

Syntonos- Tempera on canvas, laid on a panel from 'Gebrüder Oberndorfer'.

Voss 568. Lower right signed and dated. Verso with the stamp of the 'Gebrüder Oberndorfer', Munich. 60 x 49,5 cm (23.6 x 19.4 in).

Called up: December 10, 2022 – ca. 15:34 h ± 20 min.

€ 4.000 – 6.000 ^{R/D}

\$ 4,000 – 6,000

PROVENANCE

· Collection Dr. Heinrich and Martha Butzer, Dortmund (ever since family-owned).

EXHIBITION

· Permanent loan to Villa Stuck, Munich, 1991-2021 (inv. no. G-L 91 1-5).
· Franz von Stuck. Gemälde, Zeichnungen, Plastik aus Privatbesitz, Augustinermuseum Freiburg, 1994 (not in catalog).

LITERATURE

· Cf. Jo-Anne Birnie Danzker (ed.) and Birgit Jooss, Stuck und die Photographie. Inszenierung und Dokumentation, ex. cat. Munich et al 1996, cat. no. 161, p. 163.
· Jo-Anne Birnie Danzker (ed.) and Barbara Hardtwig, Franz von Stuck. Die Sammlung der Villa Stuck, Eurasburg 1997, cat. no. 24, (with illu. p. 105).

ARTUR VOLKMANN

1851 Leipzig – 1941 Geislingen an der Steige

Bacchantenzug. 1901.

Marble Relief, with colors.

Lower left signed, dated and inscribed "Rom". Verso with old, partly fragmentarily preserved labels and numbers. 64 x 52 x 5 cm (25.1 x 20.4 x 1.9 in). Weight: ca. 40 kg/ 90 pds.

We are grateful to Dr. Anette Niethammer, Mötzingen, for her kind expert advice.

Called up: December 10, 2022 – ca. 15,35 h ± 20 min.

€ 10.000 – 15.000 R/P

\$ 10,000 – 15,000

PROVENIENZ

· Private collection Northern Germany.

AUSSTELLUNG

· Leipziger Kunstverein, Nr. 617 (verso with the label).

Artur Volkmann studied sculpture in Dresden and Berlin from 1873. From 1876, a two-year scholarship enabled him to stay in Rome, which he made his home for the following decades. There he made the acquaintance of the painter Hans von Marées, who had a significant artistic influence on him and who later designed the relief for his grave on the Roman 'cimiterio accatolico'. Solely for financial reasons, Volkmann kept coming back to Germany to secure new orders. In dialogue with antiquity, its "noble simplicity and quiet grandeur", sculptures of ancient figures such as Bacchus, Psyche, Aphrodite were created, which are committed to a new classicism in the simplification of form and emphasis on the line, but also try to express a certain naturalness without any idealization. As early as in 1882, Volkmann, as one of the first sculptors in the 19th century, began to color his marble works and took an active part in the discussion about colored sculpture that was beginning in Germany at the time. This subject of polychromatic treatment became known to the general public primarily through the classic archaeologist and director of the Dresden

- Volkmann was master student of Hans von Marées and expressed his ideals in sculpting
- He was one of the first German sculptors to make polychrome works
- Volkmann unites in neo-classicist style with moved expression in this relief with great mastery
- Reference to the philosophy of Friedrich Nietzsche (1844-1900) between Apollinian and Dionysian

sculpture collection, Georg Treu. The ideal of depictions in pure white marble, familiar from classicist art, was exchanged with colored versions to attain a greater liveliness. Volkmann was convinced of the historically authentic practice of coloring his sculptures, even when ignorant clients demanded the paint be washed off and threatened not to pay otherwise. The depicted bacchanalian scene, in which the figures line up next to each other, is also influenced by Marées's pictorial conception. On the left side, the slender young man, holding the wine bowl calmly and elegantly in ideal contrapposto, forms a contrast to the wild, intoxicated movements of the maenad waving the thyrsos staff and the panther next to the satyr couple. Volkmann shows his mastery of the ancient iconology of Dionysian cults - certainly also due to his interest in the Nietzschean dualism of the Apollonian and Dionysian, the human disposition between reason and intoxication. The fine, more linear than sculptural design of the multi-figure composition with the delicately colored background, make the relief a special work in Volkmann's oeuvre. [KT]



CHARLES JOHANN PALMIÉ

1863 Aschersleben – 1911 Munich

München, Marienplatz. 1908.

Oil on canvas.

Lower left signed, inscribed and dated "München 08". Verso of the canvas and the stretcher with several numbers (by hand and in typography), and with an old label inscribed by the artist with care instructions. 150,5 x 116 cm (59.2 x 45.6 in).

Called up: December 10, 2022 – ca. 15:36 h ± 20 min.

€ 10.000 – 15.000 ^{R/D}

\$ 10,000 – 15,000

PROVENIENZ

· Privat collection North Rhine-Westphalia (obtained from family ownership).

- Palmié's views of Munich's old town around the turn of the century are among his most sought-after works
- Under the influence of French Impressionism, Palmié developed an incomparable, highly individual coloring
- Large-format, extremely atmospheric view with a fascinating lighting mood

“His favorite motif: Marienplatz in Munich, the city's heart with the protective landmark of Mary's Column and the spires of Frauenkirche basked in gaudy lights, a firework of colors, which, owing to its neo-impressionist manner, is reminiscent of an Oriental rug”

Die Kunst für alle, no. 26, 1910-1911, p. 552.

Using a range of vibrant colors, Palmié captures one of his favorite motifs, Munich's Marienplatz in the evening after a rain shower. The façade of the New City Hall dissolves into dark purple tones, greenish light produced by electric lamps wafts through the streets, and the warmly illuminated shop windows in the City Hall arcades hold the promise of instant consumer gratification. In this painting, Palmié conveys with unparalleled intensity the transformative power of light, which his work celebrates in all possible shades of the spectrum. Rather than a precise rendering of architectural details, his view of Marienplatz captures the fleeting impression of weather and light

phenomena. Much like Rouen Cathedral in Claude Monet's serial portrayals, Munich's central square, which Palmié reproduced in various views in ever changing shades of color and lights, served the painter as a frequent source of artistic and coloristic experimentation. Choosing a perspective that combines monuments from three centuries, he displays the medieval Church of Our Lady, the baroque St. Mary's Column and the New Town Hall from the mid-19th century. Palmié thus presents an ingenious vision of the continuous transformation of the city, casting it as a backdrop for modern urban life bathed in the glow of the shop windows' electric lighting. [KT]





351

WILHELM TRÜBNER

1851 Heidelberg – 1917 Karlsruhe

Großherzog Ernst Ludwig von Hessen und bei Rhein. Presumably 1904.

Oil on canvas.
Cf. Rohrandt G 278. Monogrammed in upper right.
76,5 x 62 cm (30.1 x 24.4 in).

We are grateful to Dr. Klaus Rohrandt, Kiel, for the kind expert advice. The work will be included into the catalog raisonné.

Called up: December 10, 2022 – ca. 15:38 h ± 20 min.

€ 4.000 – 6.000 ^{R/D}
\$ 4,000 – 6,000

PROVENANCE

· Private collection Rhineland-Palatinate.

LITERATURE

· Cf. Joseph August Beringer, Trübner: des Meisters Gemälde in 450 Abbildungen, Stuttgart 1917, p. 278.

At the time this portrait was painted, Wilhelm Trübner had reached the height of his success. Following his studies in Karlsruhe, Munich and Stuttgart, his contact with fellow artists such as Corinth, Slevogt and Liebermann helped Trübner develop his own broad, colorful impasto style which lends his landscapes their striking power. In 1904 he was appointed Director of the Karlsruhe Art Academy, where he also taught as a professor from 1903 to 1917. Around the year 1904, he painted bust portraits and a large-scale equestrian portrait of Ernest Louis Grand Duke of Hesse and by Rhine (1868–1937). With military careers common among the nobility at the time, the Grand Duke is depicted in his uniform. Clearly visible on his chest is the Grand Ducal Hessian Order of Philip the Magnanimous bearing the Knight's Cross of Swords. With his reign ending in 1918, Ernest Louis was the last Grand Duke of Hesse and a key patron of the arts, above all in Darmstadt where he promoted the expansion of the artists' colony and transformed the city into a center of Art Nouveau. Although applying his typical broad strokes in this portrait, Trübner nevertheless achieves a strikingly accurate and finely modeled portrayal of the Grand Duke's distinctive physiognomy. [KT]



352

ALBERT HAUEISEN

1872 Stuttgart – 1954 Kandel

Bei der Kartoffelernte. 1900–1909.

Oil on cardboard.
Habermehl p. 175. Lower left signed.
76 x 96 cm (29.9 x 37.7 in).

Called up: December 10, 2022 – ca. 15:39 h ± 20 min.

€ 4.000 – 6.000 ^{R/D, F}
\$ 4,000 – 6,000

PROVENANCE

· Private collection Rhineland-Palatinate.

LITERATURE

· Arno Winterberg, Heidelberg, 23rd auction, 1981, no. 3443 (with illu.).
· Eva Habermehl, Albert Haueisen. Ein süddeutscher Maler und Grafiker, Studien zum Werk und Werkverzeichnis der Gemälde, Heidelberg 1998, p. 175.

Albert Haueisen's "Bei der Kartoffelernte" (At the Potato Harvest) is an unusual milieu painting whose personal, private atmosphere is evoked by the woman seen resting in the foreground – the only figure depicted with recognizable facial features. Similar motifs of country life and exemplary works of art involving both milieu and portrait aspects can be found in paintings by Leopold von Kalckreuth with whom Haueisen studied as a master student at the Karlsruhe Academy between 1896 and 1900, along with Hans Thoma. The harvest scene incorporates both of these approaches, much like the work by von Kalckreuth. An Impressionist thanks to his background in plein air painting, the latter was also a Realist in his approach to portraits, character portrayals and social and cultural scenes. Similar to Jean François Millet's painting "The Potato Harvest" (1855) or his famous "Women Harvesters" (1857), Haueisen portrays the stooped figures of hard-working, exhausted field workers in a flat rural landscape. Absorbed in their work, the field workers are focusing on the soil, the tools and the harvested potatoes. Jockgrim, a village located in the immediate vicinity of Karlsruhe and the home of his mother, was, with few exceptions, the artist's permanent residence from 1900 onwards. This painting most likely came into being in Jockgrim. Composed of coarse brushstrokes, spectral colors and occasional brown and green spots, the painting's artistic realization is reminiscent of both the French Impressionists and Haueisen's teachers Kalckreuth and Hans Thoma. In 1904, Albert Haueisen traveled to Paris to meet the Impressionists. His depiction of the potato harvest features Impressionistic complementary colors and the color dots and spots typical of Camille Pissarro (cf. "The Potato Harvest", 1874) in a more muted spectrum of colors and with a sometimes coarser application of paint, which is reminiscent of the painting technique of his teacher and friend Hans Thoma. This creates a dynamic relationship between the painting style and the content, highlighting the aspect of the hard, grueling work that the laborers in the painting have to perform. Like both his teachers before him, Albert Haueisen was offered a professorship at the Karlsruhe Academy in 1905. [IC]

EDWARD CUCUEL

1875 San Francisco – 1954 Pasadena

Zwei Damen im Kahn. Around 1910.

Oil on canvas.

Lower left signed. 80 x 80 cm (31.4 x 31.4 in).

Called up: December 10, 2022 – ca. 15,40 h ± 20 min.€ 40.000 – 60.000 ^{R/D, F}

\$ 40,000 – 60,000

PROVENIENZ

· Private collection Bavaria.

- Characteristic motif in Cucuel's work, which is primarily dedicated to the elegant female figures in nature
- Cucuel shows his painterly skills in the lively interplay of light and shadow, which makes the summery lightness tangible
- In the impasto, impressionistic style of painting, the shimmering, nuanced play of colors is particularly fascinating
- Created in the painter's summer villa on Ammersee, his central place of work

“Cucuel has an extremely fresh temperament. The French school and inspiration from the ‘Scholle’ are clearly visible in his portraits of women. But he is a painter who knows how to find unusual situations and pursues very interesting color stimuli in his cheerful female portraits.”

Kunstnachrichten, vol. III, no. 19/20, Berlin, July 1914, p. 95.

From the 1910s onwards, Edward Cucuel's work was defined by a cheerful, light-hearted outdoor painting style, which he initially pursued together with his friend and teacher Leo Putz in Hartmannsberg on Lake Chiemsee. During four summers, the painters worked side by side, capturing the scenery and their models in vibrant, harmonious colors and fluid brushwork. From 1914 Cucuel was based in Holzhausen on Lake Ammersee, where he continued to paint his earlier motif of young, elegantly dressed ladies in casual poses pursuing their leisure activities in the countryside. The world of beau-

tiful, carefree young women in summer lake landscapes is one of Edward Cucuel's most successful motifs. His paintings of the shores of Lake Starnberg manifest an attitude to life typical of a certain social class, which his painting style, inspired by Late Impressionism, skillfully exemplifies. The young ladies climbing into a boat in a small cove are engulfed in the colorful magic of the shimmering blue-green lake and the lush vegetation. Light reflections on their white dresses lend the scene an enchanted visual enrapture that is characteristic of many of Cucuel's works from this period. [KT]





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EDWARD CUCUEL

1875 San Francisco – 1954 Pasadena

Am Ufer. Around 1920.

Oil on canvas.

Lower left signed. 71 x 58 cm (27.9 x 22.8 in).

Called up: December 10, 2022 – ca. 15.42 h ± 20 min.

€ 25.000 – 35.000 ^{R/D, F}

\$ 25,000 – 35,000

PROVENANCE

· Private collection Bavaria.

The powerful artistic appeal of the oil paintings Edward Cucuel created at Lake Starnberg is based on the delicate light conditions in which the artist set his models and the surrounding landscape. In this painting, he paid particular attention to the evening light that enters the picture from the side, enveloping the model with flattering radiance without hardening the contours. The celebratory use of tone-on-tone technique gives the white of the dress and the iridescent surface of the water a luminous life of their own. All harshness is avoided. Unified by a warm color scheme, the composition is perfectly tailored to the standing young lady – a profound expression of Cucuel's focus on celebrating the finer things in life. His carefree young women are representative of a hedonistic lifestyle that meets its affirmation in Cucuel's subjects. [KT]



355

MARIE EGNER

1850 Radkersburg (Steiermark) – 1940 Maria Anzbach (Niederösterreich)

San Lazzaro bei Venedig. Um 1896.

Öl auf Leinwand, kaschiert auf Malpappe.

Vgl. Suppan/Feuchtmüller 474. Links unten signiert. 19,5 x 27,5 cm (7.6 x 10.8 in).

Wir danken Frau Dr. Claudia Suppan, Wien, Werkverzeichnis Marie Egner, für die freundliche Auskunft. Das Werk wird in das in Vorbereitung befindliche Werkverzeichnis aufgenommen.

Aufrufzeit: 10.12.2022 – ca. 15.43 h ± 20 Min.

€ 4.000 – 6.000 ^{R/D}

\$ 4,000 – 6,000

PROVENIENZ

- Galerie für Alte und Neue Kunst Alexander Gebhardt, München.
- Privatsammlung Baden-Württemberg (1976 vom Vorgenannten erworben).

Marie Egner gehört zu den wichtigsten Künstlerinnen Österreichs des ausgehenden 19. Jahrhunderts. Nach erstem Zeichenunterricht in Graz macht sie sich auf an die besonders im Fach der Landschaftsmalerei hochrenommierte Düsseldorfer Kunstakademie, an der sie 1872-75 im Atelier von Carl Jungheim studiert. Anschließend lässt sie sich in der Kunstmetropole Wien nieder und eröffnet eine private Malschule. Mit Emil Jakob Schindler und dessen Schüler:innen Carl Moll und Olga Wisinger-Florian malt sie in den Sommermonaten auf Schloss Plankenberg in Niederösterreich. Reisen führen die mittlerweile in der Landschaftsmalerei versierte Künstlerin nach Dalmatien, Griechenland, Italien, England und in die Niederlande. Besonders an ihren Werken ist vor allem die ungewöhnliche und besondere Blickführung, die den individuellen und überraschenden Betrachterstandpunkt betont. Hier nähert sie sich vom Boot aus der kleinen Klosterinsel San Lazzaro degli Armeni, die unmittelbar im Westen vor dem Lido gelegen ist. Sie gehört zu den Künstlerinnen, die sich mutig dem Impressionismus in Licht und Duktus öffnen und diesen um ein stimmungsvolles Element, oftmals hervorgehend aus einer tonig-gedämpften Farbpalette, bereichern. Sie stellt erfolgreich u.a. im Wiener Künstlerhaus, der Wiener Secession sowie bei der von ihr mitbegründeten Gruppe „Acht Künstlerinnen“ aus. Gemälde der Künstlerin waren zuletzt 2019 in der Ausstellung „Stadt der Frauen: Künstlerinnen in Wien, 1900-1938“ im Unteren Belvedere in Wien zu sehen. [KT]

HENRY MORET

1856 Cherbourg – 1913 Paris

La baie de Merrien. 1900.

Oil on canvas.

Lower left signed and dated. Verso of the stretcher with title and several numbers, with an old numbered, titled and inscribed label and a label numbered "889." in typography. 50,5 x 61,5 cm (19.8 x 24.2 in).

Accompanied by a confirmation of authenticity from Mr Jean-Yves Rolland, Paris.

The work will be included into the forthcoming catalogue raisonné Henri Moret.

Called up: December 10, 2022 – ca. 15.44 h ± 20 min.

€ 40.000 – 60.000 ^{R/D}

\$ 40,000 – 60,000

PROVENIENZ

- Galerie für Alte und Neue Kunst Alexander Gebhardt, Munich.
- Private collection Baden-Württemberg (acquired from the above in 1973).

- **Luminous coastal landscape influenced by avant-garde principles of Neo-Impressionism**
- **Moret spent the summers from 1880 in Brittany and joined Gauguin and the Pont-Aven School**
- **The important gallery owner of Impressionism, Paul Durand-Ruel concluded an exclusive contract with him**
- **Moret's Breton landscapes are in major international collections, including the Hermitage, Saint Petersburg, the Boston Museum of Art, the National Gallery, Washington and the Musée d'Orsay, Paris**



Towards the end of the 19th century, the remote, unspoiled and wildly romantic region of Brittany became part of the motif repertoire of artists who sought to distance themselves from the academic Salon scene. Aside from classic landscape motifs, the region offered new, hitherto unexplored views of rugged, unspoiled nature along with ambient light and weather, not to mention the generally lower cost of living compared to the capital, Paris. Having moved to the small fishing village of Pont-Aven in 1886, it was Paul Gauguin who brought this secluded region to the attention of the avant-garde circles. Prior to this, Moret had completed his military service in Brittany and gone on to study at the Paris Academy and the studios of the eminent historical Salon painters Jean-Léon Gérôme and Jean-Paul Laurens. The Salon des Artistes Français accepted his first landscape painting with a Breton coastal motif in 1880. Upon his return to Brittany in the following year, Moret settled in Le Pouldu and devoted himself almost exclusively to this region. When Gauguin and some of his students spent the summer in Pont-Aven in 1888, he joined the group. In 1894,

he settled permanently in Doëlan to devote his time to painting, while others returned to Paris. A permanent contract with the leading Impressionist gallery owner, Paul Durand-Ruel, provided Moret with financial security. The resulting work is both self-contained and prismatically luminous in its color expression. His subjects include Breton women gathering seaweed, fishing boats and rugged cliffs overlooking the wildness and expanse of the Atlantic Ocean, motifs that Gauguin also tackled. Moret's paintings often explore the Finistère region at the far edge of the country, focusing on motifs from Moëlan and Pont-Aven to Belon, Brigneau and Ouessant. Indebted to an Impressionist lightness of texture and the beginnings of Neo-Impressionist color fragmentation, Moret's Breton coastal landscapes are of an arresting intensity, capturing the character of this singular region with a unique skill. Thanks to Durand-Ruel, Moret's works were included in prestigious collections, among them the Hermitage, St. Petersburg, the Boston Museum of Art, the National Gallery, Washington, and the Musée d'Orsay, Paris. [KT]

EDWARD CUCUEL

1875 San Francisco – 1954 Pasadena

Sommernachmittag am See. Around 1920.

Oil on canvas.

Signed in lower right. 101 x 101 cm (39.7 x 39.7 in).

Called up: December 10, 2022 – ca. 15,46 h ± 20 min.

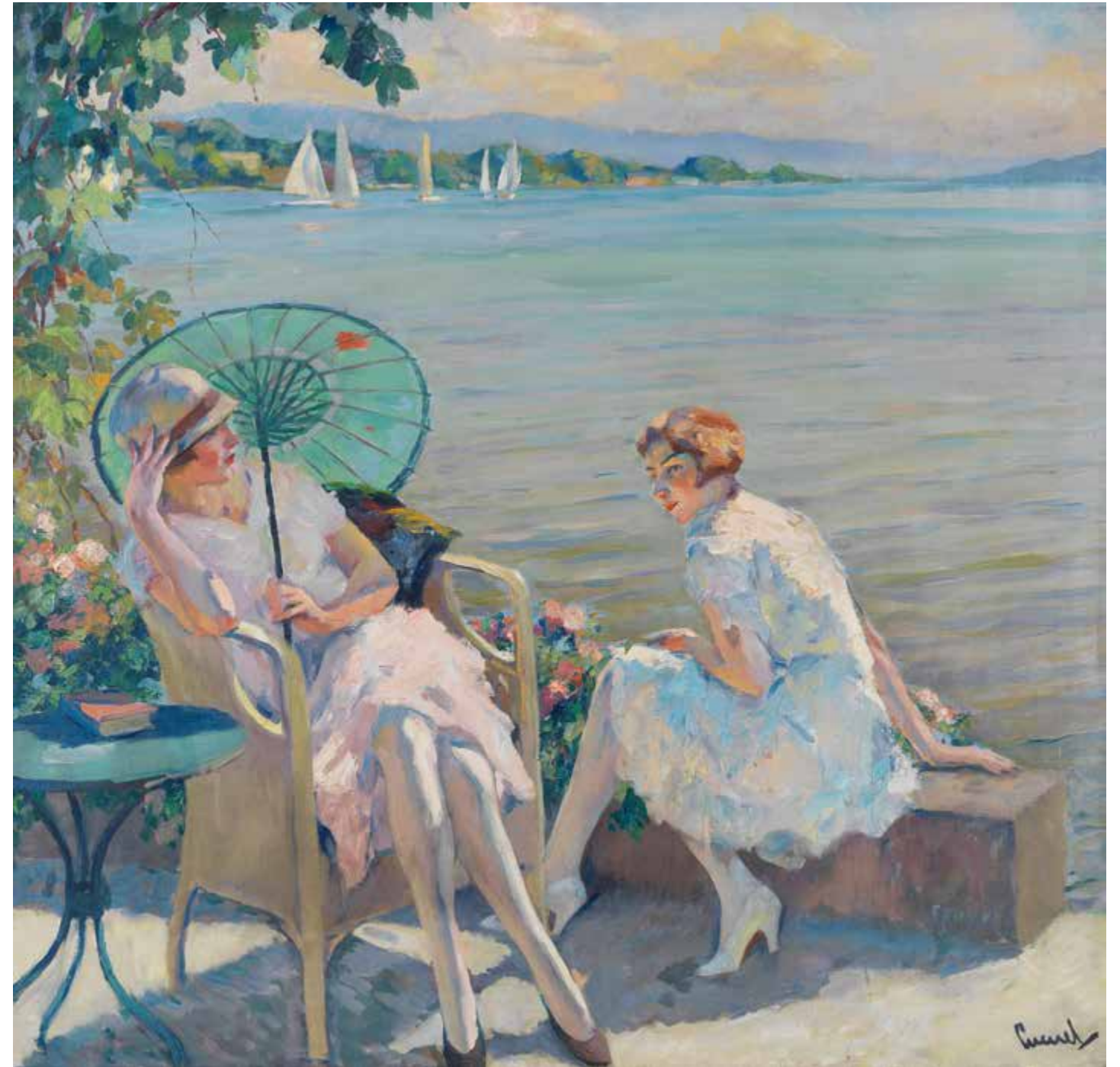
€ 40.000 – 60.000 ^{R/D, F}

\$ 40,000 – 60,000

PROVENIENZ

· Private collection Southern Germany.

- Cucuel stages idleness on a warm summer day in intensive colors
- A motif with sophisticated and tender elegance, characteristic of Cucuel's creation
- With the lively interplay of light and shadow, Cucuel delivers proof of his mastery
- Harmonious and vibrant color tone, the pastel nuances make the light summer atmosphere noticeable



Cucuel always stages the models in his pictures with accessories and clothing that emanate femininity: stockings, elegant Japanese parasols, ribbons, summer hats decorated with flowers. Characteristic of Cucuel's paintings are these unobserved, intimate moments, in which the warm summer light fills the scenery. The gaze wanders across Lake Starnberg, onto which the artist dabbed a few white sailing boats. The broad brushwork, in which single color areas contrast with one another, still bears witness to the painterly exchange with Leo Putz, a member of the Munich artist group "Die Scholle", with whom Cucuel spent the summer months from 1909 to 1914 in the Chiemgau region. Until then, he had mainly worked as a printmaker and illustrator for the press, including in New York in the 1890s, after he had completed his studies at the art academy in his hometown San Francisco and at

the progressive Académie Julian in Paris. The turning point in his work came around 1911, when, under the influence of Leo Putz, he turned entirely to impressionist plein-air painting. Numerous motifs of summer life were created in a loose, broad style, whereby Putz and Cucuel often share the models and accessories such as the Florentine hat decorated with flowers. In line with Putz' strong painting style, Cucuel not only used the brush, but often applies the color in broad strokes with a painting knife "alla prima", which gives his motifs a solid physicality despite the light, pastel colors. His paintings breathe the warmth of summer, the scent of nature, the coolness of water, and thanks to their sensuality, they helped him to great international success. During his lifetime, his works found their way into American private collections and museums. [KT]

ALEXANDER KOESTER

1864 Bergneustadt – 1932 Munich

12 Enten im Wasser. Around 1914.

Oil on canvas.

Cf. Stein/Koester 893. Lower left signed. Verso with fragments of an old label.

49 x 80 cm (19.2 x 31.4 in).

*Called up: December 10, 2022 – ca. 15.47 h ± 20 min.***€ 20.000 – 30.000** R/P

\$ 20,000 – 30,000

PROVENIENZ

- Galerie Commeter, Hamburg (verso with fragments of a label).
- Private collection Bavaria.

Few other artists have succeeded in deriving as many variations from a single motif as Alexander Koester from his ducks. Presenting his first duck painting at the Great Berlin Art Exhibition in 1899, the public was impressed by the endless number of ideas this genre and landscape painter had to offer on the subject. The duck motif first appeared around 1896, when Koester married and settled in the town of Klausen in South Tyrol, where he discovered his father-in-law's farm ducks as a subject for his paintings. Numerous presentations at exhibitions followed, along with a number of awards. His ducks became very popular and were exhibited in collections and museums; among the buyers were Kaiser Wilhelm II, who purchased the duck painting "Siesta" in 1900, followed by King Vittorio Emanuele III of Italy in 1907. Koester's paintings were notable for their loose, impressionistic brushstroke. In this painting, the flock of ducks is portrayed in direct close-up, while broad, casual daubs suggest the shore and the ambient weather scenery. Koester captures the fleeting impression of the ducks' ever-changing shapes in bright, impasto dabs of color that only blend in the eye of the beholder.

Instead of a visual narrative, or the portraiture of particularly exotic species, the artist focuses on the subject's visual allure, with skillfully captured light and color setting the animals' plumage and the reflections of sunlight on the water aglow. Koester's brushwork closely follows the structure of the feathers, modeling the compact shape of the plump animals. The artist thus gives the genre of animal or poultry painting, which goes back to 17th-century Dutch art, a modern interpretation. In his work, the formal aspect of pure painting, which often assumes a serial character, takes on a life of its own beyond the motif and the visual narrative. In later years, Koester bred his own ducks on his estate in Diessen on Lake Ammersee. He also liked to visit zoos to complete animal studies and learn about rare duck species, becoming a recognized duck expert in his own right. Koester mastered this inherently simple theme with a compositional imaginativeness that offers great variation despite the sheer number of duck paintings he produced. To challenge himself, he often sought out the reflective surface of water and the fine texture and shimmer of plumage, which never ceased to fascinate him. [KT]





359

ALEXANDER KOESTER

1864 Bergneustadt – 1932 Munich

Rosen auf Schleier. 1926–1930.

Oil on canvas.

Stein/Koester 1026. Lower left signed. Verso of canvas with an estate stamp and numbered "428a". Verso of stretcher numbered and titled. 50 x 56,5 cm (19.6 x 22.2 in).

Called up: December 10, 2022 – ca. 15.48 h ± 20 min.

€ 7,000–9,000 ^{R/D}

\$ 7,000–9,000

PROVENANCE

- Artist's estate.
- Private collection Bavaria.

EXHIBITION

- Gedächtnisausstellung des Kunstmalers Alexander Koester, Ständige Ausstellung der Münchener Kunstgenossenschaft, Munich, 1933, cat. no. 8832.

Alexander Koester is best known for his varied portrayals of ducks. Showing these works at art exhibitions in Germany from 1899 onwards, they became his most successful motif. However, his oeuvre also spans all other painting disciplines, from portrait and genre to landscape and still life. It is in these works that his broad impasto style of painting, which positively luxuriates in the color medium, came into its own. His style holds a special allure of materiality in which the color medium virtually remodels the portrayed flowers, vases, cloths or surfaces. He thus created vivid, almost haptic surfaces full of sparkle, reflections, effects, light reflexes and transparencies that reveal the essentially Impressionistic principle underlying his painting style, namely to capture the changing effects of light on the canvas and turn them into a visual experience. [KT]



360

ALEXANDER KOESTER

1864 Bergneustadt – 1932 Munich

Vasenstillleben auf Mahagonitisch. 1926–1930.

Oil on canvas.

Stein/Koester 999. Lower right signed. Verso of the canvas with two estate stamps and numbered. Verso of the stretcher numbered "CC 103" and with a label of the 'Bayerische Staatsgemäldesammlungen' and an inventory number "AK 121". 54,5 x 74 cm (21.4 x 29.1 in).

Accompanied by a certificate of authenticity from Dr. Ruth Stein, Stuttgart, dated January 9, 1997 (original).

Called up: December 10, 2022 – ca. 15.50 h ± 20 min.

€ 8,000–10,000 ^{R/D}

\$ 8,000–10,000

PROVENANCE

- Artist's estate.
- Else Eckhard, Konstanz (inherited from the above, until 1973).
- Bayerische Staatsgemäldesammlungen Munich, inv. no. AK 121 (gifted from the above in 1973, until 1993: Karl & Faber).
- Private collection Bavaria.

EXHIBITION

- Gedächtnisausstellung des weltberühmten Klausener Kunstmalers Alexander Koester, Dominikanerkirche, Bozen, 1956, cat. no. 20.
- Karl & Faber, auction on March 17, 1997.

Alexander Koester is best known for his varied portrayals of ducks. Showing these works at art exhibitions in Germany from 1899 onwards, they became his most successful motif. However, his oeuvre also spans all other painting disciplines, from portrait and genre to landscape and still life. It is in these works that his broad impasto style of painting, which positively luxuriates in the color medium, came into its own. His style holds a special allure of materiality in which the color medium virtually remodels the portrayed flowers, vases, cloths or surfaces. He thus created vivid, almost haptic surfaces full of sparkle, reflections, effects, light reflexes and transparencies that reveal the essentially Impressionistic principle underlying his painting style, namely to capture the changing effects of light on the canvas and turn them into a visual experience. [KT]

361

MAURICE DENIS

1870 Granville – 1943 Saint-Germain-en-Laye

Nymphe aux fleurs (Nu à la draperie, dans le jardin). Around 1906/07.

Oil on cardboard, laminated on panel.
Lower right monogrammed "MAVD" (in ligature).
53 x 44,8 cm (20.8 x 17.6 in).

With a written expertise from Dominique Denis, the artist's son, St. Germain-en-Laye, dated April 20, 1989.

Accompanied by a certificate issued by Claire Denis and Fabienne Stahl, *Catalogue raisonné de l'oeuvre de Maurice Denis*, from October 26, 2022.

The work is registered under the number 906.0010.

We are grateful to Ms Claire Denis, the artist's grand-daughter, and Ms Fabienne Stahl, for their kind support in cataloging this lot.

Called up: December 10, 2022 – ca. 15:51 h ± 20 min.

€ 18.000 – 24.000 R/D

\$ 18,000 – 24,000

PROVENANCE

- Galerie Druet, Paris (acquired from the artist through Galerie Bernheim-Jeune, Paris, in 1907).
- Collection Henri Aubry (acquired from the above in 1907).
- Private collection London (until 1990).
- Private collection Bavaria (acquired in 2001).

EXHIBITION

- Exposition Maurice Denis, Galerie Bernheim-Jeune, Paris, April 8 - 20, 1907.

LITERATURE

- Sotheby's, London, *Impressionist and modern paintings - drawings, watercolors and sculpture*, auction on February 21, 1990, lot 17 (with illu.).



Around the years 1906/1907, Maurice Denis produced a number of studies and paintings in the garden of his home and studio in St.-Germain-en-Laye in the west of Paris. Alphonsine Zabé, his favorite model at the time, often posed for his garden nudes, many of which were subsequently exhibited in a solo exhibition at the renowned Bernheim-Jeune Gallery. The gallery's program primarily featured Impressionist, Symbolist and avant-garde artists such as Auguste Renoir, Claude Monet, Henri Matisse, Felix Fénéon and Paul Signac. Studies of Arcadian harmony between man and nature form a central part of Maurice Denis' repertoire of motifs. In 1907, for instance, the artist painted the large-format work "The Bathers" (Städel Museum, Frankfurt), interpreting studies of nudes in various poses in his cloisonnist, linear and spatial style. Having developed this decorative style partly as a result of Paul Gauguin's influence, Denis carried it to perfection in his idyllic-idealized forest and garden landscapes, which were often populated by bathing nymphs or priestly white-robed women. In 1906/07 he was also working on the décor of the Moscow city palace owned by Ivan Morozov, an eminent Russian collector of the French avant-garde (1871-1921) who had commissioned Denis to portray the mythological story of Cupid and Psyche. The Impressionist lightness of this painting reflects the tangible inspiration of such Arcadian paradise scenes created by one of the most important Symbolist artists of the turn of the century. [KT]



362

OTTO PIPPEL

1878 Lódz – 1960 Munich

Abendgesellschaft. Around 1930.

Oil on panel.

Signed in wet paint in lower right. With the artist's label on the reverse. 29,7 x 32,7 cm (11.6 x 12.8 in).

Called up: December 10, 2022 – ca. 15:52 h ± 20 min.

€ 3.000 – 4.000 R/D, F

\$ 3,000 – 4,000

PROVENANCE

- Private collection Southern Germany (until 2012).
- Private collection Baden-Württemberg.

Created with a light hand and painted in an impasto style, Pippel's works found a large following after his first exhibitions in Munich around the year 1912. In the subsequent years, he produced an extensive oeuvre that consistently showcased the atmospheric ambience of light. In addition to the scenes created outdoors in full view of the motif, Pippel also devoted himself to interior scenes, focusing on fashionable socialites at dinner parties or musical evenings. In this painting, he brings out the artificial lighting to produce ambient effects, skillfully enhanced by the golden boiseries and large mirrored surfaces of the opulent silhouetted architecture. Pippel thus established his very own genre, which was well received by the upper middle-classes of his time. "Now and again, it feels as if champagne has been added to the colors in his works, the way they sparkle and shimmer and flicker. And there may be some who, standing in front of these pictures, belatedly and for the first time arrive at the full realization of what Impressionism and Impressionist art actually are." (Richard Braungart, *Leipziger Illustrierte Zeitung*, n.d., quoted from: Hermann Reiner, (ed.), *Otto Pippel*, Munich 1948, p. 19). [KT]



363

OTTO DILL

1884 Neustadt/Weinstraße – 1957 Bad Dürkheim

Erntezug. Around 1920.

Oil on canvas.

Signed in lower right. 121 x 201,5 cm (47.6 x 79.3 in).

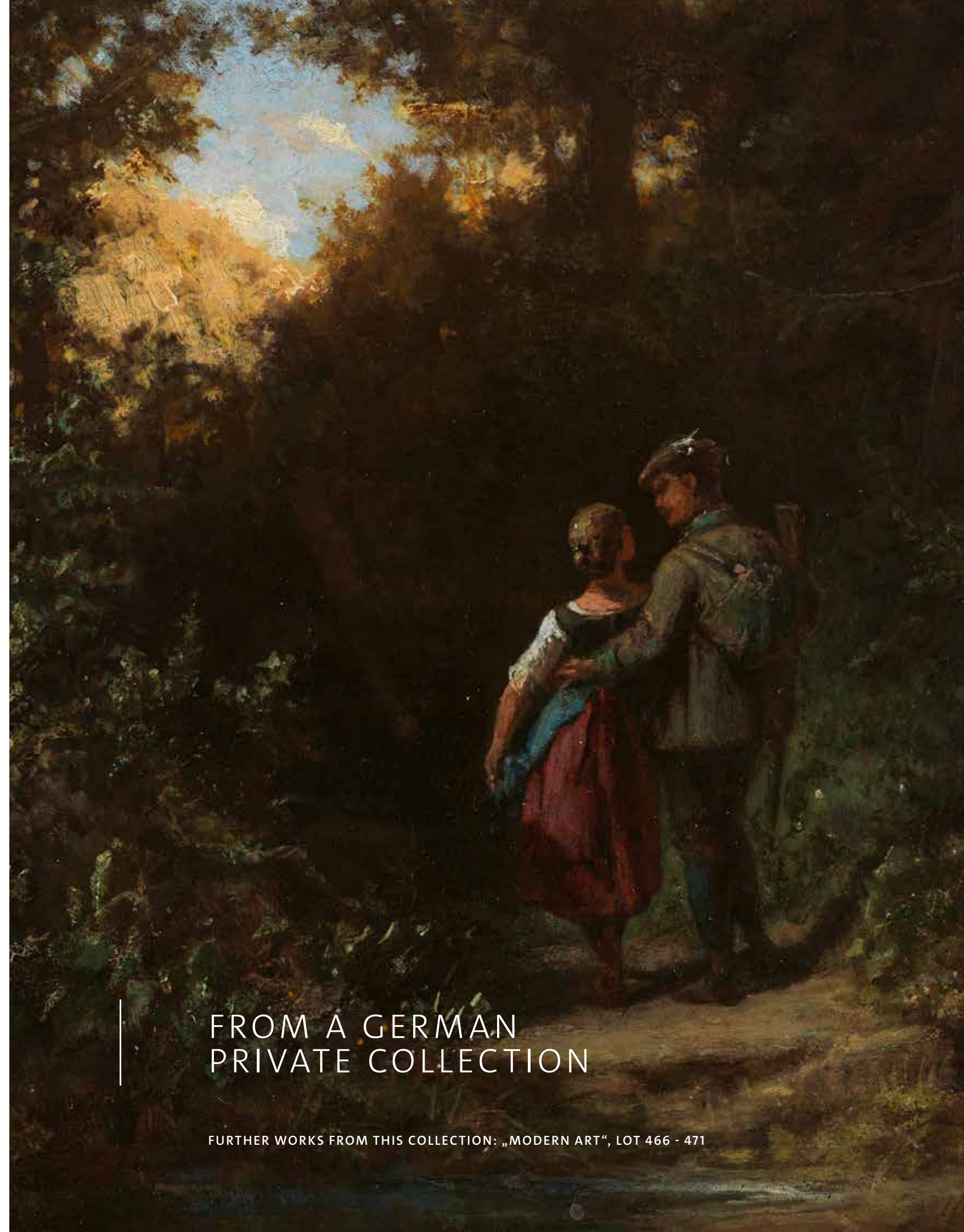
Called up: December 10, 2022 – ca. 15,54 h ± 20 min.

€ 4.000 – 6.000 ^{R/D, F}

\$ 4,000 – 6,000

PROVENANCE

· Private collection Rhineland-Palatinate.



FROM A GERMAN
PRIVATE COLLECTION

FURTHER WORKS FROM THIS COLLECTION: „MODERN ART“, LOT 466 - 471

CARL SPITZWEG

1808 Munich – 1885 Munich

Zwei Dirndl auf der Alm. Around 1870.

Oil on canvas.

Wichmann 1459. Lower left with paraph. Verso of the stretcher with a hand-written number and an exhibiton label from the Haus der Kunst, Munich. 22 x 39 cm (8.6 x 15.3 in).

We are grateful to Detlef Rosenberger, who saw the original work, for his kind expert advice.

Called up: December 10, 2022 – ca. 15:55 h ± 20 min.

€ 40.000 – 60.000 ^{R/D}

\$ 40,000 – 60,000

PROVENIENZ

- Collection Rolf Schiess, Waldhof, Flawil/Switzerland (no. 224. until 1967).
- Private collection Southern Germany (acquired in 1996).
- Private collection Germany (acquired in 2011).

AUSSTELLUNG

- Carl Spitzweg und die französischen Zeichner Daumier, Grandville, Gavarni, Doré, Haus der Kunst, Munich, November 23 - February 2, 1985, p. 300, no. 535 (with illu. p. 477, verso with th elabel).

LITERATUR

- Auktionshaus Neumeister, Munich, auction on March 21, 1996, lot 759 (with illu. on plate 20).

Carl Spitzweg's unique characters are world-famous, illustrating tales of fatal, all too human situations and portraying emotional states in bizarre and tragic moments of life. Well-read and widely traveled, Spitzweg drew on his extensive education and wealth of experience. Spending a lot of time exploring, he often visited the lake districts of Upper Bavaria. His paintings relate his encounters with the foothills of the Alps in Chiemgau and his sojourns in South Tyrol, Italy and Switzerland. Spitzweg scaled the mountains and enjoyed the view from the peak, for instance the "monumental" Watzmann in Berchtesgaden in 1836. He also traveled to Paris in the middle of the century, where he was introduced to the latest accomplishments of the Barbizon painters and learned a lot about outdoor, or "plein air" painting and the "paysage intime" style. The latter concentrated on portraying a fragment of a familiar landscape in the open air in natural lighting conditions which were rendered with natural colors. In the following years, Spitzweg increasingly opted for wide, panoramic horizontal views of the open countryside in addition to vertical views of alleys and houses. Beyond the genre he was renowned for, he also

- **Wonderful panorama of the Upper Bavarian Alpine landscape that Spitzweg had been capturing since his artistic beginnings**
- **Next to the genre paintings, Spitzweg is a master of landscape depictions, which he effectfully modeled with light and shade and transparent aerial perspective**
- **Spitzweg went on countless hiking trips through the mountains**
- **The Alpine herdsman is a characteristic motif for his later creative period when landscape depictions gained importance**

saw himself as a great observer of landscapes, which he peopled with small staffage figures – such as the two young girls here – as witnesses and admirers of the unique vistas. The artist went hiking in these unique mountain landscapes, such as the one overlooking the valley in this painting. Having captured the scenery in numerous sketches and small oil studies with narrative accompaniments, he then recreated the vast expanse of the landscapes in the studio. In this painting, Spitzweg recounts the grueling ascent through narrow gorges and across clearings, joining the two maidens in their enjoyment of the panoramic view of the valley from the vantage point of the high pasture below the Herzogstand peak. A sweeping plain opens out towards Landsberg am Lech across the misty Ammersee and Starnberger See lakes. The viewer can feel Spitzweg's delight in the romantic panorama and his regard for nature's subtle nuances. He skillfully modulates the refraction of light in its gradual transformation from the evocative, detailed foreground of the mountain pasture and the hazy, sprawling landscape all the way to the horizon, and finally, above it, the vast, cloudless sky. [MvL]



HEINRICH BÜRKEL

1802 Pirmasens – 1869 Munich

Gebirgsdorf mit Brunnen. Im Hintergrund das Wettersteingebirge. Around 1850-60.

Oil on canvas.

Bühler/Krückl 225. Signed in lower left. Verso with a gallery stamp and the number "C 612". 53,5 x 79 cm (21 x 31.1 in).

Accompanied by a written expertise by Albrecht Krückl, Munich, who saw the original work, dated May 17, 2014.

Called up: December 10, 2022 – ca. 15,56 h ± 20 min.

€ 25.000 – 35.000 R/P

\$ 25,000 – 35,000

PROVENIENZ

- Schott-Eichler (until 1926: Hugo Helbing, July 10, 1926).
- Dr. Weidenhammer (acquired from the above).
- German private collection.

LITERATUR

- Hugo Helbing, München, Ölgemälde, Aquarelle und Handzeichnungen moderner Meister aus süd- und mitteldeutschem Besitz, auction on July 10, 1926, cat. no. 29 (with illu. plate 2).

- The “Mountain Village Fountain” is Bürkels most typical and most successful motif
- Bürkel helped landscape painting to a new more regional and more realistic form
- In terms of technique and composition, his works are of highest quality
- Bürkel’s paintings are at, among others, the Bavarian State Painting Collections/Neue Pinakothek, Munich and the Alte Nationalgalerie, Berlin



When Heinrich Bürkel came to Munich in 1822, the concept of landscape painting had already turned away from the excessive and almighty force of nature in the sense of Joseph Anton Koch and had developed towards a gentler, Biedermeier style. The artists often used drawings and watercolors created in regional areas as the basis for their paintings. Like many of his contemporaries, Bürkel found his motifs primarily during numerous stays in the Upper Bavarian foothills of the Alps and in the Alps. Bürkel painted one of his most successful motifs, the mountain village with a fountain, located in the Wetterstein Mountains, in several variations. They all show a peaceful idyll with an imposing mountain backdrop, in the center of which everyday country life takes place with a colorful and figura-

tive presence. In this way, snapshots were introduced into art, so to speak, less important observations also played a role, the depicted scenes seem like coincidental observations. Genre scenes staging an apparently realistic country life became increasingly popular. The reality, however, widespread poverty and the actual problems of the rural population, as depicted by more socio-critical realist painters, is of no interest here. It was more about the desire for an idealized ‘Sunday atmosphere’ which - as a report on the Munich art life in the Schorn’sche Kunstblatt proclaimed in 1825 - strives to “gain a poetic side from the common reality of things and life, strives to satisfy us in it and to reconcile our feelings with it.” (Bühler/Krückl, Heinrich Bürkel, Munich 1989, p. 69). [KT]



366 | FROM A GERMAN PRIVATE COLLECTION

ADOLF HEINRICH LIER

1826 Herrnhut – 1882 Wahren/South Tyrol

Landschaft bei Murnau.
Presumably 1860/70.

Oil on cardboard.
Signed in lower left. 25,8 x 54,5 cm (10.1 x 21.4 in).

Called up: December 10, 2022 – ca. 15,58 h ± 20 min.

€ 3.000 – 4.000 R/D
\$ 3,000 – 4,000

PROVENANCE

· Private collection Germany.

LITERATURE

· Ketterer Kunst, Munich, auction on March 31, 2007, lot 1211 (with illu.).

Initially, many of Lier's views of the Alpine foothills were set around Lake Starnberg. In this painting, Lier experiments with a compositional line of sight that stretches from the viewer's elevated vantage point along the sloping shores across the vast countryside, before finally offering a glimpse of the sweeping Alpine panorama silhouetted in subtle blue. Inspired by Eduard Schleich the Elder and, following his trip to Paris in 1861, the French outdoor painters, Lier employed the mountain backdrop as a hazy element framing the expanse of the scene, rather than as the main motif. For the most part, he concentrated on the characteristic landscape of Upper Bavaria with its rolling hills, idyllically broken up and animated by casually inserted small staffage figures and traces of human life, like these modest farmhouses near Murnau. Depicted in the distinctive extended format of the Munich School, the sweeping landscape is suffused with calm serenity as the shadows lengthen in the evening sun. Lier's vistas invariably possess an idyllic soulfulness that perfectly captures the essence of this region. [KT]



367 | FROM A GERMAN PRIVATE COLLECTION

HEINRICH VON ZÜGEL

1850 Murrhardt – 1941 Munich

Am Schäferkarren. 1883.

Oil on panel.
Diem 254. Lower left signed, inscribed "München" and dated. Verso with a number.
33,5 x 52,5 cm (13.1 x 20.6 in).

Called up: December 10, 2022 – ca. 15,59 h ± 20 min.

€ 5.000 – 7.000 R/D
\$ 5,000 – 7,000

PROVENANCE

· German private collection.

Heinrich von Zügel dedicated his life to animal painting, in particular to the depiction of livestock and domestic animals. A reminiscence of his childhood is certainly the fact that sheep and cattle played a leading role in his works throughout his life. While his painting is still academic at the beginning, he later attained a more impressionist mode of expression. For his paintings he left his studio and captured the play of light for his paintings in the outdoors. With rapid brushstrokes and impasto application of paint, Zügel created lovely animal portraits that describe the relationship between humans and animals. As professor at the art academies in Karlsruhe and Munich, he familiarized his students with his painting style in the so-called "Zügelshule". He spent the summer months in the countryside where he made numerous landscape and animal pictures. These stays served the rural population as a worthwhile source of income, as they lent him particularly beautiful or well-behaved animals, while the so-called "Malbuben" (painter boys) carried the painting utensils or posed as models themselves. [JK]

HEINRICH BÜRKEL

1802 Pirmasens – 1869 Munich

Rauferei vor dem Wirtshaus. Around 1853/56.

Oil on canvas.

Bühler/Krückl 165. Signed in lower left. 38,5 x 47 cm (15.1 x 18.5 in).

*Called up: December 10, 2022 – ca. 16.00 h ± 20 min.***€ 25.000 – 35.000** ^{R/D}

\$ 25,000 – 35,000

PROVENIENZ

- German private collection.
- German private collection (acquired in 2013).

LITERATUR

- Hugo Helbing, Munich, auction on June 6, 1934, cat. no. 7 (with illu.).
- Cf. Luigi von Bürkel, Heinrich Bürkel. 1802-1869. Ein Malerleben der Biedermeierzeit, Munich 1940, no. 555.
- Dorotheum, Vienna, auction on April 16, 2013, lot 98 (with illu.).

Heinrich Bürkel is considered one of the best-known Munich landscape and genre painters of the Biedermeier era. His depictions of farmers, hunters, robbers and beggars, most of whom he placed in impressive Alpine landscapes, became more and more technically adept after his trip to Italy in 1830-32. In the finest glaze painting, he succeeded in capturing the clear light phenomena of the mountains and created a synthesis between spatial and colorist effects. One of his most popular motifs is that of the roadhouse brawl, in which he attains a harmonious connection between the imposing landscape and the clearly present figure, often with a great love of detail. The extremely popular motif recurs in the artist's oeuvre over the years and is also part of a larger group of works. Bürkel repeated the basic motif of the "tavern

in the mountains" many times, but he always combined it with new depictions of hunting parties and festivities, shooting competitions, blacksmiths, scenes of resting people, horse feeding and the very popular humorous-anecdotal motif of the pub brawl. In the tradition of travel pictures and the bambocciata, he found a large number of buyers. He found inspiration for his mix of landscape and genre in the works of Dutch masters, on which the self-taught Bürkel based his paintings. He paired their fine painterly precision with realistic accuracy. In 1834, King Ludwig I noticed him and bought a small painting from the Munich Kunstverein. This marked Bürkel's social breakthrough and over the following years he found numerous buyers in the European nobility, as well as buyers in North America. [KT]



“Excellent real life and great sense of humor. The whole picture moves in color in a most intimate fusion. The action also fills the whole work and is mirrored in all parts, which is so rare.”

Adalbert Stifter, friend and admirer of Bürkel, on a variant of “Rauferei” in 1857, quoted from Luigi von Bürkel, Heinrich Bürkel. 1802-1869. Ein Malerleben der Biedermeierzeit, Munich 1940, p. 116.

369 | FROM A GERMAN PRIVATE COLLECTION

FRANZ VON DEFREGGER

1835 Stronach/Tyrol – 1921 Munich

Dirndl. After 1900.

Oil on panel.
Defregger p. 376. 32 x 24 cm (12.5 x 9.4 in).

Called up: December 10, 2022 – ca. 16.02 h ± 20 min.

€ 8.000 – 10.000 R/D
\$ 8,000 – 10,000

PROVENANCE
· German private collection.

In Franz von Defregger's extensive oeuvre, portraits of girls are among the most popular motifs, alongside his history and genre paintings. The best known of these are probably the so-called 'Dirndl', portraits of Tyrolean country girls in typical costumes characterized by a healthy freshness and simple beauty, which were very popular with upper-class buyers. The intimate portraits of young girls in interiors, such as our writing 'Dirndl' girl, are quite typical of Defregger's oeuvre. The painting offered here shows a young girl in a room, sitting at the table, lost in thought, with a pen. Skillfully and with painterly quality, the artist creates a situation of inner and outer viewing. The viewer feels involved and takes part in this intimate moment through the dreamy gaze that wanders out of the pictorial space. In the 1860s, Defregger's career as a painter began in Innsbruck and led him via the Munich Academy to Paris and finally to Karl von Piloty's history class where he completed his studies between 1867 and 1870. He became very successful in just a short time, and was appointed professor for historical painting at the Munich Academy by King Ludwig II in 1878. Defregger's portraits were already extremely popular with his contemporary audience and made him one of the most important representatives of the Munich School of the second half of the 19th century.



370 | FROM A GERMAN PRIVATE COLLECTION

KARL RAUPP

1837 Darmstadt – 1918 Munich

Kahnfahrt auf dem Chiemsee vor der Fraueninsel.
Presumably 1870/80s.

Oil on cardboard.
Lower left signed. 57,7 x 39,5 cm (22.7 x 15.5 in).

Called up: December 10, 2022 – ca. 16.03 h ± 20 min.

€ 3.000 – 4.000 R/D
\$ 3,000 – 4,000

PROVENANCE
· German private collection.

In 1869, after studying at the Frankfurt Städelsches Institut and the Munich Academy, Karl Raupp traveled to Chiemsee for the first time and visited its Fraueninsel. The discovery of this region, the landscape and the people inspired the artist and had a lasting influence on his oeuvre. In his work, the "Chiemsee-Raupp", as he is also known, skillfully combined the precise study of nature with the often idyllic genre image of the Gründerzeit. In addition to his work as a professor in the nature class at the Munich Academy since 1880, and the foundation of the painters' colony on the Fraueninsel, he also was co-editor of the 1918 Frauenchiemsee artist chronicle. With his students, he devoted himself to plein-air painting in order to capture the landscape in all its facets, often with a special preference for interesting, dramatic weather and changing light moods. A number of his paintings are in the collection of the Neue Pinakothek, Munich, including "Aufziehendes Gewitter am Chiemsee", from around 1885. The special freshness of a quick study created outdoors characterizes our unusual vertical format. The freshness and humidity after a summer rain over the lake, with the Fraueninsel emerging in front of the hazy mountains from the reflective blue surface, can be wonderfully felt in this atmospheric painting. [KT]



371 | FROM A GERMAN PRIVATE COLLECTION

FRANZ QUAGLIO

1844 Munich – 1920 Wasserburg am Inn

Mittagsrast. 1887.

Oil on panel.
Lower right signed and dated. Verso with a number and an old label inscribed with the title and the artist's name. 17,7 x 23,7 cm (6.9 x 9.3 in).

Called up: December 10, 2022 – ca. 16.04 h ± 20 min.

€ 1.000 – 1.500 R/D
\$ 1,000 – 1,500

PROVENANCE
· Private collection Hamburg (until 1920: art auctioneer G. Adolf Pohl).
· Private collection Germany.

LITERATURE
· Kunst-Auktionshaus G. Adolf Pohl Hamburg, Versteigerung einer Sammlung Gemälde alter u. neuer Meister aus Hamburger Privatbesitz (...), auction on January 27, 28 and 29, 1920, lot 63.
· Kunst-Auktionshaus G. Adolf Pohl Hamburg, Versteigerung einer Sammlung Gemälde alter und moderner Meister aus Hamburger Privatbesitz, sowie des Nachlasses Franz Hünten † (...), auction on June 15, 16 and 17, 1920, lot 64 (with illu. plate 8).



CARL SPITZWEG

1808 Munich – 1885 Munich

Auf dem Pirschgang. Around 1865-70.

Oil on panel.

Wichmann 1481. Bottom left with the paraph. Verso with old, partly illegible labels and with a collector stamp of Hugo Toelle, Barmen and hand-written inscriptions. 17,8 x 23 cm (7 x 9 in).

We are grateful to Mr Detlef Rosenberger, who saw the original work, for his kind expert advice.

Called up: December 10, 2022 – ca. 16.06 h ± 20 min.

€ 40.000 – 60.000 ^{R/D}

\$ 40,000 – 60,000

PROVENIENZ

- Estate of Friedrich Volz (until 1895)
- Collection Hugo Toelle, Barmen.
- Galerie Abels, Cologne, sold to a private collector from Magdeburg (1950)
- Collection G. Steiner, Hanover. (1958)
- German private collection.

AUSSTELLUNG

- Commemorative exhibition, June 1908, Kunstverein Munich, no. 61 (titled: "Jäger mit seinem Liebchen im Walde").
- Galerie Abels, Cologne, June 1950, cat. co. 236 (supplement sheet).
- Collection G. Steiner, Hanover 1958.

LITERATUR

- Galerie Fleischmann, Munich, auction on November 30, 1895, illu. 16 (estate Friedrich Volz).
- Fritz von Ostini, Aus Carl Spitzwegs Welt, Barmen 1924, p. 98 (with illu.).
- Max von Boehn, Carl Spitzweg, Bielefeld/Leipzig 1937, p. 51 (with illu.).
- Günter Roennefahrt, Carl Spitzweg. Beschreibendes Verzeichnis seiner Gemälde, Ölstudien und Aquarelle, Munich 1960, no. 394 (with illu., titled: "Auf dem Pürschgang").
- Siegfried Wichmann, Carl Spitzweg. Jäger mit Mädchen im Wald, Dokumentation, Starnberg-Munich, R.f.v.u.a.K. 1984, Bayer. Staatsbibliothek Munich, inv. no. Ana 656 SW 19.
- Villa Grisebach, Berlin, auction on June 29, 2001, cat. no. 1 (with illu.).



A recurring motif in Spitzweg's oeuvre is that of the loving couple of hunter and dairymaid in alpine nature. Since his early days, Spitzweg has varied the subject time and again: sometimes a meeting takes place in a rocky gorge, sometimes on a mountain path at a small wayside shrine, in the high forest or at the fountain. Spitzweg's artistic subtlety is evident in the different character of the encounters, which take place as a coincidental rendez-vous, in nocturnal secrecy or even during the day, like a sort of chronicle of a love story in the Alps. The two characters and their romance seem to have occupied him not only in terms of painting, but the numerous variants show the pleasure he took in staging and storytelling. In some of the paintings, the landscape is in the foreground, in others - as in this case - the figures appear larger in the foreground. Deeply engrossed in each other, they turn away from the viewer and walk into the dense forest, behind which one can - in a very Spitzwegian manner - catch a glimpse of the moun-

tain peaks illuminated by the evening sun against the blue of the sky. In addition to the vegetation and the suit of the hunter, rendered in a loose painting style in the most diverse shades of green, Spitzweg renders his preferred color combination of red skirt, blue apron, black bodice and white blouse in the smallest and most subtle dosage in the robe of the dairymaid. The two figures of the hunter and the dairymaid can also be found individually in Spitzweg's oeuvre; here they come together in the painting in a secret, romantic way. As a gifted landscape painter, who had traveled the foothills of the Alps and the Inn Valley with Eduard Schleich in his early days, Spitzweg succeeded in creating wonderful depictions of nature. The figures in them are more than mere accessories, they serve to characterize the landscape and add an emotional and narrative moment. What's a better place for a young couple to fall in love than in the lovely, idyllic landscape of the foothills of the Alps, which Spitzweg was so fond of. [KT]

373 | FROM A GERMAN PRIVATE COLLECTION

WILLY MORALT

1884 Munich – 1947 Lenggries

Badende Mädchen im Waldteich.
Around 1890.

Oil on panel.
Lower right signed and inscribed "Mnchn". Verso with the artist's address stamp and various numbers and inscriptions. 55,5 x 37,5 cm (21.8 x 14.7 in).

Called up: December 10, 2022 – ca. 16.07 h ± 20 min.

€ 1.500 – 2.000 R/D
\$ 1,500 – 2,000

PROVENANCE

· German private collection.

LITERATURE

· Siegfried Wichmann, Münchner Landschaftsmaler im 19. Jahrhundert. Meister Schüler Themen, Weyarn 1996, p. 202 (with illu.).



374 | FROM A GERMAN PRIVATE COLLECTION

WILLY MORALT

1884 Munich – 1947 Lenggries

Mädchen vor Waldkapelle.
Around 1910.

Oil on panel.
Lower left signed and inscribed "Mchn". Verso with numbers and inscriptions. 33,2 x 56,5 cm (13 x 22.2 in).

Called up: December 10, 2022 – ca. 16.08 h ± 20 min.

€ 1.000 – 1.500 R/D
\$ 1,000 – 1,500

PROVENANCE

· German private collection.

375 | FROM A GERMAN PRIVATE COLLECTION

CARL SPITZWEG

1808 Munich – 1885 Munich

Jäger und Mädchen (Berglandschaft mit Liebespaar-Felsenschlucht mit Jäger und Mädchen).
Around 1835-40.

Watercolor.
Wichmann 1476. With the estate stamp (Lugt 2307) in lower left.
On wove paper. 27,4 x 21,5 cm (10.7 x 8.4 in), the full sheet.

We are grateful to Mr Detlef Rosenberger, who saw the original work, for his kind expert advice.

Called up: December 10, 2022 – ca. 16.10 h ± 20 min.

€ 5.000 – 7.000 R/D
\$ 5,000 – 7,000

PROVENANCE

· Otto Spitzweg (1843-1921), Munich.
· Wilhelm Spitzweg, Grädfelfing.
· Collection Dieter Berninger, Neuwied
· German private collection.

LITERATURE

· Karl & Faber, Munich, auction on December 10, 1969, no. 562.



376 | FROM A GERMAN PRIVATE COLLECTION

CARL SPITZWEG

1808 Munich – 1885 Munich

Skizzenbuch mit 7 Bleistiftzeichnungen.
Around 1851.

Pencil drawings, in cardboard binding.
Each sheet with the estate stamp (Lugt 2307). Cardboard binding with the stamp of the collector Paul Arndt (Lugt 2067b). Each sheet: 13 x 21,5 cm (5.1 x 8.4 in). Binding: 13,7 x 22,5 cm (5.3 x 8.8 in).

We are grateful to Mr Detlef Rosenberger, who saw the original sketchbook, for his kind expert advice.

Called up: December 10, 2022 – ca. 16.11 h ± 20 min.

€ 1.000 – 1.500 R/D
\$ 1,000 – 1,500

PROVENANCE

· Collection Paul Arndt (1865-1937), Munich (with the collector's stamp, Lugt 2067b).
· Private collection Germany.



377 | FROM A GERMAN PRIVATE COLLECTION

OTTO GEBLER

1838 Dresden – 1917 Munich

Gefährliche Begegnung.
Around 1870-75.

Oil on panel.

Signed in lower right. With various stamps on the reverse, among them of the art supplies store A. Lenck, Munich, of Galerie Wimmer, Munich and with collection stamps. 45,3 x 72,3 cm (17.8 x 28.4 in).

Called up: December 10, 2022 – ca. 16.12 h ± 20 min.

€ 3.000 – 4.000 R/D

\$ 3,000 – 4,000

PROVENANCE

- Galerie Wimmer, Munich (directly from the artist, with the stamp on verso).
- Collection Bixler, San Francisco (acquired from the above in 1876).
- Collection G. and H. König, Munich (with the stamp on verso).
- German private collection.

LITERATURE

- Archive of Galerie Wimmer, Munich, BstGS Munich, photo album I, fol 13.



378 | FROM A GERMAN PRIVATE COLLECTION

KARL GEORG NAUMANN

1827 Königsberg – 1902 Munich

Der entflugene Kanarienvogel. Presumably 1875.

Oil on panel.

Lower left signed. Verso with an old, fragmentarily preserved label. 49,5 x 34,5 cm (19.4 x 13.5 in).

Called up: December 10, 2022 – ca. 16.14 h ± 20 min.

€ 1.800 – 2.400 R/D

\$ 1,800 – 2,400

PROVENANCE

- German private collection.



379 | FROM A GERMAN PRIVATE COLLECTION

FELIX SCHLESINGER

1833 Hamburg – 1910 Hamburg

Kinder mit Hasen im Stall.
Around 1870.

Oil on canvas.

Signed in stool in lower left margin.

38 x 49 cm (14.9 x 19.2 in).

Called up: December 10, 2022 – ca. 16.15 h ± 20 min.

€ 9.000 – 12.000 R/D

\$ 9,000 – 12,000

PROVENANCE

- German private collection.

Felix Schlesinger is considered an important genre painter of the 19th century. He put particular focus on the display of innocent and idyllic childhood life. From the 1860s, he mainly showed scenes of small farm children playing or with farm animals. In addition to landscape painting, the Düsseldorf School in particular also helped genre painting to regain popularity from the 1840s on. After he had studied in his hometown of Hamburg and then in Antwerp. Schlesinger also spent some time in Düsseldorf before he went to Paris. From 1861 to 1863 he briefly worked in Frankfurt before finally settling in Munich as a genre painter. The representatives of Düsseldorf and Munich painting, such as Ludwig Knaus, Benjamin Vautier and Franz Defregger, were particularly influential in this period. While Gustave Courbet caused scandals with his anti-academic and programmatic realism in the first half of the 19th century, this realism, with its poetic-descriptive, humorous narrative power, became the means of expression in academic genre painting. A sentimentalist glorification, stylization and arrangement of such everyday scenes, however, served to emphasize the “artificial” – that is the artistic - character of the representation, which should in no way convey that it is simply a copy of reality. As early as in the 17th century in the Netherlands, everyday things had become worthy of being displayed, with the viewer painting mostly moralizing implications or general statements about human behavior. The genre painting of the 19th century primarily concentrated on the sentimental depiction of rural or bourgeois life, often focusing on the family, in which all age groups found representation as a characteristic of life. Motifs with children, as portrayed by Schlesinger, were particularly popular. They were sought after internationally as early as in the 19th century and were particularly popular in England and America. [KT]

OSWALD ACHENBACH

1827 Dusseldorf – 1905 Dusseldorf

Ischia mit Blick auf das Castello Aragonese. 1880.

Oil on canvas.

Lower right signed and dated. 43,5 x 60,5 cm (17.1 x 23.8 in).

Called up: December 10, 2022 – ca. 16.16 h ± 20 min.€ 15,000 – 20,000 ^{R/D}

\$ 15,000 – 20,000

PROVENIENZ

- Galerie Paffrath, Düsseldorf.
- German private collection.

AUSSTELLUNG

- 125 Jahre Galerie G. Paffrath 1867-1992: Anniversary exhibition, Galerie Paffrath, Düsseldorf, 1992 pp. 42-43 (with illu.).

- Oswald Achenbach, along with his brother Andreas, was one of the leading European landscape painters and co-founder of the Düsseldorf School
- Very characteristic Achenbach composition with a shady foreground and view across the sea
- Achenbach's paintings were formative for the late romanticist idea of Italy
- From the lighter free work of the 1880s, in which Achenbach attained a transparent light-flooded effect

“What richness in tone, in object: a firework of brilliance, sparkle, shine, a bubbling painterly spirit of quite extraordinary abilities. [...] It seems as if he wants to announce Italy's honors”

Cornelius Gurlitt, Die Deutsche Kunst des 19. Jahrhunderts, Berlin 1907, p. 378

Oswald Achenbach is one of the most important landscape painters of the 19th century. As the main representative of the Düsseldorf School of painting, the development of which he influenced as professor of the landscape class at the art academy, he devoted his artistic creativity primarily to the classic Italian landscape. This natural setting, explored on numerous study trips, was a reliable source of inspiration and prompted him to travel south again and again. In 1871 he stayed in Italy with his family for nine months and traveled to iconic places like the picturesque Amalfi Coast and the islands of Capri and Ischia. Romantic fascination echoes in the rocky island of Trachyt with the centuries-old fortress enthroned on the summit with its eventful history, next to which the dome of the Chiesa dell'Immacolata can be seen. In Achenbach's art, characteristic architecture, nature and people always enter into a refined and harmo-

nious synthesis, which even allows those elements that the artist arranged and composed to appear natural. However, the light in of Oswald Achenbach's paintings is particularly special and the artist knew how to use it for a variety of effects. In our picture, the landscape is illuminated by the soft late afternoon sunlight. In places, this lighting effect leads to an almost modern dissolution of the contours in the picture: “The atmospheric and painterly combined to form an inseparable unit and thus resulted in a sketchiness of the representation, which rightly made him [Achenbach], parallel to French Impressionism, to count among the representatives of a colorist modernism.” (quoted from: Ekkehard Mai, Der Sehnsucht Traum und Wirklichkeit - Oswald Achenbach zwischen Romantik, Realismus und Salon, in: Ausst.-Kat. Andreas und Oswald Achenbach. Das A und O der Landschaft, Kunstmuseum Düsseldorf 1997/98, p. 43-56, here p. 53). [KT]



**PAUL WILHELM
KELLER-REUTLINGEN**

1854 Reutlingen – 1920 Munich

Mutter mit spielenden Kindern.
Around 1900.

Oil on canvas.

Signed in lower right. 56 x 82,5 cm (22 x 32.4 in).

We are grateful to Mr Thomas Leon Heck for his kind support in cataloging this lot.

*Called up: December 10, 2022 – ca. 16.18 h ± 20 min.***€ 2.500 – 3.500** ^{R/D}

\$ 2,500 – 3,500

PROVENANCE

· German private collection.



The idyllic scenes of a farmstead, reminiscent of the classic topos of the locus amoenus, are among Keller-Reutlingen's most characteristic motifs. The stylized and reduced language of form and color, along with the precision of the execution, give his paintings a dreamlike, surreal and fairytale-like atmosphere. The homestead pictures, in which he arranged the smallest staffage under a clear blue sky with compact clouds in front of a flat architecture, offer him the possibility of working in variations - arrangements of geometric versus organic forms of the vegetation and clouds, as well as the conscious use of splashes of color of white linen, geese and sunflowers and looming shadows. Beyond their idyllic motif, these paintings are fascinating explorations of the

possibilities of painting. A lively composition, mainly due to the lighting effects that contrast with the statics of the architecture, is the trademark of the artist's paintings. His extensive oeuvre comprises motifs from Italy and local motifs from the Swabian Jura and the area around Dachau, where he lived from 1880 to 1890. Keller-Reutlingen initially learned the trade of a xylographer. Between 1872 and 1875 he attended the art academies of Stuttgart and Munich. After a four-year journey through Italy, he first settled in Munich in 1879, and lived in the towns of Dachau and Fürstenfeldbruck in the following. He showed his works with great success in exhibitions in Vienna, Stuttgart, Munich and Düsseldorf. [KT]

382 | FROM A GERMAN
PRIVATE COLLECTION**PAUL WILHELM
KELLER-REUTLINGEN**

1854 Reutlingen – 1920 Munich

**Spielende Kinder und Gänse vor
dem Bauernhof.** Around 1900.

Oil on canvas.

Signed in lower left. 63 x 81 cm (24.8 x 31.8 in).

We are grateful to Mr Thomas Leon Heck for his kind support in cataloging this lot.

*Called up: December 10, 2022 – ca. 16.19 h ± 20 min.***€ 3.000 – 4.000** ^{R/D}

\$ 3,000 – 4,000

PROVENANCE

· German private collection.

383 | FROM A GERMAN
PRIVATE COLLECTION**CHARLES (KARL)
VETTER**

1858 Kahlstädt near Scheidemühl – 1941 Munich

Maffeistraße im Regen. 1913.

Oil on canvas.

Lower right signed and dated. Verso titled and with a label numbered "184".

54 x 45,5 cm (21.2 x 17.9 in).

We are grateful to Mr Peter Zimmermann, Ahrensburg, for his kind expert advice.

*Called up: December 10, 2022 – ca. 16.20 h ± 20 min.***€ 4.000 – 6.000** ^{R/D}

\$ 4,000 – 6,000

PROVENANCE

· Private collection Germany (since 2008: auction house Stahl on April 26, 2008).

LITERATURE

- Alte und Neue Kunst München, Versteigerung - Öl-Gemälde alter und moderner Meister. Sammlung Otto G. Mayer-Schöllkopf Stuttgart, sowie aus Englischem und Süddeutschem Besitz, December 6 - 7, 1926, lot 300.
- Auction house Stahl, Hamburg, April 26, 2008, lot 126.

In his work, Charles Vetter, who studied at the Munich Art Academy from 1881, first in the drawing class and then in the landscape class, devoted himself most successfully to the motif of impressionist city views. After working in Merseburg, Leipzig and Dachau, he finally settled in Munich in 1893, where he created urban-architectural portraits from ever new angles. Like numerous other European metropolises, the city of Munich was repeatedly shaped by new entrepreneurial and architectural projects in the course of the 19th century. Maffeistraße is named after the entrepreneur Joseph Anton von Maffei (1790-1870), owner of a machine and locomotive factory. He acquired the property on Promenadeplatz, and had the Hotel Bayerischer Hof built by the architect Friedrich von Gärtner in 1841. At the time the work was created, the tram tracks were already running through the streets. However, war-related losses were responsible for the change in the cityscape, of which Vetter creates an atmospheric impression here. In terms of composition, Vetter rendered an extreme perspective of the pictorial arrangement to seek comparison with the depictions of boulevards in Paris by Claude Monet or by Lesser Ury in Berlin, who stage the streets as the city's lively arteries. The atmospherically changing lights, here harmoniously captured by gray-blue tones of the sky reflected in the rainy street in comparison to the warm ochre-colored house facades and the black of the horse-drawn carriages and umbrellas, show the city as a constantly changing motif. [KT]

ALEXANDER KOESTER

1864 Bergneustadt – 1932 Munich

Enten am Freßnapf (Entenfütterung). Around 1914.

Oil on canvas.

Stein/Koester 896. Signed in lower right. Verso of the stretcher with two estate stamps and a stamp "Else Eckhardt". 58,5 x 96,5 cm (23 x 37,9 in).

*Called up: December 10, 2022 – ca. 16.22 h ± 20 min.***€ 25.000 – 35.000** R/D

\$ 25,000 – 35,000

PROVENIENZ

- Artist's estate.
- Else Eckhardt, Konstanz (inherited from the above, with the stamp on the reverse).
- Bavarian State Painting Collections, Munich (donated from the above in 1973).
- Private collection Germany (acquired from the above in 1979).



”The nature of these chattering ducks is just as true as the yellow sunlight and the delicate violet shadows, the brown rocks shimmering in the sunlight, the pool of water reflecting the blue sky, the brown branches and the roots of the bank. Everything is painted broadly and succulently with a healthy love of sun and color. How airy the ducks are, crouched together with snow-white plumage and lemon-yellow and red-yellow beaks, under the play of sun and shadow. Every brushstroke testifies to the painterly spirit and sense of color of the artist.”

Dr. Paul Kühn on occasion of a Koester exhibition at the Leipzig Kunstverein 1904, quoted from: Ruth Stein, Hans Koester, Alexander Koester 1864-1932, Leben und Werk, Recklinghausen 1988, p. 52.

LEO PUTZ

1869 Meran – 1940 Meran

Mara Hoffmann. 1912.

Oil on canvas.

Cf. Putz 1860. Upper right signed and dated. Verso with an old label numbered in typography. 53 x 44,5 cm (20.8 x 17,5 in).

Called up: December 10, 2022 – ca. 16.23 h ± 20 min.€ 18.000 – 24.000 ^{R/D}

\$ 18,000 – 24,000

PROVENIENZ

- Collection Hugo Reisinger (1856-1914), Wiesbaden/New York.
- M. L. Jellinek, New York.
- James Sanford Hulme (1900-1974), New York (acquired around 1930).
- Private collection (inherited from the above)
- German private collection.

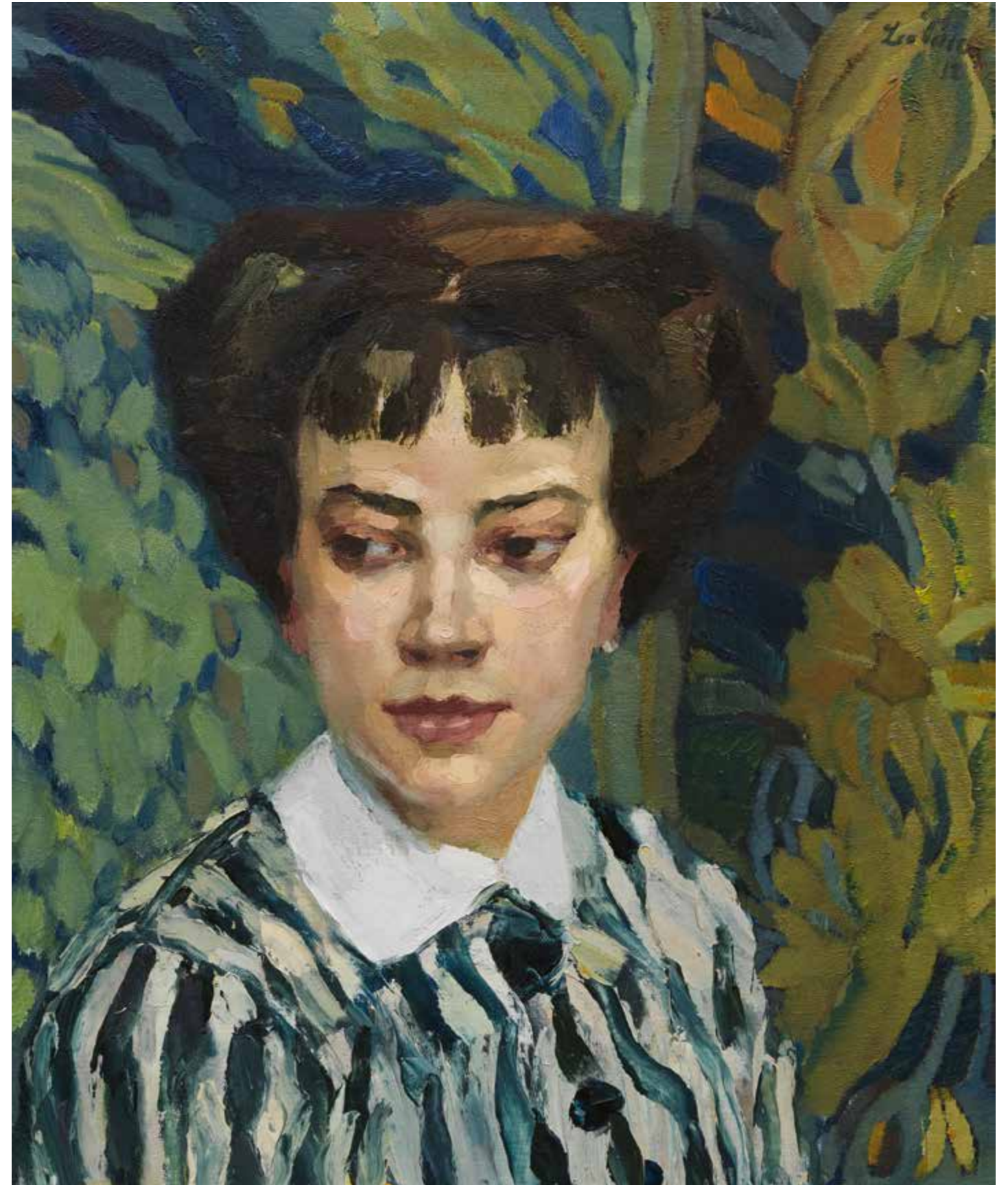
LITERATUR

- Cf. Helmut Putz, Leo Putz - catalogue raisonné in two vols., Gauting 1994, vol. II, no. 1860: preliminary drawing.
- Sotheby's, London, auction November 23, 2010, lot 3 (with illu.; here identified as: "Tico Mewes").

Maria (Mara) Victoria Eleonora Catharina Hoffmann (1891–1929) grew up on her father's estate near Salzburg, the wealthy Frankfurt entrepreneur and art collector Jacob Ludwig Hoffmann. After his death in 1910, she moved to Graz with her mother. The following year, the 20-year-old young woman traveled to Munich on her own. Unaffected by financial worries, she attended the carnival festivals of the artists and the Schwabing Bohème and took drawing lessons herself with Leo Putz, with whom she was in contact through her relative Franziska Putz from Graz. Putz immortalized the fun-loving and beautiful young woman in four portraits, three drawings and an oil painting that was long considered lost due to incorrect attribution. Based on the Mara Hoffmann pastel by Putz on the cover of the magazine "Jugend" from 1912, which was decisive for cultural life at the time, the identity of the sitter can be clearly identified (cf. Jugend, vol. 17,

- **With his female portraits, Leo Putz celebrated his first success around 1908-10**
- **From the artist's best creative period, influenced by the summer stays at Palace Hartmannsberg in the Chiemgau, when Putz attained his characteristic style**
- **Painted in the typical strong broad brushstroke that effectfully models the face**
- **A drawing of the famous bohemian and rich heiress Mara Hofmann by Putz adorned the cover of an issue of "Jugend" in 1912**

issue 25, 1912, title page). With his characteristically broad and blotchy line, which skillfully captures the light and models it sculpturally, Putz succeeds in creating a moving and lively painting despite the calm and almost absent pose. The blue and white of the blouse creates a connection with the curtain with a pattern of flowers and tendrils known from Putz's studio, which playfully flows around the almost childlike face. At the time, Putz devoted numerous works to the model in the outdoors and also dissolves the image space of this studio painting into a decorative and imaginative sphere through ornamental lines and colors. Her life continued to be glamorous even after her time in Munich: she married Franz Graf v. Schlik zu Bassano und Weisskirchen (1882–1963), a bon vivant, racing driver and tennis player, who became one of the role models for the character James Bond for Ian Fleming during his time in Kitzbühel in the 1920s. [KT]



ALEXANDER KOESTER

1864 Bergneustadt – 1932 Munich

11 Enten in der Morgensonne. Around 1910-15.

Oil on canvas.

Stein/Koester 896. Lower right signed. 60 x 80,5 cm (23,6 x 31,6 in).

*Called up: December 10, 2022 – ca. 16.24 h ± 20 min.***€ 30.000 – 40.000 R/P**

\$ 30,000 – 40,000

PROVENIENZ

· Private collection Germany.

On his parents' behest, Alexander Koester was apprenticed to a pharmacy in Wintzheim near Colmar in 1882. On completing his apprenticeship, he enrolled at the Karlsruhe Academy under Carl Hoff and Claus Meyer. In 1889, the artist embarked on extensive travels and produced numerous sketches, especially during hikes through the Inn and Ötz valleys, which later became the source of a series of genre paintings. As a student, Koester already earned his living through portrait commissions. It was during this period that he first traveled to Klausen in South Tyrol where he would later take up permanent residence. First, however, he returned to Karlsruhe, devoted himself to genre painting alongside portraiture and took part in numerous art exhibitions. After finishing his studies, Koester relocated to Klausen. In his new work environment, he became a prolific artist, producing numerous paintings directly inspired by nature. During this time, he discovered the duck motif as an object of study that would occupy him in many variations for the next thirty years. In a remarkably short time, this motif became extremely popular. To gain easy access to the Upper Bavarian landscapes he painted in the summer months, Koester rented a studio in Munich. With ever-increasing virtuosity, he created late Impressionist portrayals of reflective water surfaces with ducks' plumage shimmering amidst layers of light and shadow. His work was crowned with success: In 1904, he was awarded a gold medal at the World Exhibition in St. Louis for his "Ducks" and received another gold medal

from Prince Regent Luitpold of Bavaria for "Dem Ufer zu" ("Towards the Shore"). From 1908, the artist frequently visited the Lake Constance area to paint large expanses of water in all weather conditions. During the war, Koester spent some time in Diessen on Lake Ammersee, where he finally settled down and started to develop a passion for floral still lifes. The duck motif nevertheless remained a key element of his work to the last. Alexander Koester died as a distinguished artist in Munich on December 21, 1932. His portrayals of ducks framed by landscape scenery underpin his nickname "Enten-Koester" (Duck Koester) to this day.

Few artists are as closely associated with a specific theme as Alexander Koester is with his duck motifs. Yet they represent only one aspect of his work, a fact that is often overlooked considering the prominence of the subject in his artistic oeuvre. He was not unique in his preference for the Impressionist style of painting, or in his exploitation of all possible shades and tones in the context of a given subject. Nevertheless, Koester's duck paintings constitute a unique oeuvre. While his choice of subject matter is essentially mundane, the results are of a surprising variety, both in artistic and compositional terms. The subject of the paintings almost assumes a secondary role. Underpinned by extraordinary technical skills, his best works demonstrate an exploration of light and color that brings Late Impressionism to its final culmination. [KD]





387 | FROM A GERMAN PRIVATE COLLECTION

ALEXANDER KOESTER

1864 Bergneustadt – 1932 Munich

Enten im Seerosenteich.
Around 1910.

Gouache and pastel on panel.
28,5 x 38 cm (11.2 x 14.9 in).

Accompanied by a written expertise from Dr. Ruth Stein, Stuttgart, dated October 8, 2008, who saw the original work.

Called up: December 10, 2022 – ca. 16.26 h ± 20 min.

€ 4.000 – 6.000 R/D
\$ 4,000 – 6,000

PROVENANCE

- Theodor Schulze (1831-1912), Hanover (gifted from the 'Hannoversche Kunstverein', according to a label on the reverse, the work remained family-owned).
- Private collection Germany.



388 | FROM A GERMAN PRIVATE COLLECTION

MAX CLARENBACH

1880 Neuss – 1952 Wittlaer

Winterlandschaft mit Kahnfischer.
Around 1920.

Oil on canvas.
Signed in lower left. 90 x 105 cm (35.4 x 41.3 in).

We are grateful to Dr. Dietrich Clarenbach, Gauting, for his kind expert advice.

Called up: December 10, 2022 – ca. 16.27 h ± 20 min.

€ 10.000 – 15.000 R/D, F
\$ 10,000 – 15,000

PROVENANCE

- German private collection.

The snowy, atmospheric landscapes of his Lower Rhine homeland, especially the area around Wittlaer with the small Rhine tributary of the Erft, are among Max Clarenbach's favorite motifs. On a trip to Paris in 1905, Clarenbach had a chance to see the works of Claude Monet, presumably also his winter landscapes - the collection of his painter friend Gustav Wendling also comprised Japanese ukiyo-e, which certainly were also quite inspiring for him owing to their formal reduction and emphasis on flatness. In 1908, Clarenbach had a stately home built by Josef Maria Olbrich outside the old town center of Wittlaer (today part of Düsseldorf) above the Rhine. From then on he had a direct view of the beloved Rhine wetlands in front of his eyes every day. In 1909 he tried to bring German landscape painting closer to French Impressionism by founding the artist group "Sonderbund" together with the painters Julius Bretz, August Deusser, Walter Ophey, Wilhelm Schmurr and the brothers Alfred and Otto Sohn-Rethel. In his preferred winter motifs, Clarenbach succeeded in capturing the clarity and calm of this time of the year in a dim and diffused light. The reflection of the still water underlines the mysterious atmosphere of the landscape, which is reproduced in a harmonious, clear color mood in delicate blue and warm gray tones, contrasted by the bright white of the snow-covered fields. [KT]

389

FROM A GERMAN
PRIVATE COLLECTION

ALEXANDER KOESTER

1864 Bergneustadt – 1932 Munich

9 Enten im Abendlicht. Around 1910.

Oil on canvas.

Lower left signed. Verso of the stretcher with the number "aa 119".

62,5 x 96,5 cm (24,6 x 37,9 in).

Called up: December 10, 2022 – ca. 16.28 h ± 20 min.

€ 25,000 – 35,000 ^{R/D}

\$ 25,000 – 35,000

PROVENIENZ

· Private collection Germany.



”The pleasure of these amusing waterbirds can be explained by looking at the white, loose plumage, the orange beaks, the reflections in the water, the sunshine, the blue reflections of the air - an abundance of technical things”

Exhibition review Bozen 1902, quoted from: Ruth Stein, Hans Koester, Alexander Koester 1864-1932, Leben und Werk, Recklinghausen 1988, p. 47.



390 | FROM A GERMAN PRIVATE COLLECTION

OTTO DILL

1884 Neustadt/Weinstraße – 1957 Bad Dürkheim

Aus Rom. Around 1940.

Oil on canvas.
Lower right signed. Verso with the artist's address stamp and a titled label.
60,5 x 80,5 cm (23.8 x 31.6 in).

Called up: December 10, 2022 – ca. 16.30 h ± 20 min.

€ 12.000 – 15.000 ^{R/D, F}
\$ 12,000 – 15,000

PROVENANCE
· German private collection.



391 | FROM A GERMAN PRIVATE COLLECTION

OTTO DILL

1884 Neustadt/Weinstraße – 1957 Bad Dürkheim

Auffahrt zum Maimarkt. 1949.

Oil on canvas.
Lower right signed and dated. Verso with the artist's address stamp and hand-written numbers.
With a label inscribed with a dedication by a previous owner on the reverse.
81 x 101 cm (31.8 x 39.7 in).

Called up: December 10, 2022 – ca. 16.31 h ± 20 min.

€ 12.000 – 15.000 ^{R/D, F}
\$ 12,000 – 15,000

PROVENANCE
· German private collection.



392 | FROM A GERMAN PRIVATE COLLECTION

CARL REISER

1877 Partenkirchen – 1950 Partenkirchen

Feldblumen. Around 1920-30.

Oil on canvas.

Lower left signed. Verso with various numbers and inscriptions. 86 x 65 cm (33.8 x 25.5 in).

Called up: December 10, 2022 – ca. 16.32 h ± 20 min.

€ 1.500 – 2.000 R/D

\$ 1,500 – 2,000

PROVENANCE

· German private collection.



393 | FROM A GERMAN PRIVATE COLLECTION

RUDOLF RESCHREITER

1868 Munich – 1938 Munich

Blick von der Höllentalangerhütte zum Höllentalgletscher und den Riffelwandspitzen. Presumably around 1921.

Oil on canvas.

Lower left signed and inscribed "München". 91,5 x 154,5 cm (36 x 60.8 in).

Called up: December 10, 2022 – ca. 16.34 h ± 20 min.

€ 2.000 – 3.000 R/D

\$ 2,000 – 3,000

PROVENANCE

· German private collection.



394 | FROM A GERMAN PRIVATE COLLECTION

OTTO PIPPEL

1878 Łódź – 1960 Munich

Klavierquartett. Around 1930.

Oil on canvas.

Signed in wet paint in lower right. Verso titled and once more signed. 43 x 47,5 cm (16.9 x 18.7 in).

Called up: December 10, 2022 – ca. 16.35 h ± 20 min.

€ 8.000 – 10.000 R/D

\$ 8,000 – 10,000

PROVENANCE

· German private collection.

Otto Pippel is recognized as one of the most prominent second-generation Impressionists in the region of southern Germany. After commencing his painting studies in Karlsruhe in 1905, he transferred to the Dresden Academy in 1907 to study with Gotthard Kuehl, who was noted for his portrayals of interior scenes. Traveling to Paris in 1908 to complete his studies, Pippel was inspired by the French Impressionists as he continued to develop his skills in the art of light and Impressionist painting. He went on to join the "Luitpold Group" and had his first exhibition at Munich's Glaspalast in 1912. Along with numerous landscapes, Otto Pippel also frequently portrayed Munich's bourgeois society, of which he was himself a member. Scenes of glamorous social entertainment events, including dinner parties in opulent settings, concerts and soirées, became part of his repertoire of motifs during the belle époque and remained a permanent focus of his work. In contrast to Impressionist outdoor painting, which he also adopted following his visit to Paris in 1908, he mainly concentrated on interior scenes, defining his own new genre within the field of Impressionist painting. Illuminative effects emanating from a warm, central light source whose glow fills the semi-darkness of the room are complemented and enhanced by the color of the elegant black of the gentlemen's suits, with the white effects of the sheet music rounding off the harmonious color scheme. Pippel thus echoed the mid-19th-century concept of ambient, musical imagery rendered in color harmonies, wherein subject matter, visual narrative and detail play a secondary role to pure color impression. [KT]



395 | FROM A GERMAN
PRIVATE COLLECTION

ANTOINE BLANCHARD

1910 nahe Blois – 1988 Paris

Les Grands Boulevards,
Paris en 1900.
Around 1950.

Oil on canvas.

Lower right signed. Verso titled and once more
signed. 33 x 46 cm (12.9 x 18.1 in).

Called up: December 10, 2022 – ca. 16,36 h ± 20 min.

€ 2,500 – 3,000 ^{R/D}

\$ 2,500 – 3,000

PROVENANCE

· German private collection.

VERSTEIGERUNGSBEDINGUNGEN

Stand April 2022

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2.5 Ergänzend gilt für schriftliche Gebote: Diese müssen spätestens am Tag der Versteigerung eingegangen sein und den Gegenstand unter Aufführung der Katalognummer und des gebotenen Preises, der sich als Zuschlagssumme ohne Aufgeld und Umsatzsteuer versteht, benennen; Unklarheiten oder Ungenauigkeiten gehen zu Lasten des Bieters.

Stimmt die Bezeichnung des Versteigerungsgegenstandes mit der angegebenen Katalognummer nicht überein, ist die Katalognummer für den Inhalt des Gebotes maßgebend. Der Versteigerer ist nicht verpflichtet, den Bieter von der Nichtberücksichtigung seines Gebotes in Kenntnis zu setzen. Jedes Gebot wird vom Versteigerer nur mit dem Betrag in Anspruch genommen, der erforderlich ist, um andere Gebote zu überbieten.

2.6 Der Zuschlag wird erteilt, wenn nach dreimaligem Aufruf eines Gebotes kein Übergebot abgegeben wird. Unbeschadet der Möglichkeit, den Zuschlag zu verweigern, kann der Versteigerer unter Vorbehalt zuschlagen; das gilt insbesondere dann, wenn der vom Kommittenten genannte Mindestzuschlagspreis nicht erreicht ist. In diesem Fall erlischt das Gebot mit Ablauf von 4 Wochen ab dem Tag des Zuschlags, es sei denn, der Versteigerer hat dem Bieter innerhalb dieser Frist die vorbehaltlose Annahme des Gebotes mitgeteilt.

2.7 Geben mehrere Bieter gleich hohe Gebote ab, kann der Versteigerer nach freiem Ermessen einem Bieter den Zuschlag erteilen oder durch Los über den Zuschlag entscheiden. Hat der Versteigerer ein höheres Gebot übersehen oder besteht sonst Zweifel über den Zuschlag, kann er bis zum Abschluss der Auktion nach seiner Wahl den Zuschlag zugunsten eines bestimmten Bieters wiederholen oder den Gegenstand erneut ausbieten; in diesen Fällen wird ein vorangegangener Zuschlag unwirksam.

2.8 Der Zuschlag verpflichtet zur Abnahme und Zahlung.

3. Besondere Bedingungen für schriftliche Angebote, Telefonbieter, Angebote in Textform und über das Internet, Teilnahme an Live-Auktionen, Nachverkauf

3.1 Der Versteigerer ist darum bemüht, schriftliche Angebote, Angebote in Textform, übers Internet oder fernmündliche Angebote, die erst am Tag der Versteigerung bei ihm eingehen und der Anbietende in der Versteigerung nicht anwesend ist, zu berücksichtigen. Der Anbietende kann jedoch keinerlei Ansprüche daraus herleiten, wenn der Versteigerer diese Angebote in der Versteigerung nicht mehr berücksichtigt, gleich aus welchem Grund.

3.2 Sämtliche Angebote in Abwesenheit nach vorausgegangener Ziffer, auch 24 Stunden vor Beginn der Versteigerung werden rechtlich grundsätzlich gleich behandelt wie Angebote aus dem Versteigerungssaal. Der Versteigerer übernimmt jedoch hierfür keinerlei Haftung.

3.3 Es ist grundsätzlich nach allgemeinem Stand der Technik nicht möglich, Soft- und Hardware vollständig fehlerfrei zu entwickeln und zu unterhalten. Ebenso ist es nicht möglich Störungen und Beeinträchtigungen im Internet und Telefonverkehr zu 100 % auszuschließen. Demzufolge kann der Versteigerer keine Haftung und Gewähr für die dauernde und störungsfreie Verfügbarkeit und Nutzung der Websites, der Internet- und der Telefonverbindung übernehmen, vorausgesetzt dass er diese Störung nicht selbst zu vertreten hat. Maßgeblich ist der Haftungsmaßstab nach Ziffer 10 dieser Bedingungen. Der Anbieter übernimmt daher unter diesen Voraussetzungen auch keine Haftung dafür, dass aufgrund vorbezeichneter Störung ggfls. keine oder nur unvollständige, bzw. verspätete Gebote abgegeben werden können, die ohne Störung zu einem Vertragsabschluss geführt hätten. Der Anbieter übernimmt demgemäß auch keine Kosten des Bieters, die ihm aufgrund dieser Störung entstanden sind. Der Versteigerer wird während der Versteigerung die ihm vertretbaren Anstrengungen unternehmen, den Telefonbieter unter der von ihm angegebenen Telefonnummer zu erreichen und ihm damit die Möglichkeit des telefonischen Gebots zu geben. Der Versteigerer ist jedoch nicht verantwortlich dafür, dass er den Telefonbieter unter der von ihm angegebenen Nummer nicht erreicht, oder Störungen in der Verbindung auftreten.

3.4 Es wird ausdrücklich darauf hingewiesen, dass Telefongespräche mit dem Telefonbieter während der Auktion zu Dokumentations- und Beweis­zwecken aufgezeichnet werden können und ausschließlich zur Abwicklung des Auftrages bzw. zur Entgegennahme von Angeboten, auch wenn sie nicht zum Abschluss des Auftrages führen, verwendet werden können. Sollte der Telefonbieter damit nicht einverstanden sein, so hat er spätestens zu Beginn des Telefonats den/die Mitarbeiter/-in darauf hinzuweisen.

Der Telefonbieter unter über diese in Ziffer 3.4 aufgeführten Modalitäten zusätzlich rechtzeitig vor Stattfinden der Versteigerung in Schrift- oder Textform, ebenso zu Beginn des Telefonats aufgeklärt.

3.5 Beim Einsatz eines Währungs(um)rechners (beispielsweise bei der Live-Auktion) wird keine Haftung für die Richtigkeit der Währungsrechnung gegeben. Im Zweifel ist immer der jeweilige Gebotspreis in EURO maßgeblich.

3.6 Der Bieter in der Live Auktion verpflichtet sich, sämtliche Zugangsdaten zu seinem Benutzerkonto geheim zu halten und hinreichend vor dem Zugriff durch Dritte zu sichern. Dritte Personen

sind sämtliche Personen mit Ausnahme des Bieters selbst. Der Versteigerer ist unverzüglich zu informieren, wenn der Bieter Kenntnis davon erlangt, dass Dritte die Zugangsdaten des Bieters missbraucht haben. Der Bieter haftet für sämtliche Aktivitäten, die unter Verwendung seines Benutzerkontos durch Dritte vorgenommen werden, wie wenn er diese Aktivität selbst vorgenommen hätte.

3.7 Angebote nach der Versteigerung, der so genannte Nachverkauf, sind möglich. Sie gelten, soweit der Einlieferer dies mit dem Versteigerer vereinbart hat, als Angebote zum Abschluss eines Kaufvertrages im Nachverkauf. Ein Vertrag kommt erst zustande, wenn der Versteigerer dieses Angebot annimmt. Die Bestimmungen dieser Versteigerungsbedingungen gelten entsprechend, sofern es sich nicht ausschließlich um Bestimmungen handelt, die den auktionsspezifischen Ablauf innerhalb einer Versteigerung betreffen.

4. Gefahrenübergang / Kosten der Übergabe und Versandung

4.1 Mit Erteilung des Zuschlags geht die Gefahr, insbesondere die Gefahr des zufälligen Untergangs und der zufälligen Verschlechterung des Versteigerungsgegenstandes auf den Käufer über, der auch die Lasten trägt.

4.2 Die Kosten der Übergabe, der Abnahme und der Versandung nach einem anderen Ort als dem Erfüllungsort trägt der Käufer, wobei der Versteigerer nach eigenem Ermessen Versandart und Versandmittel bestimmt.

4.3 Ab dem Zuschlag lagert der Versteigerungsgegenstand auf Rechnung und Gefahr des Käufers beim Versteigerer, der berechtigt, aber nicht verpflichtet ist, eine Versicherung abzuschließen oder sonstige wertsichernde Maßnahmen zu treffen. Er ist jederzeit berechtigt, den Gegenstand bei einem Dritten für Rechnung des Käufers einzulagern; lagert der Gegenstand beim Versteigerer, kann dieser Zahlung eines üblichen Lagerentgelts (zzgl. Bearbeitungskosten) verlangen.

5. Kaufpreis / Fälligkeit / Abgaben

5.1 Der Kaufpreis ist mit dem Zuschlag (beim Nachverkauf, vgl. Ziffer 3.7, mit der Annahme des Angebots durch den Versteigerer) fällig. Während der unmittelbar nach der Auktion ausgestellte Rechnungen bedürfen der Nachprüfung; Irrtum vorbehalten.

5.2 Zahlungen des Käufers sind grundsätzlich nur durch Überweisung an den Versteigerer auf das von ihm angegebene Konto zu leisten. Die Erfüllungswirkung der Zahlung tritt erst mit endgültiger Gutschrift auf dem Konto des Versteigerers ein.

Alle Kosten und Gebühren der Überweisung (inkl. der dem Versteigerer abgezogenen Bankspesen) gehen zu Lasten des Käufers, soweit gesetzlich zulässig und nicht unter das Verbot des § 270a BGB fallend.

5.3 Es wird, je nach Vorgabe des Einlieferers, differenz- oder regelbesteuert verkauft. Die Besteuerungsart kann vor dem Kauf erfragt werden.

5.4 Käuferaufgeld

5.4.1 Kunstgegenstände ohne besondere Kennzeichnung im Katalog unterliegen der Differenzbesteuerung.

Bei der Differenzbesteuerung wird pro Einzelobjekt ein Aufgeld, wie folgt erhoben:

– Zuschlagspreis bis 500.000 Euro: hieraus Aufgeld 32 %.

– Auf den Teil des Zuschlagspreises, der 500.000 Euro übersteigt, wird ein Aufgeld von 27 % berechnet und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 500.000 Euro anfällt, hinzuaddiert.

– Auf den Teil des Zuschlagspreises, der 2.500.000 Euro übersteigt, wird ein Aufgeld von 22 % berechnet und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 2.500.000 Euro anfällt, hinzuaddiert.

In dem Kaufpreis ist jeweils die Umsatzsteuer von derzeit 19 % enthalten.

5.4.2 Gegenstände, die im Katalog mit „N“ gekennzeichnet sind, wurden zum Verkauf in die EU eingeführt. Diese werden differenzbesteuert angeboten. Bei diesen wird zusätzlich zum Aufgeld die vom Versteigerer verauslagte Einfuhrumsatzsteuer in Höhe von derzeit 7 % der Rechnungssumme erhoben.

5.4.3 Bei im Katalog mit „R“ gekennzeichneten Gegenstände wird Regelbesteuerung vorgenommen. Demgemäß besteht der Kaufpreis aus Zuschlagspreis und einem Aufgeld pro Einzelobjekt, das wie folgt erhoben wird:

– Zuschlagspreis bis 500.000 Euro: hieraus Aufgeld 25 %.

– Auf den Teil des Zuschlagspreises, der 500.000 Euro übersteigt, wird ein Aufgeld von 20 % erhoben und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 500.000 Euro anfällt, hinzuaddiert.

– Auf den Teil des Zuschlagspreises, der 2.500.000 Euro übersteigt, wird ein Aufgeld von 15 % erhoben und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 2.500.000 Euro anfällt, hinzuaddiert.

– Auf die Summe von Zuschlag und Aufgeld wird die gesetzliche Umsatzsteuer, derzeit 19 %, erhoben. Als Ausnahme hiervon wird bei gedruckten Büchern der ermäßigte Satzsteuersatz von derzeit 7 % hinzugerechnet.

Für Unternehmer, die zum Vorsteuerabzug berechtigt sind, kann die Regelbesteuerung angewendet werden.

5.5 Folgerecht

Für folgerechtspflichtige Original-Werke der Bildenden Kunst und Fotografie lebender Künstler oder von Künstlern, die vor weniger als 70 Jahren verstorben sind, wird zur Abgeltung der beim Versteigerer gemäß § 26 UrhG anfallenden und abzuführenden Folgerechtsvergütung zusätzlich eine Folgerechtsvergütung in Höhe der in § 26 Abs. 2 UrhG ausgewiesenen Prozentsätze erhoben, derzeit wie folgt:

4 Prozent für den Teil des Veräußerungserlöses ab 400,00 Euro bis zu 50.000 Euro, weitere 3 Prozent für den Teil des Veräußerungserlöses von 50.000,01 bis 200.000 Euro, weitere 1 Prozent für den Teil des Veräußerungserlöses von 200.000,01 bis 350.000 Euro, weitere 0,5 Prozent für den Teil des Veräußerungserlöses von 350.000,01 bis 500.000 Euro und weitere 0,25 Prozent für den Teil des Veräußerungserlöses über 500.000 Euro.

Der Gesamtbetrag der Folgerechtsvergütung aus einer Weiterveräußerung beträgt höchstens 12.500 Euro.

5.6 Ausfuhrlieferungen in EU-Länder sind bei Vorlage der VAT-Nummer von der Umsatzsteuer befreit. Ausfuhrlieferungen in Drittländer (außerhalb der EU) sind von der Mehrwertsteuer befreit; werden die erstiegten Gegenstände vom Käufer ausgeführt, wird diesem die Umsatzsteuer erstattet, sobald dem Versteigerer der Ausfuhrnachweis vorliegt.

6. Vorkasse, Eigentumsvorbehalt

6.1 Der Versteigerer ist nicht verpflichtet, den Versteigerungsgegenstand vor Bezahlung aller vom Käufer geschuldeten Beträge herauszugeben.

6.2 Das Eigentum am Kaufgegenstand geht erst mit vollständiger Bezahlung des geschuldeten Rechnungsbetrags auf den Käufer über. Falls der Käufer den Kaufgegenstand zu einem Zeitpunkt bereits weiterveräußert hat, zu dem er den Rechnungsbetrag des Versteigerers noch nicht oder nicht vollständig bezahlt hat, tritt der Käufer sämtliche Forderungen aus diesem Weiterverkauf bis zur Höhe des noch offenen Rechnungsbetrages an den Versteigerer ab. Der Versteigerer nimmt diese Abtretung an.

6.3 Ist der Käufer eine juristische Person des öffentlichen Rechts, ein öffentlich-rechtliches Sondervermögen oder ein Unternehmer, der bei Abschluss des Kaufvertrages in Ausübung seiner gewerblichen oder selbständigen beruflichen Tätigkeit handelt, bleibt der Eigentumsvorbehalt auch bestehen für Forderungen des Versteigerers gegen den Käufer aus der laufenden Geschäftsbeziehung und weiteren Versteigerungsgegenständen bis zum Ausgleich von im Zusammenhang mit dem Kauf zustehenden Forderungen.

7. Aufrechnungs- und Zurückbehaltungsrecht

7.1 Der Käufer kann gegenüber dem Versteigerer nur mit unbestrittenen oder rechtskräftig festgestellten Forderungen aufrechnen.

7.2 Zurückbehaltungsrechte des Käufers sind ausgeschlossen. Zurückbehaltungsrechte des Käufers, der nicht Unternehmer i.S.d. § 14 BGB ist, sind nur dann ausgeschlossen, soweit sie nicht auf demselben Vertragsverhältnis beruhen.

8. Zahlungsverzug, Rücktritt, Ersatzansprüche des Versteigerers

8.1 Befindet sich der Käufer mit einer Zahlung in Verzug, kann der Versteigerer unbeschadet weitergehender Ansprüche Verzugszinsen in Höhe des banküblichen Zinssatzes für offene Kontokorrentkredite verlangen, mindestens jedoch in Höhe des jeweiligen gesetzlichen Verzugszins nach §§ 288, 247 BGB. Mit dem Eintritt des Verzugs werden sämtliche Forderungen des Versteigerers sofort fällig.

8.2 Verlangt der Versteigerer wegen der verspäteten Zahlung Schadensersatz statt der Leistung und wird der Gegenstand nochmals versteigert, so haftet der ursprüngliche Käufer, dessen Rechte aus dem vorangegangenen Zuschlag erlöschen, auf den dadurch entstandenen Schaden, wie z.B. Lagerhaltungskosten, Ausfall und entgangenen Gewinn. Er hat auf einen eventuellen Mehrerlös, der auf der nochmaligen Versteigerung erzielt wird, keinen Anspruch und wird auch zu einem weiteren Gebot nicht zugelassen.

8.3 Der Käufer hat seine Erwerbung unverzüglich, spätestens 1 Monat nach Zuschlag, beim Versteigerer abzuholen. Gerät er mit dieser Verpflichtung in Verzug und erfolgt eine Abholung trotz erfolgloser Fristsetzung nicht, oder verweigert der Käufer ernsthaft und endgültig die Abholung, kann der Versteigerer vom Kaufvertrag

zurücktreten und Schadensersatz verlangen mit der Maßgabe, dass er den Gegenstand nochmals versteigern und seinen Schaden in derselben Weise wie bei Zahlungsverzug des Käufers geltend machen kann, ohne dass dem Käufer ein Mehrerlös aus der erneuten Versteigerung zu steht. Darüber hinaus schuldet der Käufer im Verzug auch angemessenen Ersatz aller durch den Verzug bedingter Beitreibungskosten.

8.4 Der Versteigerer ist berechtigt vom Vertrag zurücktreten, wenn sich nach Vertragsschluss herausstellt, dass er aufgrund einer gesetzlichen Bestimmung oder behördlichen Anweisung zur Durchführung des Vertrages nicht berechtigt ist bzw. war oder ein wichtiger Grund besteht, der die Durchführung des Vertrages für den Versteigerer auch unter Berücksichtigung der berechtigten Belange des Käufers unzumutbar werden lässt. Ein solcher wichtiger Grund liegt insbesondere vor bei Anhaltspunkten für das Vorliegen von Tatbeständen nach den §§ 1 Abs. 1 oder 2 des Geschäfts i.S.d. Geldwäschegesetzes (GwG) oder bei fehlender, unrichtiger oder unvollständiger Offenlegung von Identität und wirtschaftlichen Hintergründen des Geschäfts i.S.d. Geldwäschegesetzes (GwG) sowie unzureichender Mitwirkung bei der Erfüllung der aus dem Geldwäschegesetz (GwG) folgenden Pflichten, unabhängig ob durch den Käufer oder den Einlieferer. Der Versteigerer wird sich ohne schuldhaftes Zögern um Klärung bemühen, sobald er von den zum Rücktritt berechtigten Umständen Kenntnis erlangt.

9. Gewährleistung

9.1 Sämtliche zur Versteigerung gelangenden Gegenstände können vor der Versteigerung besichtigt und geprüft werden. Sie sind gebraucht und werden ohne Haftung des Versteigerers für Sachmängel und unter Ausschluss jeglicher Gewährleistung zugeschlagen. Der Versteigerer verpflichtet sich jedoch gegenüber dem Käufer bei Sachmängeln, welche den Wert oder die Tauglichkeit des Objekts aufheben oder nicht unerheblich mindern und die der Käufer ihm gegenüber innerhalb von 12 Monaten nach Zuschlag geltend macht, seine daraus resultierenden Ansprüche gegenüber dem Einlieferer abzutreten, bzw., sollte der Käufer das Angebot auf Abtretung nicht annehmen, selbst gegenüber dem Einlieferer geltend zu machen. Im Falle erfolgreicher Inanspruchnahme des Einlieferers durch den Versteigerer, kehrt der Versteigerer dem Käufer den daraus erzielten Betrag bis ausschließlich zur Höhe des Zuschlagspreises Zug um Zug gegen Rückgabe des Gegenstandes aus. Zur Rückgabe des Gegenstandes ist der Käufer gegenüber dem Versteigerer dann nicht verpflichtet, wenn der Versteigerer selbst im Rahmen der Geltendmachung der Ansprüche gegenüber dem Einlieferer, oder einem sonstigen Berechtigten nicht zur Rückgabe des Gegenstandes verpflichtet ist. Diese Rechte (Abtretung oder Inanspruchnahme des Einlieferers und Auskehrung des Erlöses) stehen dem Käufer nur zu, soweit er die Rechnung des Versteigerers vollständig bezahlt hat. Zur Wirksamkeit der Geltendmachung eines Sachmangels gegenüber dem Versteigerer ist seitens des Käufers die Vorlage eines Gutachtens eines anerkannten Sachverständigen (oder des Erstellers des Werkzeichnisses, der Erklärung des Künstlers selbst oder der Stiftung des Künstlers) erforderlich, welches den Mangel nachweist. Der Käufer bleibt zur Entrichtung des Aufgeldes als Dienstleistungsentgelt verpflichtet.

9.2 Die gebrauchten Sachen werden in einer öffentlichen Versteigerung verkauft, an der der Bieter/Käufer persönlich teilnehmen kann. Ist der Bieter/Käufer gleichzeitig Verbraucher i.S.d. § 13 BGB wird er auf folgendes ausdrücklich hingewiesen: Da er in einer öffentlich zugänglichen Versteigerung i.S.v. § 312g Abs. 2 Nr. 10 BGB ein Kunstwerk ersteigert, das eine gebrauchte Sache darstellt, finden die Vorschriften des Verbrauchsgüterkaufs, also die Vorschriften der §§ 474 ff. BGB auf diesen Kauf keine Anwendung. Unter einer „öffentlich zugänglichen Versteigerung“ i.S.v. § 312g Abs. 2 Nr. 10 BGB versteht man eine solche Vermarktungsform, bei der der Verkäufer Verbrauchern, die persönlich anwesend sind, oder denen diese Möglichkeit gewährt wird, Waren oder Dienstleistungen anbietet und zwar in einem vom Versteigerer durchgeführten, auf konkurrierenden Geboten basierendem transparenten Verfahren, bei dem der Bieter, der den Zuschlag erhalten hat, zum Erwerb der Waren oder Dienstleistung verpflichtet ist. Da die Möglichkeit der persönlichen Anwesenheit für die Ausnahme des § 474 Abs. 2 S. 2 BGB ausreicht, kommt es nicht darauf an, dass ein oder mehrere Verbraucher an der Versteigerung tatsächlich teilgenommen haben. Auch die Versteigerung über eine Online-Plattform ist daher als eine öffentlich zugängliche Versteigerung anzusehen, wenn die Möglichkeit der persönlichen Anwesenheit der Verbraucher gewährleistet ist.

Daher gelten insbesondere die in diesen Bedingungen aufgeführten Gewährleistungsausschlüsse und -beschränkungen auch gegenüber einem Verbraucher.

9.3 Die nach bestem Wissen und Gewissen erfolgten Katalogbeschreibungen und –abbildungen, sowie Darstellungen in sonstigen Medien des Versteigerers (Internet, sonstige Bewerbungen u.a.)

begründen keine Garantie und sind keine vertraglich vereinbarten Beschaffenheiten i.S.d. § 434 BGB, sondern dienen lediglich der Information des Bieters/Käufers, es sei denn, eine Garantie wird vom Versteigerer für die entsprechende Beschaffenheit bzw. Eigenschaft ausdrücklich und schriftlich übernommen. Dies gilt auch für Expertisen. Die im Katalog und Beschreibungen in sonstigen Medien (Internet, sonstige Bewerbungen u.a.) des Versteigerers angegebenen Schätzpreise dienen - ohne Gewähr für die Richtigkeit - lediglich als Anhaltspunkt für den Verkehrswert der zu versteigernden Gegenstände. Die Tatsache der Begutachtung durch den Versteigerer als solche stellt keine Beschaffenheit bzw. Eigenschaft des Kaufgegenstands dar.

9.4 In manchen Auktionen (insbesondere bei zusätzlichen Live-Auktionen) können Video- oder Digitalabbildungen der Kunstobjekte erfolgen. Hierbei können Fehler bei der Darstellung in Größe, Qualität, Farbgebung u.ä. alleine durch die Bildwiedergabe entstehen. Hierfür kann der Versteigerer keine Gewähr und keine Haftung übernehmen. Ziffer 10 gilt entsprechend.

10. Haftung

Schadensersatzansprüche des Käufers gegen den Versteigerer, seine gesetzlichen Vertreter, Arbeitnehmer, Erfüllungs- oder Verichtungsauschluss sind - gleich aus welchem Rechtsgrund und auch im Fall des Rücktritts des Versteigerers nach Ziff. 8.4 - ausgeschlossen. Dies gilt nicht für Schäden, die auf einem vorsätzlichen oder grob fahrlässigen Verhalten des Versteigerers, seiner gesetzlichen Vertreter oder seiner Erfüllungsgehilfen beruhen. Ebenfalls gilt der Haftungsauschluss nicht bei der Übernahme einer Garantie oder der fahrlässigen Verletzung vertragswesentlicher Pflichten, jedoch in letzterem Fall der Höhe nach beschränkt auf die bei Vertragsschluss vorhersehbaren und vertragstypischen Schäden. Die Haftung des Versteigerers für Schäden aus der Verletzung des Lebens, des Körpers oder der Gesundheit bleibt unberührt.

11. Datenschutz

Auf die jeweils gültigen Datenschutzbestimmungen des Versteigerers wird ausdrücklich hingewiesen. Sie finden sich sowohl im jeweiligen Auktionskatalog veröffentlicht, als auch als Aushang im Auktionssaal und im Internet veröffentlicht unter www.kettererkunst.de/datenschutz/index.php. Sie sind Vertragsbestandteil und Grundlage jedes geschäftlichen Kontaktes, auch in der Anbahnungsphase.

12. Schlussbestimmungen

12.1 Fernmündliche Auskünfte des Versteigerers während oder unmittelbar nach der Auktion über die Versteigerung betreffende Vorgänge - insbesondere Zuschläge und Zuschlagspreise - sind nur verbindlich, wenn sie schriftlich bestätigt werden.

12.2 Mündliche Nebenabreden bedürfen zu ihrer Wirksamkeit der Schriftform. Gleiches gilt für die Aufhebung des Schriftformerfordernisses.

12.3 Im Geschäftsverkehr mit Kaufleuten, mit juristischen Personen des öffentlichen Rechts und mit öffentlichem-rechtlichem Sondervermögen wird zusätzlich vereinbart, dass Erfüllungsort und Gerichtsstand München ist. München ist ferner stets dann Gerichtsstand, wenn der Käufer keinen allgemeinen Gerichtsstand im Inland hat.

12.4 Für die Rechtsbeziehungen zwischen dem Versteigerer und dem Bieter/Käufer gilt das Recht der Bundesrepublik Deutschland unter Ausschluss des UN-Kaufrechts.

12.5 Streitbeilegungsverfahren:

Der Anbieter ist weder gesetzlich verpflichtet noch freiwillig einem Streitbeilegungsverfahren (z.B. Art. 36 Abs. 1 Verbraucherstreitbeilegungsgesetz (VSBGG)) vor einer Verbraucherschlichtungsstelle beizutreten und somit auch nicht bereit an einem solchen Verfahren teilzunehmen.

12.6 Sollten eine oder mehrere Bestimmungen dieser Versteigerungsbedingungen unwirksam sein oder werden, bleibt die Gültigkeit der übrigen Bestimmungen davon unberührt. Es gilt § 306 Abs. 2 BGB.

12.7 Diese Versteigerungsbedingungen enthalten eine deutsche und eine englische Fassung. Maßgebend ist stets die deutsche Fassung, wobei es für Bedeutung und Auslegung der in diesen Versteigerungsbedingungen verwendeten Begriffe ausschließlich auf deutsches Recht ankommt.

DATENSCHUTZERKLÄRUNG

Stand Mai 2020

Ketterer Kunst GmbH & Co. KG München

Anwendungsbereich:

Nachfolgende Regelungen zum Datenschutz erläutern den Umgang mit Ihren personenbezogenen Daten und deren Verarbeitung für unsere Dienstleistungen, die wir Ihnen einerseits von uns anbieten, wenn Sie Kontakt mit uns aufnehmen und die Sie uns andererseits bei der Anmeldung mitteilen, wenn Sie unsere weiteren Leistungen in Anspruch nehmen.

Verantwortliche Stelle:

Verantwortliche Stelle im Sinne der DSGVO* und sonstigen datenschutzrelevanten Vorschriften ist:

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Begriffsbestimmungen nach der DSGVO für Sie transparent erläutert:

Personenbezogene Daten

Personenbezogene Daten sind alle Informationen, die sich auf eine identifizierte oder identifizierbare natürliche Person (im Folgenden „betroffene Person“) beziehen. Als identifizierbar wird eine natürliche Person angesehen, die direkt oder indirekt, insbesondere mittels Zuordnung zu einer Kennung wie einem Namen, zu einer Kennnummer, zu Standortdaten, zu einer Online-Kennung oder zu einem oder mehreren besonderen Merkmalen, die Ausdruck der physischen, physiologischen, genetischen, psychischen, wirtschaftlichen, kulturellen oder sozialen Identität dieser natürlichen Person sind, identifiziert werden kann.

Verarbeitung Ihrer personenbezogenen Daten

Verarbeitung ist jeder mit oder ohne Hilfe automatisierter Verfahren ausgeführte Vorgang oder jede solche Vorgangsreihe im Zusammenhang mit personenbezogenen Daten wie das Erheben, das Erfassen, die Organisation, das Ordnen, die Speicherung, die Anpassung oder Veränderung, das Auslesen, das Abfragen, die Verwendung, die Offenlegung durch Übermittlung, Verbreitung oder eine andere Form der Bereitstellung, den Abgleich oder die Verknüpfung, die Einschränkung, das Löschen oder die Vernichtung.

Einwilligung

Einwilligung ist jede von der betroffenen Person freiwillig für den bestimmten Fall in informierter Weise und unmissverständlich abgegebene Willensbekundung in Form einer Erklärung oder einer sonstigen eindeutigen bestätigenden Handlung, mit der die betroffene Person zu verstehen gibt, dass sie mit der Verarbeitung der sie betreffenden personenbezogenen Daten einverstanden ist.

Diese benötigen wir von Ihnen dann zusätzlich – wobei deren Abgabe von Ihnen völlig freiwillig ist - für den Fall, dass wir Sie nach personenbezogenen Daten fragen, die entweder für die Erfüllung eines Vertrages oder zur Durchführung vorvertraglicher Maßnahmen nicht erforderlich sind, oder auch die anderen Erlaubnistatbestände des Art. 6 Abs. 1 Satz 1 lit c) –f) DSGVO nicht gegeben wären.

Sollte eine Einwilligung erforderlich sein, werden wir Sie **gesondert** darum bitten. Sollten Sie diese Einwilligung nicht abgeben, werden wir selbstverständlich solche Daten keinesfalls verarbeiten.

Personenbezogene Daten, die Sie uns für die Erfüllung eines Vertrages oder zur Durchführung vorvertraglicher Maßnahmen geben, die hierfür erforderlich sind und die wir entsprechend dafür verarbeiten, sind beispielsweise

- Ihre Kontaktdaten wie Name, Anschrift, Telefon, Fax, E-Mail, Steuer­nummer u.a., und soweit für finanzielle Transaktionen erforderlich, Finanzinformationen, wie Kreditkarten- oder Bankdaten;
- Versand- und Rechnungsdaten, Angaben welche Versteuerungsart Sie wünschen (Regel- oder Differenzbesteuerung) und andere Informationen, die Sie für den Erwerb, das Anbieten bzw. sonstiger Leistungen unseres Hauses oder den Versand eines Objektes angeben;

- Transaktionsdaten auf Basis Ihrer vorbezeichneten Aktivitäten;
- weitere Informationen, um die wir Sie bitten können, um sich beispielsweise zu authentifizieren, falls dies für die ordnungsgemäße Vertragsabwicklung erforderlich ist (Beispiele: Ausweis­kopie, Handelsregisterauszug, Rechnerungskopie, Beantwortung von zusätzlichen Fragen, um Ihre Identität oder die Eigentums­verhältnisse an einem von Ihnen angebotenen Objekte überprüfen zu können). Teilweise sind wir dazu auch gesetzlich verpflichtet, vgl. § 2 Abs. 1 Ziffer 16 GwG und dies bereits schon in einem vorvertraglichen Stadium.

Gleichzeitig sind wir im Rahmen der Vertragsabwicklung und zur Durchführung vertragsanbahnender Maßnahmen berechtigt, an-

dere ergänzende Informationen von Dritten einzuholen (z.B.: Wenn Sie Verbindlichkeiten bei uns eingehen, so sind wir generell berechtigt Ihre Kreditwürdigkeit im gesetzlich erlaubten Rahmen über eine Wirtschaftsauskunftei überprüfen zu lassen. Diese Anforderlichkeit ist insbesondere durch die Besonderheit des Auktionshan­dels gegeben, da Sie mit Ihrem Gebot und dem Zuschlag dem Vorbierter die Möglichkeit nehmen, das Kunstwerk zu erstehen. Damit kommt Ihrer Bonität, über die wir stets höchste Verschwiegenheit bewahren, größte Bedeutung zu.)

Registrierung/Anmeldung/Angabe von personenbezogenen Daten bei Kontaktaufnahme

Sie haben die Möglichkeit, sich bei uns direkt (im Telefonat, postalisch, per E-Mail oder per Fax), oder auf unseren Internetseiten unter Angabe von personenbezogenen Daten zu registrieren.

So z.B. wenn Sie an Internetauktionen teilnehmen möchten oder/ und sich für bestimmte Kunstwerke, Künstler, Stilrichtungen, Epochen u.a. interessieren, oder uns bspw. Kunstobjekte zum Kauf oder Verkauf anbieten wollen.

Welche personenbezogenen Daten Sie dabei an uns übermitteln, ergibt sich aus der jeweiligen Eingabemaske, die wir für die Registrierung bzw. Ihre Anfragen verwenden, oder den Angaben, um die wir Sie bitten, oder die Sie uns freiwillig übermitteln. Die von Ihnen hierfür freiwillig ein- bzw. angegebenen personenbezogenen Daten werden ausschließlich für die interne Verwendung bei uns und für eigene Zwecke erhoben und gespeichert.

Wir sind berechtigt die Weitergabe an einen oder mehrere Auftrags­verarbeiter zu veranlassen, der die personenbezogenen Daten eben­falls ausschließlich für eine interne Verwendung, die dem für die Verarbeitung Verantwortlichen zuzurechnen ist, nutzt.

Durch Ihre Interessenbekundung an bestimmten Kunstwerken, Künstlern, Stilrichtungen, Epochen, u.a., sei es durch Ihre oben beschriebene Teilnahme bei der Registrierung, sei es durch Ihr Interesse am Verkauf, der Einlieferung zu Auktionen, oder dem Ankauf, jeweils unter freiwilliger Angabe Ihrer personenbezogenen Daten, ist es uns gleichzeitig erlaubt, Sie über Leistungen unseres Hauses und Unternehmen, die auf dem Kunstmarkt in engem Zusammenhang mit unserem Haus stehen, zu benachrichtigen, sowie zu einem zielgerichteten Marketing und der Zusendung von Werbeangeboten auf Grundlage Ihres Profils per Telefon, Fax, postalisch oder E-Mail. Wünschen Sie dabei einen speziellen Be­nachrichtigungsweg, so werden wir uns gerne nach Ihren Wün­schen richten, wenn Sie uns diese mitteilen. Stets werden wir aufgrund Ihrer vorbezeichneten Interessen, auch Ihren Teilnahmen an Auktionen, nach Art. 6 Abs. 1 lit f) DSGVO abwägen, ob und wenn ja, mit welcher Art von Werbung wir an Sie herantreten dürfen (bspw.: Zusendung von Auktionskatalogen, Information über Sonderveranstaltungen, Hinweise zu zukünftigen oder ver­gangenen Auktionen, etc.).

Sie sind jederzeit berechtigt, dieser Kontaktaufnahme mit Ihnen gegen. Art. 21 DSGVO zu **widersprechen** (siehe nachfolgend unter: „Ihre Rechte bei der Verarbeitung Ihrer personenbezogenen Daten“).

Live-Auktionen

In sogenannten Live-Auktionen sind eine oder mehrere Kameras oder sonstige Bild- und Tonaufzeichnungsgeräte auf den Auktio­nator und die jeweiligen zur Versteigerung kommenden Kunstwerke gerichtet. Diese Daten sind zeitgleich über das Internet grds. für jedermann, der dieses Medium in Anspruch nimmt, zu empfangen. Ketterer Kunst trifft die bestmöglichen Sorgfaltsmaßnahmen, dass hierbei keine Personen im Saal, die nicht konkret von Ketterer Kunst für den Ablauf der Auktion mit deren Einwilligung dazu bestimmt sind, abgebildet werden. Ketterer Kunst kann jedoch keine Verantwortung dafür übernehmen, dass Personen im Auk­tionssaal sich aktiv in das jeweilige Bild einbringen, in dem sie bspw. bewusst oder unbewusst ganz oder teilweise vor die jeweilige Kamera treten, oder sich durch das Bild bewegen. Für diesen Fall sind die jeweiligen davon betroffenen Personen durch ihre Teil­nahme an bzw. ihrem Besuch an der öffentlichen Versteigerung mit der Verarbeitung ihrer personenbezogenen Daten in Form der Abbildung ihrer Person im Rahmen des Zwecks der Live-Auktion (Übertragung der Auktion mittels Bild und Ton) einverstanden.

Ihre Rechte bei der Verarbeitung Ihrer personenbezogenen Daten
Gemäß den Vorschriften der DSGVO stehen Ihnen insbesondere folgende Rechte zu:

- Recht auf unentgeltliche Auskunft über die zu Ihrer Person gespeicherten personenbezogenen Daten, das Recht eine Kopie dieser Auskunft zu erhalten, sowie die weiteren damit in Zusammenhang stehenden Rechte nach Art. 15 DSGVO.
- Recht auf unverzügliche Berichtigung nach Art. 16 DSGVO Sie betreffender unrichtiger personenbezogener Daten, ggfls. die Vervollständigung unvollständiger personenbezogener Daten - auch mittels einer ergänzenden Erklärung - zu verlangen.

- Recht auf unverzügliche Löschung („Recht auf Vergessenwerden“) der Sie betreffenden personenbezogenen Daten, sofern einer der in Art. 17 DSGVO aufgeführten Gründe zutrifft und soweit die Verarbeitung nicht erforderlich ist.

- Recht auf Einschränkung der Verarbeitung, wenn eine der Voraussetzungen in Art. 18 Abs. 1 DSGVO gegeben ist.

- Recht auf Datenübertragbarkeit, wenn die Voraussetzungen in Art. 20 DSGVO gegeben sind.

- Recht auf jederzeitigen Widerspruch nach Art. 21 DSGVO aus Gründen, die sich aus Ihrer besonderen Situation ergeben, gegen die Verarbeitung Sie betreffender personenbezogener Daten, die aufgrund von Art. 6 Abs. 1 lit e) oder f) DSGVO erfolgt. Dies gilt auch für ein auf diese Bestimmungen gestütztes Profiling.

Beruhet die Verarbeitung Ihrer personenbezogenen Daten auf einer Einwilligung nach Art. 6 Abs. 1 lit a) oder Art. 9 Abs. 2 lit a) DSGVO, so steht Ihnen zusätzlich ein Recht auf Widerruf nach Art. 7 Abs. 3 DSGVO zu. Vor einem Ansuchen auf entsprechende Einwilligung werden Sie von uns stets auf Ihr Widerrufsrecht hingewiesen.

Zur Ausübung der vorbezeichneten Rechte können Sie sich direkt an uns unter den zu Beginn angegebenen Kontaktdaten oder an unseren Datenschutzbeauftragten wenden. Ihnen steht es ferner frei, im Zusammenhang mit der Nutzung von Diensten der Informationsgesellschaft, ungeachtet der Richtlinie 2002/58/EG, Ihr Widerspruchsrecht mittels automatisierter Verfahren auszuüben, bei denen technische Spezifikationen verwendet werden.

Beschwerderecht nach Art. 77 DSGVO

Wenn Sie der Ansicht sind, dass die Verarbeitung der Sie betref­fenden personenbezogenen Daten durch die Ketterer Kunst GmbH & Co. KG mit Sitz in München gegen die DSGVO verstößt, so haben Sie das Recht sich mit einer Beschwerde an die zuständige Stelle, in Bayern an das Bayerische Landesamt für Datenschutzaufsicht, Promenade 27 (Schloss), D - 91522 Ansbach zu wenden.

Datensicherheit

Wir legen besonders Wert auf eine hohe IT-Sicherheit, unter anderem durch eine aufwendige Sicherheitsarchitektur.

Datenspeicherzeitraum

Der Gesetzgeber schreibt vielfältige Aufbewahrungsfristen und -pflichten vor, so z.B. eine 10-jährige Aufbewahrungsfrist (§ 147 Abs. 2 i. V. m. Abs. 1 Nr.1, 4 und 4a AO, § 14b Abs. 1 UStG) bei bestimmten Geschäftsunterlagen, wie z.B. für Rechnungen. Wir weisen auch darauf hin, dass die jeweilige Aufbewahrungsfrist bei Verträgen erst nach dem Ende der Vertragsdauer zu laufen beginnt. Wir erlauben uns auch den Hinweis darauf, dass wir im Falle eines Kulturgutes nach § 45 KGG i.V.m. § 42 KGG verpflichtet sind, Nachweise über die Sorgfaltsanforderungen aufzuzeichnen und hierfür bestimmte personenbezogene Daten für die Dauer von 30 Jahren aufzubewahren. Nach Ablauf der Fristen, die uns vom Gesetzgeber auferlegt werden, oder die zur Verfolgung oder die Abwehr von Ansprüchen (z.B. Verjährungsregelungen) nötig sind, werden die entsprechenden Daten routinemäßig gelöscht. Daten, die keinen Aufbewahrungsfristen und -pflichten unterliegen, werden gelöscht, wenn ihre Aufbewahrung nicht mehr zur Erfüllung der vertraglichen Tätigkeiten und Pflichten erforderlich ist. Stehen Sie zu uns in keinem Vertragsverhältnis, sondern haben uns personenbezogene Daten anvertraut, weil Sie bspw. über unsere Dienstleistungen informiert sein möchten, oder sich für einen Kauf oder Verkauf eines Kunstwerks interessieren, erlauben wir uns davon auszugehen, dass Sie mit uns so lange in Kontakt stehen möchten, wir also die hierfür uns übergebenen personenbezogenen Daten so lange verarbeiten dürfen, bis Sie dem aufgrund Ihrer vorbezeichneten Rechte aus der DSGVO widersprechen, eine Ein­willigung widerrufen, von Ihrem Recht auf Löschung oder der Datenübertragung Gebrauch machen.

Wir weisen darauf hin, dass für den Fall, dass Sie unsere Internet­dienste in Anspruch nehmen, hierfür unsere erweiterten Daten­schutz­erklärungen ergänzend gelten, die Ihnen in diesem Fall ge­son­dert bekannt gegeben und transparent erläutert werden, sobald Sie diese Dienste in Anspruch nehmen.
*Verordnung (EU) 2016/679 des Europäischen Parlaments und des Rates vom 27. April 2016 zum Schutz natürlicher Personen bei der Verarbeitung personenbezogener Daten, zum freien Datenverkehr und zur Aufhebung der Richtlinie 95/46/EG (Datenschutz-Grundverordnung)

TERMS OF PUBLIC AUCTION

Please note our changed Artist’s Resale Right in 5.5

1. General

1.1 Ketterer Kunst GmbH & Co. KG based in Munich (hereinafter “Auctioneer”) generally auctions as a commission agent in its own name and for the account of the consignor (hereinafter “Commissioner”), who remains anonymous. Items owned by the auctioneer (own goods) are auctioned in their own name and for their own account. These auction conditions also apply to the auction of these own goods, in particular the premium (below item 5) is also to be paid for this.

1.2 The auction shall be conducted by an individual having an auctioneer’s license; the auctioneer shall select this person. The auctioneer is entitled to appoint suitable representatives to conduct the auction pursuant to § 47 of the German Trade Regulation Act (GewO). Any claims arising out of and in connection with the auction may be asserted only against the auctioneer.

1.3 The auctioneer reserves the right to combine any catalog numbers, to separate them, to call them in an order other than that specified in the catalog or to withdraw them.

1.4 Any items due to be auctioned may be inspected on the auctioneer’s premises prior to the auction. This also applies to participation in auctions in which the bidder can also bid via the Internet (so-called live auctions). The time and place will be announced on the auctioneer’s website. If the bidder (particularly the bidder in a live auction) is not (or no longer) able to view the item because the auction has already started, for example, he waives his right to view the item by bidding.

1.5 In accordance with the GwG (Money Laundering Act) the auctioneer is obliged to identify the purchaser and those interested in making a purchase as well as, if necessary, one acting as representative for them and the „beneficial owner“ within the meaning of § 3 GwG (Money Laundering Act) for the purpose of the execution of the order, as well as to record and store the collected data and information. The aforementioned purchaser or those interested in purchasing or their representatives are obliged to cooperate, in particular to submit the necessary identification papers, in particular based on a domestic passport or a passport, identity card or passport or identity card that is recognized or approved under immigration law. The auctioneer is entitled to make a copy of this in compliance with data protection regulations. In the case of legal persons or private companies, an extract from the commercial or cooperative register or a comparable official register or directory must be requested. The purchaser or those interested in the purchase assure that the identification papers and information provided by them for this purpose are correct and that he or the person he represents is the “beneficial owner“ according to Section 3 GwG (Money Laundering Act).

2. Calling / Auction Procedure / Winning a lot

2.1 As a general rule the object is called up for the lower estimate, in exceptional cases it also below. The bidding steps are be at the auctioneer’s discretion; in general, in steps of 10 %.

2.2 The auctioneer may reject a bid, especially if a bidder, who is not known to the auctioneer or with whom there is no business relation as of yet, does not furnish security before the auction begins. Even if security is furnished, any claim to acceptance of a bid shall be unenforceable.

2.3 If a bidder wishes to bid on behalf of someone else, he must notify the bidder before the start of the auction, stating the name and address of the person represented and submitting a written power of attorney. When participating as a telephone bidder or as a bidder in a live auction (see definition Section 1.4), representation is only possible if the auctioneer has received the proxy in writing at least 24 hours before the start of the auction (= first call). Otherwise, the representative is liable to the auctioneer for his bid, as if he had submitted it in his own name, either for performance or for damages.

2.4 A bid expires, except in the case of its rejection by the auctioneer, if the auction is closed without a bid being accepted or if the auctioneer calls up the item again; a bid does not expire with a subsequent ineffective higher bid.

2.5 In addition, the following applies to written proxy bids: These must be received no later than the day of the auction and must name the item, stating the catalog number and the bid price, which is understood to be the hammer price without premium and sales tax; Any ambiguities or inaccuracies are at the expense of the bidder. If the description of the auction item does not match the specified catalog number, the catalog number is decisive for the content of the bid. The auctioneer is not obliged to inform the bidder that his bid has not been considered. Each bid will only be used by the auctioneer to the amount necessary to outbid other bids.

2.6 A bid is accepted if there is no higher bid after three calls. Notwithstanding the possibility of refusing to accept the bid, the auctioneer may accept the bid with reserve; this shall apply especially if the minimum hammer price specified by the commissioner

is not reached. In this case the bid shall lapse within a period of 4 weeks from the date of its acceptance unless the auctioneer notifies the bidder about unreserved acceptance of the bid within this period.

2.7 If several bidders submit bids of the same amount, the auctioneer can, at his own discretion, award a bidder the bid or decide on the bid by drawing lots. If the auctioneer overlooked a higher bid or if there is any other doubt about the bid, he can choose to repeat the bid in favor of a specific bidder or offer the item again until the end of the auction; in these cases, a previous knock-down becomes ineffective.

2.8 Winning a lot makes acceptance and payment obligatory.

3. Special terms for written proxy bids, telephone bidders, bids in text form and via the internet, participation in live auctions, post-auction sale.

3.1 The auctioneer exerts himself for considering written proxy bids, bids in text form, via the Internet or telephone bids that he only receives on the day of the auction and the bidder is not present at the auction. However, the bidder cannot derive any claims from this if the auctioneer no longer considers these offers in the auction, for whatever reason.

3.2 On principle, all absentee bids according to the above item, even if such bids are received 24 hours before the auction begins, shall be legally treated on a par with bids received in the auction venue. The auctioneer shall however not assume any liability in this respect.

3.3 In general, it is not possible to develop and maintain software and hardware completely error-free given the current state of the art. It is also not possible to 100% rule out disruptions and impairments on the Internet and telephone lines. As a result, the auctioneer cannot assume any liability or guarantee for the permanent and trouble-free availability and use of the websites, the Internet and the telephone connection, provided that he is not responsible for this disruption himself. The standard of liability according to Section 10 of these conditions is decisive. Under these conditions, the provider therefore assumes no liability for the fact that, due to the aforementioned disruption, no or only incomplete or late bids can be submitted, which would have led to the conclusion of a contract without any disruption. Accordingly, the provider does not assume any costs incurred by the bidder as a result of this disruption. During the auction, the auctioneer will make reasonable efforts to contact the telephone bidder on the telephone number he/she has provided and thus give him the opportunity to bid by telephone. However, the auctioneer is not responsible for not being able to reach the telephone bidder on the number provided or for disruptions in the connection.

3.4 It is expressly pointed out that telephone conversations with the telephone bidder during the auction may be recorded for documentation and evidence purposes and may exclusively be used for fulfillment of a contract and to receive bids, even where these do not lead to fulfillment of the contract. If the telephone bidder does not agree to this, he/she must point this out to the employee at the latest at the beginning of the telephone call. The telephone bidder will also be informed of the modalities listed in Section 3.4 in good time before the auction takes place in writing or in text form, as well as at the beginning of the telephone call.

3.5 In case of the use of a currency converter (e.g. for a live auction) no liability is assumed for the accuracy of the currency conversion. In case of doubt, the respective bid price in EUR shall be the decisive factor.

3.6 A bidder in a live auction is obliged to keep all access data for his user account secret and to adequately secure it against access by third parties. Third persons are all persons with the exception of the bidder himself. The auctioneer must be informed immediately if the bidder becomes aware that third parties have misused the bidder’s access data. The bidder is liable for all activities carried out by third parties using his user account as if he had carried out this activity himself.

3.7 It is possible to place bids after the auction, in the the so-called post-auction sale. Insofar as the consignor has agreed upon this with the auctioneer, they apply as offers for the conclusion of a purchase contract in the post-auction sale. A contract is only concluded when the auctioneer accepts this offer. The provisions of these terms of auction apply accordingly, unless they are exclusively provisions that relate to the auction-specific process within an auction.

4. Transfer of perils / Delivery and shipping costs

4.1 When the bid is accepted, the risk, in particular the risk of accidental loss and accidental deterioration of the auction item, passes to the buyer, who also bears the costs.

4.2 The buyer bears the costs of delivery, acceptance and shipment to a location other than the place of performance, with the auc-

tioneer determining the type and means of shipment at its own discretion.

4.3 Once the bid has been accepted, the auction item is stored at the auctioneer at the risk and expense of the buyer. The auctioneer is entitled, but not obliged, to take out insurance or to take other value-preserving measures. He is entitled at any time to store the item with a third party for the account of the buyer; if the item is stored at the auctioneer, the auctioneer can demand payment of a standard storage fee (plus handling charges).

5. Purchase price / Due date / Fees

5.1 The purchase price is due upon the acceptance of the bid (in the case of post-auction sales, cf. section 3.7, upon acceptance of the bid by the auctioneer). Invoices issued during or immediately after the auction require reaudit; errors excepted.

5.2 The buyer shall only make payments to the account specified by the auctioneer. The fulfillment effect of the payment only occurs when it is finally credited to the auctioneer’s account.

All costs and fees of the transfer (including the bank charges deducted from the auctioneer) shall be borne by the buyer, insofar as this is legally permissible and does not fall under the prohibition of Section 270a of the German Civil Code.

5.3 Depending on the consignor’s specifications, it will be sold subject to differential or regular taxation. The type of taxation can be requested prior to purchase.

5.4 Buyer’s premium

5.4.1 Art objects without closer identification in the catalog are subject to differential taxation. If differential taxation is applied, the following premium per individual object is levied:

– Hammer price up to 500,000 €: herefrom 32 % premium.

– The share of the hammer price exceeding 500,000 € is subject to a premium of 27 % and is added to the premium of the share of the hammer price up to 500,000 €.

– The share of the hammer price exceeding 2,500,000 € is subject to a premium of 22 % and is added to the premium of the share of the hammer price up to 2,500,000 €.

The purchasing price includes the statutory VAT of currently 19 %.

5.4.2 Objects marked „N“ in the catalog were imported into the EU for the purpose of sale. These objects are subject to differential taxation. In addition to the premium, they are also subject to the import turnover tax, advanced by the auctioneer, of currently 7 % of the invoice total.

5.4.3 Objects marked „R“ in the catalog are subject to regular taxation. Accordingly, the purchasing price consists of the hammer price and a premium per single object calculated as follows:

– Hammer price up to 500,000 €: herefrom 25 % premium.

– The share of the hammer price exceeding 500,000 € is subject to a premium of 20% and is added to the premium of the share of the hammer price up to 500,000 €.

– The share of the hammer price exceeding 2,500,000 € is subject to a premium of 15% and is added to the premium of the share of the hammer price up to 2,500,000 €.

– The statutory VAT of currently 19 % is levied to the sum of hammer price and premium. As an exception, the reduced VAT of currently 7 % is added for printed books.

Regular taxation may be applied for contractors entitled to input tax reduction.

5.5 Artist’s Resale Right

For original works of visual art and photographs subject to resale rights by living artists, or by artists who died less than 70 years ago, an additional resale right reimbursement in the amount of the currently valid percentage rates (see below) specified in section 26 para. 2 UrhG (German Copyright Act) is levied in order to compensate the auctioneer’s expenses according to section 26 UrH.G.

4 percent for the part of the sale proceeds from 400.00 euros up to 50,000 euros, another 3 percent for the part of the sales proceeds from 50,000.01 to 200,000 euros, another 1 percent for the part of the sales proceeds from 200,000.01 to 350,000 euros, another 0.5 percent for the part of the sale proceeds from 350,000.01 to 500,000 euros and a further 0.25 percent for the part of the sale proceeds over 500,000 euros.

The maximum total of the resale right fee is EUR 12,500.

5.6 Export deliveries to EU countries are exempt from sales tax on presentation of the VAT number. Export deliveries to third countries (outside the EU) are exempt from VAT; if the auctioned items are exported by the buyer, the sales tax will be refunded to the buyer as soon as the auctioneer has the proof of export.

DATA PRIVACY POLICY

6. Advance payment / Retention of title

6.1 The auctioneer is not obliged to hand out the auction item before payment of all amounts owed by the buyer has been made.

6.2 Ownership of the object of purchase is only transferred to the buyer once the invoice amount has been paid in full. If the buyer has already resold the object of purchase at a point in time when he has not yet paid the auctioneer’s invoice amount or has not paid it in full, the buyer transfers all claims from this resale to the auctioneer up to the amount of the unpaid invoice amount. The auctioneer accepts this transffer.

6.3 If the buyer is a legal entity under public law, a special fund under public law or an entrepreneur who, when concluding the purchase contract, is exercising his commercial or self-employed professional activity, the retention of title also applies to claims of the auctioneer against the buyer from the current business relationship and other auction items until the settlement of claims in connection with the purchase.

7. Right of offset- and retention

7.1 The buyer can only offset undisputed or legally binding claims against the auctioneer.

7.2 The buyer’s rights of retention are excluded. Rights of retention of the buyer who is not an entrepreneur within the meaning of § 14 BGB (German Civil Code) are only excluded if they are not based on the same contractual relationship.

8. Delay in payment, Revocation, Claims for compensation

8.1 If the buyer is in default with a payment, the auctioneer can, regardless of further claims, demand interest for default at the usual bank interest rate for open overdrafts, but at least in the amount of the respective statutory interest on defaults according to §§ 288, 247 BGB (German Civil Code). With the occurrence of default, all claims of the auctioneer become due immediately.

8.2 If the auctioneer demands compensation instead of performance because of the late payment and if the item is auctioned again, the original buyer, whose rights from the previous bid expire, is liable for the damage caused as a result, such as storage costs, failure and lost profit. He has no claim to any additional proceeds realized in the repeated auction and is not permitted to make any further bids.

8.3 The buyer must collect his acquisition from the auctioneer immediately, at the latest 1 month after the bid has been accepted. If he defaults on this obligation and collection does not take place despite an unsuccessful deadline, or if the buyer seriously and finally refuses collection, the auctioneer can withdraw from the purchase contract and claim compensation with the proviso that he can auction the item again and compensate for his damage in the same way as in the event of default in payment by the buyer, without the buyer being entitled to additional proceeds from the new auction. In addition, the buyer also owes reasonable compensation for all collection costs caused by the delay.

8.4 The auctioneer is entitled to withdraw from the contract if it emerges after the conclusion of the contract that he is not or was not entitled to carry out the contract due to a legal provision or official instruction or there is an important reason, that makes the execution of the contract for the auctioneer, also under consideration of the legitimate interests of the buyer, unacceptable. Such an important reason exists in particular if there are indications of the existence of facts according to §§ 1 Para.1 or 2 of the transaction in the sense of the Money Laundering Act (GwG) or in the case of missing, incorrect or incomplete disclosure of the identity and economic background of the transaction in the sense of the Money Laundering Act (GwG) as well as insufficient cooperation in the fulfillment of the obligations resulting from the Money Laundering Act (GwG), regardless of whether on the part of the buyer or the consignor. The auctioneer will seek clarification without negligent hesitation as soon as he becomes aware of the circumstances that justify the withdrawal.

9. Guarantee

9.1 All items to be auctioned can be viewed and inspected prior to the auction. The items are used and are being auctioned off without any liability on the part of the auctioneer for material defects and exclude any guarantee. However, in case of material defects which destroy or significantly reduce the value or the serviceability of the item and of which the purchaser notifies the auctioneer within 12 months of the acceptance of his bid, the auctioneer undertakes to assign any claim which it holds against the consignor or - should the purchaser decline this offer of assignment - to itself assert such claims against the consignor. In the case of a successful claim against the consignor by the auctioneer, the auctioneer pays the buyer the amount obtained up to the amount of the hammer price, step by step, against the return of the item. The buyer is not obliged to return the item to the auctioneer if the

auctioneer itself is not obliged to return the item within the framework of asserting claims against the consignor or another entitled person. The buyer is only entitled to these rights (assignment or claim against the consignor and payment of the proceeds) if he has paid the auctioneer’s invoice in full. In order for the assertion of a material defect to be effective against the auctioneer, the buyer must submit a report from a recognized expert (or the creator of the catalog raisonné, the artist’s declaration or the artist’s foundation), which proves the defect. The buyer remains obliged to pay the premium as a service fee.

9.2 The used items are sold in a public auction in which the bidder/ buyer can participate in person. If the bidder/buyer is also a consumer within the meaning of § 13 BGB (German Civil Code), he is expressly advised of the following:

Since he bids for a work of art that represents a used item in a public auction within the meaning of Section 312g Paragraph 2 No. 10 BGB, the provisions of consumer goods sales, i.e. the provisions of Sections 474 et seq. BGB, do not apply to this purchase.

A „publicly accessible auction“ within the meaning of Section 312g Paragraph 2 No. 10 BGB is understood as such a form of marketing in which the seller offers goods or services to consumers who are present in person or who are granted this opportunity, in a transparent process based on competing bids carried out by the auctioneer, in which the winning bidder is obliged to purchase the goods or service.

Since the possibility of personal presence is sufficient for the exception of Section 474 (2) sentence 2 BGB, it is not important that one or more consumers actually took part in the auction. The auction via an online platform is therefore also to be regarded as a publicly accessible auction if the possibility of the consumer’s personal presence is guaranteed.

Therefore, the warranty exclusions and limitations listed in these conditions also apply to a consumer.

9.3 The catalog descriptions and illustrations, as well as the images in other media of the auctioneer (internet, other forms of advertising, etc.), were made to the best of knowledge, they do not constitute a guarantee and are not contractually agreed properties within the meaning of § 434 BGB, but only serve to inform the bidder/ buyer, unless the auctioneer expressly and in writing guarantees the corresponding quality or property. This also applies to expertises. The estimate prices specified in the auctioneer’s catalog and descriptions in other media (internet, other advertisements, etc.) serve - without guarantee for the correctness - only as an indication of the market value of the items to be auctioned. The fact of the assessment by the auctioneer as such does not represent any quality or property of the object of purchase.

9.4 In some auctions (particularly in the case of additional live auctions), video or digital images of the works of art may be used. Errors in the display in terms of size, quality, coloring etc. can occur solely because of the image reproduction. The auctioneer cannot guarantee or assume any liability for this. Clause 10 applies accordingly.

10. Liability

Claims for compensation by the buyer against the auctioneer, his legal representatives, employees or vicarious agents are excluded - for whatever legal reason and also in the event of the auctioneer withdrawing according to Section 8.4. This does not apply to damages that are based on intentional or grossly negligent behavior on the part of the auctioneer, his legal representatives or his vicarious agents. The exclusion of liability also does not apply to the assumption of a guarantee or the negligent breach of essential contractual obligations, but in the latter case the amount is limited to the foreseeable and contract-typical damages at the time the contract was concluded. The liability of the auctioneer for damage resulting from injury to life, limb or health remains unaffected.

11. Privacy

We expressly refer to the auctioneer’s applicable data protection regulations. They are published in the respective auction catalog, posted in the auction room and published on the internet on www.kettererkunst.com/privacypolicy/index.php. They are part of the contract and the basis of every business contact, even in the initiation phase.

12. Final Provisions

12.1 Information provided by the auctioneer over the phone during or immediately after the auction about the auction processes - in particular regarding premiums and hammer prices - are only binding if they are confirmed in writing.

12.2 Oral ancillary agreements must be put in writing in order to be effective. The same applies to the cancellation of the requirement of the written form.

12.3 In business transactions with merchants, legal entities under public law and special funds under public law, it is also agreed that the place of fulfillment and jurisdiction is Munich. Furthermore, Munich is always the place of jurisdiction if the buyer does not have a general place of jurisdiction in Germany.

12.4 The law of the Federal Republic of Germany applies to the legal relationship between the auctioneer and the bidder/buyer, excluding the United Nations Convention on Contracts for the International Sale of Goods (CISG).

12.5 Dispute Resolution:

The provider is neither legally obliged nor voluntarily to join a dispute resolution (e. g. Art. 36 Para. 1 `Verbraucherstreitbeilegungsgesetz (Consumer Dispute Settlement Act, VS8G) before a consumer arbitration board and is therefore not willing to participate in such a resolution.

12.6 Should one or more provisions of these terms of auction be or become invalid, the validity of the remaining provisions shall remain unaffected. Section 306 paragraph 2 of the German Civil Code applies.

12.7 These auction conditions contain a German and an English version. The German version is always decisive, whereby the meaning and interpretation of the terms used in these auction conditions are exclusively dependent on German law.

Ketterer Kunst GmbH & Co. KG Munich

Scope:

The following data privacy rules address how your personal data is handled and processed for the services that we offer, for instance when you contact us initially, or where you communicate such data to us when logging in to take advantage of our further services.

Data controller:

The „data controller“ within the meaning of the European General Data Protection Regulation* (GDPR) and other regulations relevant to data privacy are:

Ketterer Kunst GmbH & Co. KG,

Joseph-Wild-Str. 18, D-81829 Munich

You can reach us by mail at the addresses above, or

by phone: +49 89 55 244-0

by fax: +49 89 55 244-166

by email: infomuenchen@kettererkunst.de

Definitions under the European GDPR made transparent for you:

Personal Data

Personal data is any information relating to an identified or identifiable natural person (hereinafter „data subject“). An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.

Processing of Your Personal Data

“Processing” means any operation or set of operations performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.

Consent

“Consent” of the data subject means any freely given, specific, informed, and unambiguous indication of the data subject’s wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

We also need this from you – whereby this is granted by you completely voluntarily – in the event that either we ask you for personal data that is not required for the performance of a contract or to take action prior to contract formation, and/or where the lawfulness criteria set out in Art. 6 (1) sentence 1, letters c) - f) of the GDPR would otherwise not be met.

In the event consent is required, we will request this from you **separately**. If you do not grant the consent, we absolutely will not process such data.

Personal data that you provide to us for purposes of performance of a contract or to take action prior to contract formation and which is required for such purposes and processed by us accordingly includes, for example:

- Your contact details, such as name, address, phone, fax, e-mail, tax ID, etc., as well as financial information such as credit card or bank account details if required for transactions of a financial nature;
- Shipping and invoice details, information on what type of taxation you are requesting (regular taxation or differential taxation) and other information you provide for the purchase, offer, or other services provided by us or for the shipping of an item;
- Transaction data based on your aforementioned activities;

- other information that we may request from you, for example, in order to perform authentication as required for proper contract fulfillment (examples: copy of your ID, commercial register excerpt, invoice copy, response to additional questions in order to be able to verify your identity or the ownership status of an item offered by you). In some cases we are legally obligated to this, cf. § 2 section 1 subsection 16 GwG (Money Laundering Act) and this is the case before closing the contract.

At the same time, we have the right in connection with contract fulfillment and for purposes of taking appropriate actions that lead to contract formation to obtain supplemental information from third parties (for example: if you assume obligations to us, we generally have the right to have your creditworthiness verified by a credit reporting agency within the limits allowed by law. Such necessity exists in particular due to the special characteristics of auction sales, since in the event your bid is declared the winning

bid, you will be depriving the next highest bidder of the possibility of purchasing the artwork. Therefore your credit standing – regarding which we always maintain the strictest confidentiality – is extremely important.)

Registration/Logging in/Providing personal data when contacting us

You can choose to register with us and provide your personal data either directly (over the phone, through the mail, via e-mail, or by fax) or on our website. You would do this, for example, if you would like to participate in an online auction and/or are interested in certain works of art, artists, styles, eras, etc., or want to offer us (for example) pieces of art for purchase or sale.

Which personal data you will be providing to us is determined based on the respective input screen that we use for the registration or for your inquiries, or the information that we will be requesting from you or that you will be providing voluntarily. The personal data that you enter or provide for this purpose is collected and stored solely for internal use by us and for our own purposes.

We have the right to arrange for this information to be disclosed to one or more external data processors, which will likewise use it solely for internal use imputed to the processor’s data controller.

When you show an interest in certain works of art, artists, styles, eras, etc., be this through your above-mentioned participation at registration, through your interest in selling, consignment for auction, or purchase, in each case accompanied by the voluntary provision of your personal data, this simultaneously allows us to notify you of services offered by our auction house and our company that are closely associated in the art marketplace with our auction house, to provide you with targeted marketing materials, and to send you promotional offers on the basis of your profile by phone, fax, mail, or e-mail. If there is a specific form of notification that you prefer, we will be happy to arrange to meet your needs once inform us of these. On the basis of your aforementioned interests, including your participation in auctions, we will be continually reviewing in accordance with Article 6 (1) (f) of the GDPR whether we are permitted to advertise to you and, if so, what kind of advertising may be used for this purpose (for example: sending auction catalogs, providing information on special events, future or past auctions, etc.).

You have the right to object to this contact with you at any time as stated in Art. 21 of the GDPR (see below: “Your Rights Relating to the Processing of Your Personal Data”).

Live Auctions

In so-called live auctions, one or more cameras or other audio and video recording devices are directed toward the auctioneer and the respective works of art being offered at auction. Generally, such data can be received simultaneously via the Internet by anyone using this medium. Ketterer Kunst takes the strongest precautions to ensure that no one in the room who has not been specifically designated by Ketterer Kunst to be on camera with their consent for the auction process is captured on camera. Nevertheless, Ketterer Kunst cannot assume any responsibility for whether individuals in the auction hall themselves actively enter the respective frame, for example by deliberately or unknowingly stepping partially or completely in front of the respective camera, or by

moving through the scene. In such situation, through their participation in or attendance at the public auction, the respective individuals involved are agreeing to the processing of their personal data in the form of their personal image for the purposes of the live auction (transmission of the auction via audio and video).

Your Rights Relating to the Processing of Your Personal Data

Pursuant to the provisions of the GDPR, you have the following rights in particular:

- The right to information on stored personal data concerning yourself, free of charge, the right to receive a copy of this information, and the other rights in this connection as stated in Art. 15 of the GDPR.
- The right to immediate rectification of inaccurate personal data concerning you as stated in Art. 16 of the GDPR, and as applicable, to demand the completion of incomplete personal data, including by means of providing a supplementary statement.
- The right to immediate deletion (“right to be forgotten”) of personal data concerning yourself provided one of the grounds stated in Art. 17 of the GDPR applies and provided the processing is not necessary.
- The right to restriction of processing if one of the conditions in Art. 18 (1) of the GDPR has been met.
- The right to data portability if the conditions in Art. 20 of the GDPR have been met.
- The right to object, at any time, to the processing of personal data concerning yourself performed based on Art. 6 (1) letter e) or f) of the GDPR as stated in Art. 21 for reasons arising due to

your particular situation. This also applies to any profiling based on these processes.

Where the processing of your personal data is based on consent as set out in Art. 6 (1) a) or Art. 9 (2) a) of the GDPR, you also have the right to withdraw consent as set out in Art. 7 (3) of the GDPR. Before any request for corresponding consent, we will always advise you of your right to withdraw consent.

To exercise the aforementioned rights, you can us directly using the contact information stated at the beginning, or contact our data protection officer. Furthermore, Directive 2002/58/EC notwithstanding, you are always free in connection with the use of information society services to exercise your right to object by means of automated processes for which technical specifications are applied.

Right to Complain Under Art. 77 of the GDPR

If you believe that the processing of personal data concerning yourself by Ketterer Kunst GmbH & Co. KG, headquartered in Munich, is in violation of the GDPR, you have the right to lodge a complaint with the relevant office, e.g. in Bavaria with the Data Protection Authority of Bavaria (Bayerische Landesamt für Datenschutzaufsicht, Bay(LDA), Promenade 27 (Schloss), D-91522 Ansbach.

Data Security

Strong IT security – through the use of an elaborate security architecture, among other things – is especially important to us.

How Long We Store Data

Multiple storage periods and obligations to archive data have been stipulated in various pieces of legislation; for example, there is a 10-year archiving period (Sec. 147 (2) in conjunction with (1) nos. 1, 4, and 4a of the German Tax Code (Abgabenordnung), Sec. 14b (1) of the German VAT Act (Umsatzsteuergesetz)) for certain kinds of business documents such as invoices. We would like to draw your attention to the fact that in the case of contracts, the archiving period does not start until the end of the contract term. We would also like to advise you that in the case of cultural property, we are obligated pursuant to Sec. 45 in conjunction with Sec. 42 of the German Cultural Property Protection Act (Kulturgutschutzgesetz) to record proof of meeting our due diligence requirements and will retain certain personal data for this purpose for a period of 30 years. Once the periods prescribed by law or necessary to pursue or defend against claims (e.g., statutes of limitations) have expired, the corresponding data is routinely deleted. Data not subject to storage periods and obligations is deleted once the storage of such data is no longer required for the performance of activities and satisfaction of duties under the contract. If you do not have a contractual relationship with us but have shared your personal data with us, for example because you would like to obtain information about our services or you are interested in the purchase or sale of a work of art, we take the liberty of assuming that you would like to remain in contact with us, and that we may thus process the personal data provided to us in this context until such time as you object to this on the basis of your aforementioned rights under the GDPR, withdraw your consent, or exercise your right to erasure or data transmission.

Please note that in the event that you utilize our online services, our expanded data privacy policy applies supplementally in this regard, which will be indicated to you separately in such case and explained in a transparent manner as soon as you utilize such services.

*Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation

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INFO

Glossary

- Signed** and/or **dated** and/or **titled** and/or **inscribed**, is what we believe to be the artist's handwritten information.
- Hand-written** means all the information that, in our opinion, does not undoubtedly come from the artist himself.
- R/D:** This object is offered with regular or differential taxation.
- R/N:** This object was imported into the EU for sale. It is offered subject to regular taxation. Or subject to differential taxation with the additional import sales tax of currently 7% of the invoice amount.
- R:** This object is offered subject to regular taxation at a tax rate of 19 %.
- R*:** This object is offered subject to regular taxation at a tax rate of 7 %.
- F:** For works by artists who died less than 70 years ago, there is a resale right royalty, ranging from 4 % to 0.25 % of the hammer, see 5.5 Terms and Conditions. The resale right fee is exempt from sales tax.
- The artnet Price Database has included auction results since 1985 and, according to the company, currently includes auction results from over 700 international auction houses.

Results

Results available from December 12, 2022, 9 am on +49 (0)89 55244-0.

For the export of works of art from the European Union, the Cultural Protection Agreement of 1993 and the UNESCO Convention from 1975 must be observed.

Owner's list 532

1: 313; 2: 361; 3: 324; 4: 357; 5: 303; 6: 362; 7: 341; 8: 312; 9: 322, 347, 348; 10: 300; 11: 315, 326, 327, 328, 329, 330, 331, 332, 333; 12: 304; 13: 316, 317, 318, 319, 321, 323; 14: 301, 310, 353, 354, 358, 359, 360; 15: 350; 16: 336; 17: 335; 18: 334; 19: 339; 20: 346; 21: 349; 22: 337; 23: 351, 352, 363; 24: 344, 355, 356; 25: 340; 26: 307, 308, 311; 27: 302, 305, 306, 309, 314; 28: 320; 29: 342, 343; 30: 345; 31: 325; 32: 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395; 33: 338

Find more on www.kettererkunst.com

- Condition reports: high-resolution photos including the fronts and backs of all works, more images of, e.g. the frames etc.
- Videos on selected sculptures
- Bid live on www.kettererkunst.com
- Register to get more information about the artists
- Register to get more information about the auctions



Ketterer Kunst ist Partner von The Art Loss Register. Sämtliche Objekte in diesem Katalog wurden, sofern sie eindeutig identifizierbar sind, vor der Versteigerung mit dem Datenbankbestand des Registers individuell abgeglichen.

Ketterer Kunst is a partner of the Art Loss Register. All objects in this catalogue, as far as they are uniquely identifiable, have been checked against the database of the Register prior to the auction.

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Follow us on **Instagram** for exclusive peeks behind the scenes.

Collection Consulting

For Private Collectors

You have compiled a private art collection over the past couple of years – and now you face the decision to see what direction it should take?

Ketterer Kunst is at your side in all matters regarding a possible reorientation of your collection: Does it make sense to scale down? Is it advisable to sell the collection or to give it to a foundation? Depending on the focus of your collection, a combination of different measures can also make sense, for instance a stronger focus on single areas while selling other parts of the collection.

Our consultation talk is absolutely free and non binding. As part of the following expert advice (analysis and valuation, outlining potential strategies and their respective implementation) we will prepare a custom-made offer.

Corporate Collections

Your company is in possession of an art collection and you are considering changes?

There are many good reasons why a corporate collection should be adapted to meet the company's latest developments. In an ideal case, a collection reflects corporate identity, takes the respective industry, as well as the product portfolio and the regional or international business areas into account. This general set up can be affected by, for instance, a reorganization of the company, new management level, expansions of the business segments, but also by an altered regional disposition. If these changes apply, it is recommendable to revise the corporate collection and to adapt it, both in terms of range and value.

Ketterer Kunst is happy to help you redirect your corporate collection. In order to express the character of your company, we can outline the potential directions your collection should take in a first free and non binding consultation.

Based on this talk, we will prepare an individual offer that allows for your corporate collection's needs.

Convenient, safe, discreet – selling through Ketterer Kunst

Auction

Our team of experts will identify the perfect auction for your work of art – whether it's the classic saleroom auction or the internet auctions with maximum reach. The right pricing strategy, paired with a sophisticated international marketing concept, will lead to the successful sale of your work of art.

Private Sale

You can sell and buy art from us at any time – even outside the auctions. If you are looking for a discreet transaction, we are just the right contact. With our global network of collectors we can fetch the maximum price for your work. We present it to select private and institutional potential buyers at a previously agreed price. If you are looking for public reach, we offer you a marketing through our homepage to address collectors worldwide, just like in an auction. Talk to us, because every work of art is just as unique as its sale.



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Get in touch with us for a personal offer:

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phone +49 (0)89 552440
kettererkunst.com/sell

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533 Modern Art Day Sale (Saturday, December 10, 2022)

534 Contemporary Art Day Sale (Friday, December 9, 2022)

535 Evening Sale (Friday, Dezember 9, 2022)

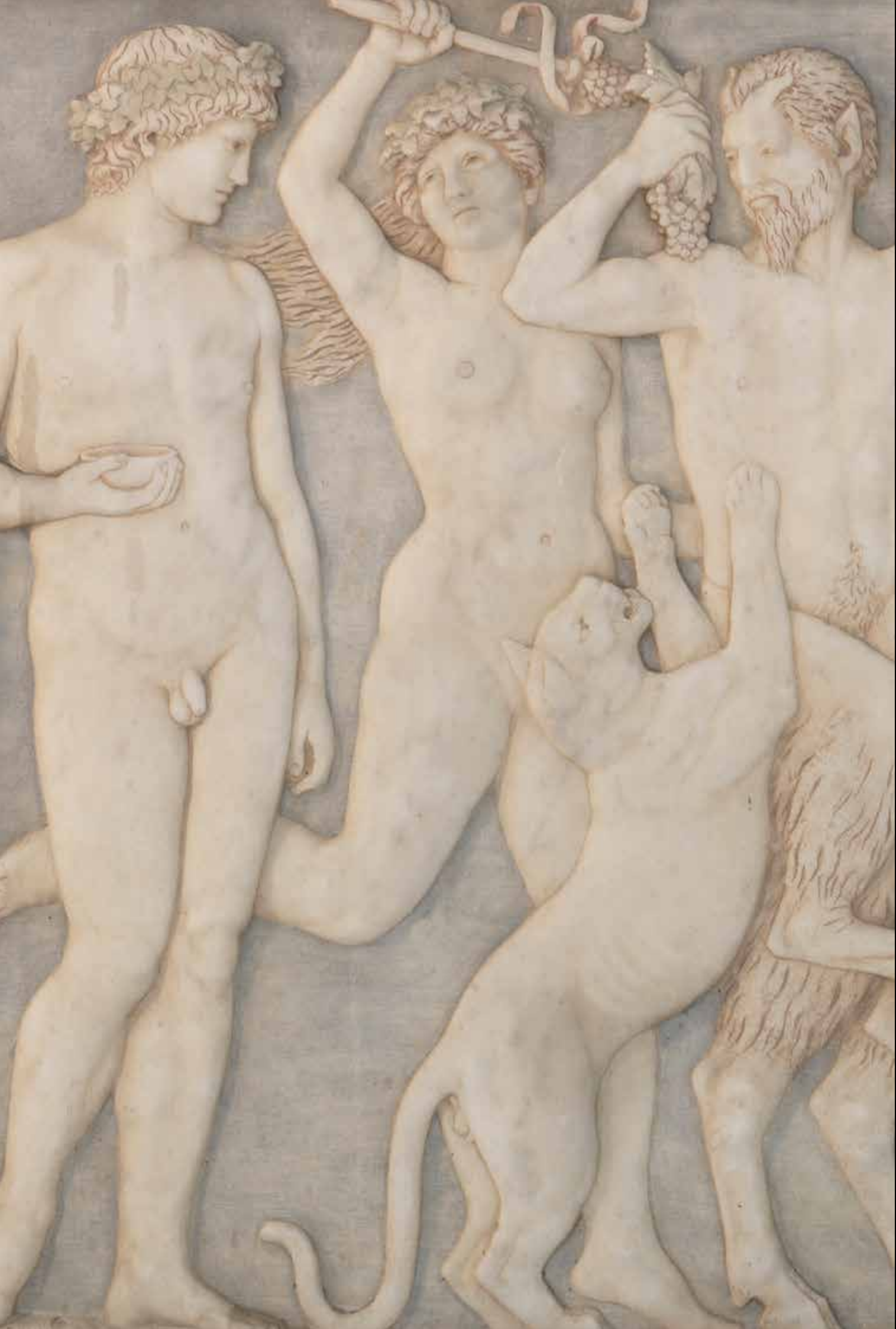
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