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Professional Looter. On the looting activity of Pieter Nicolaas Menten (1899–1987)

Grabieżca ze znakiem Q. O rabunkowej działalności Pietera Nicolaasa Mentena (1899–1987)

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Predator

The Looting Activity of Pieter Nicolaas Menten (1899–1987)[1]

On 22 May 1976 *De Telegraaf*, a popular Dutch daily, printed Wim van Geffen's favorable article about one of the wealthiest Dutchmen, owner of a private art collection, not accessible to the general public. This article announced the auction of 450 paintings and various objets d'art, scheduled for June that year at Sotheby's Mak van Waay in Amsterdam.[2]

But the auction did not take place because Henriette Boas, a Dutch correspondent of *Haaretz*, an Israeli daily, immediately informed her colleague in Tel Aviv, Haviv Kanaan, about van Geffen's article.[3]

That was the beginning of one of the most spectacular court cases in the history of the Netherlands connected with the Holocaust. The legal process, reported on by a number of Dutch and foreign media, was like a sensational

[1] This study is based mainly on 23 volumes of files entitled "Peter Nicolaas Menten. Zbrodnie w Podhorodcach i Uryczu" [Peter Nicolaas Menten. Crimes in Podhorodce and Urycz] stored in the Archive of the Institute of National Remembrance (*Archiwum Instytutu Pamięci Narodowej*, AIPN) in Warsaw. They regard the criminal proceedings against Menten conducted by the Main Commission for the Investigation of Nazi Crimes in Poland (*Główna Komisja Badania Zbrodni Hitlerowskich w Polsce*, GKBZHwP) during 1976–1980. The files consist of materials of the investigation conducted by Public Prosecutor Wacław Szulc during 1976–1980, the files of investigation No. I.G. 338/50 conducted by a prosecuting attorney of the Appellate Court in Cracow, which preceded the 1950 motion for Menten's extradition to Poland, and the extensive procedural materials from Holland obtained by the GKBZHwP during 1977–1980. Menten's looting of works of art in the General Government during 1940–1943 constituted one of the focal points only of the Polish investigation, while the Dutch one focused on the massacres in Podhorodce and Urycz. Consequently, Dutch archives and publications about Menten are of secondary importance with regard to his looting activity.

[2] Kunstveilingen Sotheby Mak Van Waay, *Catalogus 263* (Amsterdam, 21 June 1976).

[3] Most of the information on the circumstances which led to Menten's trial in 1977 is based on: Hans Knoop, *The Menten Affair* (New York: Macmillan Publishing, 1978); Malcolm MacPherson, *The Last Victim. One Man's Search for Pieter Menten, His Family's Friend and Executioner* (London: Weidenfeld and Nicolson, 1984).

political thriller and even led to a government crisis in Holland.[4] At its center was Pieter Nicolaas Menten, the collector profiled by Van Geffen, who until then had avoided any publicity.

He was accused of the mass murder, committed in summer 1941, of the Jewish inhabitants of two villages in Eastern Galicia – at that time the District Galizien of the Generalgouvernement (GG) – Podhorodce and Urycz.

During an investigation concerning Menten's involvement in that crime and his later trial his looting of works of art in the Generalgouvernement, particularly in Kraków and Lvov in the period 1940–1942, came to light. Despite Menten's crime in Podhorodce and Urycz, his activity in this field, conducted on a large scale and using various methods was never properly examined.

Three Types of Art Looting

Unprecedented in scale and execution, the Nazi looting of works of art and cultural objects is usually divided into institutionalized and unauthorized. This dichotomy ignores an important segment of looting which could be called 'specialized' or 'professionalized'.[5]

Institutionalized Nazi looting had an organized and often (semi-)legalized character. Defined as appropriation by law, seizure, securing, confiscation, or forfeiture of property, it was conducted by organizations, specifically created for this purpose, or by state agencies and institutions, authorized military or police forces, or appropriate units of civil administration. Its activities were governed by rules and regulations (also *ex post*) or orders (also confidential). The cultural assets looted in this manner were to become the property of the German Reich, its various branches, or they were sold and the money was deposited in the Treasury. That category of looting encompassed cultural assets confiscated from Jewish collectors, institutions, and organizations, as well as from other 'internal and external enemies' both in the Reich and in the occupied territories. In Poland the official looting was conducted, for example, by SS-Kommando Paulsen, the Office of the Plenipotentiary for Securing Works of Art in the General Government (*Sonderbeauftragter für die Erfassung und Sicherstellung der Kunst und Kulturschätze Polens*), led by Kajetan Mühlmann, and in the territories incorporated into the Reich by the Office of the Plenipotentiary General

[4] Reports on Menten's trials were also published in the Polish press as, for instance, the report written by Jan Sierzputowski, correspondent of the Polish Press Agency and that by Henryk Tycner, correspondent of the agency 'Interpress'. In 1978, in its series on the 20th century sensations, the publishing house of the Ministry of National Defense published Zygmunt Zonik's *Pożar w Blaricum* (*A Fire in Blaricum*), which was mostly devoted to Menten's trial.

[5] More about this topic see Nawojka Cieślińska-Lobkowicz, "Wer, was, woher, wohin. – Geographie des NS-Kunstraubs in Polen und verschiedene Ausfuhrwege der koniszierten Kulturgüter," in *NS-Raubgut in Museen, Bibliotheken und Archiven. Viertes Hannoversches Symposium*, ed. Regine Dehnel (Frankfurt am Main: Vittorio Klostermann, 2012), pp. 175–193.

for Securing German Cultural Assets (*Generaltreuhänder zur Sicherstellung deutschen Kulturguts in den eingegliederten Ostgebieten*), established by Heinrich Himmler. Within the framework of the 'final solution of the Jewish question' there were special units acting under SS and Gestapo command or set up by German ghetto administration in charge of segregation, evaluation and 'utilization' (*Verwertung*) of Jewish property, including objects of cultural value.

However, unauthorized looting happened outside these organizations, using the countless opportunities that presented themselves under the Nazi rule and occupation. It was practiced by unauthorized 'Aryanizers' after the annexation of Austria in March 1938 and several months later by participants of the *Kristallnacht* pogrom. There were cases of theft and extortion conducted by Wehrmacht soldiers, party functionaries, members of various police forces, employees of the Nazi administration as well as all types of collaborators and occasional beneficiaries. This type of looting, often closely connected with corruption, was characterized by illegalities, even within the framework of the Nazi regulations. Typical of this was a high degree of randomness as far as the quality of the looted objects was concerned: what counted were their actual or supposed material value and, possibly, the plunderer's individual preferences. Stolen objects obtained by such means, usually ended up in private possession. In occupied Poland the losses as a result of unauthorized plunder were certainly no less than those that happened as a result of the institutionalized Nazi looting.

The third category that I suggest – 'specialized looting' – has a syncretic character. Central to this, is the competence and skill of the looter, usually an individual or someone acting with an individual recipient or purchaser of the looted objects in mind. Of course, such experts were often a part of the institutionalized looting apparatus sanctioned by the state. They often kept some of the loot as payment or, illicitly, in their own hands. This group of robbers and their helpers includes art dealers at the service of the Third Reich, Nazi collectors and experts employed by them, German and Austrian museologists who used that opportunity to enlarge collections, etc. Among them was numbered, for example, Kajetan Mühlmann, who – inter alia – as a middleman delivered works of art to the private collections of Hermann Göring and other Nazi 'big fish'. But there was also Max Jacob Friedländer, a German Jew and eminent expert on the art of the Netherlands and, since 1939, a refugee in Amsterdam, who was Göring's adviser protected by the latter against persecution. There was also Hildebrand Gurlitt whose collection, in the possession of his son Cornelius in Munich, as was revealed in 2013, became the subject of an international scandal.[6]

The group of people engaged in the crime of specialized looting conducted between 1933–1945 was large and diverse. What they had in common was their knowledge of what was worth stealing, and how and where to find the desired

[6] Munich Art Trove, http://www.lostart.de/Webs/EN/Datenbank/KunstfundMuenchen.html, access 15 March 2015.

objects. This often included the odd personal contact or ally, turning a blind eye within the community, and a kind of solidarity based on agreed deals and profits, which bypassed regulations and bans. In recent years the methods and scope of such activity in the German Reich and Nazi-occupied Western Europe have become the subject of numerous studies.[7] This is the result of the growing interest in Nazi looted art since the late 1990s, its restitution and provenance research.

In Poland most interest is paid to the history of institutionalized Nazi looting of works of art and documentation of cultural war losses, limited mostly to pre-war public collections. There is practically no research available on unofficial German plundering in occupied Poland, not to mention the 'professionalized' ones.

This makes Pieter Menten's case in the General Government until the end of January 1943 and later in Holland all the more important.

Until the Outbreak of War in 1939

Pieter Nicolaas Menten was born in 1899 in Rotterdam. His father Jan Hubert Menten ran the Menten & Stark company, which traded scrap paper and recyclable materials.[8] In the early 1920s, after his commercial apprenticeship, Menten Junior became the company's representative in Gdańsk. He registered its branches in Warsaw, Lvov and Rovne. Accused of fraudulent trade practices and in danger of bankruptcy, he moved to Lvov. Even there he could not avoid a brief spell in custody in 1924 on account of those charges. He was then active in various branches of trade and businesses from wood export to food and oil industry.

In the 1930s Menten was already a wealthy man, an owner of a lavishly furnished apartment in Lvov. He was particularly interested in purchasing Dutch and Flemish paintings and oriental rugs.[9] Together with his wife, Elizabeth, they moved in the Lvov milieu of intelligentsia and land owners, in which the elegant Dutchman and his attractive wife were warmly welcomed. With some families they had been close friends; for instance, Elizabeth became godmother to the

[7] See the list of publications complied by the Commission for Looted Art in Europe, http://www.lootedart.com/publications, access 15 March 2015.

[8] Wherever facts from Menten's biography can be found in various sources and studies, I do not include footnotes. Based on such materials, Menten's short biography on German Wikipedia is regarded as exemplary.

[9] Archiwum Instytutu Pamięci Narodowej [Archive of the Institute of National Remembrance] (later: AIPN), 01255/253 (mf 4037/3, file 9), Protokół przesłuchania Tadeusza Wierzejskiego z 20 (28?) I 1948 r. [typescript of Tadeusz Wierzejski's interrogation on 20 (28?) January 1948].

grandson of a well-known professor of medicine in Lvov Romuald Węgłowski.[10]

The Mentens, who did not have children, were on particularly intimate terms with the large family of Pieter's business partner, Izaak Pistyner. They became frequent guests at the Pistyners' estate in Podhorodce near Stryj, approximately a hundred kilometers south-east of Lvov. Then, probably in 1934, when Menten bought 'Sopot', a relatively large forest estate from or via Pistyner, the two families became each other's closest neighbors. Pieter enlarged the manor house and spent more and more time at 'Sopot' in the years immediately before the war. He used to organize hunts, which were often attended by guests from abroad. It was then that Pistyner's adolescent nephew, Lejb (Lieber) Krumholz won Menten over. The boy called him 'uncle'. Their close bond was not harmed even by the Dutchman's increasing disputes with Pistyner, which ended in a long and fierce court battle. In keeping with a promise given before his departure to Palestine, Lejb sent a postcard to Menten when he arrived there in late 1935. Soon after that he changed his name to a Hebrew one: Haviv Kanaan.[11]

Purchase of land required Polish citizenship, but it remains unknown when exactly the Mentens gave up their Dutch passports. They certainly understood and spoke the Polish language, with Elizabeth being more fluent. Several years before purchasing the 'Sopot' estate, Menten called an insurance company to estimate the value of his movable property in Lvov, particularly works of art and craft.[12] The appraiser was Tadeusz Wierzejski, who owned the 'Lamus' antique art store, whose frequent guest and client Menten later became. Wierzejski soon introduced Menten to his friend and partner in business, Józef Stieglitz, who with his father, Abraham, ran an prestigious antique art store (*Salon Antyków Abraham Stieglitz*) on the Kraków Market Square.

Soon after Wierzejski's aforementioned visit to the Mentens' apartment in Lvov, the apartment burned down and the insurance company had to pay a handsome compensation to the owners, even though some of the objects purportedly destroyed in the fire later decorated the walls of the Menten's country manor. In 1937 there was a fire at 'Sopot' as well, but a statement of Aleksander Nowicki, the estate manager, significantly reduced the compensation expected by the owner.[13]

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[10] A reference to a grandson of Professor Romuald Węgłowski, who operated Menten and whose family was friends with the Mentens (AIPN, 01255/253/J [mf 4037/331, file. 9], Notatka służbowa z 30 XII 1976 r. [tajna] z rozmowy z Romualdem Schildem [(confidential) memo of 30 December 1976 concerning a conversation with Romuald Schild).

[11] MacPherson, *The Last Victim. One Man's Search for Pieter Menten…*, pp. 49 and 55.

[12] AIPN, 01255/253 (mf 4037/3, file 9), Protokół przesłuchania Tadeusza Wierzejskiego z 20 (28?) I 1948 r. [typescript of Tadeusz Wierzejski's interrogation on 20 (28?) January 1948].

[13] On page 6 of the catalogue of the 1976 auction at Sotheby Mak van Waay, which eventually did not take place (see footnote 2), one can read that the works of art kept in Sopot near Stryj burned down, while the Lvov ones were transported to Berchtesgaden (*sic*!).

In the Capital of the General Government

Suspected of pro-German and pro-Ukrainian sympathies, with the outbreak of the war, Menten was for a short while imprisoned in Stryj.[14] Released after the capture of the Stryj prison by Ukrainian nationalists, he returned to Lvov with his wife and mother shortly after the Soviet takeover of power on 23 September 1939.[15] In November or December 1939 he visited Wierzejski in his apartment, where by chance he met the Jewish art dealer Józef Stieglitz who was staying there after fleeing from Kraków. Menten asked Wierzejski to confirm in the presence of the Dutch consul the list of works of art and other valuable objects that he'd lost in Sopot and Lvov.[16] At that time, he "once again [*sic*!] had a Dutch passport for himself and his wife and he was due to leave with the entire staff of the Dutch consulate."[17] Despite doubts about the Mentens' citizenship, Jacob Jan Broen, the Consul of the Kingdom of the Netherlands in Lvov, decided to issue them with passports 'for humanitarian reasons'. With the help of the Resettlement Commission in Lvov, the Mentens managed to salvage Elizabeth's jewelry and a hundred thousand zlotys.[18] As the Dutch citizens returning to their homeland had to stop in the capital of the General Government to obtain further travel documents, Stieglitz asked Menten to "deliver a letter to his brother Jakub, who had remained in Kraków and continued to run the antique art store."[19]

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[14] Menten was probably suspected of being a German spy. He was purportedly denounced by his estate manager Nowicki and, according to certain witnesses from Podhorodce, that was the reason for Menten's later revenge. In 1977, at the beginning of the trial, Menten claimed that in 1939 he had served as a Polish soldier in the Fourteenth Cavalry Regiment.

[15] A fragment of Menten's biography which he wrote in 1940 for the IHK: "Due to my friendly attitude to Germans and my National Socialist activity, on the day of the outbreak of the war, on 1 September 1939, I was arrested and interned in Stryj with my German [*volksdeutsche*] friends. When the German troops were nearing Stryj, we were released. The shift of the [border] demarcation line resulted in seizure of my entire estate and furnishings by Soviet institutions" (AIPN, 2188/496 [old number 5/76, file 14]).

[16] AIPN, 01255/253 (mf 4037/3, file 9), Protokół przesłuchania Tadeusza Wierzejskiego z 20 (28?) I 1948 r. [transcript of an interrogation of Tadeusz Wierzejski on 20 (28?) January 1948]. According to Wierzejski, it was on 9 December 1939, but the said proof of loss signed by Wierzejski is dated 2 November 1939 (AIPN, 2188/497 [old number 5/76, file 15], A.J. van der Leeuw, "Gutachtliche Äusserung zum Rückforderungsverfahren BRD P.N. Menten" [Expert opinion regarding restitution proceedings towards the FRG], Amsterdam, 17 January 1978 [later: Leeuw, Expert opinion]). However, it cannot be excluded that the list was antedated.

[17] AIPN, 01255/253 (mf 4037/3, file 9), Protokół przesłuchania Tadeusza Wierzejskiego z 20 (28?) I 1948 r. [typescript of Tadeusz Wierzejski's interrogation on 20 (28?) January 1948].

[18] Leeuw, Expert opinion, p. 36.

[19] Józef Stieglitz came to Wierzejski in Lvov on 7 September 1939. Stieglitz's wife, children, and father Abraham moved to Złoczów, from where they were deported into the interior of the USSR. His sister Gizela (Gitl) Wohl, her children, and her husband Artur stayed in Lvov, from where they went to Hungary in mid-1942 with help from Józef, who was already there.

When, in last days of December 1939, about a dozen Dutch men and women resettled from Lvov found themselves in Kraków, it occurred that the Mentens decided to stay. As early as January 1940 Menten joined the Kraków *Volksdeutsche Gemeinschaft*, asserting in writing his devotion "in word and deed to the German national community."[20] Presenting himself as a dedicated Nazi, he quickly established contacts with the German institutions in the General Government. He might, moreover, have personally known Heinrich Kurtz, a clerk for cultural affairs in the administration of the General Government, who in months preceding the outbreak of war was employed in the Reich's consulate in Lvov. Anyhow, within several months, on the recommendation of the Department of Public Education and Propaganda (*Abteilung Volksaufklärung und Propaganda*, VuP) and the Department of Economy (*Abteilung Wirtschaft*), Menten became an appointed administrator (*Treuhänder*) of four Jewish antique art stores in Kraków, beginning with Stieglitz's one at Rynek Główny No 24, the administration of which he took over in late March 1940. From June that year he also managed the antique stores of Samuel Katzner at Bracka Street 5 (Kassinogasse), Saul Horowitz at Wiślna Street 10 (Hauptstr. 23), and Samuel Schmaus at Floriańska Street 25.[21] One cannot exclude that due to Józef Stieglitz's trust that Menten had earned before leaving Lvov the takeover of those stores happened in silent cooperation with their Jewish owners, who continued to work there for a while.[22]

Menten soon also became a director (*Geschäftsführer*) of the Dutch 'Oryza' Company (a large rice pearling mill registered in Bieżanów near Kraków, practically closed during the period of occupation). He thereby replaced Joseas L. De Bruyn, who at the same time performed the duties of a Dutch honorary consul in Kraków and was forced to leave the city on the eve of the German invasion of Holland on 10 May 1940.

Moreover, Menten came into possession of a villa at Grottgera Street 12, which housed the company and consulate offices and the consul's apartment. He also took over a company car with a chauffeur, with the VuP issuing petrol, which was

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A lawyer by profession, Jakub Stieglitz remained with his family in Kraków and ran the antique art store at least until the closure of the Kraków ghetto.

[20] AIPN, 2188/502 (old number 5/76, file 27), Engineer Werner, L.S. Volksdeutsche Gemeinschaft – Main Division – Human Resources Office, copy dated 31 October 1940, signed: Sonderbeauftragte IHK Krakau Walter Kukacka: "On the occasion of his registration in the German Ethnic Community (VDG) on 25 January 1940."

[21] AIPN, 2188/497 (old number 5/76, file 15), TreuhandAussenstelle (signed: Boeheim), Vorschussgenehmigung [consent to advanced payment], [no date, before mid-1940].

[22] I agree with A.J. van der Leeuw from the Royal Institute for War Documentation, who points out that luckily for Menten his arrival in Kraków coincided with Frank's 24 January 1940 ordinance regarding compulsory registration of all Jewish property and introduction of restrictions on running Jewish companies. Their owners quickly began to seek ways of avoiding those persecutions (Leeuw, Expert opinion, pp. 37 and 40).

in short supply, for his "necessary inspections" of his subordinate companies in Kraków and its vicinity.[23] Menten also visited Warsaw, perhaps looking for access to works of art confiscated by Germans from private collections.[24]

After 30 September 1940, by order of the VuP, Menten undertook the liquidation of 27 Jewish antiquarian bookstores and libraries in Kraków. On Szpitalna Street alone, which was the antiquarian heart of Kraków, he liquidated eight antiquarian stores known under their owners' names: Stefan and Salomea Littmann (Szpitalna Street No 1), Diamand (No 3), Spinngarn & Schluessel (No 4), Maria Gesang (No 7), B. Taffet (No 9), Doctor Leopold Wettstein (No 20–22), Szaja Taffet (No 20–22), and Moses Raucher (No 28).[25] All 27 collections of books were disposed as waste paper with the exception of Berta Frister's *Biblioteka Europejska* (European Library) at Grodzka (Burgstr. No 33), where the books which were hidden behind the bookcases were burned on the spot by the Dutchman's orders.[26] Menten transferred some of the useable furnishings and other items to the VuP, but, as can be read in his report for the Trust Office (*Treuhandstelle*):

> I have been unable to find buyers for some of the small objects found in some of the antiquarian bookstores (list in the attachment [no attachment]) and I doubt that I shall be able to sell them [*veräussern*]. For the time being, they are in a storehouse of the company A. Stieglitz Kunsthandlung, Krakau, Adolf Hitler Pl. 24, whose appointed administrator I am, where they are at the disposal of the Trust Office at any time.[27]

In November 1940, Menten topped his first busy year in the General Government by being sworn in as an art appraiser (*Sachverständiger für Kunstgegenstände*) to the Kraków Chamber of Industry and Trade (*Industrie*

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[23] AIPN, 2188/504 (old number 5/76, file 11), Office of the Governor General, Department of Public Education and Propaganda, Kraków, 18 June 1940 (signed: Kurtz), copy.

[24] Menten's visits to occupied Warsaw and contacts with the local German authorities find confirmation in several sources, for instance, in Stieglitz's correspondence with Wierzejski of November 1941 (AIPN, 01255/253/J [mf 4037/329, file 8]).

[25] AIPN, 2188/497 (old number 5/76, file 15), Bericht über die Liquidation jüdischer Buchhandlugen, Bibliotheken und Antiquariate [report on the liquidation of Jewish bookstores, libraries, and antiquarian bookstores], signed by Menten. The date 30 September 1940 was given by Leeuw (Expert opinion, p. 40 and attachments, pp. 104–107).

Aside from the antiquarian bookstores on Szpitalna Street, the liquidation affected the following lending libraries: Józef Lipner's 'Kultura' at Św. Tomasza Street 26; Gizela Kaufer's 'Współczesna' at Sebastiana Street 23, Estera Erenreich's 'Biblioteka Centralna' at Dietla Street 60; Kuchla Ch. Siegman's 'Oświata' at Dietla Street 41; Rosa Goldberger's 'Logos' at Krakowska Street 21; Jakob Klinger's 'Beletrystyka' at Kalwaryjska Street 21; Maryla Klinger's 'Muza' at Rakowicka Street 14; Lea Steiner's bookstore and lending library at Brzozowa Street 7; Juda Bernstein's bookstore 'Hebrajska Księgarnia' at Krakowska Street 12; Joela Neumann's bookstore at Stradom Street 13, and Juda Taffet's bookstore at św. Marka Street 20.

[26] Leeuw, Expert opinion, p. 106.

[27] Ibidem, p. 107.

und Handelskammer, IHK).[28] "As an art expert, he frequently went to Wawel [Castle] and was a frequent guest in the Governor's residence located there. He often boasted about that."[29] More discreet was his commencement of unpaid cooperation with the Security Service of the Reichsführer-SS (*Sicherheitsdienst des Reichsführers SS*, SD) in September of that year. He established particularly close contacts with Karl Eberhardt Schöngarth, who in January 1941 became the Commander of the Security Police and Security Service (*Befehlshaber der Sicherheitspolizei und des SD*, BdS) in the General Government, and with other officers from his staff.[30]

In the memories of Kraków witnesses prior to the German invasion of the Soviet Union in June 1941, Menten appears as an elegant and wealthy foreigner. He is often called a Dutch consul. Despite his contacts with high-ranking Nazi functionaries of the occupation government and of the police, he was polite, even amiable, in his relations with Poles. He does business with them, which is facilitated by his freedom of movement in the General Government. Although he speaks broken Polish, he likes to speak Polish with the few Poles he employs in the antique stores and 'Oryza'. And, what was particularly important at that time, he is on occasion willing to help his Polish acquaintances.

Menten treats his Jewish employees in the antique art stores (also one in 'Oryza') humanely and promises them and their families protection in case of mortal danger. Initially they can leave the ghetto, established in Kraków in March 1941. From time to time he even allows them to buy valuable objects, especially Judaica, and to keep them hidden in his shop's storage.

A testimony given by Eugenia Byczkowska, née Bauer, a sister-in-law of Saul Horowitz, the owner of the antique store on Wiślna Street, reveals what Menten's protection consisted of in reality:

> My sister [Eleonora] Horowitz said that Menten had promised to protect them, that they could stay in the ghetto untroubled, and that he would help them in case of an arrest. My sister believed Menten's promise. I tried to convince her to leave the ghetto, but she was so certain that Menten

[28] There is a surviving letter from Doctor Kurtz from the Department of Public Education and Propaganda of the General Government to the IHK's special plenipotentiary, Walter Kukacki, of 1 October 1940, where he writes: "in my opinion, Menten's appointment as an expert is urgent. I think that Mr. Peter Menten knows the Polish art market so well that he is the only right person for the job" (AIPN, 2188/497 [old number 5/76, file 15]).

[29] AIPN, 2188/484 (old number 5/76, t. 1), Oświadczenie Jana Garbienia [Jan Garbień's statement], January 1977.

[30] A fragment of Menten's servile letter, probably written at the beginning of the Kraków investigation in the second half of 1942: "Although I am not a party member or an SS-man, I am an enthusiastic and pronounced advocate of the Führer [*begeisteter und ausgesprochener Anhänger*] and his ideas and plans. Both before and after the war I was always at the unconditional disposal of the movement [*Bewegung*] as an honorary co-worker [*Ehrenamtlicher Mitarbeiter*]" (AIPN, 2188/ 499 [old number 5/76, file 18]).

> would help them that the Horowitzes remained in the ghetto despite my and the family's pleading.[31]

Byczkowska did not believe the Dutchman's assertions because earlier, as soon as the Horowitzes with their children were locked in the Kraków ghetto, she went to Menten's villa at Grottgera Street 12 to ask for intervention. "Menten received me kindly but said he could not intervene with regard to the Horowitzes and my sister Franciszka Patatow, who was in the ghetto at that time."[32] The Horowitzes and Franciszka Patatow died in the gas chambers in Bełżec.

Return to Lvov

In late June 1941, as an official SS employee (*SS Angestellte*) with a right to wear a uniform of a SS-Hauptscharführer (the equivalent of master sergeant), Menten became a translator and expert on the local area to the special SS death squad (*Einsatzgruppe zur besonderen Verwendung*, EGzbV) which was commanded by Schöngarth and had been established on the eve of the German invasion of the Soviet Union.[33] Already in the spring of that year, Menten was unable to conceal his enthusiasm, dreaming of his swift return to Lvov and his 'Sopot' estate. One day, being in "particularly good spirits, cordial, and under [the influence of] alcohol," he announced in the presence of 17-year-old Jan Garbień (an office assistant at 'Oryza' and son of Doctor Albin Garbień, Menten's wife gynecologist in Lvov), that in June he would be "at his estate in Podhorodce because that was when the war against the Bolsheviks would begin. He swore that he would be there and "deal with these Bolsheviks and Jews."[34] Garbień's testimony of 1977 continues:

> I can clearly remember the day of [Menten's] departure [to Lvov]. It was already July 1941. He came to the office wearing a field uniform of a non-commissioned officer of the SD, I guess in the rank of a *Scharführer*. The uniform was green – *feldgrau*, soft, brand new, and apparently unused. It was clear to me that he had put it on for a special mission. I never saw him in a uniform before or after. This might be why I remember that scene so vividly. He was pleased and proud that he had a task to carry out. But he did not say WHAT [as in the original – N.C.L.] it was. He talked about his departure to his estate in Podhorodce and his departure to Lvov. He mentioned in passing that he would visit his friends in Lvov. He talked

[31] AIPN, 2188/485 (old number 5/76, file 2), Protokół przesłuchania Eugenii G. Byczowskiej z 21 X 1976 r. [transcript of Eugenia G. Byczowska's interrogation on 21 October 1976].

[32] Ibidem.

[33] Menten was not a member of the SS. In the EGzbV, he functioned as a SS-Sonderführer with a right to wear a uniform. SS-Sonderführer was a rank of a specialist without military training sufficient for an officer but with expert knowledge needed by a given SS unit.

[34] AIPN, 2188/484 (old number 5/76, file 1), Oświadczenie Jana Garbienia [Jan Garbień's statement], January 1977.

about Professor Ostrowski's apartment and about other people, but I do not remember who they were.[35]

Menten announced furthermore that he would be gone for about a fortnight. His wife was also excited and nervous.[36] On the eve of his departure to Lvov, the Dutchman showed his SS-Sonderführer's ID to another witness, who had not seen him in a uniform either. He also said that he was going to Lvov as an economic advisor. "The uniform and the cap were brand new."[37]

Menten's participation in the massacre of Lvov professors conducted by Schöngarth's death squad on the night of 3–4 July 1941 was not proven. The 41 victims included 22 professors of higher educational institutions and members of their families and friends. Nevertheless it seems probable that Menten participated in the preparation of the proscription lists as he knew the Lvov milieu of the intelligentsia elite like the back of his hand and was particularly interested in the art collectors he knew from before the war, who had not become targets of the Soviet deportations and confiscations.[38] His source of relatively up-to-date information on that topic was his old acquaintance, the Lvov art dealer Wierzejski, who in mid-1940 managed to move to Kraków and with whom the Dutchman often did business.[39] For Wierzejski tried to maintain regular contact with his long-standing friend in Kraków and business partner Józef Stieglitz, who had worked in Soviet Lvov in a commission shop with antiques. The two friends even exchanged apartments.[40]

According to Menten's statement of 5 June 1947, when he arrived in Lvov in July for about ten days in connection "with his work for Schöngarth" [*Arbeiten für Dr. Schöngarth*] he stayed in Wierzejski's old Lvov apartment on Dąbrowskiego Square 2, "at antique dealer Josef Stieglitz's, brother of Jacob Stieglitz from Kraków."[41]

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[35] Ibidem.

[36] Ibidem.

[37] AIPN, 01255/253 (mf 4037/3, file 9), Protokół przesłuchania Tadeusza Wierzejskiego z 20 (28?) I 1948 r. [typescript of Tadeusz Wierzejski's interrogation on 20 (28?) January 1948].

[38] On the night of the men's arrest (3–4 July 1941), the Gestapo returned only to two apartments known in the Lvov circles for their valuable furnishings, that of Professor Ostrowski and that of Professor Grek, in order to arrest the Professors' wives and servants and to seal the apartments.

[39] AIPN, 01255/253 (mf 4037/3, file 9), Protokół przesłuchania Tadeusza Wierzejskiego z 20 (28?) I 1948 r. [typescript of Tadeusz Wierzejski's interrogation on 20 (28?) January 1948].

[40] "Wierzejski gave me [Józef Stieglitz] his apartment in Lvov, and I gave him mine in Kraków in return" (AIPN, 2188/497 [old number 5/76, file 15), Protokół przesłuchania Józefa Stieglitza w Tel Awiwie [typescript of Józef Stieglitz's interrogation in Tel Aviv], 24 March 1977.

[41] Menten's explanation given before an investigating judge in Amsterdam, 5 June 1947, as cited in: Leeuw, Expert opinion, p. 77.

It was an unlikely lodging for an 'employee' of an Einsatzgruppe and a good friend of its commander. But it is certain that five days after the infamous massacre of the professors, Menten seized the apartment at Romanowicza Street 5. It belonged to Professor Tadeusz Ostrowski, the director of the Surgical Clinic of the Medicinal Department of the Jan Kazimierz University, who had been murdered together with his wife. In the apartment were not only the owners' valuable furnishings and paintings, that Menten obviously knew from prewar time in Lvov. There were also precious artefacts given for safekeeping by the Counts Badeni and Duchess Jabłonowska as well as paintings, which were the property of Izabella and Ludwik Horoch and of Róża, widow of Professor Włodzimierz Łukasiewicz.[42] Perhaps it was already then that Menten moved the valuable objects from the apartment at Romanowicza Street 7 to the Ostrowskis' apartment in the neighbouring building, whose owners were great connoisseurs of paintings: Professor of medicine Jan Grek and his wife Maria, née Pareńska, who had been murdered together with Maria's brother-in-law Tadeusz Boy-Żeleński. The same applies to at least several canvases of the old masters from the apartment of Doctor Stanisław Ruff, the head of the surgery clinic of the Jewish hospital. Ruff had taken shelter with his wife and sick adult son at the Ostrowskis' and then the two families were murdered.

Having ordered Józef Stieglitz to make an inventory and an expert analysis of the objects assembled in Professor Ostrowski's apartment, Menten could devote himself to the said 'work' for Schöngarth's operational group, which consisted of more than two hundred men. Its special tasks performed during its two-month operation consisted mainly in exterminating the Jewish population of Eastern Galicia.[43] As is known from surviving documents and testimonies, the Dutchman accompanied some of those genocidal missions of the EGzbV, which took a toll of over 20,000 lives. The SS-*Kameraden* remembered his enthusiastic praise for the cruelest of them. Menten decided to take the opportunity and, using the same

[42] For instance, Protokół przesłuchania Tadeusza Podhorodeckiego z 22 V 1946 r. [typescript of Tadeusz Podhorodecki's interrogation on 22 May 1946] (AIPN, 2188/504 [old number 5/76, file 11]); List hr. Stefana Badeniego z 29 V 1947 r. [Count Stefan Badeni's letter of 29 May 1947] (AIPN, 2188/498 [old signature number 5/76, file 23]); Protokół przesłuchania Tadeusza Wierzejskiego z 20 (28?) I 1948 r. [typescript of Tadeusz Wierzejski's interrogation on 20 (28?) January 1948] (AIPN, 01255/253 [mf 4037/3, file 9]); Protokół przesłuchania Zofii Mieszkowskiej z d. Heydel [typescript of an interrogation of Zofia Mieszkowska, née Heydel] (AIPN, 2188/484 [old number 5/76, file 1]); Leeuw, Expert opinion, pp. 77–82.

[43] Chaya Benjamin, the curator of the Judaica section of the Israel Museum and author of catalogue *The Stieglitz Collection. Masterpieces of Jewish Art* (Jerusalem: The Israel Museum, 1987), stated in the presence of Dawid Bigelajzen, during a conversation we had on 30 June 2008, that Stieglitz confided in her before his death that he wrote an expert report on the paintings for Menten after the execution of the Lvov Professors. Stieglitz stressed, however, that he did not notify Menten about those collections, as the Dutchman was sufficiently well oriented.

methods, with help from a few of Schöngarth's subordinates skilled in killing, to square an old score with Izaak Pistyner, take revenge on his family and kin in Podhorodce and Urycz, and punish the pre-war manager of his 'Sopot' estate.

On 7 July 1941 in Podhorodce Menten singlehandedly executed Nowicki, his wife, and his brother-in-law, and ordered an execution of 20–30 Jews on Pistyner's estate. In 1977 a court in Amsterdam deemed that crime proven. However, Menten's responsibility for an execution of 180 Jews (not only men, as in Podhorodce, but also women and children, among them many members of the branched out families of Pistyner and Krumholc), which was conducted in the same manner six weeks later, on 27 August 1941 in Urycz, in his presence and at his instigation, was deemed by the same court to be highly probable though unproven.

On 17 July 1941 Schöngarth reported on the conclusion of the first stage of the EGzbV's operation, the Group's stationing in several towns in the new District of Galicia, the establishment of a small staff in Lvov under his command, and the retention of one 'mobile detachment' (*Fliegender Trupp*).[44] It was then, in between the two massacres, that Menten arrived in Kraków. Here is a fragment of Jan Garbień's testimony:

> After two or perhaps three weeks [from Menten's departure] he came to the office one day. He stood before me, crumpled, dirty, his eyes red. He seemed totally different, changed. His elegant bearing was gone and his behavior was marked by some profound experience, shock, or humiliation. […] He did not appear in the office for the next couple of days. But when he came back several days later he was refined, smart, and perfumed; he had put his old mask back on.[45]

In the Vortex of Business

As it later occurred, Menten was to continue his operation in the General Government only for one more year. The intensity of his activity seems frantic, as if the looting opportunities exceeded even his rapacity. That does not mean that he abandoned his search for Izaak Pistyner, though he failed to find him.[46] But he did track down two of his sons: Henryk (Hersz) and Albert (Aaron), their brother-in-law, Tadeusz Zucker, and Pistyner's pre-war barrister, Zygmunt Gelmann.[47]

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[44] Dieter Schenk, *Der Lemberger Professorenmord und der Holocaust in Ostgalizien* (Bonn: Verlag J.H.W. Dietz, 2007), p. 94.

[45] AIPN, 2188/484 (old number 5/76, file 1), Oświadczenie Jana Garbienia [Jan Garbień's statement], January 1977.

[46] Izaak Pistyner died of typhus in the Lvov ghetto in 1943.

[47] Menten and two accompanying SS-men executed them in the Łyczakowski Cemetery. Severely injured, Henryk managed to survive. Before his death two years later, he informed

As soon as possible, even before his formal registration in Professor Ostrowski's apartment, the Dutchman transported the most valuable objects from there to Kraków. Garbień's testimony continues:

> [Menten] ordered me to go to the basement of the villa and to sort the things he had brought. Those proved to be, for instance, heaps of DMC threads, which he had brought. In the other basement room, I noticed about a dozen rolled carpets along with vases, sculptures, and dozens of standing paintings, for instance, by Wojciech Kossak and Kazimierz Sichulski. That made me suspect that some of them could have come from Polish private collections.
>
> Menten did not comment on their provenance, but I can remember that his wife once mentioned their safekeeping of a part of the collection of Professor Ostrowski, whom she called her husband's friend. I was unaware of the tragic fate of the Lvov professors, among them Professor Ostrowski. […] During the next days, various automobiles (trucks and cars) with the SS logo often pulled up by the villa at Grottgera Street 12, but I was never again allowed access either to the basement or to the first floor of the Mentens' apartment.[48]

In his 1947 testimony, which has already been quoted, Menten admitted "visiting Lvov a couple [more] times to conduct his private business."[49] A woman from Lvov who worked in Katzner's Kraków antique store during the occupation confirmed after the war that "in Lvov Menten could buy, at next to nothing, the works of art, antique furniture, carpets, and paintings amassed in large numbers and collected throughout the years by amateur collectors."[50]

From the very beginning, the Dutchman gave the principal role in that shady business to Józef Stieglitz. He enabled Stieglitz to move in the city without an armband, and after the compulsory 'ghettoisation' in October 1941 he had him authorised to live outside the ghetto. According to other sources, the persecuted Lvov Jews stood in lines to deal with him, hoping that he would treat them better. Stieglitz proved so useful in his role that Menten had him released twice from a Gestapo prison. Fearing that it would prove impossible the third time, Menten even offered to help Stieglitz flee from the General Government.[51]

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his relatives and friends about that murder. Shortly after the war, the news reached his sister Mina Streich, née Cygiel (MacPherson, *The Last Victim. One Man's Search for Pieter Menten…*, pp. 114–115).

[48] AIPN, 2188/484 (old number 5/76, file 1), Oświadczenie Jana Garbienia [Jan Garbień's statement], January 1977. Garbień left 'Oryza' in August 1941.

[49] Leeuw, Expert opinion, p. 77.

[50] AIPN, 2188/485 (old number 5/76, file 2), Protokół przesłuchania Ireny Hillebrand [typescript of Irena Hillebrand's interrogation], 1976, p. 81.

[51] In this text I do not analyze the actions of Stieglitz or Wierzejski or their relations with Menten. They shall be a subject of a separate study. The lines to Stieglitz were mentioned by Maria Groer in a telephone conversation in the spring of 1977 (AIPN, 2188/491 [old number

Aside from the works of arts and crafts Stieglitz bought for him, Menten also purchased items of his interest in German storehouses of property looted in Lvov and its vicinity, both those belonging to the *Treuhand Verwertungsgesellschaft* (TVG) and those directly subject to the SS and SD.[52]

Moreover, in the autumn of 1941 in Lvov, Menten employed Wierzejski's old manservant as well as a driver, Tadeusz Podhorodecki, his pre-war acquaintance whom he encountered by chance. Podhorodecki often drove the Dutchman from Lvov to Kraków, at the same time transporting more than just carpets and paintings from Romanowicza Street 5 to Grottgera Street 12 (once using a "small trailer in tow"). A fragment of his testimony:

> Once, when we returned from Lvov to Kraków I saw Menten putting golden 20-dollar coins into the five boxes where I kept patches for fixing inner tubes in car tires. In my presence, he poured them out from those boxes and took them to the apartment on Grottgera Street. I also know that one other time Menten transported gold from Lvov to Kraków in a specially sewn small linen sack. He also brought silver and silver hand-crafts, from Lvov.[53]

Transports of bulkier items as, for instance, the Ostrowskis' Empire-style furniture, began in the spring of 1942, when Menten officially purchased the furnishings of apartment 4 at Romanowicza Street 5 from the TVG at an incommensurately low price.[54] Transported by VuP trucks and furniture trucks, the items were quickly unloaded on Grottgera Street.[55] By order of the Dutchman, some of the seized paintings underwent professional conservation before they were transported out of Lvov.[56]

5/76, file 8], Notatka dla prokuratora Schulza [memo for public prosecutor Schulz], no date, no pagination.

[52] "In Lvov he officially purchased looted Jewish property from the SS and the police at official prices and he took it to Kraków, where he sold it, bragging before me that the fortune he made during the war amounted to a million dollars" (AIPN, 2188/504 [old number 5/76, file 11], Protokół przesłuchania Tadeusza Podhorodeckiego z 22 V 1946 r. [typescript of Tadeusz Podhorodecki's interrogation on 22 May 1946]. "Due to his contacts with top Gestapo functionaries, Menten traded works of art which were property of people detained or liquidated by the Gestapo and which were sold by the 'Treuhnadverwertungsstelle' (ibidem, Protokół przesłuchania Kazimierza Kotkowskiego z 19 XI 1947 r. [typescript of Kazimierz Kotkowski's interrogation of 19 November 1947]).

[53] AIPN, 2188/486 (old number 5/76, file 3), Protokół przesłuchania Tadeusza Podhorodeckiego z 2 I 1977 r. [typescript of Tadeusz Podhorodecki's interrogation on 2 January 1977].

[54] Menten told Wierzejski that he had to pay 50,000 to the TVG. (AIPN, 01255/253 [mf 4037/3], file 9, Protokół przesłuchania Tadeusza Wierzejskiego z 20 [28?] I 1948 r. [typescript of Tadeusz Wierzejski's interrogation on 20 (28?) January 1948]; Leeuw, Expert opinion, p. 81ff).

[55] AIPN, 2188/484 (old number 5/76, file 1), Zeznania Macieja Jakubowicza z 20 VII 1976 r. [typescript of Maciej Jakubowicz's interrogation on 20 July 1976].

[56] AIPN, 2188/496 (old number 5/76, file 14), List Tadeusza Podhorodeckiego ze Lwowa do Mentena z 25 X 1942 r. [letter from Tadeusz Podhorodecki from Lvov to Menten of 25 October 1942] (from the 'basement files' discovered at Grottgera Street 12).

Menten's qualifications in obtaining valuable movable property attracted the attention of Waffen SS and police General Friedrich Jeckeln during the latter's visit to Schöngarth's staff in Lvov. Jeckeln, the Higher SS and Police Leader (*Höherer SS- und Polizeiführer*, HSSPF) of *Russland Süd* from June 1941 and of *Russland Nord und Ostland* from the fall of that year, was responsible, inter alia, for the massacre at Babi Yar and the liquidation of the Riga ghetto. Jeckeln employed Menten in October 1941 as a SS-Sonderführer, that is, an official expert in his staff. One of Menten's duties was, as he himself put it, purchasing carpets and paintings at advantageous prices for Jeckeln's residence in Riga.[57] According to A.J. (Hans) van der Leeuw, a long-term research associate of the Dutch Royal Institute for War Documentation (*Rijks Instituut voor Oorlogsdocumentatie*, RIOD) and a legal expert in Menten's 1977 trial, the Dutchman's main duty was to provide advice on confiscated Jewish art property. Tadeusz Podhorodecki's testimonies furnish more information. In autumn of 1941 Podhorodecki drove Menten to Kiev, where, irrespective of participating in libations organized by the hosts (high ranking SS officers), Menten inspected the building of a local museum. "Among objects which Menten took from Kiev [on that occasion], was a cello, which he had very carefully wrapped and transported with caution."[58] The second time that Menten went to Kiev, in November 1941, he was driven by Wrzeciono, a Ukrainian physician he knew, because Podhorodecki was ill.[59] After his return, Menten told his chauffeur that while "he had had no luck there [with him], he had been very lucky with Wrzeciono."[60] In March 1942 Podhorodecki drove Menten to Riga, "to the same SS commander as in Kiev."[61] The men returned to Grottgera Street 12 with a number of furs and paintings. Menten presented Schöngarth with Astrakhan furskins.[62]

Despite his frequent travels 'on official duty' and 'business trips', Kraków remained Menten's main base. Whenever there, he inspected the antique stores under his administration and checked for any interesting offers, while his wife

[57] AIPN, 2188/497 (old number 5/76, file 15), Peter Menten, [no title; statement regarding charges pressed during the 1942 investigation].

[58] AIPN, 2188/485 (old number 5/76, file 2), Protokół przesłuchania Tadeusza Podhorodeckiego z 10 IX 1976 r. [typescript of Tadeusz Podhorodecki's interrogation on 10 September 1976]; AIPN, 2188/486 (old number 5/76, file 3), Protokół przesłuchania Tadeusza Podhorodeckiego z 14 II 1977 r. [typescript of Tadeusz Podhorodecki's interrogation on 14 February 1977].

[59] After the outbreak of the war in 1939, the Ukrainian from Lvov named Wrzeciono was in Kraków. During the German occupation of Lvov he lived at Romanowicza Street 5, apartment 1.

[60] AIPN, 2188/485 (old number 5/76, file 2), Protokół przesłuchania Tadeusza Podhorodeckiego z 10 IX 1976 r. [typescript of Tadeusz Podhorodecki's interrogation on 10 September 1976].

[61] Ibidem.

[62] Ibidem.

came to take a look at the jewelry.[63] The Dutchman not only stored some of his loot in Stieglitz's antique art store on the Market Square, but also sold the less valuable objects and collected the profit or exchanged them for more valuable items. He conducted that business with Józef's Stieglitz' brother Jakub (at least until the closure of the ghetto in October 1941), but it was kept a secret from the antique store's director, Wilhelmina Matzenauer, who treated the Polish and Jewish employees decently despite being a Reich citizen (*Reichsdeutsche*).[64]

Menten was also in almost constant contact with Wierzejski who ran, in Kraków, a small art store under the same name as in Lvov, 'Lamus'. He was also the Kraków IHK's art appraiser (as the Dutchman) and, the same as Józef Stieglitz in Lvov, clearly had considerably broader expertise and more professional qualifications than his Dutch business associate.

The office on Grottgera Street had several Polish employees. Those were: Kazimierz Kotkowski, the accountant for 'Oryza's and four "araynised" antique stores, a secretary and a new office assistant, who replaced Garbień after he had left in August 1941. The Dutchman kept detailed documentation as well as confidential files on those he did business with and those he collected information on – Germans, Poles, Ukrainians, and even Jews.[65]

Menten had extensive contacts with German officials from the government of the General Government and the District authorities. He sometimes advised wives of Governor General Hans Frank and Kraków District Governor Otto Wächter on their purchases. Among his guests in Grottgera was Kajetan Mühlmann's successor, Ernst Palezieux.[66] But there is no doubt that he had the closest, also social, relations with Schöngarth and his circle of SS und SD officers. The door of the apartment at Grottgera Street 12, with a fully stocked bar in the basement, was always open to them.

Honorary Prisoner of the SS

"A disgrace to the German community and a criminal in the utmost of style [*Volksschädlingsverbrecher allergrössten Stils*]," who

[63] AIPN, 2188/485 (old number 5/76, file 2), Protokół przesłuchania Ireny Hillebrand, po mężu Stebnickiej [typescript of an interrogation of Irena Stebnicka, née Hillebrand], 1976, p. 81; AIPN, 2188/504 (old number 5/76, file 11), Protokół przesłuchania Ireny Stebnickiej z 11 II 1947 r. [typescript of Irena Stebnicka's interrogation on 11 February 1947].

[64] It remains unknown when Jakub Stieglitz and his family were deported. The opinion about Matzenauer comes from a conversation I had with Marta Stebnicka on 20 November 2014 in Kraków. Stebnicka was already hired as Stieglitz's store's messenger after Menten's departure from the General Government.

[65] AIPN, 2188/484 (old number 5/76, file 1), Oświadczenie Jana Garbienia [Jan Garbień's statement], January 1977.

[66] Ibidem.

> purchased carpets and works of art in Holland and France at the expense of the state and forged the bills. He sold some of those items at inflated prices in the General Government and appropriated others as his personal property. Abusing his right to conduct confiscations, he amassed "unimaginable amounts" [*unvorstellbare Mengen*] of carpets, furs, works of art, and coffee, which he accumulated [*aufgehäuft*] in his villa. He also embezzled ten thousand Reichsmarks, which constituted a contribution from the Częstochowa industry, and presented the Governor General's wife with a grand piano for their villa at Schliersee in Bavaria. He obtained money to purchase it by selling to his friend a car that was District property. He also engaged in love affairs with women whose husbands were fighting on the front line [*im Felde waren*].[67]

Those were the charges pressed against the Governor of the District of Galicia, Karl Lasch, in an investigation directed by Schöngarth. Arrested in January 1942 and initially detained in the SS prison in Kraków, charged with corruption, speculation, and foreign exchange frauds, Lasch was murdered or forced to commit suicide by order of Himmler in early June that year. The Lasch affair was in fact an unsuccessful attempt to overthrow the Governor-General Hans Frank. Menten must have taken a keen interest in it and might have known a lot about it, particularly that, as far as certain charges pressed against Lasch were concerned, he could certainly be regarded an expert or perhaps even a witness.

In April 1942, Podhorodecki brought the "very upset" Dutchman to Lvov. "He was in a hurry. He emptied the apartment [Romanowicza Street 5, apartment 4] of everything, even bedding. It was evident that he was afraid of something, and that was why he had me take a different route to Kraków than usual," testified Podhorodecki.[68] Menten also purportedly told his wife in the driver's presence "that there were difficulties, and that he was in danger, that Kaltenbrunner had been of [dis?]service to him."[69] Still in the same month Podhorodecki drove his boss to Brussels to his younger brother Dirk. When they passed Berlin, they went off the freeway and drove to a locality where the wife of Jeckeln, the SS commander from Kiev and Riga lived in a palace. "Menten gave her some gifts."[70] From Brussels both brothers went for a week to Holland and then Podhorodecki drove his employer to Paris, their last stop. There, Menten's going away party held at Dirk's apartment was attended exclusively by Germans. They returned to Kraków in early May.[71]

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[67] Schenk, *Der Lemberger Professorenmord und der Holocaust…*, p. 152.

[68] AIPN, 2188/485 (old number 5/76, file 2), Protokół przesłuchania Tadeusza Podhorodeckiego z 10 IX 1976 r. [typescript Tadeusz Podhorodecki's interrogation on 10 September 1976].

[69] Ibidem.

[70] Ibidem.

[71] Ibidem.

On 21 July 1942 Menten was arrested and detained as an 'honorary prisoner' (*Ehrenhäftling*) in the building of the SS and police court (*SS- und Polizeigericht VI*) in Kraków.[72] A search was conducted at Grottgera Street 12 and the movable property found there was requisitioned (*Beschlagnahme*). Menten's wife tried or pretended to take her own life. A fragment of Tadeusz Wierzejski's testimony given in 1948:

> As he [Menten] himself said it was a conflict between the superintendent of the police [Higher SS and Police Leader in the General Government Friedrich Wilhelm] Krüger and the Gestapo Chief, whose surname I do not recall [Schöngarth]. Purportedly, the latter went even to Himmler to defend himself and Menten, as a result of which Menten was released but on condition that he would leave the General Government and move to Holland. At the same time, by way of a particularly rare exception, Menten was permitted to take with him all the furnishings from Lvov and all the furnishings from Kraków.[73]

That time the Dutchman told the truth. Krüger did not manage to remove his rival Schöngarth. The investigation against Menten, who was suspected of stealing the objects confiscated by the Gestapo and corrupting Schöngarth's men, was transferred by Himmler to the Reich Security Main Office (*Reichssicherheitshauptamt*, RSHA) and quickly closed.[74] But Menten failed to tell Wierzejski that he had escaped from the Kraków arrest twice, that he was on the SS internal wanted list, and that in November 1942 he submitted an extensive statement in which he responded to the charges pressed against him in the Kraków investigation.

Exceptional in character, this document deserves a detailed analysis, for which there is no space here.[75] Its author, with servile and at the same time impudent nonchalance, rejected all of the eight charges pressed against him. They regarded: 1) purchase of the furnishings of the apartment at Romanowicza Street 5 in Lvov; 2) transport of some of these furnishings to Kraków using SS means of transport; 3) purchase of a substantial number of carpets and paintings;

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[72] In the Third Reich, honorary arrest basically meant that the person under arrest could not leave his detention place but could move freely within its bounds; in most cases, the arrested person also had a right to maintain contacts with the outside world.

[73] AIPN, 01255/253 (mf 4037/3, file 9), Protokół przesłuchania Tadeusza Wierzejskiego z 20 (28?) I 1948 r. [typescript of Tadeusz Wierzejski's interrogation on 20 (28?) January 1948]. Krüger became the Secretary of State in the government of the General Government in May 1942.

[74] Van der Leeuw and Schenk point out that during the Kraków investigation Menten was charged, for instance, with failure to maintain confidentially as an SS intermediary (*Vertrauensmann*, *Vmann*). It might be that the dismissal of that charge affected the truly exceptional, given the circumstances, Himmler's consent to Menten's unrestricted shipping of his property.

[75] AIPN, 2188/497 (old number 5/76, file 15), Peter Menten, [statement regarding the charges pressed during the 1942 investigation].

4) inclusion of former Jewish art dealer Stieglitz's workforce (*Arbeitskraft*) in those purchases; 5) purchases at *Treuhand Verwertungsgesellschaft*; 6) sources and means of financing the purchases; 7) 'Oryza' as a fictional company (*Scheinfirma*); 8) the bar in the villa on Grottgera Street.

Before Menten wrote in the conclusion that he expected a swift return of his confiscated property, that he intended to leave the General Government and was ready to stay in a hotel in Berlin to give further explanations, he stated the following:

> I purchased the objects – which were for sale and which as such were offered to me – from an institution authorized by the government to do so. All those transactions were confirmed with receipts. I transferred a significant portion of the objects purchased to Germans without any extra charge, or I presented them to the SS. Even though I have always represented German interests only, I lost or have not recovered my property, worth several million. I have served the German cause for years even though I am Dutch and, in my opinion, both during the German-Dutch conflict and after its end I was of good service to German public institutions. Neglecting my personal interests, at the request of German public institutions I took over the administration of antique art stores, which were state property, although with my knowledge of the language, the profession, and the local area I could open my own business at any moment. Aside from my estate in Galicia, my assets have been considerably depleted in comparison with the moment when I crossed the border of the General Government as a displaced person.[76]

Menten also added that "in the [investigation] files there is an annotation" about his intention to donate his 'Sopot' estate plus 50 carpets, 100 paintings, and furniture from Ostrowski's apartment in Lvov for a holiday house for the SS, "but then he made it perfectly clear that he had changed his mind".[77]

From Occupied Poland to Occupied Holland

On 31 January 1943, banned from the General Government, Menten left Kraków with his wife and Marie Louise Steengracht von Moyland, his secretary and mistress. Nevertheless, due to Himmler's personal permission, Menten was able to take all his movable property, which filled four freight cars and eleven chests of personal luggage. The customs clearance lists of the Mentens' movable property have survived.[78] The first list of 29 January 1943 contains the total of 85 units, called *Kolli*, including 2 chests of silver, 1 of crystals, 7 of paintings,

[76] Ibidem.

[77] Ibidem.

[78] AIPN, 2188/497 (old number 5/76, file 15), Antrag auf Mitnahme von Umzugsgut [statement regarding shipped personal property], Devisenstelle Krakau, no date, no pagination.

3 of porcelain, 2 of carpets, and 6 of valuables (*Wertsachen*).[79] Moreover, the Mentens had 13 crates of paintings, 2 baskets with more paintings, 1 trunk of bronze work, 1 of carpets, 1 of valuables, and 8 sacks of carpets. The second list, which is difficult to decipher today, regarded express dispatch (*Eil Gepäck*) dated 30 January 1943. It listed the total of 49 *Kolli*, mainly furs and clothing, but also jewelry and precious stones (items No 32 through No 45), silverware (a set for 12 people, item No 46), antique silverware (antique toilet set, item No 47), 500 old drawings (item No 48) and 5 old paintings (item No 49). Another undated list of items assigned to one freight wagon comprised 53 *Kolli*, mostly furniture, but also 3 crates of paintings, 8 paintings (*8 Stück Bilder*), 1 suitcase of drawings, and 1 sack of carpets. The fourth surviving list, which had the earliest date (23 January 1943) and which is also difficult to decipher, comprised 112 *Kolli* of furniture.

Before those items were taken from Poland in mid-December 1942, the director of the closed Kraków National Museum, Professor Feliks Kopera, was forced by order of the director of the municipal department of culture to take in for renovation 15 paintings, which the Mentens intended to take with them. In early January 1943 Kopera had to send a Museum conservator to supervise proper packing of the collection.[80] At the same time the Dutchman "was preparing valuable works of art from Stieglitz's store for transport," the Museum employee testified years later. "Back then I saw from the window of the National Museum[']s branch] in the Kraków Cloth Hall two large furniture trucks loaded with furniture, paintings, candelabra, and other valuable items removed from Stieglitz's store."[81]

Also, around that time,

> in his apartment on Grottgera Street, Menten organized an auction of paintings and other valuable objects, such as, carpets and jewelry, which he did not intend to take. Most of the paintings on auction were by Polish artists. I know that the paintings purchased at that auction included canvases by Wyspiański and one by Maurycy Gottlieb. The prices of the paintings for auction were very high and that was why there were few buyers, even among those who wished to save those works of arts from being taken from Poland.[82]

Due to that "liquidation of various assets," as Menten described his transactions before the departure, the amount of foreign currency (280,000 zlotys) which, on 4 January 1943, the General Government's customs authorities allowed him to

[79] *Kollo* is a standard shipping unit of size and shape. The *Wertsachen* were most probably antique coins, cash in gold, and securities.

[80] AIPN, 2188/487 (old number 5/76, file 10), Protokół przesłuchania Ireny M. Bobrowskiej z 14 III 1977 r. [typescript of Irena M. Bobrowska's interrogation on 14 March 1977].

[81] Ibidem.

[82] Ibidem.

take with him was increased at the end of the month to 575,000 zlotys (approx. 110,000 dollars), an exorbitant sum at that time.[83] For comparison, the value of the works of art and valuable handicrafts, which Menten lost in 1939 and which was confirmed with a report signed by Wierzejski at the Dutch consulate in Lvov amounted to 18,500 dollars, that is, approx. 70,000 zlotys.[84]

Thus equipped, the Mentens set off with Miss Steengracht to the small town of Aerdenhout, regarded as the most expensive locality in Holland. They initially moved into the villa owned by Pieter's mother and brother Dirk at Westerlaan 16, only to move quickly to their own villa further down the street, at Westerlaan 269. By the end of 1944 he came into possession of several attractive pieces of real estate in Amsterdam. He even considered officially becoming an art dealer. In his letter of 17 May 1943 to the RSHA he asked for permission to stay in the Reich with intention to open "a German store selling antiques [*Kunstladen*] in Holland" and to establish contacts "not only with German [*reichsdeutsche*] companies, but also predominantly with various German museums." His request was rejected.[85] In the end, he limited himself to unofficial participation in the Dutch art market, which was a scene of very intensive activity due to the 'Aryanization' and its penetration by agents of Hitler, Göring, and other Nazi leaders. An owner of a Dutch shipping company that transported works of art said that Menten,

> from the very beginning [that is, from his arrival in Aerdenhout,] committed frauds on paintings and there was not an auction in Amsterdam without a painting of his on sale. He visited all art dealers: Mak van Waay, Frederik Muller, De Zon as well as Paul Brandt, to whom most often he sold works of art. Even though everybody realized that the provenance of [the offered paintings] was suspicious, all doors were open to him.[86]

The van Marle en Bingell gallery in The Hague even organized two rather large auctions from the Menten brothers' collections: in July 1943 from Dirk's collection and in June the following year from the collection of his elder brother Pieter. At least two of the canvases were purchased by Hermann Voss, who acted on Hitler's order regarding the future collection of the planned *Führermuseum* in Linz (known as *Sonderauftrag Linz*).[87]

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[83] Leeuw, Expert opinion, p. 88.

[84] Ibidem, p. 83.

[85] AIPN, 2188/502 (old number 5/76, file 27), List Mentena z 17 V 1943 r. przytoczony w piśmie szefa Sipo i SD do sędziego SS przy RfSS Horsta Bendera [Menten's letter of 17 May 1943 quoted in a letter from the Sipo and SD chief to the SS judge at the RfSS, Horst Bender], Berlin, 24 July 1943.

[86] From a conversation with the shipping company's owner, C. Fechner (AIPN, 2188/509 [old number 5/76, file 21], a fragment of an article from Dutch press, translation in the investigation files.

[87] Those two paintings were: a landscape by Jacob Alt and an officer's portrait by Johann Friedrich Tischbein; the two paintings' provenance: Aerdenhout, Privatbesitz Niederlande, the first one was delivered in 1944 and the other one on 22 May 1944 ("Sonderauftrag Linz"

Apart from that, Menten tried to be inconspicuous, perhaps due to the rumors that the Dutch resistance movement was collecting information on collaborators. Nevertheless, he did not manage to hide several private visits of a high-ranking SS officer to his villa in Aerdenhout. The officer was Schöngarth, his good friend from Kraków and Lvov, who on 1 June 1944 became the Security Police Chief (*Befehlshaber der Sicherhietspolizei und des SD*, BdS) in *Reichskommissariat Niederlande*.

The Wealthy Collector and the Dutch Themis

After the war Menten still tried to remain inconspicuous. Apart from a short intermezzo in the late 1940s he succeeded brilliantly until the publication of van Geffen's article in *De Telegraaf* in May 1976, mentioned at the beginning of this article.

Menten's position and actions in the second half of his life are, irrespective of their sometimes sensational character and immediate political repercussions, very interesting in regard to the history of post-war Holland's attitude to the period of the Nazi occupation and the Holocaust. They cannot be ignored, particularly by scholars interested in the way in which the local judiciary treated Dutch Nazis and collaborators. Moreover, they should not be overlooked by historians examining the influence of the Iron Curtain on the trials of Nazi criminals or scholars interested in the issue of (West) German compensations for the property lost as a result of the Third Reich persecutions. But with the Menten's post-war biography being of secondary importance to these considerations, I shall limit myself to the most important facts, emphasizing only the issues connected with his looting activity in the General Government.

Arrested on 16 May 1945 on suspicion of collaboration with Nazi Germany, Menten was released six months later for lack of evidence. He then made an accusation that his property requisitioned during that period by the police was stolen or destroyed, with the losses estimated at four million guldens. In 1953 he was granted 320,000 guldens by way of compensation.

In April 1946 he was interrogated again, this time in connection with his affiliation with Schöngarth's Lvov Einsatzgruppe. Schöngarth had been sentenced to death in February 1946 by the British martial court in occupied Germany and transferred to Holland several days before his execution in May that year. After that interrogation Menten vanished for several months to then appear in a private psychiatric clinic, where he also underwent plastic surgery. In December 1946 his wife was visited by Mieczysław Zagajski from New York, an eminent pre-war Warsaw collector of Judaica, which went missing after the city's capture by the Germans. He demanded return of several paintings by

database, German Historical Museum [*Deutsches Historisches Museum*] in Berlin, www.dhm.de/datenbank/linzdb, access 15 March 2015).

Maurycy Gottlieb stolen from him in 1939 and once seen in the villa at Grottgera Street 12 in Kraków. Surprisingly, his demand was met.[88]

The 1948, the *in absentia* trial against Menten ended in his being sentenced to three years' imprisonment. In the end, in the spring of 1949, he was put on trial in Amsterdam, defended by Leonardus Gerardus (Rad) Kortenhorst, a well-known conservative politician and the Speaker of the second chamber of the Dutch parliament. Announced on 14 April, the verdict stated that the defendant had acted as the commissioner of Jewish antique art stores in Kraków with the intention of helping the Jews. Menten's affiliation with Schöngarth's Einsatzgruppe was deemed probable but not tantamount to serving in an enemy army. The court thereby endorsed the stance of the defense. It happened to a considerable extent due to a testimony given by Józef Stieglitz from Tel Aviv on the day before the announcement of the sentence. Stieglitz testified that Menten had always been ready to help Jews and had saved his life twice. He claimed that he never heard anyone speak badly about the accused. Thus, only Menten's intentional cooperation with the enemy was deemed proven by the court, which sentenced him to a year in prison, with his arrest period and his stay in the clinic counting towards the sentence. As a result of an appeal, the sentence was reduced to eight months, which in practice enabled Menten to avoid prison. The crimes in Podhorodce and Urycz and the killing of the young Pistyners in Lvov were not included in the indictment although before the end of the trial the Amsterdam prosecuting attorney's office received the first testimonies on that topic given by Lejb Krumholc (Haviv Kanaan) and Mina (Mara) Cygielstreich, Pistyner's only daughter. Ten days before the announcement of the sentence Menten divorced Elizabeth as a precaution in case of a confiscation of his property if the court declared him a war criminal. They remarried in 1952.[89]

In the autumn of 1950, as a result of a few years' investigation, Poland motioned for Menten's extradition on account of his being suspected of the massacre in Urycz and the theft of movable property from Professor Ostrowski's apartment in Lvov and Jewish antique stores in Kraków and its transportation to Holland[90] The application was rejected by the Dutch Ministry of Justice, among

[88] MacPherson, *The Last Victim. One Man's Search for Pieter Menten…*, pp. 177–178; Ezra Mendelsohn, *Painting a People: Maurycy Gottlieb and Jewish Art* (Waldham, MA: Brandeis University Press, 2002), p. 126. Zagajski learned about his 'Gottliebs' from Joseph Marion Gutnajer, a son of a Warsaw antiquarian, Bernard Gutnajer. Zagajski was one of the latter's regular clients in pre-war Warsaw.

[89] Menten was mostly afraid of witnesses from Poland, whom he accused of a communist manipulation. He panicked when the public prosecutor who conducted the investigation in Amsterdam interrogated Professor Ostrowski's niece, who lived abroad. In Poland, Menten was known to the authorities as a collaborator, but his Polish investigation was launched only after the beginning of the 1949 trial in Amsterdam.

[90] One of the eye witnesses of the massacre in Urycz was the Pistyners' relative, Michał Mirski, who lost his four sisters and two nieces on that day.

others. on the basis of purifying statements made by several Poles and submitted by Menten's attorneys as well as due to the *ne bis in idem* rule (not twice in the same).[91] A slightly later attempt to extradite the Dutchman to Israel also proved unsuccessful.[92] Around that time, at the turn of 1952 and 1953, 40 files with Menten's correspondence were discovered in the basement of the abandoned villa at Grottgera Street 12 in Kraków, which housed the Dutch consulate until May 1940. In January 1954 the files were sent by the Dutch embassy in Poland to the Ministry of Foreign Affairs in The Hague.[93]

In July 1957 the Federal Republic of Germany introduced the Federal Restitution Law regulating compensations for material damages suffered as a result of Nazi Germany's persecutions (*Bundesrückerstattungsgesetz*, BrüG). One of its conditions was, that the Nazi looted mobile property had been taken to the territory of the later Bundesrepublik.

In March 1958 Menten commenced proceedings in West Berlin to obtain compensation for the works of art and the furnishings of 'his' apartment in Lvov appropriated by the German Reich.[94] In 1962 he demanded 1,200,000 German Marks (DM) before the regional court (*Landesgericht*) in West Berlin.[95] He stated that those items were confiscated by order of the Department of Culture of the Reichsführer-SS by Doctor Kajetan Muhlmann (Plenipotentiary for securing works of art in the General Government, Secretary of State, and SS-Standartenführer) and then sent to Berlin. That confiscation was purportedly caused by Menten's activity for the benefit of Jews (*Judenbegünstigung*). He claimed to have been interrogated twice about that in the Reich's capital and forced to sign an affidavit, which stated the existing state of affairs and obliged him to secrecy. Testimonies confirming the applicant's honesty and truthfulness were given, among others, by Gizela Wohl, Stieglitz's sister (who lived in Lvov with her husband from the outbreak of the war in 1939 to her flight to Hungary in 1942) and Maria Groer, daughter of Professor Franciszek Groer, the only Lvov

[91] During 1948–1950, using his attorneys, Menten influenced those who knew him from before the war and during the occupation to give positive statements about him. Those who gave such statements in Poland at that time were, for instance, Professor Franciszek Groer from Lvov, Maria Voelpel, who traded works of art in Lvov, and Kazimierz Kotkowski, who was Menten's book-keeper in Kraków during 1941–1942.

[92] After Menten's trial at the turn of 1948 and 1949, Lejb Krumholc (Haviv Kanaan) announced in Israeli press that he was seeking witnesses of the massacres in Podhorodce and Urycz. Their statements became the basis for Israel's motion for the Dutchman's extradition (MacPherson, *The Last Victim. One Man's Search for Pieter Menten*..., s. 164).

[93] The *Kellerakten* (basement files) were identified in the Ministry of Foreign Affairs in The Hague as late as at the beginning of 1977 and they were included as evidence.

[94] Archiv Bundesamt für zentrale Dienste und offene Vermögensfragen [Federal Office for Central Services and Unresolved Property Issues, later: ABADV], 73264/57, file 1, Rückerstatungssache des Rentiers Pieter Nicolaas Menten [rentier Pieter Nicolaas Menten' restitution proceedings], p. 134.

[95] Ibidem.

Professor released by the Germans from among those arrested on 3 July 1941 (Maria lived with her father at Romanowicza Street 8, opposite the Ostrowskis' apartment).[96] Wilhelm Rosenbaum, SS-Untersturmführer, former headmaster of the *Führerschule der Sicherheitspolizei* in Rabka and a member of Schöngarth's Einsatzgruppe also spoke on Menten's behalf. And, last but not least, Józef Stieglitz. Stieglitz was also the author of the detailed appraisal of Menten's 'lost' works of art and furnishings in Lvov, which was the basis for his claim. After five hearings the court in Berlin deemed that Menten "had been treated [in occupied Poland] like a Jew [*auch wie ein Jude behandelt wurde*]" and in February 1964 granted him 550,000 German marks (DM).[97]

That sum, an enormous amount at the time, about a decade later enabled Menten and his new wife Meta Pauw (the two married in 1955, that is, two years after Elizabeth's death) to buy an estate in Waterford County in Ireland which included the historical Comeragh House. Soon, Menten brought a significant part of his art collection there.

It was greed that about twelve years later brought the 78-year-old Menten back to the dock. Planned for June 1976, the auction at Sotheby's Mak van Waay was to offer items from a collection whose owner was to remain anonymous. But it is common knowledge that works of art from acknowledged collections which guarantee decent provenance of the auctioned items are sold at higher prices. That incited Menten to consent to the interview and article by van Geffen in *De Telegraaf*. Nevertheless, Menten's 1977 trial was a result of actions by three journalists. The first one was Haviv Kanaan (Lejb [Lieber] Krumholc), Jakub Pistyner's nephew, who worked in *Haaretz*. As early as in 1945, two released concentration camp inmates from Lvov who came to Palestine notified him about the genocide committed by Menten in Podhorodce and Urycz and that two cousins of Lejb had been killed in Lvov on Menten's initiative. Despite decades of efforts Kanaan did not manage to publish the article about those crimes in his own newspaper, not to mention the Dutch press.[98] For years regarded as obsessed by his colleagues, a month after the publication in *De Telegraaf*, he started an avalanche with his article "The Art Collector's Secret" published in *Haaretz* on 11 June 1976. But the decisive role in the later stages of the affair was played by Hans Knoop, editor-in-chief of *Accent*, a Dutch social and political weekly. In cooperation with and simultaneously with Kanaan, and after meeting Menten at his Blaricum estate near Amsterdam, Knoop launched a series of

[96] Van der Leeuw established on the basis of the *Kellerakten* (the documents discovered after the war in the villa at Grottgera Street 12 in Cracow) that Maria Groer was Menten's employee from January to July 1942 inclusive. However, her testimonies given during the Polish investigation suggest that she was Stieglitz's mistress at that time.

[97] ABADV, 7-3264/75, file 1, p. 145.

[98] Kanaan's 1950 article in *Maariv* was an exception, but it met with no response (see MacPherson, *The Last Victim. One Man's Search for Pieter Menten…*, p. 169).

insightful publications about his criminal activity in occupied Poland and about his subsequent avoidance of punishment. Through his journalistic investigation and with support of Wibo van de Linde (the creator of *TrosAktua*, a popular TV show), Knoop forced the Dutch public prosecution service to launch a formal investigation against Menten. It led to inquiries in the Soviet Union and, after more than a quarter of a century, again in Poland, where it was conducted by the Main Commission for the Investigation of Nazi Crimes in Poland on (*Główna Komisja Badania Zbrodni Hitlerowskich w Polsce*). It was also Knoop who found Menten in a hotel in Switzerland, where the latter hid in November 1976 after he had fled Holland on the eve of his arrest. *Accent*'s editor-in-chief was also present during the exhumations in Podhorodce and was a witness at Menten's trial launched on 9 May 1977 in the Special Court in Amsterdam, where Menten was charged with complicity in the massacres of Jews in Podhorodce and Urycz. The looting of works of art in General Government was not included in the indictment. The suspect's assets were not seized either, because the Dutch law did not stipulate forfeiture of property even in the case of a verdict of guilty.[99] The verdict was announced on 14 December 1977. The court found Menten guilty of premeditated killing of 20–30 people on 7 July 1941 in Podhorodce and sentenced him to 15 years' imprisonment. Though undoubted, Menten's participation or complicity in the massacre on 27 August 1941 in Urycz remained unproven.

In May 1978 as a result or an appeal the verdict was annulled for procedural considerations by the Supreme Court of the Kingdom of the Netherlands, known as the Supreme Council (*Hoge Raad der Niederlanden*). December that year brought Menten's release, which caused outrage both in and outside of Holland. A year later the Supreme Council annulled the acquittal it had announced in 1978 and remanded the case for re-examination by the Criminal Court in Rotterdam. In 9 July 1980 it sentenced Menten with legal validity to ten years' imprisonment for his participation in the massacre in Podhorodce. After the announcement of the sentence, Menten recovered a portion of his collection of works of art, which had been seized in the meantime, because it could not be proven that he had obtained them through larceny or extortion.

Public Prosecutor Wacław Szulc, who had conducted the detailed investigation against Menten in Poland from July 1976, decided to call it off on 19 December 1980 seeing no way of "ever extraditing Menten to Poland and prosecuting him here."[100]

Although Szulc's investigation proved beyond doubt that Menten had looted works of art and cultural assets on a large scale in occupied Poland and had then taken them to Holland, he was never prosecuted for that war crime.

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[99] Just in case, Menten divorced his wife Meta in 1977 in order to secure his assets.

[100] AIPN, 2188/498 (old number 5/76, file 23), Postanowienie o umorzeniu postępowania karnego [decision to discontinue criminal proceedings], Warsaw, 19 December 1980.

Menten was released from prison after serving two thirds of his sentence. In 1986 he was granted large damages after a fire at his Cameragh House estate in Waterford County. The Irish authorities opposed his wish to spend his final years there. Menten died at the age of 88 in a Dutch old people's home.

Raubtier

I cannot find a better expression of Menten as an art plunderer than the German equivalent of the English word 'predator', that is *Raubtier*, literally 'beast that robs'. Menten was cunning, ruthless and effective. He hunted for loot, which he greedily amassed. He obtained it through various channels, and once it fell in his hands, he exploited it or secured it for himself.

Summarizing the above considerations, one should recapitulate the methods Menten used in the General Government, bearing in mind his initial good, if not expert, knowledge of the pre-war Polish art market and private collectors, particularly those in Lvov.

His looting success consisted to a large extent in his ability to operate, skillfully and concurrently, within separate ethnic groups of Poles, Jews, Germans, and Ukrainians, and in various milieus: of the landed gentry, intelligentsia, academics, entrepreneurs, merchants and traders, German civil administration, and Nazi Security Police officers of all ranks. The relatively small areas of the un-antagonistic meeting points between those groups guaranteed Menten significant freedom of action. He had something to offer to the useful members of each of those groups. For Jews it was the protection of their existence. For Poles it was a job, discreet income and assistance in case of danger from occupiers. Germans found a trusted comrade in the Dutchman, a generous companion and host. Thanks to him they gained insight into the local milieu and advice concerning valuable goods already captured or sought. Menten also brought significant advantages to Ukrainians by representing their interests to German authorities.

In return, he enjoyed benefits which were incommensurable to the services expected on his part. Dutch citizenship and the status of a wealthy private businessman, combined with his proper treatment of Poles and Jews, for a long time made him credible in their eyes despite his contacts with German functionaries. With his exemplary support for Nazism, knowledge of the local situation, and readiness to undertake additional though necessary and mutually beneficial duties, he proved extremely useful to representatives of the German civil administration in the General Government. Having no scruples or hesitation, the ubiquitous Menten was invaluable to the Security Police and the SD.

Already before the war, Menten was known in Lvov as a master of the courteous swindle.[101] The increasing pauperization of the land owners and

[101] AIPN, 2188/485 (old number 5/76, file 2), Protokół przesłuchania Jadwigi Bałaban z 24 IX 1976 r. [typescript of Jadwiga Bałaban's interrogation on 24 September 1976].

Polish intelligentsia during the German (and in Lvov also Soviet) occupation was conducive to his achievements in that field. With regard to Jews he resorted to undisguised extortions.[102] A daughter of Rachela Chorowicz, née Horowitz, and art dealer Saul Horowitz's niece testified the following:

> [Even before we moved to the ghetto] Menten took an antique intarsia wardrobe from our apartment. […] Apart from that, he also took a small sofa and perhaps two or four armchairs from our apartment […] whenever I talked with my mother or uncle about that or about the other things he took from us they never mentioned any payment on Menten's part.[103]

Menten's other way of obtaining objects of interest was to make an offer to their owners to take these into safekeeping. Such an offer was made to Wojciech Dzieduszycki in the Kraków Montelupich prison after the arrest of Count Dzieduszycki's entire family. Accompanied by SS-Standartenführer Adler, Menten reminded Dzieduszycki "that they knew each other, that he had visited the Dzieduszyckis' house in Jezupol in the Stanisławów Province, and that he had seen paintings from the 'Jezupol gallery'."[104] Knowing that the Kraków apartment of the Dzieduszyckis had been left unsupervised, Menten offered to rescue paintings from there and asked about their hiding places, promising to return them to him, or to his family.[105] Dzieduszycki answered that the Italian paintings had been lost but that he "had salvaged about 80 watercolors on paper from the large collection of Juliusz Kossak's watercolors painted for [his] great grandfather, Juliusz Dzieduszycki." He said that they were stored "in-between dirty bed clothing in a wardrobe in the hall." That was "the first and the last time" that Menten visited him in prison.[106]

That incident took place during the final period of the Dutchman's stay in the General Government, when his camouflage towards Poles in Kraków ceased to be necessary. The following account shows that in Lvov he gave it up since he had arrived in the city with Schöngarth's Kommando.

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[102] In the *Kellerakten* there is a surviving letter written in Polish by Menten on 13 August 1940 to "His Grace Prince Stefan Lubomirski, Kraków, Marka Street 7–9." Two fragments of that letter: "the issue is being taken care of" and "If His Grace had anything new to communicate to me or perhaps would be as kind as to give me further information, you are kindly requested to hand it to the person who gave you this letter, that is, my chauffeur" (AIPN, 2188/496 [old number 5/76, file 14]).

[103] AIPN, 2188/489 (old number 5/76, file 6), Protokół przesłuchania Zofii Burowskiej z d. Chorowicz z 9 XI 1977 r. [typescript of an interrogation of Zofia Burowska, née Chorowicz, on 9 November 1977].

[104] AIPN, 2188/504 (old number 5/76, file 11), Protokół przesłuchania Ludwika Pulchnego [typescript of Ludwik Pulchny's interrogation], 13 June 1946.

[105] Ibidem.

[106] Ibidem.

> In July 1941, an elegant middle-aged man, about 30–35 years old, dressed in a greenish trench coat and a hat of the same color, came to our apartment at Ormiańska Street 18. His personal chauffeur was slightly taller, had a large nose and protruding ears. He introduced himself as a collector of works of art and was interested in buying paintings, icons, antique silverware, and old coins. He said he was a collector from Holland and that his name was Pieter Menten.

A very large painting in dark-colored tones, two by three meters, depicting a herd of cows of various colors walking to a waterhole caught his eye. Among the cows was a pretty woman wearing an eastern folk dress. On her shoulders she had a wooden carrying pole with suspended wooden buckets. Menten wished to buy that canvas at any price, offering a substantial amount of German marks. When my husband asked him how he had learned about that painting, Menten replied: "From our mutual friend who seeks paintings and other works of art for me." He did not give his surname. When my husband refused to sell the painting, Menten said: "I am very sorry to hear that," and he smiled ironically. On the third day after that strange visit, around ten o'clock, a black car pulled up in front of our building and two SS-men alighted from it. Looking through a gap in the curtains, for the curtains were drawn, I recognized Menten as the first officer.[107]

> As the appointed forced administrator of the Kraków antique art stores, Menten did not need to keep up any appearances towards their owners. Although he had promised to help the Jewish antiquaries, he cynically took advantage of the establishment of the ghetto in March 1941 and its closure a few months later. Saul Horowitz personally ran his own antique store on Wiślna Street until he moved to the ghetto. Then, "after a temporary stay in the ghetto, he and his family were deported with the first transport, most probably to Bełżec."[108] His niece testified that when she visited her uncle in the ghetto in the spring of 1941 "he said […] that Peter Menten had completely emptied his antique store."[109]

According to a testimony given by restorer of furniture and a long-time employee of Stieglitz's store on the Market Square, a similar thing happened there:

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[107] AIPN, 2188/492 (old number 5/76, file 9), List Jadwigi Rybki z 28 VI 1978 r. [Jadwiga Rybka's letter of 28 June 1978]. Jadwiga Rybka lived with her husband Józef and her mother at Ormiańska Street 18. Later in the quoted letter she said that as a result of the revision conducted under the pretext of searching for weapons, the SS-men took the silverware, several ivory and bronze figurines, and three paintings which they removed from the frames and rolled up. These facts find confirmation in a letter from Włodzimierz Rybka (Józef's brother) dated 28 May 1978 (ibidem.).

[108] AIPN, 2188/489 (old number 5/76, file 6), Protokół przesłuchania Zofii Burowskiej z d. Chorowicz z 9 XI 1977 r. [typescript of the interrogation of Zofia Burowska, née Chorowicz, on 9 November 1977].

[109] Ibidem.

> Until the liquidation of the ghetto in Kraków, Jakub [Stieglitz] had a pass and used to come to work in the store. I know that Jakub Stieglitz, on his own account, purchased and collected the most valuable carpets [from] Bukhara, Afghan, Shiraz, etc., as well as other valuable items, such as, antique silverware and silk Oriental prayer rugs, which he stored in locked cabinets in the courtyard. Several days after the liquidation of the ghetto in Kraków, when Jakub Stieglitz ceased to come to work, Kazimierz Kotkowski came over and ordered me to go to the storeroom and fetch the carpets and valuable items, which were Jakub Stieglitz's property. I spread the carpets before Kotkowski, measured them, and he wrote down the measurements and described each carpet. There were about 30 of them. On the same day, Kotkowski listed the antique silverware, which was also Jakub Stieglitz's private property. There were approx. 20 pieces of silverware, including sugar bowls, fruit baskets, and trays, all forged by hand. Several days later, Kotkowski ordered me to load the carpets and the silverware onto a trolley, find a porter, and together with him transport those objects to Menten, to Grottgera Street.[110]

As one may see, when Menten did help the Jews it was only as long as they were useful to him. That was also the case with Józef Stieglitz in Lvov. Even the offer to help him flee was not disinterested. Knowing Menten's stinginess and calculation, Stieglitz was right to assume that their mutual unclosed transactions would not let the Dutchman 'write him off'. For that reason alone the Dutchman twice got him out of the Gestapo prison and wanted to help him to flee from Lvov. Likewise, Menten was handsomely rewarded for his help to Stieglitz's sister and her husband, who were refugees in Lvov and shortly after Józef escaped to Hungary.[111]

Helping Poles was incomparably easier, but Menten did that seldom and not disinterestedly. For instance, he accepted a golden snuff box from Wierzejski, as a token of the latter's gratitude for Menten's help to his sister. Similarly, employing several of his Polish friends, which protected them from forced labor in the Reich, brought a number of benefits to the Dutchman, starting with the low remuneration he paid them.[112]

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[110] AIPN, 2188/485 (old number 5/76, file 2), Protokół przesłuchania Władysława Leśniaka z 16 IX 1976 r. [typescript of Władysław Leśniak's interrogation on 16 September 1976].

[111] A fragment of Józef Stieglitz's letter to Menten's attorneys, dated 18 April 1948: Thanks to his contacts, Menten helped Mr. Artur Wohl and his family register their false Bolivian papers [passports], which enabled them to live as foreigners" (AIPN, 2188/496 [old number 5/76, file 14]). Artur Wohl, Stieglitz's brother-in-law, was a Kraków banker. Not only Tadeusz Podhorodecki had an impression that Menten "did help Jews but only in return for money" (AIPN, 2188/485 [old number 5/76, file 2], Protokół przesłuchania Tadeusza Podhorodeckiego z 10 IX 1976 r. [typescript of Tadeusz Podhorodecki's interrogation on 10 September 1976]).

[112] "During the occupation of Kraków, in 1942 or 1943, Menten helped and saved her [Helena Winiarz's] sister, Mrs. Wallner, who now lives at Francuska Street 52, from Gestapo perse-

But Poles were important to Menten not only as a voluntary or forced source of desired artefacts and a cheap labor force. He was also interested in them as buyers of canvasses by Polish painters that he had looted. It is a well-known rule of the art market that works of art reach the highest price in their creator's homeland. Consequently, Menten spread information among his Polish acquaintances and business partners about his confidential sales of the Polish works of art. The news spread through the grapevine in the appropriate circles. An example of which was the aforementioned auction organized in the Mentens' villa at Grottgera Street 12 shortly before their departure for Holland. A son of Bernard Gutnajer, a famous Warsaw antiquarian murdered in the Warsaw ghetto, came to Grottgera 12 through a similar channel, posing as an art collector named Bielaszewski. Among the paintings Menten offered him, Gutnajer Junior saw his grandfather's portrait painted by Stanisław Lenz, which had hung in his father's apartment until the outbreak of war.[113]

In search of Polish works of art which would guarantee a profitable sale, in the first year of his operation in Kraków Menten used his contacts in Frank's administration to print the following unprecedented advertisement in the 'Official announcements' rubric (*Ämtliche Bekanntmachung*) of *Weltkunst*, the most important German periodical devoted to the art market. A fragment of the advert entitled, "Sale of works by Polish artists in the General Government," reads:

> One of the General Government's offices informs us that currently there are particularly favorable conditions to sell Polish paintings, that is, canvasses by Polish painters. It is advisable to hand such works of art over from German antique stores so that they can be put up at auction in the General Government. Hence, the suggestion to notify members of the professional group of art publishers and dealers, with an instruction that according to the aforementioned suggestion, such paintings may be offered to art dealer P. Menten, Kraków, Adolf Hitler Platz, Kunstsalon Stieglitz.[114]

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cution. Her brother [Tadeusz Wierzejski] asked Menten to intervene with the Gestapo in Nowy Targ and, in return for his help, presented him with a golden snuff box" (AIPN, 2188/492 [old number 5/76, file 9], Notatka służbowa prokuratora Wacława Szulca z wizyty u Heleny Winiarzowej [siostry Tadeusza Wierzejskiego] z 18 IV 1978 r. [Public Prosecutor Wacław Szulc's memo concerning a visit to Helena Winiarz (Tadeusz Wierzejski's sister) on 18 April 1978]).

[113] Nawojka Cieślińska-Lobkowicz, "Habent sua fata libelli. Okupacyjny rynek sztuki w Warszawie a własność żydowska," *Zagłada Żydów. Studia i Materiały* 10 (2014): 206. The files of the GKBZwP's investigation against Menten read that the Home Army (*Armia Krajowa*, AK) counterintelligence purportedly kept Menten under surveillance. A witness purportedly claimed that Menten even had a file, but it was not found despite the efforts.

[114] *Die Weltkunst* 53 (1940): 6: "Amtliche Bekanntmachung: *Verkauf von Werken polnischer Künstler in das Generalgouvernement*. Von ämtlicher Stelle wird aus dem Generalgouvernement darauf aufmerksam gemacht, daß dort zur Zeit besonders gute Absatz möglichkeiten für den Verkauf polnischer Bilder d.h. Werke von polnischen Malern bestehen. Es wird vorgeschlagen, solche Werke aus deutscher Kunsthandlugen in das Generalgouvernement zu ver-

Another absolute exception in the east of occupied Europe was Menten's use of the services of two top local art dealers in Kraków and Lvov. Consulting experts, also 'non-Aryan' ones, was a common phenomenon among Nazi collectors and various intermediaries in the Reich and in the west of Europe, but not in the east. However, Menten knew from his own experience that private apartments in Poland hid an abundance of high-quality works of art and handicrafts. He was also aware that Stieglitz Junior and Wierzejski were well informed regarding such assets. Neither the authorized German looters who took an interest in organized plunder as, for example, Kajetan Mühlmann and his team, nor the luxury-hungry Nazi notables, such as Frank, Wächter, or Lasch knew about that source of valuable cultural assets in the General Government. Due to their ignorance, combined with their contempt for the 'culturally inferior' Jewish and Polish population, after the wave of decreed confiscations of the most valuable objects from Polish public and Church collections, as well as from several aristocratic collections, they began to import paintings and other valuable items for themselves from occupied Holland and France to the General Government, where they even engaged in speculation, which is confirmed in the charges pressed against Lasch during the investigation.

Furthermore, Menten became aware of another advantage of the works of art from local private sources, usually unknown to the general public: it was precisely their anonymous provenance that guaranteed him their future safe circulation.

That anonymity was not always intentional. Menten by no means limited himself to either obtaining objects which aroused his interest directly from their owners by means of agents such as Stieglitz and by applying various methods of pressure, or to their purchase, or to deceitful exchange in the antique art stores, which he managed. Throughout his stay in occupied Poland he also made purchases in the *Treuhand Verwertungsgesellschaft*'s storehouses, which held items from confiscations conducted by the Gestapo and other organs of the General Government. Thus, without personally participating in those criminal activities, Menten became their beneficiary, because he could select what he considered valuable. He was all the more effective as he was a certified expert. Thus it was not he who sought advice. Instead, his advice was sought by those institutions. It is enough to mention the correspondence found after the war in the basement of the villa at Grottgera Street 12, exchanged between the Dutchman and Treuhand Verwertung GmbH in Kraków in connection with his commission to sell a dozen paintings "from the collection of a Jewish fugitive named Leon Holzer [*aus der Sammlung des geflohenen Juden Leon Holzer*]."[115]

äußern. Es wird von dieser Anregung hiermit den Mitgliedern der Fachgruppe Kunstverleger und -händler Kenntnis gegeben und darauf hingewiesen, daß derartige Bilder dem Kunsthändler P. Menten, Krakau, Adolf Hitler Platz, Kunstsalon Stieglitz gemäß der mit geteilten Anregung angeboten werden können."

[115] Leeuw, Expert opinion, p. 41.

For Menten, the Kraków antique stores and the TVG were not only a source of acquisitions, a selection sieve and a screen for his other activities, but also a means of legitimizing his actions and transactions which were illegal even in the light of Nazi regulations. According to Polish witnesses' testimonies, he ordered Jakub Stieglitz to issue fictitious proofs of purchase.[116] A striking aspect of Menten's aforementioned statement of November 1942, made with regard to the charges pressed against him in the Kraków investigation, is that he kept stressing the fact that he had receipts documenting all transactions. Additionally, the document produced in mid-1943 in Berlin to sum up the results of that investigation stated the following:

> The [account] books of those antique art stores [managed by Menten] have been analyzed by the Department of Economy of the Kraków District Governor. It has been found that the books were kept correctly and that they contain no traces of rigging or peculation [*irgendwelche Schiebungen oder Unterschleifen*]. It has only been established that certain objects were sold at a self-cost price.[117]

To sum up, Menten holds a special place in the wide spectrum of Nazi looting. Few of its perpetrators proved equally cunning, effective and had acted with such impunity. In the east of occupied Europe, the Dutchman had no match in the field of specialized looting. During his three-year stay in the General Government, he took maximal advantage of the situation and the circumstances he found himself in. During the first one and a half years he operated more discreetly, keeping up appearances of decency with regard to the Polish and Jewish milieus and of legality before the German occupation authorities. In mid-1941 he became clearly affiliated with the criminal apparatus of the police and SS security services. Under their auspices and using their help (in fact, relatively seldom resorting to bribing its functionaries), Menten undertook wide-ranging and evidently criminal looting of works of art and crafts, gold and foreign currency. Unlike members of the Nazi administration and SS, he could, as a Dutch citizen and civilian, disregard the major restrictions connected with such service, while his contributions and loyalty as an intermediary to the RSHA guaranteed him personal safety. His activity in the General Government was most succinctly summed up by his Polish manservant: "Menten was given a completely free hand at doing any kind of business."[118]

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[116] AIPN, 2188/488 (old number 5/76, file 5), List Mieczysława Głębockiego do prof. Stanisława Lorentza, 11 V 1977 r. [Mieczysław Głębocki's letter to Professor Stanisław Lorentz], 11 May 1977.

[117] The Security Police and SD chief's letter of 24 July 1943 (IVC4bB No. 438/42/G), addressed to the SS judge at the RfSS, SS-Obersturmbannführer Horst Bender, as quoted in: Leeuw, Expert opinion, appendix 9.

[118] AIPN, 2188/504 (old number 5/76, file 11), Protokół przesłuchania Ludwika Pulchnego [typescript of Ludwik Pulchny's interrogation], 13 June 1946.

Instead of a Conclusion

Pieter Nicolaas Menten and his occupation-period 'business partners' in Kraków and Lvov, Tadeusz Wierzejski and Józef Stieglitz, have been an object of my interest for years. This article is a preliminary attempt at describing Menten's looting activity in the General Government. I focused on describing the conditions in which he operated and the methods he used. I'm now embarking upon an attempt to identify at least part of the works of art he looted from Jews and Poles and to examine closer his complex and long-lasting relations with two leading pre-war art dealers in Poland: Józef Stieglitz and Tadeusz Wierzejski.

Translated by *Anna Brzostowska*

Abstract
The Nazi looting of works of art and cultural goods during 1933–1945 is usually divided into institutionalized and unauthorized, that is, wild one. The former was conducted by state and party special organizations and authorities, while the latter, widespread extensively in the east, was practiced by many Germans on their own account. The author suggests introducing a separate category of "specialized looting", encompassing those who engaged in looting with full awareness – on their own account and/or on commission – and who were proficient in evaluation of the artistic goods and knew where and in whose possession they could be found. In the Reich and in occupied France and Holland there were many such expert robbers. In Poland their number remained small after the initial wave of official confiscations. The most notable exception was the Dutchman, Pieter Nicolaas Menten (1899–1987), who after the war became one of the wealthiest citizens of Holland and owner of a private art collection unavailable to the public.

The scope, character, and methods of the looting conducted by Menten for his private use in Kraków and Lvov during the German occupation between early 1940 and the end of 1942 make him a very special case in the history of Nazi looting. These aspects are analyzed on the basis of extensive archival materials and evidence collected in Holland and Poland during the investigations and trials against Menten (the first one took place in the late 1940s and was followed by next ones in the late 1970s), who was accused of collaboration with the Germans and the massacre of Jewish inhabitants of the Galician villages of Urycz and Podhorodce in the summer of 1941. Menten was never sentenced for the looting of works of art in Kraków, where he was an appointed forced administrator of four Jewish artistic salons, or in Lvov, where he appropriated art collections and furnishings of several Lvov professors murdered on 4 July 1941. He was never found guilty even though when in January 1943 he left the General Government and went to Holland he took – with Himmler's special permission – four railway carriages of valuable works of art, gold and silverware, antique furniture, and Oriental rugs. The post-war collection of works

of art in Menten's possession wasn't liable to confiscation under Dutch law and has become dispersed.

Key words
looting of works of art in the General Government, Jewish antique shops and artistic salons in Kraków after 1939, occupation period art trade, murder of professors in Lvov, Schöngarth's *Einsatzgruppe zur besonderen Verwendung*, Dutch Nazi, corruption in the German party apparatus and in the Security Police in the General Government, pursuit of Nazi criminals, post-war trials of perpetrators