

COMMENT ON THE PAINTING PORTRAIT OF WALLY – RELEASED BY THE HEIRS OF LEA BONDI AND THE LEOPOLD MUSEUM PRIVATE FOUNDATION



EGON SCHIELE
Portrait of Wally Neuzil | 1912
Leopold Museum, Vienna, Inv. 453

This painting (Portrait of Wally by Egon Schiele) was the personal property of Lea Bondi Jaray, a Jewish art dealer in Vienna, who fled in 1939 to London, where she died in 1969.

The Painting subsequently became the subject of court proceedings in New York City from 1998 to 2010, after it was loaned in 1997 to the Museum of Modern Art in New York (MoMA) by the Leopold Museum as part of an exhibition of Schieles from the Leopold Museum's collection. In 1999, the United States Government commenced a civil forfeiture action in New York, alleging that the Painting was stolen from Lea Bondi Jaray during the Nazi era by a Nazi named Friedrich Welz, and was imported into the United States in 1997 by the Leopold Museum in violation of U.S. law. The Estate of Lea Bondi Jaray asserted a claim to the Painting in the action, and the U.S. Government agreed that upon forfeiture of the Painting, it would transfer to the Estate all right and title to the Painting.

Based on the evidence presented during the case, the United States District Court in New York concluded in 2009 that the Painting was the personal property of Lea Bondi Jaray and that it was stolen from her in Vienna in the late 1930's by Friedrich Welz, who was a member and collaborator of the Nazi party.

The Court found that the Painting had been seized from Welz by the U.S. Forces in Austria after the War and delivered in 1947 to the Austrian Federal Office for the Preservation of Historical Monuments (the "Bundesdenkmalamt"), along with paintings Welz had acquired from Dr. Heinrich Rieger, a Jewish art collector who had perished during the Holocaust. In 1950, the Bundesdenkmalamt delivered artworks to an agent for the Rieger heirs and included the Painting in the delivery. Later that year, the Rieger heirs sold their works to the Austrian National Gallery (the "Belvedere"), and the Painting was included in the delivery of artworks to the Belvedere. In 1954, the Belvedere traded the Painting to Dr. Rudolf Leopold. In 1994, Dr. Leopold transferred the Painting to the Leopold Museum.

Following the Court's findings on these issues, the case was finally resolved in 2010 by the U.S. Government, the Estate and the Leopold Museum. The Leopold Museum agreed to pay the Estate a substantial sum and, in return, the Estate agreed to release its claim to the Painting and the Government agreed to dismiss the civil forfeiture action and release the Painting to the Leopold Museum.