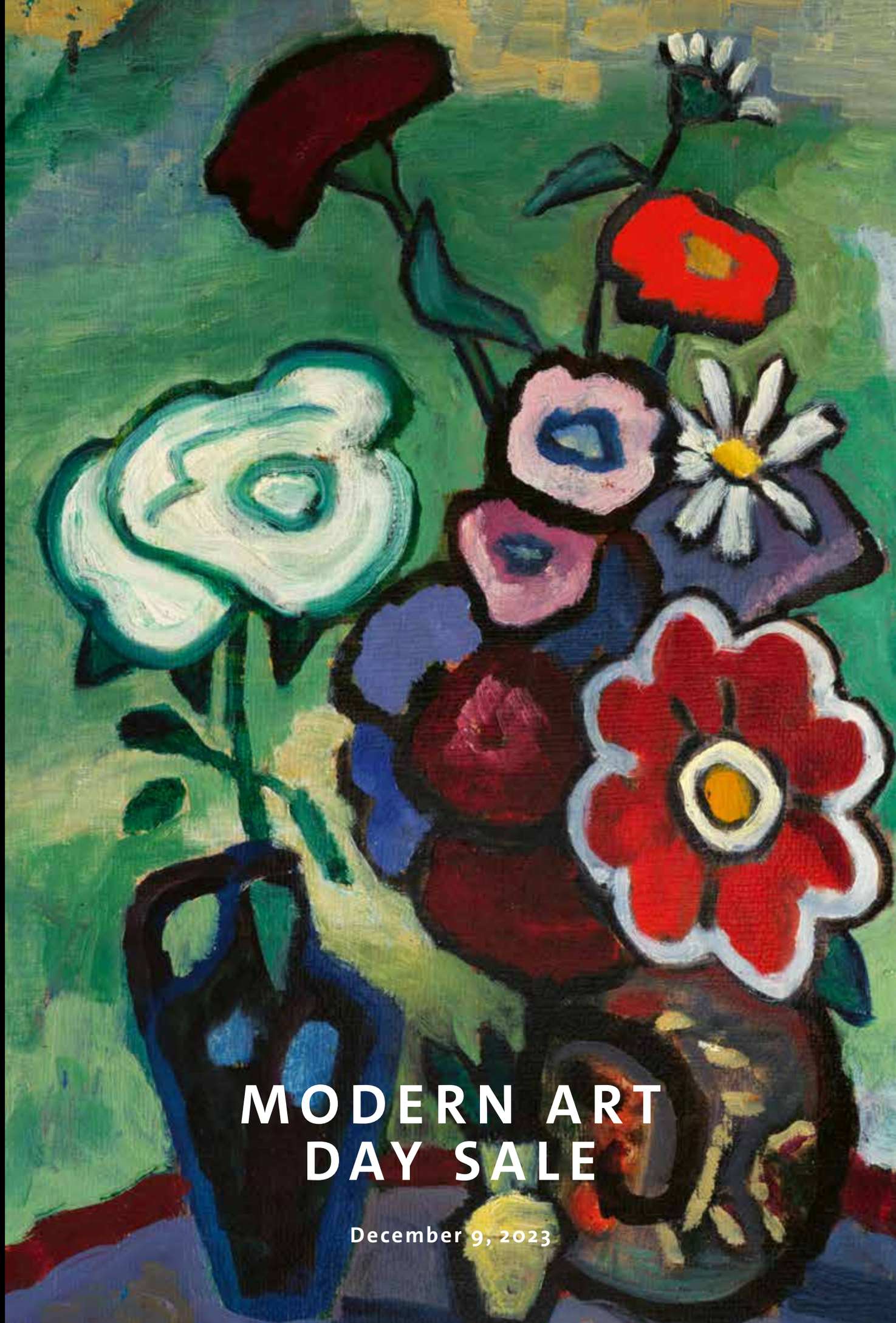
KETTERER KUNST



MODERN ART DAY SALE

December 9, 2023

AUCTION 547

Modern Art Day Sale

Auctions

Lots 400 – 485 Modern Art Day Sale (547)
Saturday, December 9, 2023, 5.30 pm

Ketterer Kunst Munich
Joseph-Wild-Straße 18
81829 Munich

For seat reservations please call: +49 (0) 89 5 52 440
or send an e-mail to: infomuenchen@kettererkunst.de

Further Auctions

Lots 100 – 247 Contemporary Art Day Sale (548)
Friday, December 8, 2023, 1 pm

Lots 1 – 75 Evening Sale (545)
Friday, December 8, 2023, from 5 pm

Lots 300 – 375 19th Century (546)
Saturday, December 9, 2023, from 1.30 pm

Lots 500 – 549 Bunte Collection (552)
Saturday, December 9, 2023, from 4 pm

Online Only onlineonly.kettererkunst.com
Monday, November 15, 2023, from 3 pm –
Sunday, December 10, 2023, 3 pm
Gradually running out

Preview

Frankfurt
Bernhard Knaus Fine Art, Niddastraße 84, 60329 Frankfurt/Main
Phone: +49 (0)6221 58 80 038, infoheidelberg@kettererkunst.de

Sat.	November 11	11 am – 7 pm
Sun.	November 12	11 am – 4 pm

Cologne
Ketterer Kunst, Gertrudenstraße 24–28, 50667 Cologne
Phone: +49 (0)221 51 09 08 15, infokoeln@kettererkunst.de

Fri.	November 17	11 am – 9 pm
	Opening reception	from 5 pm
Sat.	November 18	11 am – 7 pm
Sun.	November 19	11 am – 4 pm

Hamburg
Galerie Herold, Colonnaden 5, 20354 Hamburg
Phone: +49 (0)40 3 74 96 10, infohamburg@kettererkunst.de

Wed.	November 22	11 am – 9 pm
	Opening reception	from 5.30 pm
Thu.	November 23	11 am – 3 pm

Berlin
Ketterer Kunst, Fasanenstraße 70, 10719 Berlin
Phone: +49 (0)30 88 67 53 63, infoberlin@kettererkunst.de

Sat.	November 25	10 am – 7 pm
	Opening reception	from 5 pm
Sun.	November 26	10 am – 6 pm
Mon.	November 27	10 am – 6 pm
Tue.	November 28	10 am – 6 pm
Wed..	November 29	10 am – 6 pm
Thu.	November 30	10 am – 8 pm

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

Sat.	December 2	12 pm – 7 pm
	Opening reception	from 4 pm
Sun.	December 3	11 am – 5 pm
Mon.	December 4	10 am – 6 pm
Tue.	December 5	10 am – 6 pm
Wed.	December 6	10 am – 8 pm
Thu.	December 7	10 am – 5 pm
Fri.	December 8	10 am – 5 pm*

* only Modern Art and 19th Century

Exchange rate: 1 Euro = 1,05 US Dollar (approximate value).

Front cover: Lot 467 G. Münter – frontispiece: Lot 415 H.M. Pechstein – p. 2: Lot 438 Renée Sintenis –
p. 6: Lot 419 E. Tappert – p. 8/9: Lot 445 E. L. Kirchner – p. 242: Lot 459 G. Schrimpf – p. 241: Lot 445 K. Hofer –
rear inside cover: Lot 468 E. Nolde – rear outside cover: Lot 407 P. Modersohn-Becker

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For online bidding, please register the latest one day ahead of the auction. If you want to create a new account, please click on “Register now” and you will receive an activation link. Please note that we are legally obligated to archive a copy/scan of an official ID. If you intend to place bids of more than € 50,000, please inform us beforehand.

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Sunday, December 10, 2023, from 3 pm (lots sold consecutively)

AUTUMN AUCTIONS 2023

KETTERER KUNST

Aufträge | Bids

Auktionen 545 | 546 | 547 | 548 | 552 | @

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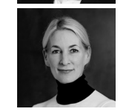

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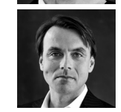

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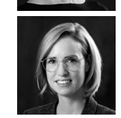

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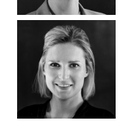

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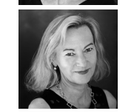

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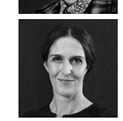

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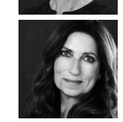

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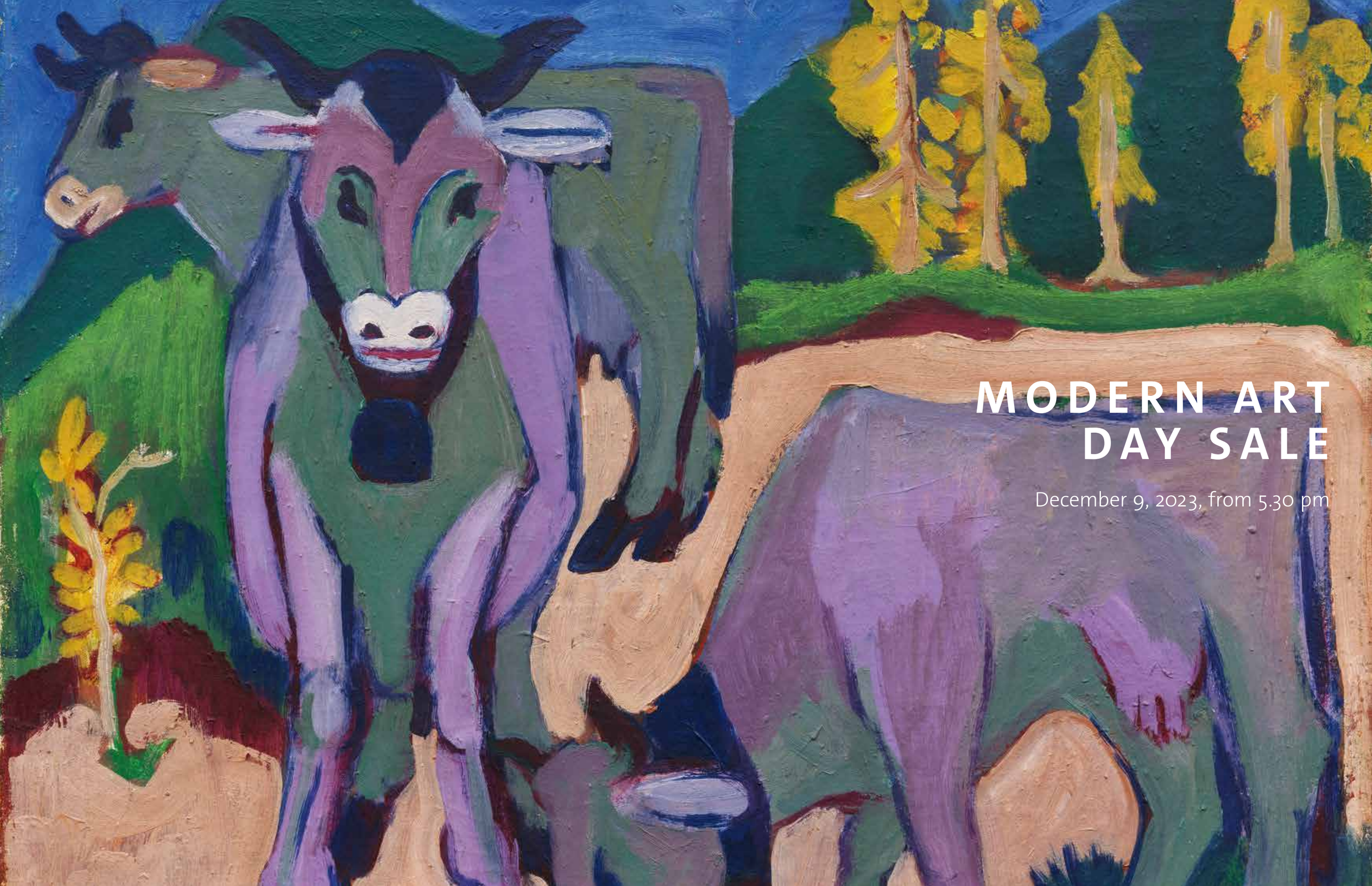

MODERN ART DAY SALE

December 9, 2023, from 5.30 pm

400

LOVIS CORINTH

1858 Tapiau/East Prussia – 1925 Zandvoort (The Netherlands)

Stillleben mit Blumen in Vase, Muschel und Obst. 1902.

Oil on canvas.
Berend-Corinth 248. Signed in upper left. With fragments of an old label on the stretcher's reverse. 33,5 x 41,3 cm (13.1 x 16.2 in). [KT]

Accompanied by an expertise from Prof. Hans-Jürgen Imiela (1927–2005), Mainz, dated April 30, 1994.

Called up: December 9, 2023 – ca. 5.31 pm ± 20 min.

€ 30.000 – 40.000 (R/D)
$ 31,500 – 42,000

PROVENACE

- Collection Dr. Ferdinand Mainzer, Berlin/Los Angeles (since 1932 the latest, presumably until 1943).
- Mainzer family, Los Angeles (until 1993: Hauswedell)
- Private collection Bavaria.

LITERATURE

- Hauswedell & Nolte, Hamburg, auction on June 10, 1993, lot 172 (with illu.).

- **Next to Liebermann, Corinth was the most importnat German impressionist**
- **His painterly strength can fully unfold in his still lifes**
- **Collaboration witrh his wife Charlotte, likewise a painter: composed by Charlotte on October 12 and painted by Lovis the next day**
- **Mavelous airy composition that plays with the pastel shine of roses and mother-of-pearl**

"It is sad to hear that it got you so badly, my darling, but it'll get better. The still life will stay as it is, I think I'll paint it tomorrow. You just make sure you'll paint again soon. The stil life is well composed and quite promising, it's a fine art, if you are capable of it. Dear greetings from your teacher."

Lovis Corinth in a correspondence with Charlotte Berend on October 12, 1902. As student of Corinth, Berend had set up a still life in a studio and began to make a study. Since she didn't get down to finish it, Corinth painted the pciture instead.

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

401

LOVIS CORINTH

1858 Tapiau/East Prussia – 1925 Zandvoort (The Netherlands)

Tiroler Bauernstube. 1913.

Oil on canvas, laminated on cardboard.
Signed in upper right. 63 x 80 cm (24.8 x 31.4 in).

We are grateful to Dr. Annette Baumann, Hanover, Dr. Angelika Enderlein, Berlin, Dr. Regina Stein, Berlin, Dr. Katja Terlau, Cologne and the research project "RSRG" for the kind expert advice.

Called up: December 9, 2023 – ca. 5.32 pm ± 20 min.

€ 40.000 – 60.000 (R/D)
$ 42,000 – 63,000

PROVENACE

- Leo Nachtlicht, Berlin (at leats 1926-1932).
- Max Perl, Berlin: Sammlung Dipl.-Ing. Leo Nachtlicht und Beiträge aus anderem Besitz, auction on February 6, 1932, lot 507 (not sold).
- Robert Graetz, Berlin (presumably acquired from the ownership of Leo Nachtlichtin 1932).
- Dr. Conrad Doebbeke, Berlin/Hanover (1954 the latest).
- Elsa and Tomy Doebbeke, Hanover (inherited from the above in 1954, until 1958).
- Lempertz, Cologne, Kunst des XX. Jahrhunderts (auction 451), October 28, 1958, lot 52 (illu., from the above).
- Private collection, Cologne (acquired from the above in 1958).
- Ever since family-owned.
- In 2020 amicable agrement with the heirs after Robert Graetz.
- Private collection Northern Germany (acquired in 2020).

EXHIBITION

- Lovis Corinth, Ausstellung von Gemälden und Aquarellen zu seinem Gedächtnis, Nationalgalerie Berlin, 1926, cat. no. 210.

LITERATURE

- Charlotte Berend-Corinth, Lovis Corinth. Die Gemälde, catalogue raisonné, Munich 1992, no. 484 (fig.).

- **Made in a year that was significant both for his own biography and for art history in general: the first monograph was published, Paul Cassirer organized a grand retrospective with 228 paintings, Corinth regained physical and artistic**
- **Particularly personal, intimate depiction of the artist's family during their summer stay in Tyrol**
- **Powerful, expressive colors and lively style characteristic of the important German impressionist**

"Painted in St. Ulrich, Val Gardena. I did Corinth a favor and invited some village musicians. We drank Tyrolean wine with them, and the picture was created in this happy mood."

Quoted from: Charlotte Berend-Corinth, Lovis Corinth. The paintings, Munich 1992, p. 128

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

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MAX SLEVOGT

1868 Landshut – 1932 Neukastel

Kinder am Weiher (Garten in Godramstein). 1909.

Oil on canvas.
With the estate stamp and the hand-written registration number "149", the erroneous date "1911" and the signature of Wolfgang Slevogt, the artist's son, on the reverse. 63 x 78,5 cm (24.8 x 30.9 in).

This work's authenticity was kindly confirmed orally by Bernhard Geil.

Called up: December 9, 2023 – ca. 5.34 pm ± 20 min.

€ 80.000 – 120.000 (R/D)
$ 84,000 – 126,000

PROVENACE

- Collection Caroline von Slevogt, née Lucas (the artist's mother).
- Private collection.
- Private collection.
- Private collection Berlin (acquired from the above in 2005).

EXHIBITION

- Liebermann - Corinth - Slevogt. Die Landschaften, Wallraf-Richartz-Museum & Fondation Corboud, Cologne, April 30 - August 1, 2010; Museum of Fine Arts, Houston, September 12 - December 5, 2010, cat. no. 67 (color illu.).
- After Impressionism. Inventing Modern Art, The National Gallery, London, March 25 - August 13, 2023, cat. no. 63 (color illu.).

LITERATURE

- Kunsthaus Lempertz, Cologne, 882nd auction, Moderne Kunst, December 3, 2005, lot 986 (color illu. p. 319).

- **Until August this year, the painting was part of an exhibition at the National Gallery in London**
- **Park landscape beautifully laid out on the canvas in a relaxed and summary manner**
- **Slevogt mentions the painting in a hand-written catalog and dates it to 1909**
- **Together with Liebermann and Corinth, he was one of the most important representatives of German Impressionism**

The present park landscape is characterized by a special atmospheric lightness. The loose application of light colors, the virtuoso play of light and shadow under the trees and the random family scene underline Max Slevogt's outstanding position within German Impressionism. After Slevogt had studied at the Munich Academy of Fine Arts from 1884 to 1889, he enrolled in the renowned Académie Julian in Paris in 1889. However, it was only his participation in the 1900 World Exhibition in Paris and his contact with French Impressionism, especially with the paintings of Édouard Manet, that would mark a kind of turning point on his own artistic path. He abandoned the rather dark colors of his dramatic paintings, sometimes with symbolist echoes à la Arnold Böcklin, towards a light plein-air painting in the spirit of Claude Monet. The spontaneously rendered account of the fleeting visual impression in conjunction with a suggestive characteristic flow is impressively demonstrated in the present painting "Kinder am Weiher (Garten in Godramstein)" (Children at the Pond (Garden in Godramstein)) from 1909. It was made during a time when Slevogt received many commissions for landscapes and portraits from the Bavarian Prince Regent Luitpold, while he still found time for personal depictions such as this painting which used to be in possession of the artist's mother, Caroline von Slevogt. In an almost photographically captured moment, Slevogt shows his two children Nina and Wolfgang together with their nanny on the way to a pond on his in-laws' property. Later, the nearby Neukastell estate, later called ‚Slevogthof' (estate), was to become the artist's retirement home. The Palatinate landscape around Godramstein with a view of the Vosges and surrounding vineyards inspired his work throughout his life; it can be seen as additional impetus for his development towards impressionistic painting. The landscape offfered him the perfect setting for an occupation with the atmospheric effects of the seasons, the times of the day and weather phenomena. He shows an autumnal scene, the leaves are already brown and the rays of the afternoon light find their way through the thick foliage of the treetops, casting their warm light on both the path and the three figures. One can literally imagine Max Slevogt sitting behind the frame with an easel.
It is therefore not surprising that the painting was part of the acclaimed exhibition "After Impressionist: Inventing Modern Art" at one of the world's leading museums, the National Gallery in London, just this summer. [AW]

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

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MAX OPPENHEIMER

1885 Vienna – 1954 New York

Bildnis Arthur Schnitzler. 1911.

Oil on canvas.
Lower right monogrammed "MOPP". With various old labels and hand-written numbers on the reverse. 80,5 x 71,5 cm (31.6 x 28.1 in). [KT]

Called up: December 9, 2023 – ca. 5.35 pm ± 20 min.

€ 60.000 – 80.000 (R/D, F)
$ 63,000 – 84,000

PROVENACE

- Dr. Viktor Manheimer (1877-1942), Munich (presumably since 1910, the latest since 1911, until 1918 the latest).
- Private collection, no location (ca. 1918 - at least 1930, as of 1930 on consignment at Jost Florack, Berlin).
- Private collection of a stage designer, Munich (until 1987).
- Private collection Munich (inherited from the above in 1987).
- Private collection Southern Germany (acquired from the above).

EXHIBITION

- Max Oppenheimer. Gesamtausstellung, Moderne Galerie Heinrich Thannhauser, Munich 1911, no. 12.
- Kunsthaus Zürich, exhibition in October 1911, cat. no. 137 (not for sale).
- XIV. Jahrgang. Winter 1911/1912. IV. Kollektionen Richard Dreher, Werner Hoffmann, Max Oppenheimer, Kunstsalon Paul Cassirer Berlin, January 6 - 18, 1912. no. 37.
- Mannheimer Kunstverein [with the group SEMA, Jan. 1913?] (with the numbered label).
- Kunstsalon Emil Richter, Dresden [with the group SEMA, 1913?] (with the numbered label).

LITERATURE

- Marie-Agnes von Puttkamer, Max Oppenheimer - MOPP (1885-1954). Leben und malerisches Werk mit einem Werkverzeichnis der Gemälde, Vienna et al 1999, pp. 58, 66, 168, p. 226, no. 47 (fig.).
- Arthur Schnitzler, Tagebuch 1909-1912, Vienna 1981, pp. 208, 212, 214-217, 266, 328.
- Erich Mühsam, Tagebücher, online editions by Chris Hirte and Conrad Piens, 2011; issue V, May 7 - July 28, 1911, entry from Sunday May 21, 1911.
- Bildende Künstler, volume. 1, 1911, fig. p. 243.
- Wilhelm Michel, Max Oppenheimer, München 1911, p. 34, fig. p. 11.
- Fr. v. Khaynach, Von Berliner Kunstausstellungen, in: Neue Preußische Zeitung, January 17, 1912, no. 26.
- B. [Oscar Bie], Hier und dort, in: Berliner Börsen-Courier, January 14, 1912, no. 22
- Hnn. [Alfred Georg Hartmann], Im Kunstsalon Cassirer, in: Der Tag, January 18, 1912, no. 31
- Max Osborn, Sezessions-Nachwuchs. Die Januar-Ausstellung bei Cassirer, in: B.Z. am Mittag, January 19, 1912, no. 16
- Fra. [Hans Franke (?)], Aus Berliner Kunstsalons, Frankfurter Zeitung, February 12, 1912, no. 42
- Dr. Paul Kautzsch, Kunstausstellungen bei Schulte, Paul Cassirer und Gurlitt, in: Westermanns Monatshefte, volume 56, issue 112, no. 7, April 1912, pp. 280-288.
- Max Osborn, "MOPP", in: Veröffentlichungen des Kunstarchivs, no. 25/26, MOPP. Max Oppenheimer, Berlin [1926], p. 5.

- **Along with Kokoschka and Schiele, Oppenheimer is the most important protagonist of Viennese Expressionism**
- **The Leopold Museum in Vienna currently honors the artist with the grand solo exhibition "Max Oppenheimer - Expressionist der ersten Stunde" (Expressionist of the First Hour)**
- **From 1910 onwards, he made sensitive portraits of Viennese artists and intellectuals**
- **Important people were among his sitters: Thomas and Heinrich Mann, Arnold Schönberg, Tilla Durieux, Antonin Dvorak, Sigmund Freud, Heinrich Thannhauser**
- **The portraits, exhibited at Thannhauser Munich in 1911, helped him to his breakthrough**
- **This is the first time that the portrait of the literary icon from the turn of the century is offered on the auction market (source: artprice.com)**
- **Other portraits are in the Leopold Museum, Vienna, the Pinakothek der Moderne, Munich, and the Neue Nationalgalerie, Berlin**

- Max Oppenheimer, hand-written list of works, around 1928, Berlin Museum.
- Hugo Helbing, Munich, Ölgemälde und Handzeichnungen des 19. und 20. Jahrhunderts, auction on December 21, 1931, lot no. 49 (fig.).
- MOPP. Max Oppenheimer, Menschen finden ihren Maler, Zürich 1938, pp. 29f., fig. p. 31.
- Else Hoffmann, Heinrich Mann und MOPP, in: Austro American Tribune, vol. 1, no. 8, March 1944, p. 8.
- Alessandra Comini, Egon Schiele's portraits, Berkeley et al 1974, pp. 45, 203 annotation 62.
- Gerhart Baumann, Arthur Schnitzler, Die Welt von Gestern eines Dichters von morgen, Frankfurt a.M./Munich 1975, fig. p. 57.
- Walter Feilchenfeldt/Bernhard Echte, Kunstsalon Cassirer, vol. 5: "Verheißung und Erfüllung zugleich", Wädenswil 2016, p. 447 (fig.).
- ARCHIVE MATERIAL:
- Brief Florack, Jost an Schnitzler, Arthur, January 17, 1930, partial estate of A:Schnitzler, Arthur, Deutsches Literaturarchiv Marbach, folder 756.
- Brief Schnitzler, Arthur an Florack, Jost, January 23, 1930, partial estate of A:Schnitzler, Arthur, Deutsches Literaturarachiv Marbach, folder 327.

Max Oppenheimer belongs to the central circle of Viennese artists who conceived a very individual form of Expressionism. He came from an intellectual middle class family, his father was a journalist and editor. His artistic talent became apparent early on; at the age of 15 he enrolled at the Vienna Academy of Fine Arts. After his father's death, he transferred to the academy in his mother's hometown Prague in 1903. In 1906 he completed his studies and traveled to France and Holland, where he focused on the impressionist paintings of Max Liebermann and the expressive color worlds of Vincent van Gogh, whose paintings were exhibited in the Vienna Galerie Miethke in 1906. Above all, Max Liebermann's portrait concept of the half-length figure in reduced tonality can be found in a first portrait for which Heinrich Mann sat as a model in 1907. After the turn of the century, a new generation that turned away from the light harmony of Impressionism and the otherworldly aestheticism of Art Nouveau emerged in Vienna. The uncertainty that the encounter with an ever faster changing modernity brought with it became increasingly visible in artistic creation. Literature and psychology in the intellectual Vienna paved the way for a view that did not seek superficial beauty, but allowed deeper knowledge to become visible. As part of the International Art Show in Vienna in 1909, Oppenheimer met Kokoschka and Schiele, with whom he then formed a studio community. It was probably through Kokoschka that he came into contact with the doctor and patron Dr. Oskar Reichel, who had an open house for artists, writers, musicians and intellectuals. Oppenheimer immortalized some of them in his portraits imbued by subtle psychology, including Sigmund Freud 1909 (Abraham Brill Library, New York). Through the agency of the gallery owner and art critic Arthur Roessler, Reichel's brother-in-law, he had an exhibition at Galerie Thannhauser in Munich, the then most important gallery for contemporary art, where he also presented this portrait of Arthur Schnitzler, doctor and writer. His stories reflect the refined aestheticism and the neuroticism of the Viennese upper class. What is typical of Oppenheimer are the slightly shifted shoulders, the furrowed surface marked by the traces of life, its rough surface filled with spiritual structures. Dark colors, as if they came from the subconscious, encourage a psychological view of the subject: "You can see in the faces and behind things." (Oppenheimer, quoted from Puttkamer, p. 57). Oppenheimer received enthusiastic criticism for this new approach to portraiture: "Since the last Corinth and Liebermann exhibitions at Moderne Galerie, I have not had such strong impressions as I do now in front of Oppenheimer's portraits, which are literally revelations of the people portrayed." (Hermann Eßwein, in: Veröffentlichungen des Kunstarchivs, 25/26, 1926, p. 58). Thannhauser signed Oppenheimer and sent the exhibition to Cologne, Frankfurt, Mannheim and Zurich. The success of his artist friend may have been the reason for the subsequent discord with Kokoschka, who tried to push Oppenheimer back by inducing a real campaign against him. In a long overdue grand exhibition in 2023, the Leopold Museum in Vienns helps Oppenheimer's important work, which has partially been repelled by Kokoschka and Schiele, to its deserved acknowledgement. [KT]

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

404

ALEXEJ VON JAWLENSKY

1864 Torschok – 1941 Wiesbaden

Abstrakter Kopf. 1933.

Oil on cardboard.
Lower left monogrammed and lower right dated. With an oil study of a rustic wardrobe and the inscription "12" on the reverse.
22 x 15,5 cm (8.6 x 6.1 in).

Called up: December 9, 2023 – ca. 5.36 pm ± 20 min.

€ 60.000 – 80.000 (R/D)
$ 63,000 – 84,000

PROVENACE

- Mela Escherich Collection, Wiesbaden (gifted from the artist in 1933).
- Estate of Mela Escherich, Wiesbaden (since 1956).
- Hanna Bekker vom Rath Collection, Hofheim im Taunus.
- Private collection.
- Private collection (acquired from the above in 1989).
- Private collection Southern Germany (acquired from the above in 1992).

LITERATURE

- Maria Jawlensky/Lucia Pieroni-Jawlensky/Angelica Jawlensky, Alexej Jawlensky. Catalogue Raisonné of the Oil Paintings, vol. II (1914-1933), Munich 1992, p. 481, no. 1417 (color illu. p. 493).
- Sotheby's, London, November 29, 1989, lot 199 (color illu.).
- Grisebach, Berlin, 24th auction, May 29, 1992, lot 63 (color illu.).

- **A particularly color-intense copy from the important series of the "Abstract Heads"**
- **Jawlensky left classic portraiture behind him in a radical manner**
- **Harmonious composition in an appealing symmetry informed by geometry**
- **In 1933 present from Jawlensky to the art historian and friend Mela Escherich**

verso

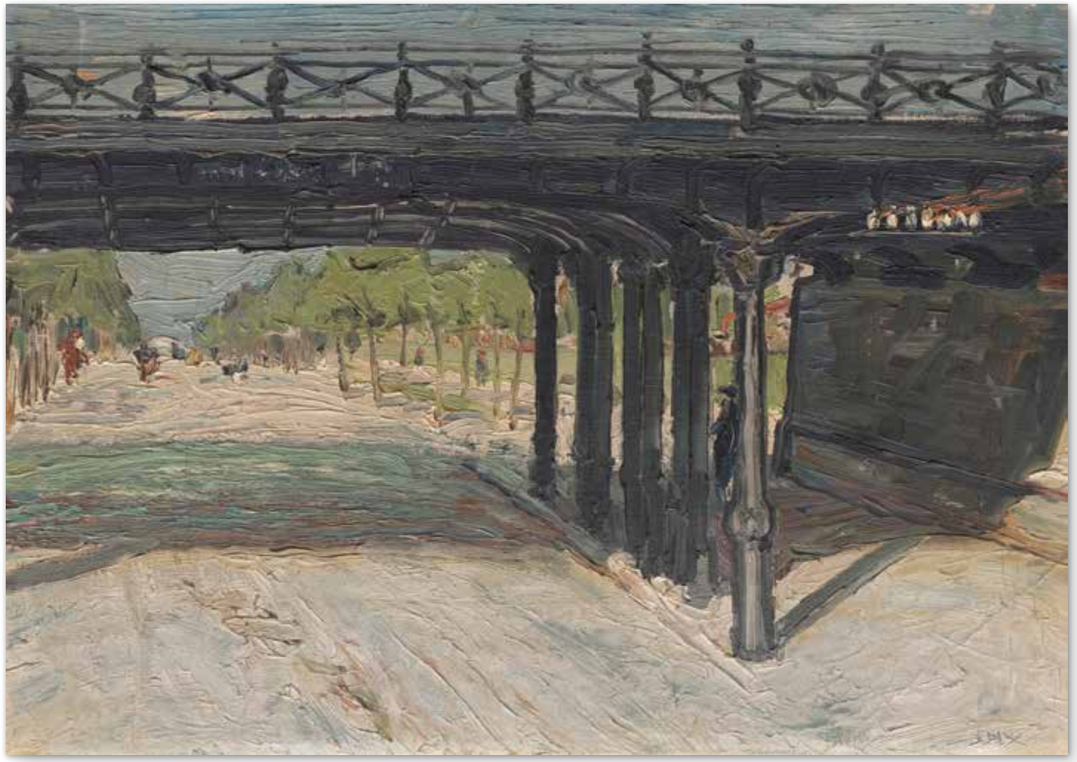
"Heads. The greatness of these completely unique, unprecedented creations lies in the superior serenity with which the difficulties of technique have been overcome, and how freedom for the unrestrained language of the heart has been won. In the wonderful harmony, it flows like the intimacy of Brahms' melodies."

Mela Escherich, in: Der Cicerone, year XVIII, 1926, quoted from: Clemens Weiler, Köpfe-Gesichte-Meditationen, Hanau 1970, p. 129.

From the beginning on, Alexej von Jawlensky consistently pursued only three subjects: the still life, the landscape and the portrait. He increasingly turned to portraits, which he revisited in meditations, variations and in serial works, until his death in Wiesbaden in 1941. As early as in 1914 while in exile in Switzerland, he made first "Savior Faces" and "Mystical Heads" in which he would almost completely overcome the portrait character of previous heads. As a logical consequence, he made another step towards abstraction and the development of color field painting with the "Abstract Heads" made between 1918 and 1933. Our "Abstract Head" from 1933 combines a particularly exciting play of cheerful colors on the one hand, and inner contemplation on the other. Jawlensky entirely removed the scheme, taken from traditional Russian icons, from all naturalistic representation. In search of depth of expression, he broke facial features into geometric shapes and rearranged in an almost architectural symmetry. With a composition of sharp lines and finely coordinated color fields, Jawlensky's art reached a mythical level at which he made the invisible tangible. This topic also concerned the art historian Mela Escherich, writer and friend of Jawlensky, who was among the work's early owners. After they had met in the early 1920s, the two like-minded people became close friends. Escherich provided him with reading material as well as with financial support and, as Jawlensky became increasingly ill, she was one of his so-called "emergency helpers". In return for her help, the artist gave her pictures such as the present "Abstract Head" from 1933. Even after his death, she acted as a tireless supporter and even made first efforts to compile a catalogue raisonné. So it's not just the special expressiveness of the work that gives it such a spirited character, but also the exciting provenance and the unique background story. [AW]

original size

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



Postcard showing Dresden Central Station, publ. by Oswald Neubert, Dresden, sent in 1911, collection of Günther Hunger, Oschatz.

- **Hitherto unknown painting by the important representative of New Objectivity from his early creative phase (1910–1914)**
- **With a close-up detail, expressive style, strong light-dark contrasts and skilful play of light and shadow, Dix elevates the architecture of a bridge at Dresden Central Station, which went into operation in April 1898, to the protagonist of his composition**
- **Comparable works from these years show, for example, the Lennéstrasse in Dresden, the view of Dresden-Neustadt or the factory district in Gera**
- **In 1912, the powerful late Impressionism of his landscapes and city motifs in Dresden and Ger was replaced by a more pluralistic style**

405

OTTO DIX

1891 Gera – 1969 Singen

Brücke in Dresden. Around 1911/12.

Oil on canvas, laid on cardboard.
Signed in lower right (scratched into the wet paint).
46,1 x 65,3 cm (18.1 x 25.7 in).
Between October 2022 and October 2023, the work was on loan at the Museum Moritzburg in Halle (Saale).
Until Februar 25, 2024 the Deichtorhallen in Hamburg host the grand exhibition "Dix und die Gegenwart". [CH]

The certificate of authenticity by Dr. Ulrike Lorenz was not at hand before printing.

Called up: December 9, 2023 – ca. 5.38 pm ± 20 min.

€ 25.000 – 35.000 (R/D, F)
$ 26,250 – 36,750

PROVENACE

· Collection of Ludwig Oskar Herbert Rüger (1892 until presumably 1966), Dresden.

· Ever since family-owned.

406

MAURICE UTRILLO

1883 Paris – 1955 Dax/Landes

Le Chateau. Around 1920.

Oil on panel, cradled.
Signed in lower right. 60 x 74 cm (23.6 x 29.1 in).

Accompanied by a photo authentication issued by Hélène Bruneau, owner of Maurice Utrillo's moral rights, and by Suzanne Valadon, president of Comité Utrillo-Valadon, on July 20, 2022. The work will be included into the forthcoming catalogue raisonné.

Called up: December 9, 2023 – ca. 5.39 pm ± 20 min.

€ 25.000 – 35.000 (R/D, F)
$ 26,250 – 36,750

PROVENACE

· Private collection Southern Germany.

- **After a period dominated by light tones, Utrillo attained his ‚color painting' in the 1920s**
- **In 1995, the Musée Utrillo-Valadon was opened in Sannois**
- **The village and city scenes in particular are typical motifs of the École de Paris artist**
- **Paintings by Maurice Utrillo can be found at, among others. the Museum of Modern Art, New York, the Hiroshima Museum of Art, Hiroshima (Japan) and the Musee d'Orsay, Paris**

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

407

PAULA MODERSOHN-BECKER

1876 Dresden-Friedrichstadt – 1907 Worpswede

Landschaft mit Birken, im Hintergrund zwei Hausgiebel. Around 1900.

Oil on paper, on cardboard.
54,8 x 40,5 cm (21.5 x 15.9 in).
With a fragment of a confirmation of authenticity by Prof. Dr. Emil Waldmann, Kunsthalle Bremen, from August 2, 1922, pasted on the reverse and with a stamp of Kunsthalle Bremen (Lugt L. 294).

Called up: December 9, 2023 – ca. 5.40 pm ± 20 min.

€ 30.000 – 40.000 (R/D)
$ 31,500 – 42,000

- **Her unique reduction to the essential makes Modersohn-Becker an important representative of early Expressionism**
- **In 1900 she visited Paris for the first time and became acquainted with the reduced yet monumental formal language of Cézanne, van Gogh and Gauguin**
- **In the solitude of the Worpswede landscape, she processed the newly gained impressions**
- **The artist's works are in important international collections like the Detroit Institute of Arts, the Städel Museum, Frankfurt am Main, and the Kunstmuseum Basel**

PROVENACE

- Mita Boecking Collection Schwerte.
- Private collection Schleswig-Holstein.
- Private collection Northern Germany.

LITERATURE

- Günter Busch, Milena Schicketanz, Wolfgang Werner, Paula Modersohn Becker 1876-1907. Catalogue raisonné of paintings, volume II, Munich 1998, cat. no. 130 (illu. on p. 130).
- Villa Grisebach Auktionen, Berlin, 123rd auction, November 27, 2004, cat. no. 118 (color illu.).

408

CHRISTIAN ROHLFS

1849 Niendorf/Holstein – 1938 Hagen

Landschaft bei Hetschburg. 1907.

Oil on canvas.
Lower right monogrammed and dated.
70 x 80 cm (27.5 x 31.4 in). [AR]

Called up: December 9, 2023 – ca. 5.42 pm ± 20 min.

€ 30.000 – 40.000 (R/D)
$ 31,500 – 42,000

- **From the artist's early work, made at the important transition from a neo-impressionist to an expressionist style**
- **Scenery immersed in autumnal colors, that testifies to Rohlf's mastery in landscape painting**
- **Celebrated by his contemporaries in Weimar for his plen-air painting, he would become one of the most important expressionist painters in Germany**

PROVENACE

- G. Alig, Lucerne.
- Galerie Fischer, Lucerne.
- Roman Norbert Ketterer, Campione d'Italia.
- Private collection Northern Germany.

LITERATURE

- Paul Vogt, Christian Rohlfs. Oeuvre Katalog der Gemälde, Recklinghausen 1978, cat. no. 408 (fig.).
- Galerie Fischer, Große Kunstauktion, Lucerne, June 20, 1959, lot 2293 (here "Hügellandschaft mit Bauernhäusern", fig. plate 32).
- Galerie Fischer, auction 274, Lucerne 1977 (estate Schloß Binz auf Rügen), lot 1968 (fig. plate 18).

409

KARL HOFER

1878 Karlsruhe – 1955 Berlin

Herbstblumen. 1917.

Oil on canvas.
Lower left monogrammed (in ligature). Titled "Herbstblumen II" (by a hand other than that of the artist ?) on a label on the reverse.
100,5 x 70 cm (39.5 x 27.5 in).

Called up: December 9, 2023 – ca. 5.43 pm ± 20 min.

€ 40.000 – 60.000 (R/D, F)
$ 42,000 – 63,000

PROVENACE

- Kunstsalon L. Schames, Frankfurt am Main
- Ethel Iverson Collection, London
- Private collection Northern Germany (presumably acquired in1975, ever since family-owned).

EXHIBITION

- Carl Hofer. Martha Wolff, Kunstsalon Ludwig Schames, Frankfurt a. Main 1918, no. 7 (titled: "Blumenstrauß").

LITERATURE

- Karl Bernhard Wohlert (editor), Hans M.Eisbeis (publisher), Karl Hofer. Catalogue raisonné of paintings, vol. 2, Cologne 2007, no. 316, p. 69, fig.
- Sotheby's, London, November 25, 1964, lot 366, fig.
- Lempertz, Cologne, auction 482, May 20, 1965, p. 67, no. 384, fig. plate 4.
- Christie's, London, June 28, 1968, lot 32.
- Park Bernet Galleries. New York, November 19, 1969, lot 44.
- Karl & Faber, Munich, auction 136, November 23/24, 1973, p. 130, lot 874, fig. plate 3.
- Ketterer Kunst, Munich, Moderne Kunst, auction 15, lot 720, fig.

- **One of the rare flower still lifes from Hofer's early creative period**
- **Shown at Ludwig Schames in Frankfurt a. M. as early as 1918**
- **This work has not been offered on the auctionmarket for nearly 50 years**
- **The turquoise cloth reveals the influence of Cezanne**

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

LUDWIG MEIDNER

1884 Bernstadt/Silesia – 1966 Darmstadt

Strassenszene. 1913.

Chalks - and pencil drawing on firm paper.
Lower right isgned and dated. Verso inscribed with the number "75".
56,4 x 46 cm (22.2 x 18.1 in), size of sheet.
Reverse with a partly blackened ink pen drawing, scene at a table [AR]

Called up: December 9, 2023 – ca. 5.44 pm ± 20 min.

€ 30.000 – 40.000 (R, F)
$ 31,500 – 42,000

PROVENACE

- Privately owned.
- Galerie Michael Hasenclever, Munich.
- Galerie Fred Jahn, Munich.
- Deutsche Bank Collection (acquired from the above in 1995).

EXHIBITION

- Ludwig Meidner, Zeichner. Maler. Literat. 1884-1966, Mathildenhöhe Darmstadt, September 15 - December 1, 1991 (illu. vol. II, p. 94).

LITERATURE

- Villa Grisebach, auction no. 32, 19. und 20. Jahrhundert, Berlin, June 5, 1993, lot 324 (fig.).

- **Ecstatic drawing from the "Apocalyptic Landscapes" series**
- **Meidner uses distorted geometric elements, broken perspectives and plunging lines to bring the pulsating city and its hectic pace to life**
- **He visually anticipates what he would write down a year later in his programmatic text "Anleitung zum Malen von Großstadt-Bildern" (Instructions for painting big city pictures)**
- **Exhibited in the artist's major show at Mathildenhöhe Darmstadt in 1991**

"A street does not consist of tonal values, but is a bombardment of hissing rows of windows, whizzing cones of light between carriages of all kinds and a thousand bouncing balls, scraps of people, advertising signs and roaring, shapeless masses of color."

Ludwig Meidner, Anleitung zum Malen von Großstadt-Bildern, 1914.

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

411

KARL SCHMIDT-ROTTLUFF

1884 Rottluff near Chemnitz – 1976 Berlin

Landschaft. 1938.

Watercolor and India ink.
Lower right signed and lower left inscribed with the work number "3858". On PM Fabriano wove paper (with watermark). 49,7 x 67,5 cm (19.5 x 26.5 in), the full sheet. [AM]

The work is documented in the archive of the Karl and Emy Schmidt-Rottluff Foundation, Berlin.

Called up: December 9, 2023 – ca. 5.46 pm ± 20 min.

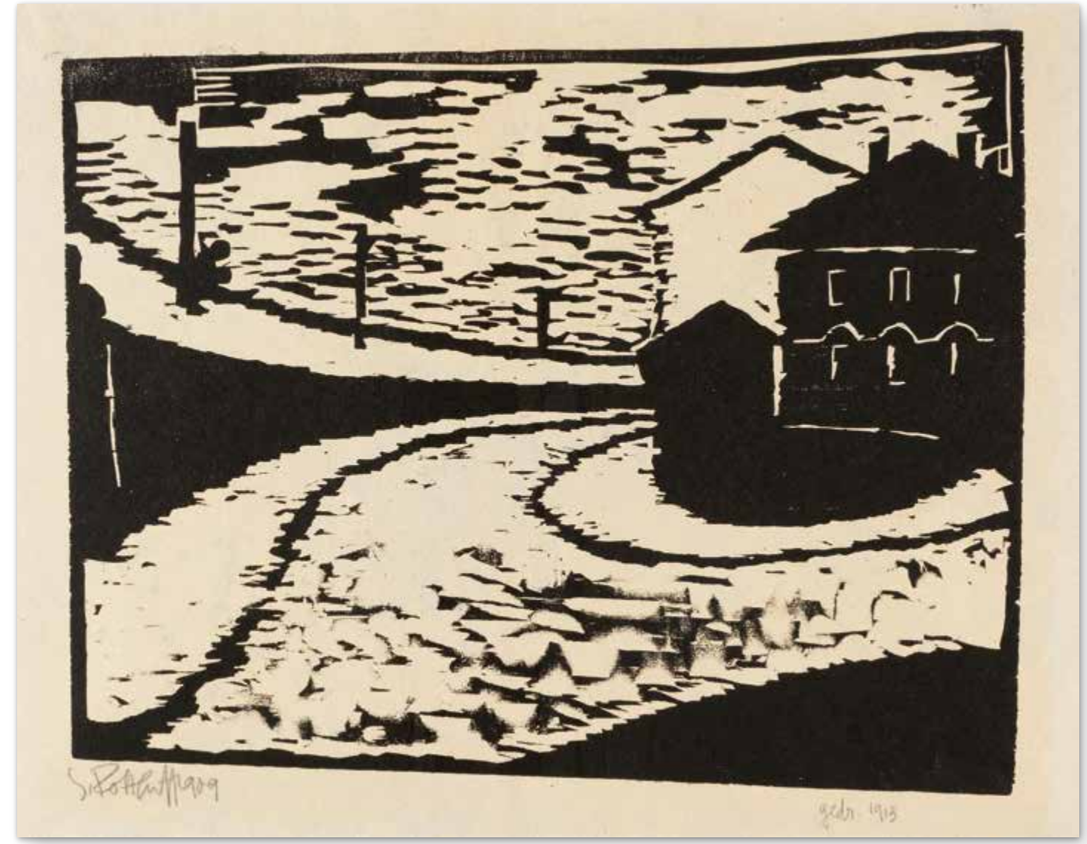
€ 18.000 – 24.000 (R/D, F)
$ 18,900 – 25,200

PROVENACE

· Private collection Germany (obtained from the artist in 1958).

· Ever since family-owned.

- **Subtly composed landscape depiction in warm color**
- **Large.format watercolor in Karl Schmidt-Rottluff's inimitable style**
- **For the first time offered on the international auction market (source: artprice.com)**



412 | FROM THE AHLERS COLLECTION

KARL SCHMIDT-ROTTLUFF

1884 Rottluff near Chemnitz – 1976 Berlin

Straßenbiegung. 1909.

Woodcut.
Schapire H 26. Signed and dated as well as inscribed "gedr. 1913" and "1328". On brownish wove paper. 34,6 x 43,3 cm (13.6 x 17 in). Sheet: 44,4 x 63,3 cm (17.4 x 24.9 in). [SM]

Called up: December 9, 2023 – ca. 5.47 pm ± 20 min.

€ 10.000 – 15.000 (R/D, F)
$ 10,500 – 15,750

- **From the "Brücke" heyday**
- **The work shows the corner of Löbtauer and Roßthaler-Straße in Dresden**
- **Made during what Gerhard Wietek called the "woodcut year" 1909, when exeptional paper works were made**

PROVENACE

· Galerie Wolfgang Ketterer, Munich.

· Corporate Collection Ahlers AG, Herford (acquired from the above in 1973).

EXHIBITION

· Schwarz auf Weiß. Druck-Graphik im Wandel der Zeit von Rembrandt bis Dieter Roth, Foundation Ahlers Pro Arte / Kestner Pro Arte, Hanover, September 28, 2013 - January 05, 2014.

LITERATURE

· Galerie Wolfgang Ketterer, Munich, 10th auction, November 27, 1973, lot 1133.

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

- **After his relocation in 1923, Kirchner captured the Sertig Valley in various artistic media, here in a particularly dynamic way**
- **Only three copies known to date**
- **Created in the solitude of Kirchner's last retreat, the "Haus am Wildboden" near Davos, where Kirchner committed suicide in 1938**
- **From the artist's family**

413

ERNST LUDWIG KIRCHNER

1880 Aschaffenburg – 1938 Davos

Waldbach / Sertigbach. 1924.

Drypoint etching.
Gercken 1464 III (of III). Dube R 513 III (of III). Schiefler R 482. Signed, dated, titled and inscribed "Eigendruck", "III Zustand" and "98". With the estate stamp of the Kunstmuseum Basel (Lugt 1570 b) and the hand-written registration number „ R 482 III" on the reverse. One of to date 3 known copies. On firm brownish wove paper.
29,8 x 24,9 cm (11.7 x 9.8 in). Sheet: 36 x 29,4 cm (14.1 x 11.5 in).
The plate is at the Staatliche Kunsthalle, Karlsruhe. [AW]

We are grateful to Prof. Dr. Günther Gercken for his kind expert advice.

Called up: December 9, 2023 – ca. 5.48 pm ± 20 min.

€ 12.000 – 15.000 (R/D)
$ 12,600 – 15,750

PROVENACE

- Artist's estate (Davos 1938, Kunstmuseum Basel 1946).
- Kirchner community of heirs, Biberach (1954).
- Walter Köhler Collection, Munich (since 1954, heir after Walter Kirchner, the artist's brother (died in 1954).
- Evers since family-owned.

414

FRANZ MARC

1880 Munich – 1916 Verdun

Kleine Katzenstudie. Ca. 1908.

Pencil drawing, on wove paper, laid on cardboard. Backing board inscribed by Maria Marc: "Aus dem Nachlass Franz Marc, bestätigt Maria Marc".
6,5 x 12 cm (2.5 x 4.7 in). Backing board: 13,5 x 17,3 cm (5.3 x 6.8 in).

The work is registered at the Foundation Franz Marc as possible addendum.

Called up: December 9, 2023 – ca. 5.50 pm ± 20 min.

€ 25.000 – 35.000 (R/D)
$ 26,250 – 36,750

PROVENACE

- From the artist's estate.
- Private collection.
- Private collection Switzerland (family-owned since 1970, gifted from the above).

- **Charming little early pencil drawing**
- **With a sensitive eye, Franz Marc succeeds in capturing the essence of the animal with just a few strokes**
- **Offered on the auction market for the first time from the estate of Maria Marc and a long time in family ownership**

415

HERMANN MAX PECHSTEIN

1881 Zwickau – 1955 Berlin

Ruhendes Mädchen. 1921.

Watercolor over pencil.
Lower left signed and dated. 44,4 x 60,8 cm (17.4 x 23.9 in), the full sheet.
The background shows the mural in Pechstein's studio on Kurfürstenstraße 126, cf. the oil painting "Der Sohn des Künstlers auf dem Sofa" (catalogue raisonné Soika 1917/99). [CH]

With the copy of the certificate issued by Max K. Pechstein in 1988.
The work is documented in the archive of the Max Pechstein UHRG, Hamburg/Berlin.

Called up: December 9, 2023 – ca. 5.51 pm ± 20 min.

€ 60.000 – 80.000 (R/D, F)
$ 63,000 – 84,000

PROVENACE

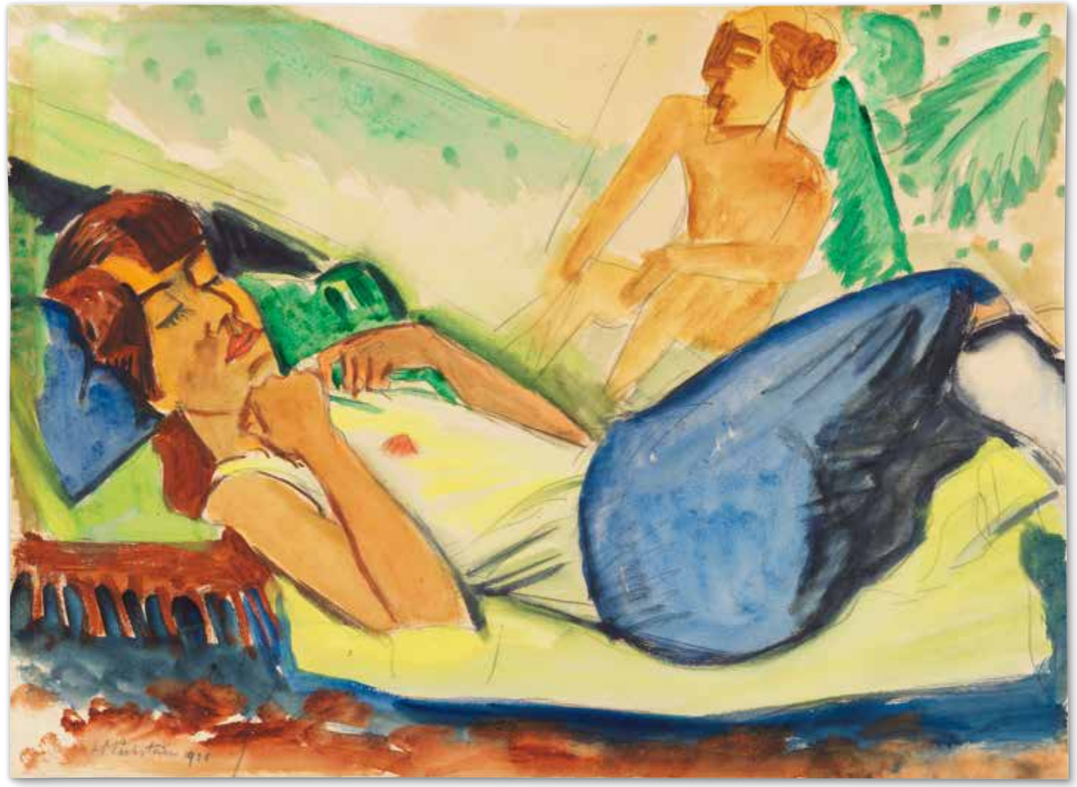
· Museum Marl.
· Private collection Rhineland.
· Art dealer Wolfgang Werner, Bremen.
· Galerie Neher, Essen.
· Private collection Northern Germany (acquired in 1992).

LITERATURE

· Villa Grisebach Auktionen, Berlin, 24th aucion, Kunst des 19. und 20. Jahrhunderts, May 25, 1992, lot 34 (color illu.).

- **Pechstein shows his model in intimate close-up and with at times bold and delicately glazed colors in peaceful tranquility and contemplation**
- **The background refers to the Berlin studio, which means that Pechstein's first wife Lotte could have posed as model**
- **In March 1921, Pechstein traveled to Leba in what was then Pomerania for the first time and fell in love with Marta Möller, the daughter of the local innkeeper, during the spring and summer months**
- **In December of the same year, he and Lotte got a divorce and Pechstein began a relationship with the young woman, whom he finally married in 1923**
- **In the same year, Pechstein also created a small cycle of around five paintings in which he portrayed Marta sleeping or resting, sometimes together with her sister**
- **With confident strokes and expressive colors, the artist translates a traditional motif into 20th century aesthetics**

Titian, Venus of Urbino, 1538, oil on canvas, Uffizi Gallery, Florence.



416

GEORG KOLBE

1877 Waldheim/Saxony – 1947 Berlin

Kniende - Nereide. Ca. 1923.

Bronze with red-brown patina.
With the monogram in ligature under the left foot. Stand with the foundry mark "H. Noack Berlin Friedenau". Lifetime cast. 31,5 x 13,5 x 19,5 cm (12.4 x 5.3 x 7.6 in).
The 25 copies of this sculpture were cast between May 1923 and late 1923 or early 1924. No posthumous casts were made. [AW]

Called up: December 9, 2023 – ca. 5.52 pm ± 20 min.

€ 30.000 – 40.000 (R/D)
$ 31,500 – 42,000

PROVENACE

· Private collection Northern Germany.

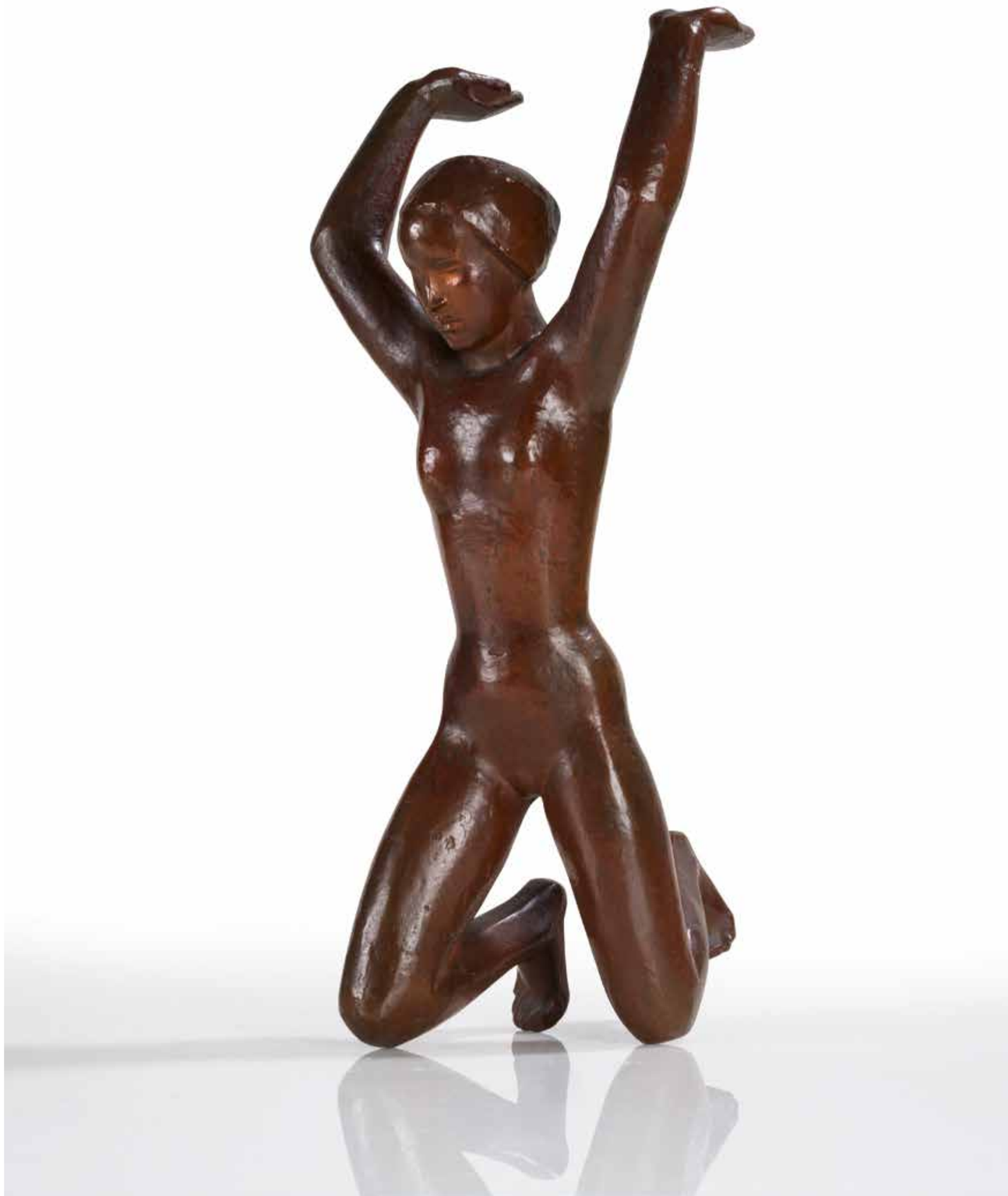
LITERATURE

· Ursel Berger, Georg Kolbe - Leben und Werk, Berlin 1990, p. 267 (mentioned under no. 60).

- **Lifetime cast by Noack, Berlin-Friedenau**
- **Particularly spatial and expressive posture**
- **The title "Nereide" is from Greek mythology: an aquatic creature that glides on the waves**
- **Typical of this creative period, in which Kolbe made femal efigures characterized by grace, lightness and quiet melancholy**

"The work of art is a translation of life into a language. A collection and omission of countless impressions, arranging and emphasizing the essential."

Georg Kolbe, 1912



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

- **This large-format woodcut is one of the artist's most important graphic works from the 1920s**
- **The Beckmann collector Johanna Loeb and the Argentinian singer Elsita Lutz, a friend of Beckmann's, are depicted in the foreground**
- **Further copies of the woodcut can be found in the Museum Kunstpalast, Düsseldorf, the Museum of Modern Art, New York, and the Cleveland Museum of Art, Cleveland (OH)**

Like many other bars at that time, the bar at Berlin's Hotel Eden was a meeting place for the Berlin bourgeoisie, who sought to drown the trauma of the lost war in a hedonistic ecstasy. Beckmann sketched the senselessness of these evenings very pointedly in the depiction of these three people. Although they sit close to one another, they don't look at each other. Each one of them just gazes into an imaginary distance. In this work, Beckmann addresses the uncanny feeling of existential isolation in the midst of a crowd enjoying itself with great sensitivity. The back view of Johanna Loeb closes the composition in the front. Johanna Loeb was friends with Elsita Lutz, a singer from Argentina, who sits next to her. The sitter in the background, probably Elsita Lutz's husband, had business connections with Johanna Loeb's husband.
Beckmann's large-format woodcut is one of the most important he created in the 1920s. In letters to Reinhard Piper and Julius Meier-Graefe, Beckmann expressed his enthusiasm for Fritz Voigt, the famous Berlin printer who also printed the edition of this large-format woodcut. [EH]

417 | FROM THE AHLERS COLLECTION

MAX BECKMANN

1884 Leipzig – 1950 New York

Gruppenbildnis Edenbar. 1923.

Woodcut.
Hofmaier 277 B (of B). Signed. From an edition of 40 copies, some unnumbered. On firm Japan imitation paper. 49,5 x 49,6 cm (19.4 x 19.5 in). Sheet: 68,5 x 55,6 cm (27 x 21.8 in).
Printed by Fritz Voigt, Berlin, and published by I. B. Neumann, Berlin. [CH]

Called up: December 9, 2023 – ca. 5.54 pm ± 20 min.

€ 30.000 – 40.000 (R/D)
$ 31,500 – 42,000

PROVENACE

- Galerie St. Etienne, New York.
- Corporate Collection Ahlers AG, Herford (acquired from the above in 2012).

EXHIBITION

- Schwarz auf Weiß. Druck-Graphik im Wandel der Zeit von Rembrandt bis Dieter Roth, Foundation Ahlers Pro Arte / Kestner Pro Arte, Hanover, September 28, 2013 - January 5, 2014, cat. p. 37 (illu.).
- Blaues Land und Großstadtlärm - Ein expressionistischer Spaziergang durch Kunst und Literatur, Franz Marc Museum, Kochel am See, April 30 - October 3, 2017, cat. p. 152 (no illu.).

418

ERICH HECKEL

1883 Döbeln/Saxony – 1970 Radolfzell/Lake Constance

Akrobatinnen. 1911.

Etching.
Signed and belatedly dated. Signed and once more dated by Sidi Heckel in bottom margin. One of 6 known copies. On firm wove paper. 16,5 x 14 cm (6.4 x 5.5 in). Sheet: 31,5 x 29 cm (12.4 x 11.4 in). [KT]

The work is registered in the Erich Heckel Estate, Hemmenhofen on Lake Constance. We are grateful to Mrs Renate Ebner and Mr Hans Geissler for the kind support in cataloging this lot.

Called up: December 9, 2023 – ca. 5.55 pm ± 20 min.

€ 5.000 – 7.000 (R/D, F)
$ 5,250 – 7,350

- **A copy from this state with vivid surface etching has never been offered on the auction market before (source: artprice.com)**
- **Of 7 registered prints of the motif, 4 are in museums and one in the estate**
- **Created after the artist had moved to Berlin in 1911, where Heckel encountered a new repertoire of motifs in cabarets, theaters and ballrooms**
- **As a member of the Brücke, Heckel helped printmaking to a new, unique importance for Expressionism**

PROVENACE

- From the artist's estate.
- Private collection Southern Germany.

LITERATURE

- Renate Ebner, Andreas Gabelmann, Hans Geissler, Werkverzeichnis der Druckgraphik, ed. by Erich-Heckel Foundation, Munich 2021, vol. 1: 1903-1913, no. 517 R II.
- Annemarie and Wolf-Dieter Dube, Erich Heckel: Das graphische Werk, vol. 2: Radierungen, Lithographien, New York 1965, no. 94 II (of II).

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

419

GEORG TAPPERT

1880 Berlin – 1957 Berlin

Sitzende mit Strumpfband (Bildnis R.). Around 1921/1923.

Oil on cardboard.
Signed and titled "Bildnis R." on the reverse. 98 x 72,5 cm (38.5 x 28.5 in).
With two preliminary drawings included in the lot. [JS]

Called up: December 9, 2023 – ca. 5.56 pm ± 20 min.

€ 50.000 – 70.000 (R/D, F)
$ 52,500 – 73,500

PROVENACE

- Artist's estate.
- Annaliese Tappert Collection (1957 to 1968).
- Private collection Berlin (acquired from the above in 1968, ever since family-owned).

EXHIBITION

- Kunst des 20. Jahrhunderts aus Berliner Privatbesitz, Akademie der Künste, Berlin 1978, (fig. p. 259).
- Georg Tappert. Ein Berliner Expressionist 1880 bis 1957, Berlinische Galerie, Berlin 1980-1981.
- Georg Tappert. Deutscher Expressionist, Schloss Gottdorf, Schleswig / Germanisches Nationalmuseum, Nuremberg 2005, cat. no. 59 (fig. p. 101).

LITERATURE

- Gerhard Wietek, Georg Tappert 1880-1957. Ein Wegbereiter der Deutschen Moderne, Munich 1980, catalogue raisonné no. 229 (fig.).

- **Tappert was a protagonist of the Berlin avant-garde: In 1910, he founded the "Neue Sezession" with Max Pechstein and the other "Brücke" artists and in 1918 the "Novembergruppe" (1918-1933), a group of expressionists, futurists, DADA artists and other Bauhaus members**
- **During the days of the Weimar Republic, his works were dominated by eccentric parallel worlds of cabaret, circus and carnival, motifs that were also characteristic of the oeuvres of Dix, Beckmann and Grosz at that time**
- **The depicted "Fräulein Rosenberg", a friend of his first wife, was among his preferred models in those days**
- **In an eccentric pose and half naked in front of a bright green background, the "Bildnis R." is a remarkable example from this creative period**
- **Consistent provenance: From the artist's estate, the work was sold into a Berlin private collection in 1968 where it remained to date**
- **Family-owned for over 50 years**

With expressive strokes and an enthusiasm for the eccentricities of life, the Berlin expressionist Georg Tappert dedicated himself to motifs from the world of theater and the cabaret in the pulsating Berlin nightlife during the years of the Weimar Republic. „ "Sitzende mit Strumpfband (Bildnis R.)" (Seated Woman with Garter (Portrait of R.)) is an outstanding example of this creative phase. Tappert's paintings – sometimes staged in a glamorous way - always show characters marked by life. Its unmistakable quality lies in the combination of eccentricity and closeness to life. Unlike his contemporaries Otto Dix, Georg Grosz or even Max Beckmann, he rarely exaggerated or alienated the fragility of this nocturnal parallel world and thus did not end up with a socio-critical grotesque. Tappert's figures impress with their enormous human presence and their immediate, realistic expression. Little is known about Ms. Rosenberg, one of Tappert's most important models of the 1920s, who is depicted in this "Portrait of R." in an eccentric pose and half naked. With her bare chest and a negligee so short that it allows a clear view of her garters, she still is not the victim of the male gaze, as she is the one who looks down or at the observer with strength and self-confidence. She is not a young girl but a strong woman in the middle of life who knows how to confidently respond to the viewer's gaze. The sitter's first name, the mysterious cabaret singer "Fräulein Rosenberg", is not known; what we do know is that she was an acquaintance of Tappert's first wife Kathleen Bargot (1890-1925), whom Tappert often portrayed in different costumes and in a self-confident and casual, sophisticated pose in the early 1920s. In this work alone, however, Tappert portrayed the sitter not only in a self-confident and swanky way, but also half-naked. The special quality of this composition lies precisely in this fragile balance between exposure and self-confidence, weakness and strength, eroticism and maturity. In "In Sitzende mit Strumpfband (Bildnis R.)", Tappert introiduces us to the singer "Fräulein Rosenberg", a mysterious femme fatale, an erotic and strong female figure on whom life has left its marks. A work that shows clear parallels to the famous painting "Bildnis der Tänzerin Anita Berber" (Portrait of the Dancer Anita Berber, 1925) that Otto Dix made a little later. [JS]

Preliminary drawings

- **Rohlfs' depictions of young modern women in the late 1920s are special to him**
- **In the 1920 and 30s, young women who liberated themselves from social conventions and wore their hair short and dressed in a certain style were called flappers**
- **Outstanding portrayal of the spirit of optimism and the zeitgeist of the "golden" 1920s**
- **In 1955, some of her works were exhibited posthumously at the documenta 1 in Kassel**
- **Other works of the artist are at, among others, the Museum of Modern Art, New York, and the Louvre in Paris**

420

CHRISTIAN ROHLFS

1849 Niendorf/Holstein – 1938 Hagen

Kecke junge Dame (Flapper).
Ca. 1927/1929.

Tempera and water tempera.
On wove paper. 69,9 x 51,5 cm (27,5 x 20.2 in), the full sheet. [EH]

The work is registered in the Christian Rohlfs Archive at Osthaus Museum Hagen with the number CRA 247/23.

Called up: December 9, 2023 – ca. 5.59 pm ± 20 min.

€ 18.000 – 24.000 (R/D)
$ 18,900 – 25,200

PROVENACE

- Dr. Hugo and Marguerite Bamberger, Germany (presumably acquired from the artist).
- Lewinson family, Massachusetts, USA.
- Private collection Baden-Württemberg.

421

KARL SCHMIDT-ROTTLUFF

1884 Rottluff near Chemnitz – 1976 Berlin

Blumenstilleben. Late 1920s.

Watercolor and ink brush.
Signed in lower right. On firm watercolor paper.
50,8 x 35,8 cm (20 x 14 in), the full sheet. [JS]

The work is documented in the archive of the Karl and Emy Schmidt-Rottluff Foundation, Berlin.

Called up: December 9, 2023 – ca. 6.00 pm ± 20 min.

€ 20.000 – 30.000 (R/D, F)
$ 21,000 – 31,500

PROVENACE

- Private collection Northern Germany
- Private collection Switzerland (acquired in 1959, Stuttgarter Kunstkabinett, 34th auction, lot 860).
- Private collection Southern Germany (inherited from the above).

LITERATURE

- Stuttgarter Kunstkabinett Roman Norbert Ketterer, Moderne Kunst, 34th auction, November 20 and 21, 1959, cat. no. 860 (fig. plate 52).

- **Schmidt-Rottluff is the uncontested master of the watercolor among the "Brücke" artists**
- **Painterly executed flower still life in expressive liberated colors**
- **Sold to a Swiss private collection by the Stuttgarter Kunstkabinett in 1959, ever since family-owned**

"With his unique method, Schmidt-Rottluff established the watercolor as a genre on par with his paintings. In terms of size, composition and painterly execution, they are of equal rank. For Schmidt-Rottluff, who was formative for German Expressionism with the artist group "Brücke" and who deliberately pursued an anti-academic and spontaneous method guided by sensation, regarding the immediate rendition of what he saw and felt as paramount criteria for an unadulterated expression, the watercolor and its facile and simple handling was the technique of his choice in order to capture his impressions directly 'in front of nature'."

Christiane Remm, Karl Schmidt-Rottluff. Aquarelle, Brücke-Museum Berlin 2011, p. 9.

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

- **Unique with this motif and these colors**
- **Printed from the green plate and the monotype red and black plate**
- **Only copy with the figue rotated by 180 degrees**
- **The female nude was a key motif in the early “Brücke” days**

422 | FROM THE AHLERS COLLECTION

ERICH HECKEL

1883 Döbeln/Saxony – 1970 Radolfzell/Lake Constance

Liegende. 1908.

Lithograph in colors (green), monotype in red and black.
Ebner/Gabelmann 290 L, Dube L 85. Signed, dated and titled. Unique with this motif and these colors.
On thin paper. 18,2 x 32,2 cm (7.1 x 12.6 in).
Sheet: 24,3 x 36,9 cm (9.5 x 14.5 in).
Please note the condition report.

Called up: December 9, 2023 – ca. 6.02 pm ± 20 min.

€ 15.000 – 25.000 (R/D, F)
$ 15,750 – 26,250

PROVENACE

· Corporate Collection Ahlers AG, Herford (Galerie Kornfeld, 2000).

EXHIBITION

· #DepictingWomen – beauty, goddess, motherhood, bathing, soliciting, fulfilling, fragment, Foundation Ahlers Pro Arte, Herford, September 15 - December 9, 2018, cat. p. 86 and p. 53 (illu.).

LITERATURE

· Galerie Kornfeld, Bern, auction 224, Moderne Kunst Teil I, June 23, 2000, lot 49.

423 | FROM THE AHLERS COLLECTION

KARL SCHMIDT-ROTTLUFF

1884 Rottluff near Chemnitz – 1976 Berlin

Sitzendes Mädchen. 1911.

Lithograph.
Schapire L 78. Signed and dated. On wove paper.
40 x 33,5 cm (15.7 x 13.1 in). Sheet: 49,5 x 42 cm (19.5 x 16.5 in). [SM]

Called up: December 9, 2023 – ca. 6.03 pm ± 20 min.

€ 10.000 – 15.000 (R/D, F)
$ 10,500 – 15,750

- **Extremely rare - to date only one other copy has been offered on the international auction market (source: artprice.com)**
- **Early minimalistic nude from the days of the “Brücke”**
- **As of 1911 the artist put increasing focus on the female nude**

PROVENACE

· Galerie W. Utermann, Dortmund

· Corporate Collection Ahlers AG, Herford (since 1983, acquired directly from the above).

EXHIBITION

· Schwarz auf Weiß. Druck-Graphik im Wandel der Zeit von Rembrandt bis Dieter Roth, Foundation Ahlers Pro Arte / Kestner Pro Arte, Hanover, September 28, 2013 - January 05, 2014, cat. p. 25, p. 26 (fig.).

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

- **Extremely rare work**
- **To date, only one other copy has been offered on the international auction market (artprice.com)**
- **Other copies of this work are in the Hamburger Kunsthalle, the British Museum, London and the National Museum, Oslo**

"What Nesch said of the portrait of the conductor with the baton applies to the entire episode: 'a vision charged with music', a vision that shines out of darkness and cannot be explained without the experience of listening."

Heinz Spielmann, quoted from: Rolf Nesch und die Moderne. 1893-1975. Retrospektive zum 100. Geburtstag. Cismar, Esslingen, Heidenheim 1993. p. 11.

424

ROLF NESCH

1893 Oberesslingen – 1975 Oslo

Karl Muck. 1931.

Drypoint with plate tone.
Helliesen/Sørensen 414. Signed and inscribed "Selbstdruck". Hand-made proof before the small unnumbered edition for the portfolio of presumably less than 9 copies. On fine paper.
45,2 x 34,9 cm (17.7 x 13.7 in). Sheet: 51,5 x 39,5 cm (20.2 x 15.6 in).
From the series "Karl Muck und sein Orchester" (Helliesen/Sørensen 389-421). [JS]

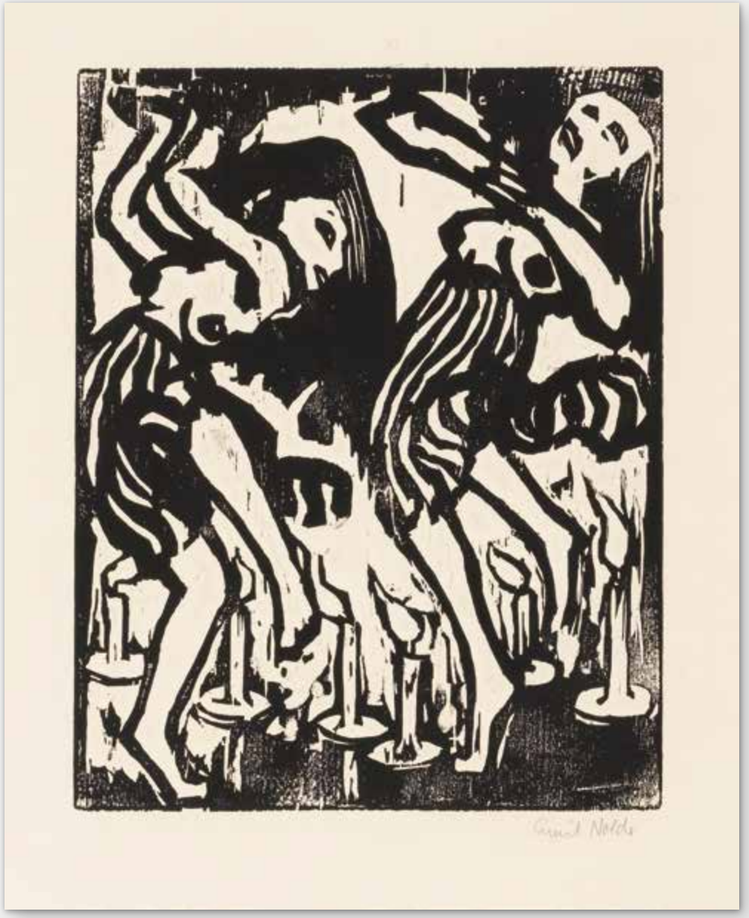
Called up: December 9, 2023 – ca. 6.04 pm ± 20 min.

€ 14.000 – 18.000 (R/D, F)
$ 14,700 – 18,900

PROVENACE

- Private collection.
- Galerie Nierendorf, Berlin (acquired from the above in 1979. With ownership note on the reverse).
- Private collection North Rhine-Westphalia.

The etchings in the series "Karl Muck and his Orchestra" are prime examples of Rolf Nesch's experimental use of printing techniques. The works were created in 1931 by order of the Hamburg Senate, mediated by Max Sauerlandt for the 70th birthday of Karl Muck, conductor of the Hamburg Philharmonic Orchestra. The present sheet "Muck conducting" is a fascinating portrait of the conductor rendered on the paper in an ingenious pose. The barely outlined head and the hands with the baton seem to appear from nowhere the way they emerge from the dark plate tone. [JS]



425

EMIL NOLDE

1867 Nolde/Nordschleswig –
1956 Seebüll/Schleswig-Holstein

Kerzentänzerinnen. 1917.

Woodcut.
Schiefler/Mosel/Urban H 127 V (of V). Signed.
According to Nolde's documentation, 13 copies of this printing state were made. Another 8 copies of the other states were printed.
On firm off-white paper.
30,5 x 23,8 cm (12 x 9.3 in). Sheet: 41,3 x 33,8 cm (16.2 x 13.3 in). [JS]

Called up: December 9, 2023 – ca. 6.06 pm ± 20 min.

€ 18.000 – 24.000 (R/D, F)
$ 18,900 – 25,200

PROVENACE

- Kornfeld und Klipstein, Bern, auction 153, 1974.
- Private collection Hesse (acquired from the above, ever since family-owned).

- **Nolde's "Kerzentänzerinnen"- characterized by an expressive force and a mystical exotic appeal**
- **The eccentric motif of this rare hand-made print is based on one Nolde's most significant expressionist painting: the "Kerzentänzerinnen" from 1912 (Nolde Foundation Seebüll)**
- **The fascination for expressive free dance is one of the key motifs of German Expressionism**
- **In those days Nolde, Kirchner, Pechstein, Jawlensky, Kandinsky and many others were fascinated by the expressive value of modern dance**
- **The traditions of ritual dances in many exotic cultures offered inspiration for the dance and art avant-garde at the beginning of the 20th century**
- **Rare. To date only a maximum of six other hand-printed copies of this woodcut have been offered on the international auction market (source: www.artprice.com)**

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

426

WILLI BAUMEISTER

1889 Stuttgart – 1955 Stuttgart

Mit Amöbenform. 1938.

Oil on canvas laid on panel.
Lower left signed and dated. Lower right illegibly inscribed. Dated, typographically signed on a label and inscribed by a hand other than that of the artist on the reverse. 43,7 x 30,4 cm (17.2 x 11.9 in).
Panel: 52 x 40 cm (20.4 x 15.7 in).

Called up: December 9, 2023 – ca. 6.07 pm ± 20 min.

€ 40.000 – 60.000 (R/D, F)
$ 42,000 – 63,000

PROVENACE

- Kurt and Vera Deschler Collection, Ulm.
- Galerie Gunzenhauser, Munich.
- Private collection Southern Germany (acquired from the above in 1977).
- Private collection North Rhine-Westphalia (inherited from the above).

EXHIBITION

- Hölzel und sein Kreis, Württembergischer Kunstverein, Stuttgart, September 8 - May 5, 1961, cat. no. 27 (with an exhibition label on the reverse).

LITERATURE

- Peter Beye, Felicitas Baumeister, Willi Baumeister. Crititcal catalog of paintings, volume II, Ostfildern 2002, cat no. 817 (fig.).
- Will Grohmann, Willi Baumeister. Leben und Werk, Cologne 1963, cat. no. 527 (fig.).

- **From the important “Eidos” series, the apex of Baumeister’s development in the 1930s**
- **The ‚reflexive process character‘ of Baumeister’s painting becomes apparent in the dynamic overlapping lines and the amoeba-like forms**
- **Paintings from the “Eidos” series are in numerous museum, among them the Stedelijk Museum, Amsterdam, the Pinakothek der Moderne, Munich, and the Staatsgalerie Stuttgart**

Amoeba-like creatures, abstract forms, and mysterious line formations inhabit Baumeister’s canvas stage. If one thinks to be able to recognize familiar figurations at a first glance, the floating creatures will soon elude any common classification at a second glance. It is only through the interplay of all the forces that determine the picture’s final form. The ‚Eidos‘ pictures, to which the present “Mit Amöbenform” (With Amoeba Form) belongs, are considered the apex of Baumeister’s art in the 1930s. ‚Eidos‘ means archetype, not in a static understanding, but in a dynamic sense, with a strong potential for transformation of the form. The central form is represented by the amoeba, known for its ability to alter its shape. The name is programmatic here, since it is capable of changing its shape and to take on ever new appearances. Baumeister visualizes this capability in the present work. Although the blue, white, and dark red animals seem to share a certain kinship, they are independent in their form. Also, the outlines do not clearly determine the shape, as the two dominating forms show. It seems as if these surrealistic compositions modify themselves anew directly in front of the observer’s eye. This transformation is the determining force in the creation of the picture and it also determines Baumeister’s intellectual examination of this time. Especially Goethe’s metamorphosis theory, which he developed on the basis of his morphological studies of plants and animals, is to be mentioned here as a fundamental component. It is remarkable that despite the turbulent times in the 1930s, both politically and personally, he continued his artistic activities and even found novel artistic expressions. “Mit Amöbenform” was created in 1938, a year after the exhibition ‚Degenerate Art‘ and a year before WWII broke out. A time that was coined by an ideology that defamed and excluded artists like Willi Baumeister. In 1933, shortly after Hitler had seized power, the 44-year-old was dismissed from his teaching post at the Städelschule in Frankfurt am Main. However, despite these adverse circumstances, Baumeister continued to pursue his artistic path. Form and color emancipated themselves from one another and developed a groundbreaking momentum of their own. The process aspect accompanied Baumeister throughout his artistic career, and it is only a logic consequence that he is considered one of the most important and significant artists of Modernism today. [AW]

427

EGON SCHIELE

1890 Tulln – 1918 Vienna

Weiblicher Rückenakt, die Hände auf der Hüfte. 1917.

Black Chalk drawing.
Lower right signed and dated. With the estate stamp on the reverse.
45,8 x 29,3 cm (18 x 11.5 in), size of sheet. [CH]

Called up: December 9, 2023 – ca. 6.08 pm ± 20 min.

€ 90.000 – 120.000 (R/D)
$ 94,500 – 126,000

PROVENACE

- Artist estate (1918, with the esatte satmp on the reverse).
- Collection of Melanie Schiele Schuster (1886-1974), Vienna (the artist's sister, inherited).
- Collection of Norbert Gradisch, Vienna (nephew of the above, inherited).
- Wolfgang August Siedler, Vienna
- Private collection Tokyo (acquired fromt the above in 1990).
- Private collection Vienna (acquired from the above in 2013).

EXHIBITION

- Egon Schiele, Neue Galerie, Vienna, February to March 1954.
- Egon Schiele. Werke aus Familienbesitz, Niederösterreichisches Landesmuseum, Vienna, October 19 - December 30, 1979, cat. no. 55 (fig.).
- Egon Schiele. Der künstlerische Nachlass, Kulturring, Kirchheim unter Teck, May 23 - June 13, 1982, cat. no. 57 (fig.).

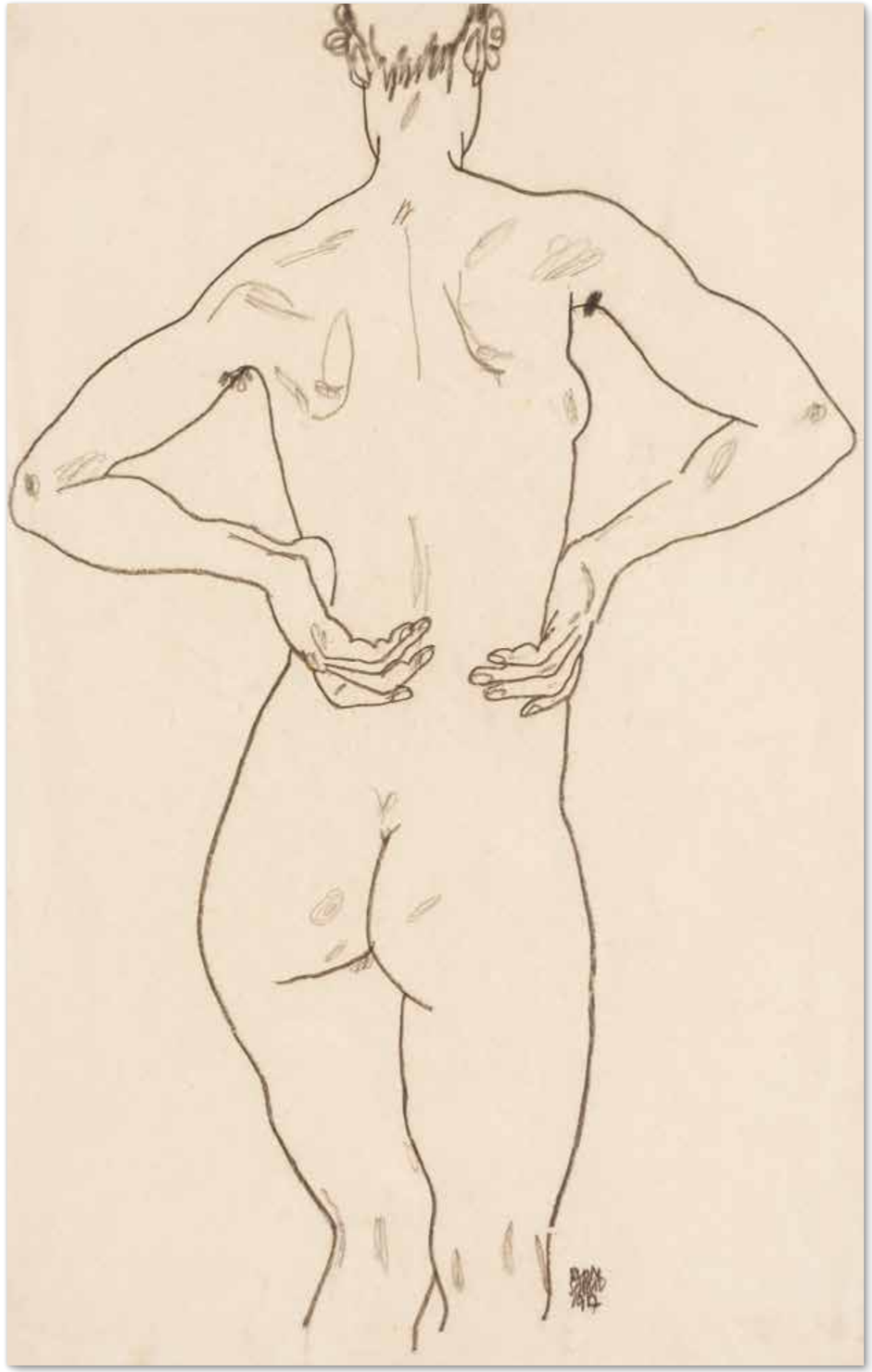
LITERATURE

- Jane Kallir, Egon Schiele. The Complete Works, New York 1990, p. 587, no. D2049 (fig.).
- Jane Kallir, Egon Schiele. The Complete Works, New York 1998, p. 587, no. D2049 (fig.).
- Christie's, London, Impressionist and 20th Century, Works on Paper, February 8, 2001, lot 439 (fig.).

- **Virtuoso drawing with a poised, strong, precise and nearly uninerrupted line**
- **With the graphic emphasis of arms, shoulders, back, buttocks and legs, Schiele directs the eye to very specific anatomical areas of this female nude**
- **Outstanding example of Schiele's artistic development towards a more naturalistic simplification over the last two years of his creation before his early death in 1918**
- **Paintings and drawings from this year, such as the drawing offered here, document Schiele's artistic focus on the hands of his subjects at the time**
- **In the year 1917, the sisters Adele and Edith Harms were among Schiele's preferred models**
- **The work remained in the artist's extended family until at least 1979**

"The artist evinces a far greater economy of line, fixing his subject in single, perfect strokes and avoiding the complicated retracing and doubling of earlier times."

Jane Kallir, in: Egon Schiele. The Complete Works, New York 1998, p. 567.



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

428

MARGARETHE MOLL

1884 Mühlhausen/Alsace – 1977 Munich

Stehende. 1929.

Bronze with dark brown patina.
Signed and inscribed "e.a." on the plinth's rear. One of two artist proofs aside from a total of 8 further casts. Height: 62,5 cm (24.6 in).

Called up: December 9, 2023 – ca. 6.10 pm ± 20 min.

€ 20.000 – 30.000 (R/D, F)
$ 21,000 – 31,500

PROVENACE

- From the artist's estate.
- Private collection Northern Germany.

EXHIBITION

- Bildhauerinnen. Von Kollwitz bis Genzken, Städtische Museen Heilbronn, Gerhard-Marcks-Haus, Bremen and Museen Böttcherstraße, Bremen, November 2018 - August 2019, cat. no. 40 (diffferent copy).
- Gemischtes Doppel. Die Molls und die Purrmanns – Zwei Künstlerpaare der Moderne, Museum Wiesbaden, October 12, 2023 - February 18, 2024, p. 135, fig. 7 and p. 165, full-pahe color illu. (different copy).

LITERATURE

- Werner Filmer, Marg Moll. Eine deutsche Bildhauerin 1884-1977, Bergisch Gladbach 2013, fig. p. 85.

- **Lifetime cast**
- **Margarethe Moll was the only German sculptress in the class of Henri Matisse in Paris**
- **The artist made her first sculptures even before Käthe Kollwitz, Emy Roeder and Renée Sintenis**
- **This sculpture reflects the influences of her encounters with artists such as Zadkine, Archipenko, Brancusi and Léger during her stay in Paris from 1920 to 1931**
- **The Museum Wiesbaden shows the comprehensive exhibition "Gemischtes Doppel. Die Molls und die Purrmanns – Zwei Künstlerpaare der Moderne" from October 13, 2023 to February 18, 2024**
- **Works by Margarethe Moll were also part of the exhibition "Die erste Generation. Bildhauerinnen der Berliner Moderne" at the Georg Kolbe Museum, Berlin (2018), as well as the traveling exhibition "Bildhauerinnen. Von Kollwitz bis Genzken" at, among others, the Städtischen Museen Heilbronn (2018/2019)**

Marg Moll is one of the few first-generation sculptresses that immediately gained a foothold in the art world. However, Marg Moll first trained as a painter with Lovis Corinth and her future husband Oskar Moll and she only turned to sculpting in 1905. As early as in the 1920s, Marg Moll regularly exhibited in Germany and abroad. Along with Alexander Archipenko and Constantin Brâncusi, she was one of the most cutting edge artists. As a result of an exhibition at the Neue Secession Berlin in 1915/16, she signed contracts with renowned art dealers such as Wolfgang Gurlitt and Alfred Flechtheim in Berlin or with Galerie Arnold in Breslau and Hans Goltz in Munich.
On a study program in Paris in 1907/08, she met Henri Matisse and was the only German female sculpting student at his Académie, where she developed a cubist style that would make her a pioneer of abstract sculpting. Moll's sculptures focus on the human body, which she modulates into simple volumes. In doing so, she develops a summary, cubist-like formal language that unfolds a subtle rhythm in the play of light. A highlight of her artistic career was an exhibition together with her husband, "Tableaux par Oscar Moll. Sculptures par Marg Moll" at Galerie Georges Petit in Paris in 1932. After the National Socialists had risen to power, Marg Moll was defamed as a "degenerate" artist. Her "Dancer" was not only shown in the "Degenerate Art" exhibition, but was also used as a prop in the National Socialist propaganda film "Venus vor Gericht"(Venus on Trial, 1941). After the war, it was this very sculpture that helped the forgotten artist to her deserved rediscovery and acknowledgment. It was found along with 16 other "degenerate" sculptures in a blocked basement during construction work on the Berlin subway. With this spectacular find, the artist is now perceived in a new way. Her works are shown in exhibitions at, among others, the Georg Kolbe Museum, Berlin and the Kunsthalle Mannheim. The Wiesbaden Museum currently shows the exhibition "Gemischtes Doppel. Die Molls und die Purrmanns" (Mixed Doubles. The Molls and the Purrmanns). [SM]

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

429 | FROM THE AHLERS COLLECTION

FERNAND LÉGER

1881 Argentan – 1955 Gif-sur-Yvette

Projet de costume:
Création du Monde. 1923.

Watercolor and ink over pencil on ruled paper. Lower right monogrammed. Inscribed with the estate number "N°G. 386-1" and titled on the reverse by a hand other than that of the artist. 22 x 17 cm (8.6 x 6.6 in). [AR]

With an authentication issued by the Comité Léger, Paris. The work will be included into the online catalogue raisonné of works on paper aufgenommen.

Called up: December 9, 2023 – ca. 6.11 pm ± 20 min.

€ 10.000 – 15.000 (R/D, F)
$ 10,500 – 15,750

PROVENACE

- Nadia Léger (artist's wife), Paris.
- Pierre Cardin, Paris.
- Private collection Portugal.
- Corporate Collection Ahlers AG, Herford.

EXHIBITION

- Espace Cardin, Paris, 1970.

LITERATURE

- Tajan, Paris, auction 9726, Dessins Modernes, May 3, 2012, lot 258.

- **Bird of paradise in Léger's characteristic style**
- **Costume design for the ballet "La Création du Monde"**
- **100 years ago, on October 25, 1923, the piece premiered at the Théâtre des Champs Elysées**

430 | FROM THE AHLERS COLLECTION

WASSILY KANDINSKY

1866 Moscow – 1944 Neuilly-sur-Seine

Kleine Welten I. 1922.

Lithograph in colors.
Signed. Monogrammed and dated in the stone.
On laid paper. 24,7 x 21,6 cm (9.7 x 8.5 in).
Sheet: 30,7 x 25,8 cm (12 x 10.2 in). [SM]

Called up: December 9, 2023 – ca. 6.12 pm ± 20 min.

€ 10.000 – 15.000 (R/N)
$ 10,500 – 15,750

- **From Kandinsky's most famous graphic cycle**
- **"I made all the plates and stones myself, all the prints were printed under my constant supervision [...]. So: the whole execution is first class" (Kandinsky to Galka Scheyer, May 4, 1932, quoted from: Roethel, Kandinsky. Das graphische Werk, Cologne 1970, p. 452)**
- **The works for "Small Worlds" are pivotal in Kandinsky's oeuvre and mark the turn towards a strictly geometric-abstract approach to form**

PROVENACE

- Konrad Diepolder, Moderne Graphik, Munich.
- Corporate Collection Ahlers AG, Herford (since 1973, acquired from the above).

LITERATURE

- Hans Konrad Roethel, Kandinsky. Das graphische Werk, Cologne 1970, cat. no. 164.

431

MAX BECKMANN

1884 Leipzig – 1950 New York

Gesichter. 1914- 1918.

The portfolio comprising 19 sheets Etching s in the original mounts. In half cloth portfolio; with an introduction by J.Meier - Graefe. Published by Maréegesellschaft / R. Piper & Co. Munich, 1919 (each with the blindstamp). Hofmaier 81, 84, 88 - 90, 104, 108, 126-137. Each sheet signed, 12 sheets dated and 15 titled. One sheet signed, dated and inscribed in the plate. Imprint of introduction with the typographic number and the inscription "Von den 40 Exemplaren auf Japan ist dies Nr.1. Es wurde gedruckt für Leopold Biermann". [EH]
First copy from the de-luxe edition of 40 copies before the plates were steeled. On Japon. Up to: 33 x 23,8 cm (12.9 x 9.3 in). Sheet up to: 38,7 x 32 cm (15.2 x 12.5 in).
Printed by Franz Hanfstaengl, Munich and published by Maréesgesellschaft, Munich.
With the follwoing sheets: Selbstbildnis (H 137 II B a), Familienszene(H.127 B b), Irrenhaus (H. 135 III B a), Liebespaar I (H. 88 II B a), Liebespaar II (H. 126 II B a), Mainlandschaft, (H. 128), Die Gähnenden (H. 129 IV B a), Theater (H.89 III B a), Cafémusik (H. 130 III B a), Der Abend, (H. 90 II B b), Kreuzabnahme (H. 131 II B a), Auferstehung (H. 132 II B a), Frühling (H. 133 II B a), Landschaft mit Ballon (H. 134 II A a), 2 Autoffiziere, (H. 84 B a), Spielende Kinder (H. 136 II B a), Prosit Neujahr, H 108), Große Operation H.81, Selbstbildnis mit Griffel (H:105 II B a).

Called up: December 9, 2023 – ca. 6.14 pm ± 20 min.

€ 60.000 – 80.000 (R/D)
$ 63,000 – 84,000

PROVENACE

· Leopold Biermann, Bremen (note in imprint)
· Private collection Southern Germany.

- **"This is number 1 of 40 copies on Japon" (imprint)**
- **In sheet 15 titled "Zwei Autooffiziere", Beckmann portrayed the art dealer Paul Cassirer**

SELECTION

432

EMIL NOLDE

1867 Nolde/Nordschleswig – 1956 Seebüll/Schleswig-Holstein

Rothaarige (Stephanie Wiesand). 1947.

Watercolor.
Lower right signed. On Japon. 45,6 x 35,1 cm (17.9 x 13.8 in), size of sheet.

Accompanied by a photo expertise from Prof. Dr. Manfred Reuther, Klockries, dated October 23, 2022. The work is registered in his archive under the number "Nolde A - 253/2022".

Called up: December 9, 2023 – ca. 6.15 pm ± 20 min.

€ 60.000 – 80.000 (R/D, F)
$ 63,000 – 84,000

PROVENACE

- Stephanie Wiesand, Baden-Baden (gifted from the artist).
- Private collection Hamburg (since 2003, Galerie Bierhinkel, Rheinau-Freistett).

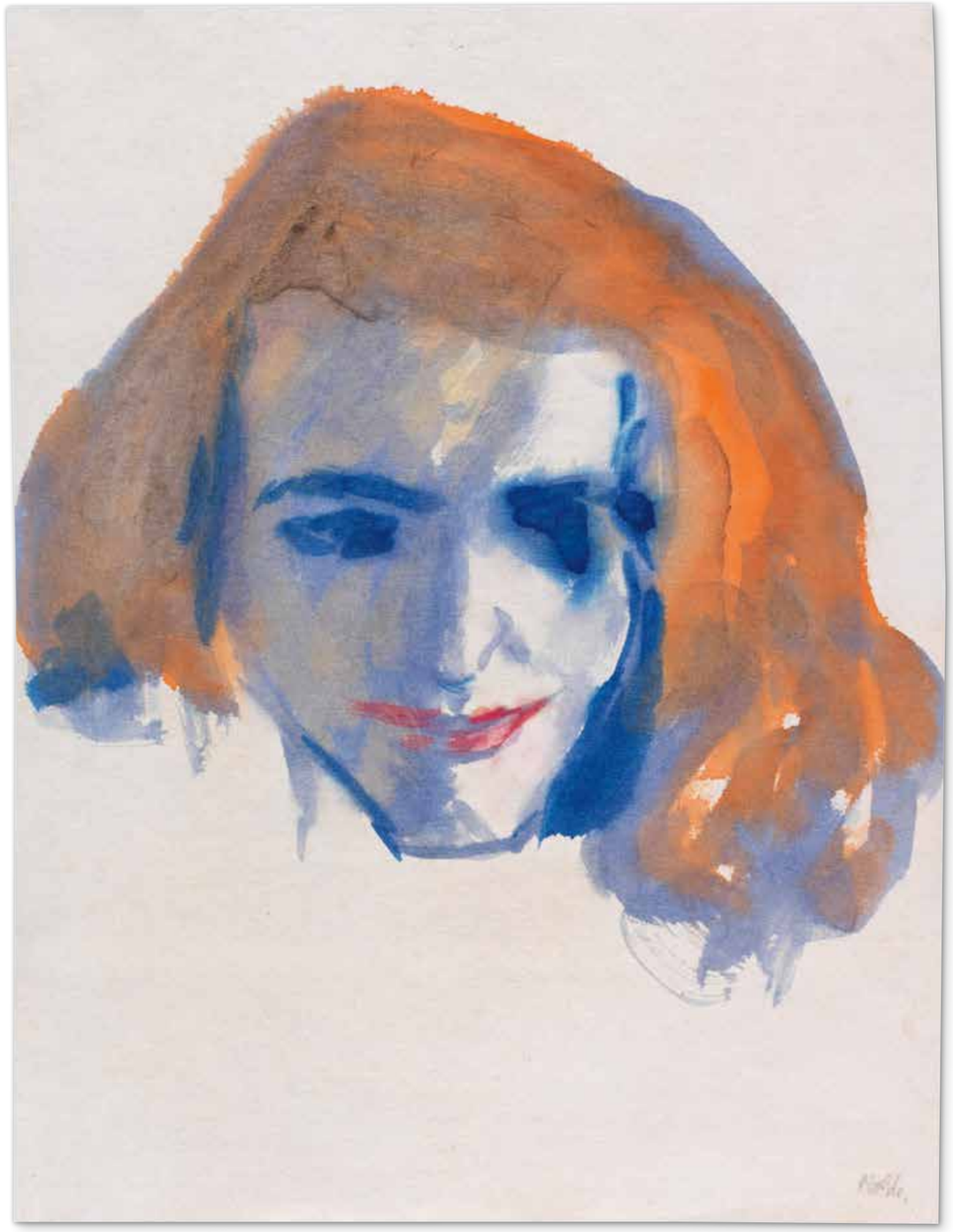
- **Expressive watercolor in fiery coloring**
- **Through the execution in reduced manner and expressive colors, the representation unfolds an almost tangible presence**
- **Characterful portrait of the German actress and photographer Stephanie Wiesand**
- **In 1947, Nolde made the acquaintance of Wiesand in St. Peter-Ording, an encounter that would be formative for both**
- **Still that year he sent the portrait to the actress as a Christmas present**

The inspiring exchange with dancers, musicians, poets and actors was a significant incentive for Emil Nolde's artistic exploration, also in earlier creative periods. When the painter met the young actress Stephanie Wiesand (1912 – unknown) in the North Sea spa St. Peter-Ording in 1947, an intensive acquaintanceship developed between the two, which was accompanied by lively correspondence. The time they spent together at the North Sea was characterized by an intensive exchange: After the dramatic loss of his wife Ada a year earlier, Wiesand read the artist his memoirs and comforted him.
The present watercolor was probably created during one of the encounters between Wiesand and Nolde in this context. Here Nolde characterizes the actress with strong orange-red hair and blue contour lines and facial features, with a particular emphasis on the delicately executed eyes. The delicately differentiated mouth clearly stands out in its colorfulness. The sparse use of details enables Nolde to increase the expressiveness of face and colors. The resulting presence of the portrayed actress seems almost tangible due to the delicate, sculptural and yet seemingly spontaneous modeling.This extraordinary work is impressive proof of Emil Nolde's pronounced ability to reproduce delicate mood values in his portraits. In a letter to the sitter, the artist expresses himself in a significant way: "I just ask you not to say that it's you, it's not a portrait, it's just a little picture" (Emil Nolde in a letter to Stephanie Wiesand from December 4th, 1949). Rather than describing the external characteristics of the person shown, Nolde is more interested in moods and emotions, in order to make the subjective impression of those portrayed tangible and effective. In the series of such portraits, this extraordinary sheet is a representation of unique presence and direct expressiveness. [AM]

Photo: Erika Haendler-Krah

Stephanie Wiesand in „Iphigenie in Delphi" by Gerhart Hauptmann, Kiel 1942/43.

© Nolde Stiftung Seebüll 2023



- **Very rare, never published and probably unfinished self-portrait**
- **In 1917, when the work was created, J. B. Neumann opened the artist's first graphic exhibition in Berlin and became one of his most important publishers**
- **Even at a young age, Beckmann devoted himself to graphic art: in 1901 he produced his first etching, also a self-portrait**

433

MAX BECKMANN

1884 Leipzig – 1950 New York

Selbstbildnis. 1917.

Etching.
Hofmaier 120 II (of III). Gallwitz 94. Signed, dated and inscribed "Selbstporträt 17 No. II". One of to date only three known copies. On lad paper (with watermark "Original Hand Linen P & H").
20,4 x 15,7 cm (8 x 6.1 in). Sheet: 32,5 x 25 cm (12.7 x 9.8 in). [AR]

Called up: December 9, 2023 – ca. 6.16 pm ± 20 min.

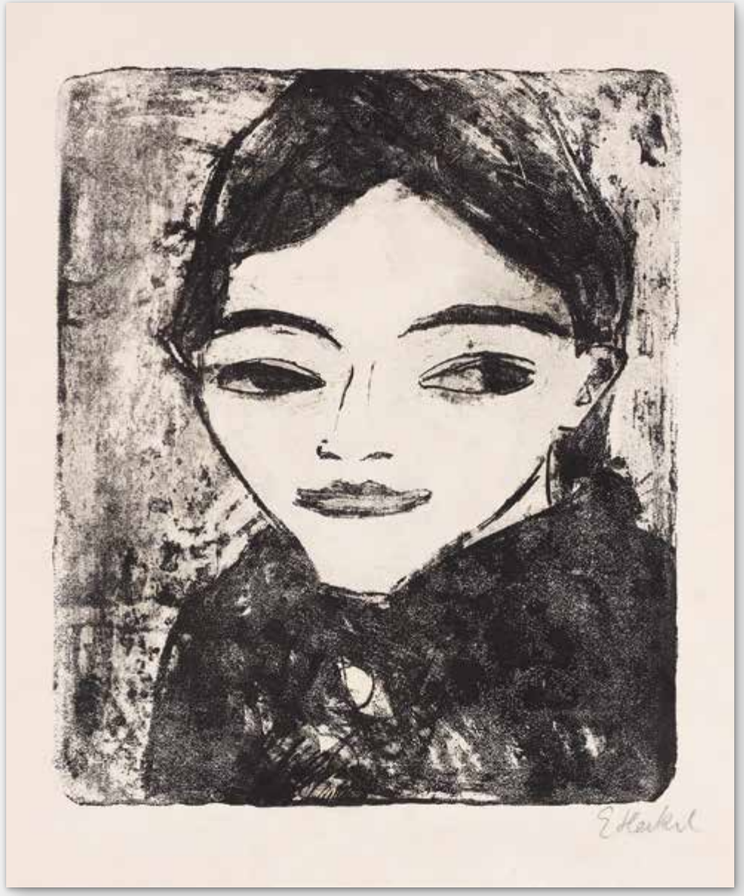
€ 14.000 – 18.000 (R/D)
$ 14,700 – 18,900

PROVENACE

· Private collection Southern Germany.

LITERATURE

· Kunsthaus Lempertz, Cologne, 488th auction, June 1966, lot 56 (fig., plate 19).



- **One of to date only 4 known copies**
- **Heckel portrayed Fränzi, the most famous of the "Brücke" models**
- **From 1910, a key year for the artist group**

434 | FROM THE AHLERS COLLECTION

ERICH HECKEL

1883 Döbeln/Saxony – 1970 Radolfzell/Lake Constance

Fränzi. 1910.

Lithograph.
Ebner/Gabelmann 441 L. Dube L 142. Signed.
One of 4 known copies. 32,8 x 27,4 cm (12.9 x 10.7 in).
Sheet: 46,8 x 35,8 cm (18.4 x 14 in). [AR]

Called up: December 9, 2023 – ca. 6.18 pm ± 20 min.

€ 10.000 – 15.000 (R/N, F)
$ 10,500 – 15,750

PROVENACE

· Lübeck, Museum Behnhaus (1924-1937).
· State.owned (1937-1940, "Degenerate Art", number 11584).
· Galerie Ferdinand Möller, Berlin (in an exchange with the above in 1940, until 1943).
· Ferdinand Möller, Zermützel/Cologne (1943–1956).
· Maria Möller-Garny, Cologne (1956–1983).
· Art dealer Wolfgang Wittrock, Düsseldorf.
· Corporate Collection Ahlers AG, Herford (acquired from the above in 1984).

EXHIBITION

· Der Blick auf Fränzi und Marcella: Zwei Modelle der Brücke-Künstler Heckel, Kirchner und Pechstein, Sprengel Museum, Hanover, August 29, 2010 - January 9, 2011, cat. no. 123, p. 51 (fig.) and 135.
· Schwarz auf Weiß. Druck-Graphik im Wandel der Zeit von Rembrandt bis Dieter Roth, Foundation Ahlers Pro Arte / Kestner Pro Arte, Hanover, September 28, 2013 - January 5, 2014.
· Blaues Land und Großstadtlärm. Ein expressionistischer Spaziergang durch Kunst und Literatur, Franz Marc Museum, Kochel am See, April 30 - October 3, 2017, cat. p. 152.
· Erich Heckel. Der poetische Expressionist, Franz Marc Museum, Kochel am See, February 24 - May 19, 2019.

LITERATURE

· Galerie Wolfgang Ketterer, 20. Jahrhundert, 58th auction, June 7/8, 1982, lot 685 (illu.).
· www.geschkult.fu-berlin.de/e/db_entart_kunst/datenbank (Nr. 11584).

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

435

ALEXEJ VON JAWLENSKY

1864 Torschok – 1941 Wiesbaden

Meditation N. 29. 1934.

Oil on paper with a canvas structure, laminated on cardboard.
Lower left monogrammed and lower right dated. Inscribed "A. Jawlensky, 1934 N. 29" by Lisa Kümmel on the reverse. 17 x 12,5 cm (6.6 x 4.9 in).
Backing cardboard: 27,3 x 22,6 cm (10.7 x 8.8 in). [AW]

Called up: December 9, 2023 – ca. 6.19 pm ± 20 min.

€ 40.000 – 60.000 (R/D)
$ 42,000 – 63,000

PROVENACE

· Galerie Valentien, Stuttgart.

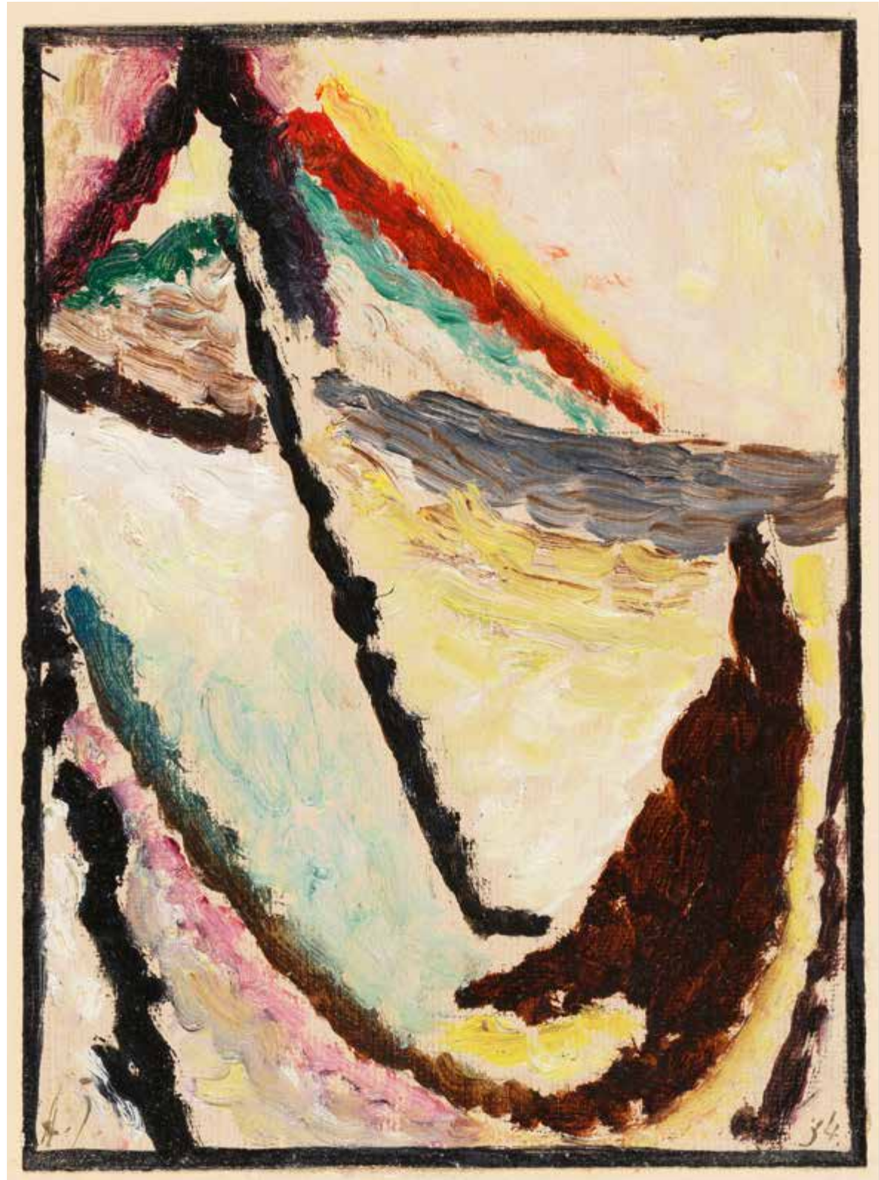
· Private collection Baden-Württemberg.

LITERATURE

· Maria Jawlensky/Lucia Pieroni-Jawlensky/Angelica Jawlensky, Alexej Jawlensky. Catalogue Raisonné of the Oil Paintings, vol. III (1934-1937), Munich 1993, p. 54, no. 1494 (fig.).

· Clemens Weiler, Alexej Jawlensky, Cologne 1959, cat. no. 332 (fig. p. 250).

- **With exceptionally clear and radiant colors**
- **Jawlensky transforms the human face with great empathy into an iconic appearance of religious feeling**
- **The "Meditations" are Jawlensky's last series of works that were created in great seclusion**



"Works from my last creative period have very small formats, but the pictures are even deeper and more spiritual, expressed solely with color. Since I felt that I would no longer be able to work in the future due to my illness, I worked on these little meditations like an obsessed man . And now I'm leaving these small, but for me significant, works for the future to people who love art."

Alexej von Jawlensky, quoted from: Tayfun Belgin (ed.), Alexej von Jawlensky, Reisen, Freunde, Wandlungen, ex. cat. Museum am Ostwall, Dortmund, Heidelberg 1998, p. 119.

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

436

GABRIELE MÜNTER

1877 Berlin – 1962 Murnau

Stilleben mit Kasperltheater. 1917.

Oil on cardboard.
Lower left signed. Verso with the estate stamp. 37 x 34,5 cm (14.5 x 13.5 in). [EH]

Accompanied by a written expertise issued by the Gabriele Münter- and Johannes Eichner-Foundation, Munich, from 8 August, 2023. The work will be included into the catalog raisonné of paintings by Gabriele Münter.

Called up: December 9, 2023 – ca. 6.20 pm ± 20 min.

€ 80.000 – 120.000 (R/D, F)
$ 84,000 – 126,000

PROVENACE

· From the artist's estate (with the stamp on the reverse).
· Art trade Munich/Campione d'Italia.
· Galleria Henze, Campione d'Italia (acquired from the above).
· Privatsammlung Bayern (acquired from the above in 1979).
· Ever since family-owned.

- **From 1917, a year of particular significance for the artist, both in terms of her private and professional life**
- **In this still life, the observer can experience Gabriele Münters personal living environment**
- **Works from this period can be found in, among others, the Nasjonalmuseet in Oslo, the Cleveland Museum of Art in Ohio and the Städtische Galerie im Lenbachhaus, Munich**
- **With this subject, the artist reached her goal of an artistic reorientation towards a stronger simplification of the form and clearer and brighter colors during her Scandinavian creative period (1915-1920)**
- **Part of the smae private collection for more than fourty years**

"She captures what escapes others, things that are to quiet to be said."

Gregor Poulsson about Gabriele Münter's painting, in: Stockholms Dagblad, October 20, 1916, quoted from: Ex. cat. Gabriele Münter, Munich/Frankfurt a. M./Stockholm 1992, p. 73.

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

From Staffelsee to the Stockholm Archipelago: Relocation and Transformation

Gabriele Münter's five years in Scandinavia,decisively differed from the previous happy-go-lucky years in Murnau before the First World War, both in private and artistic terms. On the one hand, she finally broke up with her long-time partner Wassily Kandinsky, on the other hand, her work underwent a clear stylistic change and helped her to greater fame and successful solo and group exhibitions in Scandinavia. In the spring of 1918, for example, her largest solo exhibition to date took place in "Den Frie Udstilling" in Copenhagen. The exhibition mainly showed new works created in Scandinavia and attracted more than 600 visitors a day.

In the spring of 1915, the artist had cleared her apartment on Ainmillerstraße in Munich and, after brief stays in Berlin and Copenhagen, finally moved to Stockholm. In politically neutral Sweden, in view of the raging First World War, she hoped for more frequent meetings with Kandinsky, who was living in Moscow at the time. In addition, the sister-in-law of her Berlin gallery owner Herwarth Walden was living in Scandinavia and thus offered Münter a welcome, almost family-like contact. In Stockholm, she managed to gain a foothold surprisingly quickly and established important contacts in the local art scene. "It seems to me that I have not yet seen anything as beautiful, as congenial as Stockholm. Like a better world", the painter notes on her first evening in Stockholm (quoted from: Karoline Hille, Gabriele Münter. Die Künstlerin mit der Zauberhand, p. 137). She made friends with the painter couple Sigrid Hjertén and Isaac Grünewald and other Swedish painters, and was able to organize several solo and group exhibitions for herself and also for Kandinsky, while her works continued to be shown at the renowned gallery "Der Sturm" in Berlin.

The young painters living and working in Sweden and Denmark, whom Gabriele Münter met during these years, were strongly influenced by Henri Matisse and contemporary French painting. Having completed their training at the Académie Matisse in Paris, many of them took their impressions of French modernism when they returned to Scandinavia, where a so-called decorative expressionism was now gaining ground. It was in these circles that Münter learned the Swedish language, which she soon mastered almost flawlessly in reading and writing, and occupied herself with Swedish culture, among other things on extended trips to northern Sweden.

"I portray the world as it essentially appears to me."

Gabriele Münter in an article for the magazine "Das Kunstwerk" in retrospect in 1948, quoted from: Karoline Hille, Gabriele Münter. Die Künstlerin mit der Zauberhand, p. 12.

From the Statuette of the Virgin Mary to the ‚Dala Horse'. Gabriele Münter's Passionate Interest in Folk Art

While still in Russia, Kandinsky developed a keen interest in folk art and brought a figure of the Madonna with Child and Crown with Double Cross back to Germany, which is depicted in several Münter paintings. In the years that followed, folk art played an important role in the artistic development of the ‚Blauer Reiter', in the works of Alexej von Jawlensky and Marianne von Werefkin, and also in Gabriele Münter's painting. The artists were impressed by the naivety and originality, the strong colors and the simple, unadorned formal language. In Murnau, Münter and Kandinsky discovered regional reverse glass painting and also began to collect folk sculptures, contemporary nativity figures, crucifixes, statues of the Virgin Mary, votive tablets, as well as back to Germany as well as wooden and clay toys. Although Gabriele Münter certainly had only taken a few individual objects with her to Scandinavia, the work offered here reveals a small radiant light blue wooden toy that, upon closer inspection, turns out to be the 'Punch and Judy Show' from Gabriele Münter's and Wassily Kandinsky's private collection (circa 1900, today in the Gabriele Münter and Johannes Eichner Foundation, Munich).

Quite as if she also wanted to build a motivic bridge from her creative years in Germany to her artistic production in Scandinavia, the head of a compact, white, painted wooden horse can be seen in our painting in addition to the German wooden toy. It is a traditional Swedish ‚Dala horse (Dalahäst)' made of pine wood, which has been made in the province of Dalarna since the 17th century. Today, the horses usually come in red, but in the early 20th century, the horses used to be mostly white, with saddle and bridle painted on them. The horse first appeared in one of Münter's paintings in the spring of 1916 and was also depicted in other paintings, drawings. and one print in the years that followed.

Gabriele Münter, Stockholm, 1917, photograph.

Punch and Judy show from the Erzgebirge, around 1900, softwood, colored, formerly Gabriele Münter Collection and Wassily Kandinsky, Gabriele Münter and Johannes Eichner Foundation, Munich.

Traditional Dala horse, Sweden, around 1900, pine, painted, private collection.

© Gabriele Münter and Johannes Eichner Foundation, Munich / VG-Bild-Kunst, Bonn 2023

Gabriele Münter, Zukunft (Frau in Stockholm), 1917, oil on canvas, Cleveland Museum of Art, Cleveland.

Münter completed the present composition with imaginative ingenuity and compositional finesse with a large green vase with leaves stylized into geometric forms protruding above the arrangement on the right, as well as an object with a colorful bird figure stretched across the height of the picture in the left margin. In the center of the table we see a small blue spherical vase with a bouquet of white flowers and another, shadowed vessel which possibly holds an assortment of different brushes, thus indicating her activity as a painter.

The impression that the objects are placed next to one another incoherently is not confirmed after closer inspection; instead it is a carefully designed, refined composition. There is nothing left of the quite spiritualized Madonna depictions of the Murnau years in her Scandinavian still lifes. The artist began to use the still life to express her more developed and renewed artistic goals: she uses bright, radiant colors, simple, almost geometrical forms, clearly stronger, darker contours, and a particularly curved, decorative line, which can also be found in other still lifes and interior scenes of these years (see illustration).

From the ‚Blauer Reiter' to Artistic Independence

After just a single visit to Stockholm, Kandinsky returned to Russia in March 1916, taking a train to Moscow at six in the morning. He kept postponing a second visit until contact between the former couple finally broke off completely - Münter and Kandinsky would never see each other again. In the year the present work was created, only a few months after his visit to Stockholm, Kandinsky married a young Russian woman. Many years later, the artist wrote in a letter to a friend in Sweden: "From 1916 I was no longer a part of his life. After his return from Stockholm at that time, he remained in Russia, kept silent and married a Russian woman. In doing so, he violated the commitment he made in Stockholm, and his principle that our marriage was sacred and that it only needed conscience and not official documents. For me, his unfaithfulness to himself and to me was inconceivable and a heavy blow." (Letter to Carl Palme, March 12, 1949, quoted after: Ex. cat. 1992, p. 69). In the months that followed, Münter not only had to struggle with the loss and the painstaking loneliness, but also with financial hardships and food shortages as a result of the war. Despite these difficulties, Münter's need for artistic reorientation in Scandinavia, under the influence of the cultural environment and the national art movements, led to thematically and stylistically new pictorial creations. The artist found her very own way of artistic expression, with which she kept emancipating herself from the creative years she had shared with Kandinsky in Murnau during the period of the ‚Blaue Reiter'. However, she never abandoned the principles she had previously attained, for example the fusion of line and color. Instead she began to develops a very special pictorial language inspired by her Scandinavian environment, once again providing proof of her artistic maturity, but also of an enormous creative drive. A drive that helped her to turn a life crisis into an important period of her career. [CH]

437

ERNST LUDWIG KIRCHNER

1880 Aschaffenburg – 1938 Davos

Bauern mit Kuh. Um 1922.

Watercolor, ink brush and black chalks.
Lower right signed. On firm and smooth wove paper. 39,2 x 50 cm (15.4 x 19.6 in), the full sheet.
A photograph of this work is in Ernst Ludwig Kirchner's "Photoalbum II", p. 343.
[CH]

The present work is registered in the Ernst Ludwig Kirchner Archive, Wichtrach/Bern.

Called up: December 9, 2023 – ca. 6.23 pm ± 20 min.

€ 30.000 – 40.000 (R/D)
$ 31,500 – 42,000

PROVENACE

· Collection of Mr. and Mrs. Dickson Reck, Berkeley (around 1930).
· Private collection Sydney.
· Dover Street Gallery, London (1992).
· Galerie Iris Wazzau, Davos.
· Private collection Northern Germany (acquired from the above in 1994).

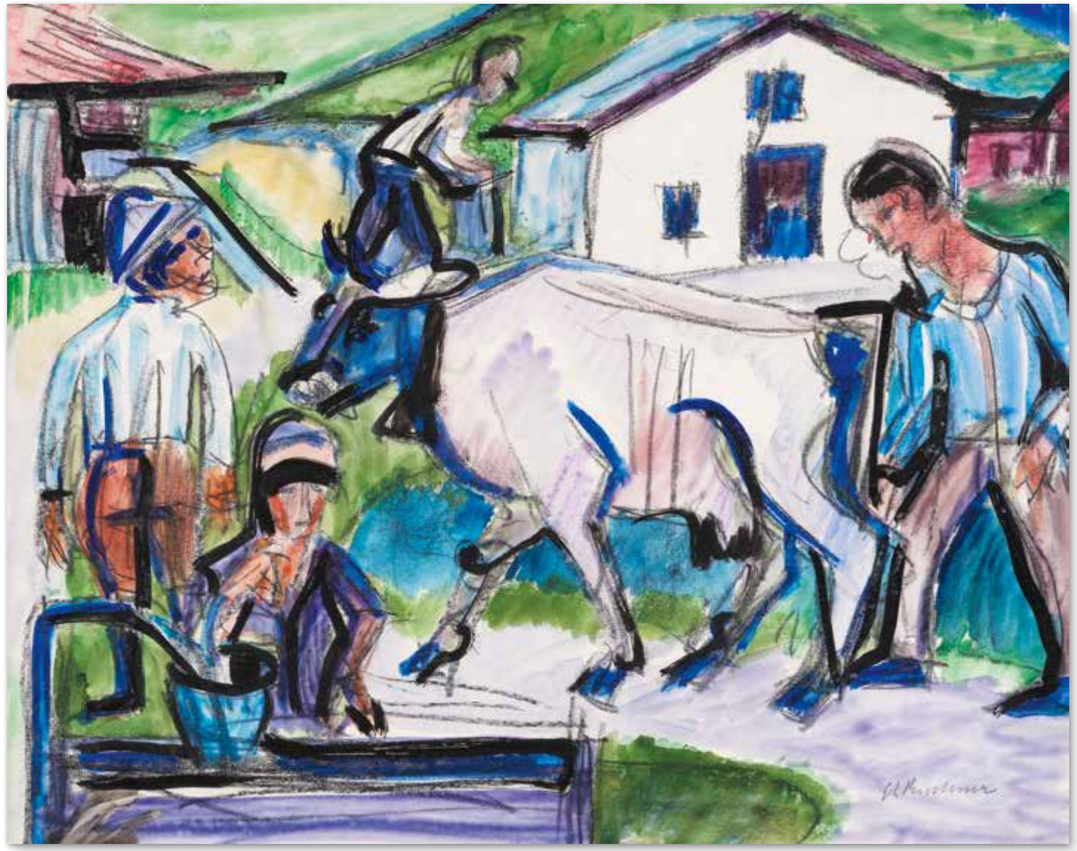
EXHIBITION

· 20th Anniversary Exhibition, San Francisco Museum of Art, August 1955.

LITERATURE

· Sotheby's, London, Impressionist and Modern Paintings, Drawings and Sculpture (part II.), June 23, 1993, lot 274 (color illu.).

- **Elaborate watercolor from the sought-after Davos period**
- **Exhibited in the USA as early as 1955**
- **An almost stage-like scene with animated foreground, middle ground and background**
- **As a gifted draftsman, Kirchner adds motion to the animals and people in this depiction with just a few skillfully placed strokes**
- **The motifs contained of this watercolor can also be found in Kirchner's famous oil triptych "Alpleben" (1918/19, Kirchner Museum, Davos)**
- **Kirchner's move to the mountains of the Swiss Alps led to a fascination for the hard life of mountain farmers, which he captured in photographs, watercolors, drawings and paintings**



"The good van de Velde wrote to me today saying that I should return to modern life. That is out of question for me. And I have no regrets. I have found a rich field for my work here that I could hardly manage it in good health [...]. You learn to look and explore deeper than in so-called ‚modern' life, which, despite its rich outer form, is so much more shallow."

E. L. Kirchner in a letter to Helene Spengler, July 3, 1919.

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

438

RENÉE SINTENIS

1888 Glatz/Silesia – 1965 Berlin

Großes Vollblutfohlen. 1940.

Bronze with black-brown patina.
Berger/Ladwig 170. Buhlmann 153. Plinth with the monogram and the foundry mark "H. Noack Berlin". Height: 108,6 cm (42.7 in).
Cast by art foundry Hermann Noack, Berlin. [JS]

Called up: December 9, 2023 – ca. 6.24 pm ± 20 min.

€ 150.000 – 170.000 (R/D, F)
$ 157,500 – 178,500

PROVENACE

· Dr. Meyer-Struckmann-Stiftung, Essen.
· Bank collection Sal. Oppenheim, Cologne.

LITERATURE

· (each different copy, selection):
· Hanna Kiel, Renée Sintenis, Berlin 1956, illu. p. 77.
· Dieter Honisch, Die Nationalgalerie Berlin, Recklinghausen 1979, S. 376.

- **One of the rare large bronzes by Renée Sintenis**
- **Another copy is in the collection of the Nationalgalerie, Berlin**
- **Life-size version of the small sculpture "Vollblutfohlen (Thoroughbred Foal) by Sintenis from 1939**
- **Renée Sintenis is one of the most important German sculptors of modernism and has been a formative figure in the Berlin art scene since the 1920s**
- **Animal sculptures are Sintenis' artistic trademark**
- **Sintenis is the creator of the Berlin Bear (1956)**

"In the true sense of the word, an almost idolatrous love and adoration for horses lives in my heart above everything else. This reverence in me always seems to be filled with mysterious meaning. I cannot explain it with my intellect, I would almost like to say that it is a metaphysical matter."

Rene Sintenis, quoted from: Zwischen Freiheit und Moderne. Die Bildhauerin Renée Sintenis, Bonn 2019, p. 48.

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

439

ERNST LUDWIG KIRCHNER

1880 Aschaffenburg – 1938 Davos

Kuh und Treiber. 1919.

Watercolor and black chalks.
Lower right signed. Dated and titled on the reverse. On smooth, light cardboard. 39,2 x 50 cm (15.4 x 19.6 in), the full sheet. [CH]

The present work is documented in the Ernst Ludwig Kirchner Archive, Wichtrach/Bern.

Called up: December 9, 2023 – ca. 6.26 pm ± 20 min.

€ 50.000 – 70.000 (R/D)
$ 52,500 – 73,500

PROVENACE

· Collection of Mrs. Max M. Stern, New York.
· Private collection Germany (acquired in 1980).
· Galerie Thomas, München.
· Galerie von Vertes, Zürich.
· Private collection Northern Germany (acquired from the above).

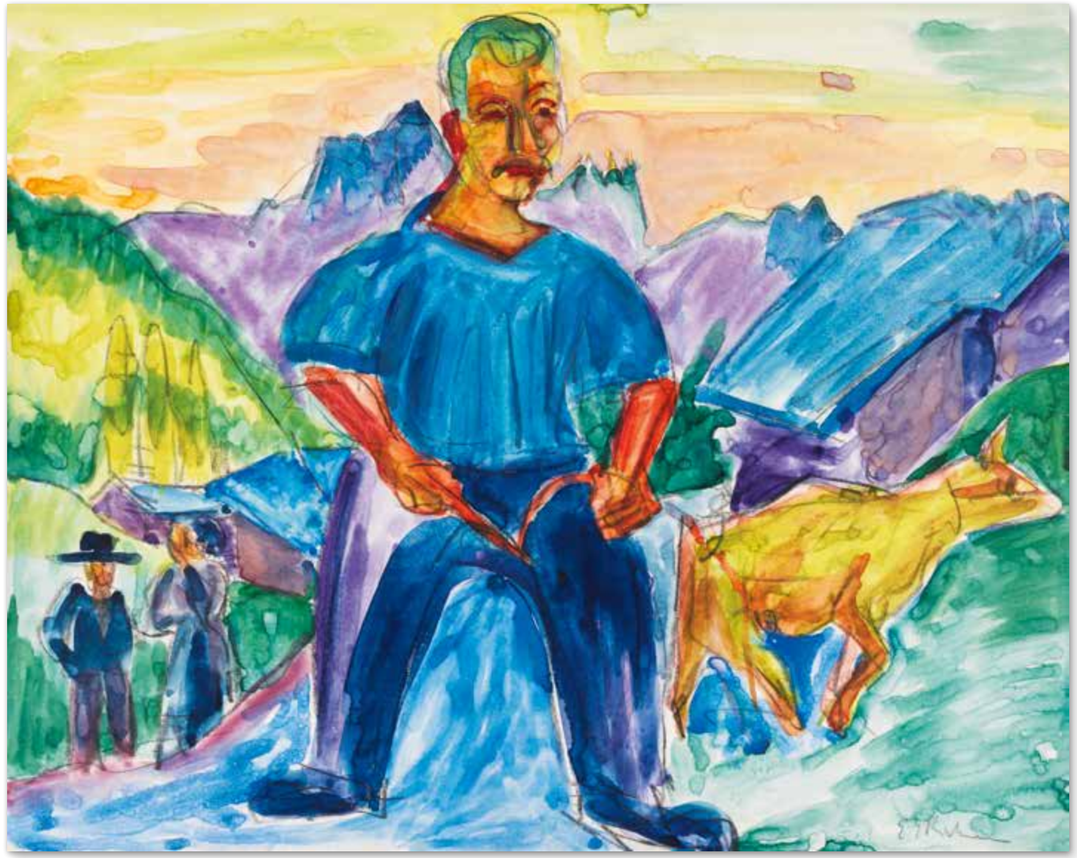
EXHIBITION

· E. L. Kirchner. Paintings and Works on Paper, Grace Borgenicht Gallery, New York, April 5 - 30, 1983, cat. no. 11 (fig.).

LITERATURE

· Sotheby Parke Bernet, New York, November 1969, lot 24 b (fig.).
· Sotheby Parke Bernet, New York, November 1970, lot 18.

- **Radiant watercolor from the sought-after Swiss period**
- **Outstanding graphic expressiveness**
- **Expressive, portrait-like depiction of a Davos shepherd in front of an atmospheric mountain panorama in soft colors**
- **Through Kirchner's stays on the "Stafelalp" (1917–1919), the artist became acquainted with the hard, simple mountain farming life, which was so different from his previous life in the big city, and that would fascinate him until the end of his life**
- **As a physically and mentally ailing marked man, Kirchner elevates the broad-shouldered shepherd to the heroic protagonist of his drawing and gives him great physical presence and vitality through the self-confident posture, the courageous, strong coloring and the close-up image detail**
- **The great expressionist's virtuosity becomes particularly obvious in Kirchner's spontaneously created watercolors**



- **Particularly expressive composition of a multi-figure sporting scene**
- **The theme of “movement” is a characteristic form of expression in Kirchner’s entire oeuvre**
- **From the same year as the painting “Ski Jumper”, closely related in terms of motif**
- **From the artist’s estate and in the same Southern German private collection for over 70 years**

440

ERNST LUDWIG KIRCHNER

1880 Aschaffenburg – 1938 Davos

Skisprung. 1927.

Woodcut.
Gercken 1558 IV (of IV). Dube H 569 IV (of IV). Schiefler H 548. Inscribed “IV”. With the estate stamp of the Kunstmuseum Basel (Lugt 1570 b) and the hand-written registration number “H 548 V” on the reverse. One of to date 10 known copies. On off-white wove paper. 41,7 x 33,8 cm (16.4 x 13.3 in). Sheet: 56 x 42 cm (22 x 16.5 in).
The ski jumping took place on the old Bolgenschanze in Davos. [AW]

We are grateful to Prof. Dr. Günther Gercken for his kind expert advice.

Called up: December 9, 2023 – ca. 6.27 pm ± 20 min.

€ 20.000 – 30.000 (R/D)
$ 21,000 – 31,500

PROVENACE

- Artist’s estate (Davos 1938, Kunstmuseum Basel 1946).
- Kirchner community of heirs, Biberach (1954).
- Walter Köhler Collection, Munich (since 1954, heir after Walter Kirchner, the artist’s brother (died in 1954).
- Evers since family-owned.

- **Large-format, particularly atmospheric winter landscape**
- **The tempera and watercolor works made after 1930 have a particularly lively expressiveness due to their dynamic, vibrant brushwork**
- **In the 1930s, Rohlfs transformed his landscapes from dense color movements into the greatest possible abstraction**
- **In addition to the famous floral still lifes, the rare landscape depictions are among the most sought-after works on the international auction market**

441

CHRISTIAN ROHLFS

1849 Niendorf/Holstein – 1938 Hagen

Ghiridone im Winter. 1936.

Tempera.
Lower right monogrammed and dated. Dated, titled and inscribed “Nr. 7” on the reverse, presumably by a hand other than that of the artist. On firm structured P. M. Fabriano wove paper (with the watermark). 54 x 77 cm (21.2 x 30.3 in), the full sheet. In 1927, Christian Rohlfs moved to Ascona in Ticino, Switzerland. His works from these years show the Ticino landscape, such as the Centovalli. In the work offered here, Rohlfs depicted a mountain in the Ticino Alps, the snow-capped Ghiridone or Gridone, the highest peak on the shores of Lake Maggiore. [CH]

Called up: December 9, 2023 – ca. 6.28 pm ± 20 min.

€ 20.000 – 30.000 (R/D)
$ 21,000 – 31,500

“The landscape impression is so striking that you won’t forget it. It is astonishing how intensively Rohlfs saw the landscape, and how one – as odd as it may sound – encounter his pictures all over the Ticino.”

Paul Vogt, author of the artist’s catalogue raisonné, in: Christian Rohlfs. Aquarelle und Zeichnungen, Recklinghausen 1958, p. 101.

PROVENACE

- Private collection Berlin.
- Private collection North Rhine-Westphalia.

LITERATURE

- Paul Vogt, Christian Rohlfs. Aquarelle und Zeichnungen, Recklinghausen 1958, p. 204, cat. no. 1936/27.

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

442

ERNST LUDWIG KIRCHNER

1880 Aschaffenburg – 1938 Davos

Kühe im Herbst. 1924/1926.

Oil on canvas.
Gordon 788. Signed in lower left. Signed, titled and with the estate stamp of the Kunstmuseum Basel (Lugt 1570 b) and the hand-written registration number "Da/Bm 7a" on the reverse. 60 x 70,5 cm (23.6 x 27.7 in). [CH]

The work is documented in the Ernst Ludwig Kirchner Archive, Wichtrach/Bern.

Called up: December 9, 2023 – ca. 6.30 pm ± 20 min.

€ 100.000 – 150.000 (R/D)
$ 105,000 – 157,500

PROVENACE

- Artist's estate (Davos 1938, Kunstmuseum Basel 1946).
- Community of Kirchner's heirs, Biberach (1954).
- Walter Köhler Collection, Munich (since 1954, heir after Walter Kirchner (1882-1954), the artist's brother).
- Ever since family-owned.

LITERATURE

- Donald E. Gordon, Ernst Ludwig Kirchner, Munich/Cambridge (Mass.) 1968, cat. no. 788, p. 388 (fig.).
- Hans Delfs, Mario-Andreas von Lüttichau and Roland Scotti, Kirchner, Schmidt-Rottluff, Nolde, Nay ... Briefe an den Sammler und Mäzen Carl Hagemann, Ostfildern-Ruit 2004, no. 475.

- **A particularly expressive example of Kirchner's consistent pursuit of his Davos painting style**
- **After nine years in Davos, Kirchner undertook trips to his former German places of work in 1925/26, from which he returned to Davos with restored strength and awareness of his own artistic style**
- **The motif, brightly expressive color palette and reduced formal language of this self-confident depiction underscore his uncompromising change in style in the 1920s**
- **In a characteristic manner, the trained architect E. L. Kirchner characteristically combines frontal perspective and profile view with a close-up of the subject**
- **Directly from the artist's family. Offered on the international auction market for the first time**

"The colored outline is a problem that has not been sufficiently addressed until today. [...] The change of the surface's color when adjacent to a complementary color is also part of this chapter. [...] The colors remain in the surface so much better when they are neighboring colors in the chromatic circle, and I want to have a surface, in spite of the depth effect and everything else."

Ernst Ludwig Kirchner, diary entry from October 17, 1925, in: Lothar Grisebach, Davoser Tagebuch, Ostfildern 1997, p. 103.

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

E. L. Kirchner, Kuh, 1920/1924, photograph, E. W. Kornfeld Collection, Bern/Davos.

Simple life and rural idyll. Kirchner's adopted home in Switzerland
Before he settled in Switzerland for good, Ernst Ludwig Kirchner had visited Davos several times as of 1917. He sought, among other things, medical treatment from Dr. Frédéric Bauer, the head physician of the Davos Park Sanatorium at the time. He also spent the summer of 1918 in the Swiss mountains on "Stafelalp", which he would also make his summer residence in the following years. He enjoyed the simple, rustic life with few amenities. The Alpine landscape, the life of the local peasant families and the bucolic idyll of the villages were important sources of inspiration for Kirchner during these years. The former city dweller, who was used to the hustle and bustle of Dresden and the big city of Berlin with its electric streetcars, automobiles roaring through the paved streets and the fashionably dressed inhabitants, became increasingly fascinated with the rural life in Davos and its slower pace. In a letter from 1919, he declared full of conviction: "The good van de Velde wrote to me asking me to return to modern life. That is out of the question for me. Nor do I regret it. I have a rich field to harvest that I could hardly manage in good health, let alone in the state I am currently in. The world has the same charm everywhere, only the external forms are different. And here one learns to look and explore deeper than in so-called ‚modern' life, which is usually so much more shallow in spite of its rich outer form." (Letter to Helene Spengler, July 3, 1919).

Mountain landscape, peasant life, flora and fauna.
Favorite motifs of a former city dweller
The subjects of the paintings he created during these years are documents of the extent to which the artist identified with his Swiss surroundings and the peasant life in Davos-Frauenkirch. All in line with the guiding principle of the "Brücke", that is "to take from life the stimulus to create and to subordinate oneself to the experience," every brushstroke of the paintings he created in Switzerland mirror his new life in Davos, the same way that his paintings made up to 1917 were characterized by the particular big-city atmosphere of Berlin, and earlier works from up to 1911 illustrate the progressive artistic creativity of the Dresden years
During these years, Kirchner rented the house "In den Lärchen" in Davos-Frauenkirch in winter and was thus able to experience the seasons and the rhythm of the hard-working farmers' lives, the harsh winters, the hay harvest, the farmers' festivals and also the alpine season in the summer months, when the cows came home to the lush pastures. In the present work, the artist shows the cows peacefully grazing "in autumn". Although the Alpine cattle drives festivities in many Swiss regions are celebrated in September and October, the hard-boiled animals can be kept outside for a large part of the day all year round, even when temperatures drop below freezing. On extended walks in the Davos area, for example on the "Längmatte" and near the "Stafelalp", where the artist used to have a summer home, Kirchner observed the cows at close range and worked up his impressions in photographs, spontaneous drawings and prints, as well as in paintings like the present work. Even a sculpture the artist made of Swiss stone pine (WVZ Henze 1925/02) has survived. In terms of motifs, the horned animals are of great importance to Kirchner in these years and make for an integral part of his oeuvre from the Davos period.

Kirchner's journey through Germany in 1925/26
The work can be dated to around 1924/1926. Kirchner may have begun it in 1924 and only completed it in 1926 - after his so-called "Journey through Germany" in 1925/26. In the winter of 1925/26, Kirchner traveled to Frankfurt am Main, Chemnitz, Dresden and finally to Berlin, then returned to Davos for a while before setting off on another trip to Dresden in June 1926. During his stay, Kirchner saw the extensive collection of his friend and patron Carl Hagemann for the first time, visited the Städel Museum in Frankfurt, the "Galerie der Moderne" at the Kunstsammlungen Chemnitz, the most important art museums in Berlin and the "Internationale Kunstausstellung" in Dresden, and also became acquainted with the dancers Mary Wigman and Gret Palucca and their modern dance.
Even before the trip, Kirchner already had a benevolent and self-confident view of his artistic accomplishments: "I am beginning to see what matters. I see why and what my painting wants and is. There is no compulsion, nothing deliberate in it, and yet it is different from nature. But it would be wrong to say that I paint out of sensation alone. Naturally, I use the experience from earlier works quite consciously for the following ones. I believe that I enrich the doctrine of art with a few new sentences." (E. L. Kirchner, September 1, 1925, in: Lothar Grisebach (ed.), E. L. Kirchners Davoser Tagebuch, Stuttgart 1997, no. 161, p. 82) And even after his return from Germany, his head full of new impressions and ideas of the avant-garde, Kirchner was certain that he had taken the right path with regard to modernism: "The trips were very instructive for me, although I did not gain any artistic inspiration from them, but I saw my place and the justification for why my work is so highly valued over there. Among the modern artists working today, my work really does take first place in terms of its seriousness, freedom and individuality. [...] What is much more important is that my work is far and wide enough to allow for its further development, and today I can clearly see my path ahead of me." (E. L. Kirchner, September 26, 1926, in: ibid., no. 185, p. 108)

E. L. Kirchner, self-portrait, 1925/1926, oil on canvas, E. W. Kornfeld Collection, Bern/Davos.

Focus on form, color and perspective
In the present painting "Kühe im Herbst", his modern artistic style is evident in a common rural motif. Kirchner portrays the friendly animals in three different views and positions, grazing from the side, with their mouths open and facing the viewer from the front, thus already filling a large part of the image area. He is not interested in depicting the idyllic mountain world of Davos, and instead put focus on a modern invention of form, new pictorial ideas and perspectives and a bold use of color. As can be seen in other works from these years, Kirchner developed a characteristic two-tone color scheme for his motifs. Just as the bodies of the cows are modeled in a strong violet and a deep blue-green, Kirchner uses only clear, strong colors for his depiction of light and shadow, as in, for example, his famous "Selbstportrait" (1925/26, Collection E. W. Kornfeld, Bern/Davos) instead of mixing the color in darker and lighter tones. While his work and the earlier works of the "Brücke" artists made in Dresden and Berlin focused on the expressive and immediate expression of what they saw and experienced in dynamic, animated strokes, almost nervous lines, shimmering contours and sometimes sharp, angular forms, Kirchner's work of the 1920s, and again in the 1930s in Davos, underwent significant stylistic and formal developments. The starting point was still the experience of nature, but Kirchner found his way to a more two-dimensional style of painting and attained his very own form of abstraction, which took impressive shape in the work offered here and which was absolutely formative for his later works of the 1930s. [CH]

- **Stunning rediscovery of a Heckel watercolor**
- **With a love of detail, the work testifies to his great skill and passion for the watercolor**
- **The artist made this positive watercolor despite the difficult times**
- **The painting "Sonnenblumen und Birnen" (Sunflowers and Pears) with a comparable motif was created the same year**

PROVENACE

· Collection of Dr. Johannes Schürer, Mülheim an der Ruhr.

· Ever since family-owned.

443

ERICH HECKEL

1883 Döbeln/Saxony –
1970 Radolfzell/Lake Constance

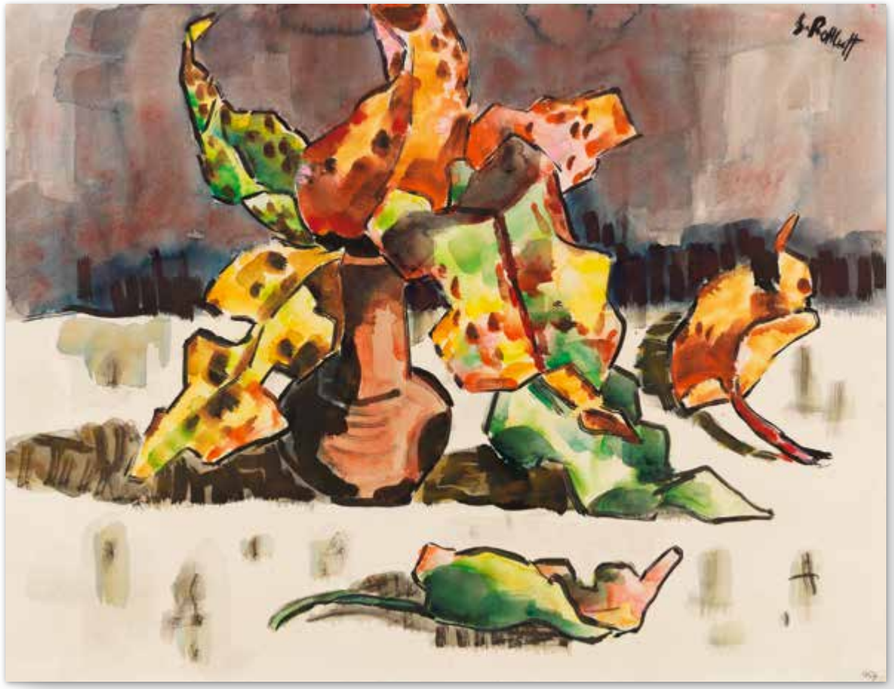
Gartenecke. 1933.

Watercolor over pencil.
Lower right signed, dated and titled. On Ingres d'Arches MBM laid paper (with the watermark). 62,5 x 47,8 cm (24.6 x 18.8 in), the full sheet. [AR]

The work is documented in the Erich Heckel Estate, Hemmenhofen on Lake Constance. We are grateful to Renate Ebner and Hans Geissler for the kind support in cataloging this lot.

Called up: December 9, 2023 – ca. 6.31 pm ± 20 min.

€ 18.000 – 24.000 (R/D, F)
$ 18,900 – 25,200



444

KARL SCHMIDT-ROTTLUFF

1884 Rottluff near Chemnitz – 1976 Berlin

Herbst (Herbstliche Blätter). 1945.

Watercolor and India ink.
Signed in upper right. Lower left inscribed with the work number "454". On firm paper. 49,5 x 64 cm (19.4 x 25.1 in), the full sheet. [JS]

The work is documented in the archive of the Karl and Emy Schmidt-Rottluff Foundation, Berlin, dokumentiert.

Called up: December 9, 2023 – ca. 6.32 pm ± 20 min.

€ 20.000 – 30.000 (R/D, F)
$ 21,000 – 31,500

PROVENACE

· Private collection Baden-Württemberg.

LITERATURE

· Christiane Remm, Karl Schmidt-Rottluff. Aquarelle, published by Magdalena M. Moeller, Brücke-Museum, Berlin 2011, pp. 61-63 (illu. 69, p. 64).

· Nagel, Stuttgart, auction on October 15, 2008, lot 667 (titled "Vase mit herbstlichen Blättern").

- **Remarkable example of Schmidt-Rottluff's combination of radiant colors and clear forms**
- **Poised orchestration of an autumnal play of forms and colors**
- **Reduced composition: fascinating modernity attained through reduction and formal simplification**
- **Watercolors make for a key group within Schmidt-Rottluff's creation, the technique dominated his œuvre especially during the war years**
- **In 2011, Christiane Remm's monography on Schmidt-Rottluff's watercolors was published**

"Despite massive defamation of his work and the subsequent ban, Schmidt-Rottluff [...] continued to work. [...] Especially the still lifes that were made at that time reveal a very intensive, personal ‚dialogue' between the artist and his subject. [.] In [...] ‚Autumn' [...] Schmidt-Rottluff shows his mastery in simplifying the pictorial language to the most elementary. Individual, isolated pictorial objects on a neutral, sparse, spatially undefined base [...] perhaps stand for the painter's quiet despair, but also for the unshakable will to persevere in times of restriction."

Christiane Remm, Karl Schmidt-Rottluff. Aquarelle, Berlin 2011, pp. 61-63.

445 | FROM THE WILLIAM LANDMANN COLLECTION, CANADA

KARL HOFER

1878 Karlsruhe – 1955 Berlin

Mädchenporträt. Um 1920.

Oil on copper plate.
Monogrammed in lower right. 40 x 34,5 cm (15.7 x 13.5 in).
During the occupation of the Netherlands from 1940 to 1945, the picture, alomngside other works from the collection, was hidden at the Stedelijk Museum in Amsterdamby by its director Sandberg. [AW]

Called up: December 9, 2023 – ca. 6.34 pm ± 20 min.

€ 40.000 – 60.000 (R/N, F)
$ 42,000 – 63,000

PROVENACE

- Das Kunsthaus Herbert Tannenbaum, Mannheim.
- William (Dr. Wilhelm) Landmann Collection (1891-1987), Mannheim/ Amsterdam/Toronto (acquired from the above in the early 1920s).
- Martin Landmann Collection (1923-2021), Vancouver, Canada (obtained from the above in 1953).
- Ever since family-owned.

EXHIBITION

- Stedelijk Museum, Amsterdam (July 1939-1946 as loan from the Landmann Collection).
- European sculpture and painting from the collection of William Landmann, Art Gallery of Ontario, Toronto, October 18 - November 17, 1946.
- European Paintings, Art Gallery of Toronto, 1962 (fig. p. 4).
- Für die Kunst! Herbert Tannenbaum und sein Kunsthaus. Ein Galerist – seine Künstler, seine Kunden, sein Konzept, Reiß-Museum der Stadt Mannheim, September 11, 1994 - January 8, 1995, cat. no. 179 (fig.).

LITERATURE

- Karl Bernhard Wohlert, Karl Hofer. Catalogue raisonné of paintings, vol. 2, ed. by Markus Eisenbeis, Cologne 2007, no. 402 (fig.).
- Documents on the storage / loan from the Landmann Collection, archive of Stedelijk Museum Amsterdam, folder 707.
- Documents on the storage / loan from the Landmann Collection, archive of Stedelijk Museum Amsterdam, folder 698, p. 18, no. 601.
- Exhibition list from 1946, archive of Art Gallery of Ontario, Toronto.
- Collection inventory (file card) of Landmann Collection, privately owned.
- Paul Duval, German, Mexican and American Art Shows Varied National Characteristics, in: Saturday Night, vol. 62, no. 8, October 26, 1946, Toronto, pp. 2f. (fig.).

- **Radically modern aesthetics: a clear, reduced composition in flat, bright colors**
- **Expressive portrait with an engaging clear look from the best creative period**
- **In his portraits, Hofer impressively succeeded in visualizing the individual fate of those depicted, while he also takes the pictorial content to a universal level**
- **Family-owned for almost 100 years**

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

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- **Early drawing**
- **Created during the market days in Viborg, where Nolde spent the day drawing on the trail of real nature**
- **He also made two oil paintings of the market people**

446

EMIL NOLDE

1867 Nolde/Nordschleswig –
1956 Seebüll/Schleswig-Holstein

Marktleute. Ca. 1906.

Brush and India ink drawing.
Signed in lower right. On Japon. 20 x 28 cm (7.8 x 11 in), size of sheet. [SM]

Accompanied by a photo authentication issued by Prof. Dr. Manfred Reuther, Klockries, on November 2, 2023. The watercolor is listed in the Archive Reuther as "Nolde Z - 290/2023".

Called up: December 9, 2023 – ca. 6.35 pm ± 20 min.

€ 18.000 – 24.000 (R/D, F)
$ 18,900 – 25,200

PROVENACE

· Private collection Southern Germany (inherited in 2014).

447

FÉLIX ELIE TOBEEN

1880 Bordeaux – 1938 Saint-Valery-sur-Somme

Le Pecheur. 1930s.

Oil on canvas.
Signature scratched into moist paint in lower right. Titled by hand on the stretcher. 46 x 55 cm (18.1 x 21.6 in). [SM]

Called up: December 9, 2023 – ca. 6.36 pm ± 20 min.

€ 20.000 – 30.000 (R/D)
$ 21,000 – 31,500

- **As a young artist following Cubism, he found an artistic home in the poetic realist style**
- **In 1912, he took part in the leading Section d'Or exhibition alongside Jean Metzinger, Albert Gleizes and Juan Gris**
- **In later works such as "Le Pecheur", the proximity to German New Objectivity is unmistakable**
- **The two-dimensional cubic landscape contrasts with the more detailed figures, which create an intimate poetic atmosphere**
- **Tobeen's concentrated oeuvre comprises only 300 works**

PROVENACE

· Hunick&Scherjon, Amsterdam (with the label on the stretcher).
· The Zimmermann Gallery, London (with the label on the stretcher).
· Private collection Southern Germany.

LITERATURE

· Rosella Huber-Spanier, Tobeen: eigenzinnig kubist, poëtisch realist, Haarlem, 2012, cat. no. 54, p. 134.

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

448

EMIL NOLDE

1867 Nolde/Nordschleswig – 1956 Seebüll/Schleswig-Holstein

Sommerblumen (Mohn, Tulpen, Königskerze). Around 1950.

Watercolor and tempera.
Signed in lower right. On Japon, laid on cardboard. Including backing cardboard: 36,5 x 51 cm (14.3 x 20 in).

Accompanied by a photo authentication issued by Prof. Dr. Manfred Reuther, Klockries, dated October 30, 2023. The watercolor is listed as "Nolde A - 288/2023" in the Archive Reuther.

Called up: December 9, 2023 – ca. 6.38 pm ± 20 min.

€ 70.000 – 90.000 (R/D, F)
$ 73,500 – 94,500

PROVENACE

· Foundation Ada and Emil Nolde, Seebüll.
· Galerie Günther Franke, Munich.
· Private collection USA (acquired from the above).
· Private collection Berlin (since 1996).

LITERATURE

· Grisebach, Berlin, November 29, 1996, lot 20.

- **Airy and fascinating composition in subtly coordinated colors**
- **Emil Nolde is considered one of the greatest watercolorists of the 20th century**
- **The flower arrangements are among the most sought-after subjects in the artist's oeuvre**

Particularly in the last years of his life, Nolde repeatedly revisited one of his early motifs, the floral still life. What is so fascinating about these sheets is the almost somnambulistic certainty with which Emil Nolde created watercolors of flowers. In particular, but not alone, it is the unusual, almost magical world of color that makes for the secret magic of these sheets. It is also the composition as such that contributes to the intense overall impression. The special technique of wet-on-wet painting, which Nolde perfected in these works, is supplemented in his late works by the use of tempera, which the artist found to be particularly lightfast, resulting in an extremely charming interplay between glazed and strongly opaque parts, which in the present sheet accentuates the tulip and poppy blossoms in a particularly expressive manner. It is therefore not surprising that floral still lifes of appealing flower arrangements with luminous and subtle colors are a particularly popular group in the artist's oeuvre today. [SM]

© Nolde Stiftung Seebüll 2023

- **Excellent work in intesive colors**
- **In the late 1930s, Picabia revisited the landscape theme and interpreted it in a completely new way with voluminous brushstrokes reminiscent of “Art Brut”**
- **From 1934 to 1940, Picabia worked in his studio at the port of Golfe-Juan between Cannes and Antibes**
- **Paintings by Francis Picabia can be found at, among others, the Guggenheim Museum, New York, the Museum Boijmans von Beuningen, Rotterdam, and the Center Pompidou, Paris**

449

FRANCIS PICABIA

1879 Paris – 1953 Paris

Paysage maritime. 1938.

Oil on cardboard.
Signed in upper right. 37,5 x 45,4 cm (14.7 x 17.8 in).
[EH]

Accompanied by a photo authentication issued by the Comité Picabia on April 16, 1999 (in copy). The painting will be included into the catalog raisonné Francis Picabia with th eregistration number 2308.

Called up: December 9, 2023 – ca. 6.39 pm ± 20 min.

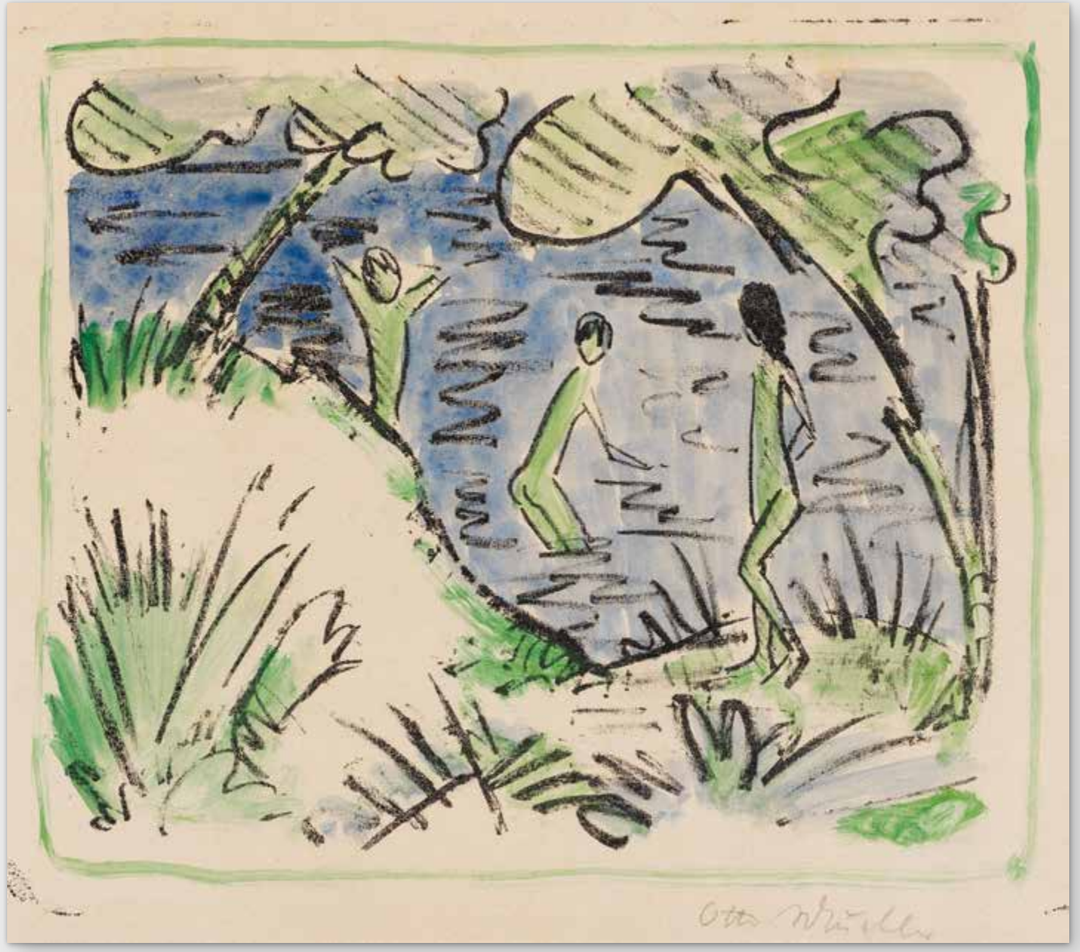
€ 20.000 – 30.000 (R/D, F)
$ 21,000 – 31,500

PROVENACE

- Private collection Switzerland
- Private collection Hanover (since 1999, from Hauswedell & Nolte).

LITERATURE

- Wiliam A. Camfield, Francis Picabia. Catalogue raisonné, Brussels 2014, vol.3, no. 1509, p. 393
- Hauswedell & Nolte, Hamburg, auction 343, Moderne Kunst, June 12, 1999, lot 2096, p. 282 (color illu. p. 283)
- Jean-Paul Potron, Paysages de Nice Villefranche-Beaulieu du XVIIème au XXème siècle, Nice, 2000, fig.
- Arnauld Pierre, Francis Picabia. La peinture sans aura, Paris 2002, fig.



450

OTTO MUELLER

1874 Liebau/Giant Mountains –
1930 Obernigk near Wroclaw

Zwei Knaben im Wasser und ein Mädchen am Ufer. 1918.

Lithograph, with watercolors.
Karsch 76 I (of II). Signed and inscribed “6” with blue chalks onthe reverse . One of the few hand-colored copies from a total of 8 copies of the firts printing state. On fine smooth copper plate printing paper.
23,5 x 29,5 cm (9.2 x 11.6 in). Sheet: 30,8 x 26,5 cm (12.1 x 10.4 in).
Printed by Otto Mueller. [JS]

Called up: December 9, 2023 – ca. 6.40 pm ± 20 min.

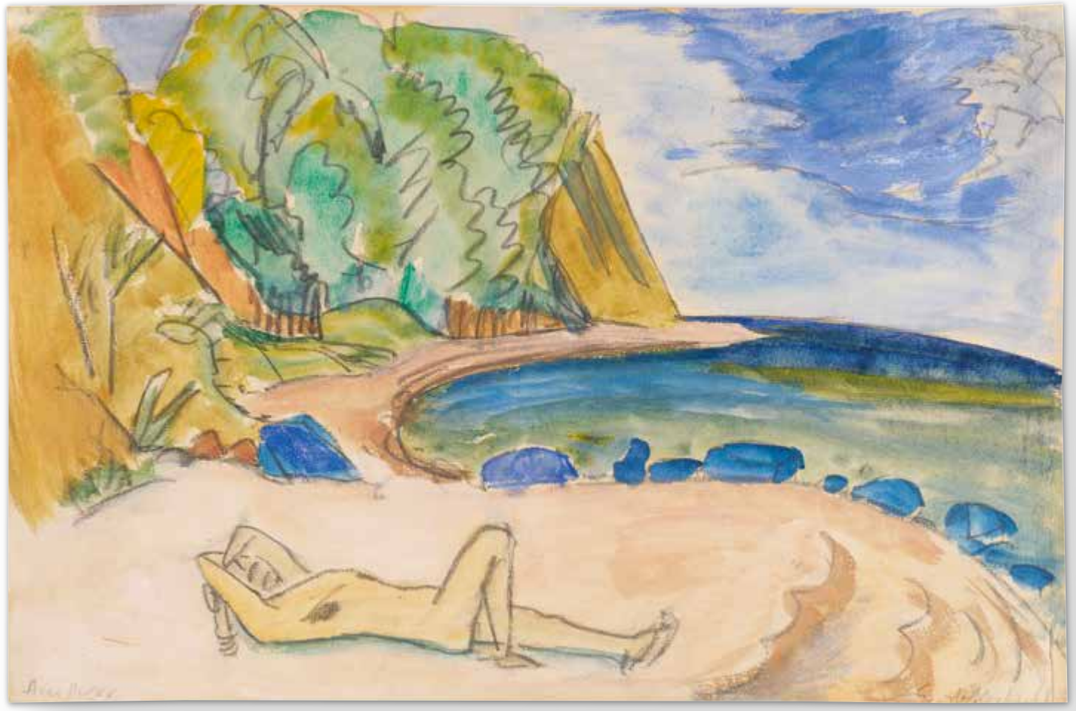
€ 20.000 – 30.000 (R/D)
$ 21,000 – 31,500

- **Rare. First hand-colored copy on the international auctions market (artprice.com)**
- **The catalogue raisonné by Karsch (1975) mentions a copy with watercolors in possession of Galerie Nierendorf, Berlin**
- **At the same time one of the rare hand-made prints by the artist mnade before the edition of the second printing state published by Gustav Kiepenheuer for the magazine “Das Kunstblatt”**
- **This rare first state still shows the plants in the lower margin and the stronger facial contours of the one boy, as well as the dark wave lines, which are no longer present in the prints of the edition**

PROVENACE

- Private collection North Rhine-Westphalia.

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



- **Watercolor with particularly fresh colors and in a compelling format**
- **In the year it was created, Erich Heckel visited Osterholz on the Flensburg Fjord, where he regularly spent the summer months after World War I, for the first time**
- **In 1913, the artist group "Brücke" disbanded and Heckel had his first solo exhibition at Fritz Gurlitt in Berlin**
- **From the important collection of Ernest Rathenau**

451

ERICH HECKEL

1883 Döbeln/Saxony – 1970 Radolfzell/Lake Constance

Am Meer (Strand). 1913.

Watercolor and gouache over graphite.
Lower left titled and lower right signed and dated. Once more titled on the reverse. On mold-made paper (with watermark). 33,1 x 50 cm (13 x 19.6 in). [AW]

The work is registered in the Erich Heckel Estate, Hemmenhofen on Lake Constance. We are grateful to Renate Ebner and Hans Geissler for the kind support in cataloging this lot.

Called up: December 9, 2023 – ca. 6.42 pm ± 20 min.

€ 30.000 – 40.000 (R/D, F)
$ 31,500 – 42,000

PROVENACE

- Ernest Rathenau Collection, Berlin/NewYork/ Bad Nauheim (bis 1986).
- Private collection Rhineland.
- Private collection Schleswig-Holstein (acquired from the above in 2002).

LITERATURE

- Sotheby's, Munich, Deutsche Kunst des 20. Jahrhunderts. Aus der Sammlung von Dr. Ernest Rathenau und aus dem Besitz anderer Sammlungen, auction on October 28, 1987, lot 51.
- Villa Grisebach Auktionen, Berlin, 104th auction, November 29, 2002, lot 33 (color illu.).

- **In this expressive watercolor, which was made during WWI, Heckel captured the natural phenomenon with great spontaneity**
- **He had been deployed in Flanders as paramedic since 1915, where he time and again found a moment to make new artworks**
- **The rainbow emanates an air of hope while it would only occupy a symbolic function in the artist's late creative period**
- **Watercolors from this period are very rare on the international auction market (source: artprice.com)**

452

ERICH HECKEL

1883 Döbeln/Saxony – 1970 Radolfzell/Lake Constance

Landschaft mit Regenbogen (Flandern). 1916.

Watercolor.
Lower right signed and dated. On firm laid paper (with watermark). 48,5 x 37,8 cm (19 x 14.8 in), the full sheet. [AR]

The work is registered in the Erich Heckel Estate, Hemmenhofen on Lake Constance. We are grateful to Mrs Renate Ebner and Mr Hans Geissler for the kind support in cataloging this lot.

Called up: December 9, 2023 – ca. 6.43 pm ± 20 min.

€ 20.000 – 30.000 (R/D, F)
$ 21,000 – 31,500

PROVENACE

- Dr. Conrad Doebbeke Collection, Berlin.
- Dr. Conrad Doebbeke estate.
- Private collection Switzerland (acquired from the above in 1959, Stuttgarter Kunstkabinett, 33rd auction, lot 286).
- Private collection Southern Germany (inherited from the above).

LITERATURE

- Stuttgarter Kunstkabinett Roman Norbert Ketterer, 33rd auction, Moderne Kunst, Stuttgart, May 29, 1959, lot 286 (fig. 38).

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

© Nolde Stiftung Seebüll 2023

- **Wonderful combination of figure and flower depiction**
- **The blossoms in close-up view and the truncated madonna figure extend the image space**
- **Emil Nolde interpretes a traditional genre entirely new**

PROVENACE

· Private collection Germany.
· Private collection Southern Germany.
· Private collection Southern Germany (since 2018, gifted from the above).

LITERATURE

· Ketterer Kunst, Munich, June 8, 2013, 406th auction, lot 44.

453

EMIL NOLDE

1867 Nolde/Nordschleswig – 1956 Seebüll/Schleswig-Holstein

Stillleben mit Amaryllis und Madonnenfigur. Um 1925/1930.

Watercolor.
Signed in lower left. On Japon. 46,5 x 34,5 cm (18.3 x 13.5 in), the full sheet. [SM]

Accompanied by a photo expertise from Prof. Dr. Manfred Reuther, Foundation Seebüll Ada and Emil Nolde, dated June 3, 2010.

Called up: December 9, 2023 – ca. 6.44 pm ± 20 min.

€ 40.000 – 60.000 (R/D, F)
$ 42,000 – 63,000

454

CHRISTIAN ROHLFS

1849 Niendorf/Holstein – 1938 Hagen

Rote Blumen in Vase. 1919.

Water-tempera on grained paper, laid on board. Lower right monogrammed and dated. 67,7 x 48,5 cm (26.6 x 19 in), the full sheet. [AR]

Accompanied by a written confirmation of authenticity by the Christian Rohlfs Archive at Osthaus Museum, Hagen, from October 5, 2023. The work will be included into the archive with the number CRA 243/23.

Called up: December 9, 2023 – ca. 6.46 pm ± 20 min.

€ 20.000 – 30.000 (R/D)
$ 21,000 – 31,500

- **In the works made in the last two decades of his life, the specific characteristics and peculiarities of his art become manifest**
- **In the present work, color is the composition's actual medium**
- **He moves the bright flowers in an abstract grid of lines and surfaces into the center of the representation**
- **Works from this creative period are among his most sought-after works on the international auction market (source: artprice.com)**

PROVENACE

· Muson Gallery, New Haven.
· Private collection Maryland.
· Private collection Southern Germany.

455

KURT SCHWITTERS

1887 Hanover – 1948 Ambleside/Westmorland

Uviolett. 1926/1928.

Merzzeichnung. Collage. Paper, partly with typographic print on thin board. Signed in lower left of the backing board. 19 x 14,7 cm (7.4 x 5.7 in).
In the provisional work catalog of Ernst Schwitters, the artist's son, the work is mentioned under the oeuvre no. 1936/1321. In their catalogue raisonné, Karin Orchard and Isabel Schulz assign the work to the years 1926/28. [EH]

We are grateful to Dr. Kurt Schwitter's archive at the Sprengel Museum for the kind support in cataloging this lot.

Called up: December 9, 2023 – ca. 6.47 pm ± 20 min.

€ 50.000 – 70.000 (R/D)
$ 52,500 – 73,500

PROVENACE

- Hans Brockstedt, Hanover (1956).
- Sidney Janis Gallery, New York (acquired in 1956).
- Ralph Pappenheimer, Cincinnati.
- Privately-owned, Toronto/Ontario.
- Gemini Gallery, Palm Beach FL.
- Privately-owned, New York (after 1986 - 97).
- Clemens Toussaint, Cologne 1997 - 1999.
- Art Focus, Zürich, acquired in 1999.
- Galerie Berinson, Berlin, acquired in 2000.
- Ubu Gallery, New York, 2003.
- Private collection Lucia Woods Lindley, acquired in 2003.

EXHIBITION

- Kurt Schwitters, 57 Collages, Sidney Janis Gallery, New York 1956, cat. no. 37 (with a label dated 1936)
- Paul Klee im Kreise seiner Freunde, Galerie Art Focus, Zürich October 1, 1998 - January 29, 1999
- Kurt Schwitters (1887-1948): Collages, Paintings, Drawings, Objects, Ephemera, Ubu Gallery, New York, April 1 - May 23, 2003, cat. no.1 fig.

LITERATURE

- Orchard, Karin, und Isabel Schulz, Kurt Schwitters. Catalogue raisonné, ed. by Sprengel Museum Hanover by commission of the Niedersächsische Sparkassenstiftung, the Norddeutsche Landesbank, the Sparkasse Hannover and the Kurt and Ernst Schwitters Foundatiion, Hanover, vol. 2, Ostfildern-Ruit 2003, catalogue raisonné 1470, fig. 1470
- Sotheby's New York November 19, 1986, lot 113 with fig.
- Dachy, Marc, Archives Dada – Chronique, Paris 2005, fig. p. 537.

- **The "Merzzeichnungen" are among the artist's most sought-after works on the international auction market**
- **Today Schwitter's famous "Merzzeichnungen" are in many renowned international museums like the Tate Modern, London, and the Museum of Modern Art, New York**

The "Merz Drawings", along with the "Merz Pictures", as Kurt Schwitters calls his Dada collages created from 1918 onward, are considered the artist's most important and best-known work groups. After World War I, Schwitters began to liberate himself and his art from the shackles of academic art and art historical traditions. For Schwitters, "Merz" was not only the name for the artistic style of his one-man art movement, but rather synonymous with artistic revolution and new beginnings.
The Merz drawings, which are actually collages, are characterized by an accumulation of things that appear random at first. Ultimately, however, they are well thought out compilations of relics from a wide variety of backgrounds. In addition, there is an aestheticization of the unusable, the remnants, which, recombined in the present work, make for its artistic aspect.
The origins of some of these relics can still be traced. An example in this context is, of course, the eponymous "MERZ" from a snippet of "COMMERZ BANK". In our Merz picture, 3 paper fragments can be identified: the black paper from a package of 'Agfa' film and the label from an 'AECHT PATZENHOFER' beer, while the fragment "uviolett" from "Günther Wagner's Pastellkreiden" provides reference to Schwitter's hometown Hanover. In 1871, Günther Wagner bought Carl Hornemann's Hanover paint and ink factory. In 1878, he began to use the pelican, his family's coat of arms, as the company's trademark. "Pelikan" has been known as one of the largest manufacturer of ink fountain pens for many decades. Every crayon in the company's product "Pastel Crayons Type 460 for School and Study Purposes" is wrapped in the same light-colored paper that Kurt Schwitters used for the present collage. Number 2 is carmine and 11 is blue violet, which Schwitters shortens to "carm" and "uviolett". [EH]

original size

456

WILLI BAUMEISTER

1889 Stuttgart – 1955 Stuttgart

Kniende Gruppe. 1933.

Oil and sand on canvas.
Signed and dated "09.33." on the reverse. 81,5 x 65,5 cm (32 x 25.7 in).

Called up: December 9, 2023 – ca. 6.48 pm ± 20 min.

€ 60.000 – 80.000 (R/D, F)
$ 63,000 – 84,000

PROVENACE

- Sir Michael E. Sadler Collectrion, Oxford (with the label on the reverse).
- Private collection Northern Gemany.

EXHIBITION

- Modern German Art, New Burlington Gallery, London, 1938, cat. no. 11 (with the exhibition label on the reverse).

LITERATURE

- Peter Beye, Felicitas Baumeister, Willi Baumeister. Catalogue raisonné of paintings, volume II, Ostfildern 2002, cat. no. 488 (fig.)
- Christie, Manson & Woods, London, May 25, 1945, cat. no. 133.
- Christie's, London, German and Austrian Art, October 11, 1995, cat. no. 202 (color illu. p. 217).

- **Created in the fateful year 1933**
- **Despite the political persecution and economic difficulties during this time, Baumeister consistently worked on his art**
- **From the series of ‚Sports Pictures, Nudes and Interiors'**
- **The work received recognition in an exhibition in London as early as 1938**

"Kniende Gruppe" (Kneeling Group) features the most important elements of this particular creative period in an artful way. The figures in the foreground, reminiscent of Greek vases, are worked out in soft, yet monumental forms, while the background shows the fascinating coexistence of the organic material sand with hints of seating furniture and amorphous phenomena in the primary colors red, blue and yellow. Despite these different pictorial elements, Baumeister transformed them into a balanced composition through a clear geometric arrangement and a composed flatness. Even though the painting appears to be easy to decipher due to its supposedly clear structure at a first glance, it presents more of a puzzle than a solution at second glance. The image's elements are in a free play that also allows the viewer to enter into a relationship with the content. Baumeister opens up an alternative cosmos here, which, considered it was created in 1933, opens up a completely new level of meaning.
While he was much celebrated and appointed to a professorship at the renowned Städelschule in Frankfurt am Main in 1928, he was dishonorably dismissed five years later after the National Socialists had seized power. His art was defamed, shown at the "Degenerate Art" exhibition in Munich in 1937 and he was banned from painting and exhibiting. But he wasn't deterred by that and continued his artistic production hidden in inner exile. Quality and innovativeness of his works remained high, as many exhibitions abroad in the difficult 1930s show: in 1934 he took part in the Zurich exhibition "Neue Deutsche Malerei" (New German Painting), followed by solo exhibitions in Rome and Milan in 1935, as well as in Basel and Paris in 1937. "Kniende Gruppe" was also honored in a London exhibition in 1938. He was one of the few German artists who were able to immediately regain artistic foothold in their home country after the end of the National Socialist reign of terror. He was appointed to the new State Academy of Fine Arts in Stuttgart as early as in 1946. Until he died while painting in 1955, he had earned a prime rank in art history. [AW]

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

- **Watercolor in delicate and bright colors**
- **In his later creative period, Schmidt-Rottluff increasingly concentrated on his immediate surroundings, and still lifes became his central motifs**
- **The formal beauty of things and his personal dialogue with the subject are his key elements of creation**

457

KARL SCHMIDT-ROTTLUFF

1884 Rottluff near Chemnitz – 1976 Berlin

Stillleben mit Äpfeln und Orangen. Zwischen 1943-1950.

Watercolor.
Signed in lower left. On watercolor paper.
50,2 x 73,9 cm (19.7 x 29 in), the full sheet. [AR]

The work is documented in the archive of the Karl and Emy Schmidt-Rottluff Foundation, Berlin, dokumentiert.

Called up: December 9, 2023 – ca. 6.22 pm ± 20 min.

€ 18.000 – 24.000 (R/D, F)
$ 18,900 – 25,200

PROVENACE

- Private collection Northern Germany.
- Private collection Southern Germany (since 2005, Villa Grisebach).

LITERATURE

- Villa Grisebach, Berlin, 131st auction, November 26, 2005, lot 182 (color illu.).

458

PAUL KLEINSCHMIDT

1883 Bublitz/Pomerania – 1949 Bensheim

Landschaft bei Marseille. 1930er Jahre.

Oil on canvas.
Right margin with scratched monogram and date ‚40' (barely legible). 65,5 x 80,5 cm (25.7 x 31.6 in).
[AW]

The work will be included into the revised catalogue raisonné of paintings and works on paper by Paul Kleinschmidt, currently prepared by VAN HAM ART Publications.

Called up: December 9, 2023 – ca. 6.51 pm ± 20 min.

€ 18.000 – 24.000 (R/D)
$ 18,900 – 25,200

- **Kleinschmidt captures the mood of a summer afternoon in a particularly beautiful way**
- **The artist spent the summer months from 1937 to 1940 with his family in the south of France**
- **He made landscapes in the spirit of Paul Cézanne and Vincent van Gogh there**
- **Formerly part of the renowned Erich Cohn collection, New York**

PROVENACE

- Erich Cohn Collection (1898-1972), New York (with the ownership note on the reverse).
- Mrs. Reginald Pollak.
- Pasadena Art Museum (gifted from the above in 1963, until 1970: Pasadena Treasure Chest Sale).
- Private collection USA.
- Private collection Southern Germany.
- Private collection Lower Saxony.

LITERATURE

- Sotheby's, New York, 6985th auction, May 14, 1997, lot 467 (color illu.).
- Sotheby's, New York, 7267th auction, February 17, 1999, lot 86 (color illu.).
- Ketterer Kunst, Munich, 269th auction, May 17, 2002, lot 92 (color illu.).

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

459

GEORG SCHRIMPF

1889 Munich – 1938 Berlin

Mädchen mit Hund. 1924.

Oil on canvas.
Signed and dated in lower right. 75 x 57 cm (29.5 x 22.4 in)[JS]

The painting is registered in the archive of Dr. Christmut Präger and will be included into a possible addendum to the catalogue raisonné.

Called up: December 9, 2023 – ca. 6.52 pm ± 20 min.

€ 80.000 – 100.000 (R/D)
$ 84,000 – 105,000

PROVENACE

- Wolfgang Fischer, Frankfurt a. M.
- Private collection (acquired between 1925 and 1935, then family-owned).
- Galerie Michael Hasenclever, Munich (acquired from the above in 1989).
- Matthijs Erdman, Amsterdam (acquired from the above).
- Scheringa Museum of Realist Art, Spanbroek (acquired from the above - 2013, Christiés, London, auction on February 7, 2013, lot no. 406).
- Galerie Haas, Zürich (presumably since 2013)
- Private collection Southern Germany (acquired from the above in 2020).

EXHIBITION

- Georg Schrimpf: Ölbilder, Aquarelle, Galerie Nicolaus Fischer, Fankfurt a. M. 1992, cat. no. 7. (fig.).
- Adolf Dietrich und die neue Sachlichkeit in Deutschland, Kunstmuseum Winterthur, September - November 1994, fig. p. 169 (with the label on the reverse).

LITERATURE

- Sotheby's, Munich, June 7, 1989, lot 38 (illu., titledr: Frauenbildnis mit Hund).
- E. Ansenk (ed.), Schilders von een andere werkelijkheid: in de collectie van het Scheringa Museum voor Realisme, Zwolle 2006, pp. 108-109 and p. 243 (fig.).
- Christiès, Impressionist / Modern Day Sale, London, February 7, 2013, lot no. 406 (fig.).

- **Georg Schrimpf is one of the protagonists of New Objectivity**
- **Early, characteristic figure composition, which fascinates with its formal unity and the calmness of expression**
- **The painting of New Objectivity owes its name to the exhibition "Die Neue Sachlichkeit. Deutsche Malerei seit dem Expressionismus (The New Objectivity. German Painting since Expressionism) at Kunsthalle Mannheim (1925), which featured works by George Grosz, Otto Dix, Karl Hubbuch, and Christian Schad in addition to those by Georg Schrimpf**
- **Schrimpf's mysterious figure compositions with melancholic, aloof young women are considered prime examples of New Objectivity and the most sought-after works in his oeuvre**
- **Paintings by Georg Schrimpf can be found in numerous important museums like the Neue Nationalgalerie, Berlin, the Pinakothek der Moderne and the Städtische Galerie im Lenbachhaus, Munich**

“What I want to achieve with my pictures is plainly about life [...].
So I strive for clarity and simplicity as essential features,
in a strong belief that this will bring me closer to inner values.”

Georg Schrimpf, 1932, quoted from: Georg Schrimpf und Maria Uhden. Leben und Werk, Berlin 1985, p. 162.

The oeuvre of Georg Schrimpf, one of the outstanding representatives of New Objectivity, is small and exquisite, as he died at an early age. It was the art of the short interwar period that owes its name to the exhibition “Die Neue Sachlichkeit. Deutsche Malerei seit dem Expressionismus “ (New Objectivity. German Painting since Expressionism), which was on display at the Kunsthalle Mannheim in 1925. In addition to works by Georg Schrimpf, the selection also included works by George Grosz, Otto Dix and Karl Hubbuch. Schrimpf’s still lifes with rubber trees and cacti are calm and of a fascinating sparseness. His deserted landscapes are vast and deserted, they combine a romantic dissolution of boundaries with an almost Hopperesque soberness.

His most sought-after works, however, are his figure paintings, which almost exclusively show young women in a melancholic posture. With their almost eerie calm, they quickly captivate observers. What makes these figures so special is their de-individualized typification, their almond-shaped eyes, the typical hairstyle and their somewhat plump physicality. It was most certainly Schrimpf’s love for the artist Maria Uhden, his first wife, that is behind his fancy for this unique type of woman, for „[s]he was tall and, despite her twenty-two years, already somewhat womanly plump, had a clear good face and beautiful dark eyes.” (O. M. Graf, quoted from: G. Schrimpf und M. Uhden, Berlin 1985, p. 200). Unfortunately, the young artist died of childbed fever after the birth of their son in 1918, and Schrimpf began to make paintings of Mary with the Child in medieval tradition in order to cope with this blow of fate. These pictures, however, would push on with the typification of the figures in his paintings. “Mädchen mit Hund” is a wonderful example, as it has all the characteristics of Schrimpf’s new-objective style: the melancholic female figure, the typical reduced architecture, the warm, subdued colors and the window-like perspective, which at the same time suggests a certain expanse despite all the closeness of the form. Schrimpf died at the age of forty-nine in Berlin in 1938. His obituary said: “Schrimpf’s name has gone down in the history of modern painting as that of the founder of the ‚New Objectivity‘ [...]“. (C. Hohoff, quoted from: ibid., p. 2). To this day, Schrimpf is considered an outstanding representative of New Objectivity; the important New Objectivity collection of the Lenbachhaus in Munich includes seven paintings by Georg Schrimpf, in addition to works by Christian Schad and Rudolf Schlichter. [JS]

460

EMIL NOLDE

1867 Nolde/Nordschleswig – 1956 Seebüll/Schleswig-Holstein

Sonnenblumen. 1935/1940.

Watercolor.
Signed in lower left. On Japon. 35 x 45,5 cm (13.7 x 17.9 in), the full sheet.

Accompanied by a photo authentication issued by Prof. Dr. Manfred Reuther on January 18, 2023. The watercolor is listed in the Archiv Reuther as "Nolde A - 261/2023".

Called up: December 9, 2023 – ca. 6.54 pm ± 20 min.

€ 70.000 – 90.000 (R/D, F)
$ 73,500 – 94,500

PROVENACE

· Private collection Northern Germany (family-owned since the 1960s).

- **For Nolde, flowers have a soul, especially sunflowers with their human physiognomy are carriers of strong expressiveness**
- **Fascinating play of colors thanks to the wet-on-wet technique on both sides**
- **Nolde always knows how to bring his overwhelming color palette to paper in ever new variations**

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Emil Nolde loved plants and saw recognized their true nature. No matter where he settled with his wife Ada, every home was surrounded by a lush flower garden. Each one a little Eden interspersed with splendid flowerbeds. All the bright plants that can be found in Nolde's pictures thrived in their garden under the loving care of Ada and her helpers. Nolde's garden was especially home of dahlias, sunflowers and poppies. In his works he takes us into beautiful gardens in summer and fresh air. Initially, sunflowers were not part of Nolde's imagery and it was not until the late 1920s that first oil paintings with sunflowers, inspired by the garden in Seebüll, were created. Various watercolors with this motif would follow. They were a particular pride of the gardener Emil Nolde, who happily wrote to his close friend Hans Fehr: "The sunflowers rise so high and I, with my neck bent backwards, stand in front of the beauty in gratitude and amazement. There have been a number of the most beautiful days here, I see colors that are hard to comprehend, and their scents waft into the house." (quoted from: Hans Fehr, Emil Nolde. Ein Buch der Freundschaft, Cologne 1957, p. 124).
He usually depicts the large flower heads in close-up view against the dark blue of the sky, sometimes with their heads tilted, sometimes with their petals dishevelled by the wind. The large flowers are usually displayed in a narrow image section without the spatial context of the garden. Nolde's flower paintings are an expression of mood and emotion. In his eyes, flowers have a soul and, in particular, sunflowers with their man-sized stems and large heads are, for Nolde, creatures with humanoid feelings. They symbolize the endless cycle of life and death. "I loved the flowers in their fate: sprouting, blooming, glowing brightly, delighting, bowing, withering, ending up in the pit. Our human fate is not always as consistent and beautiful [...]" (Emil Nolde, quoted from: Martin Urban, Emil Nolde - Blumen und Tiere, 1965, p. 7/8) In a detailed close-up view he sets the stage for the flower heads, they are the sole actors, their surroundings are irrelevant for the composition. It is only the dark green-blue of the leaves that plays a role as a reinforcing complementary color to the bright yellow of the sunflower heads, which reach up to the sky. [SM]

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

461

ERNST LUDWIG KIRCHNER

1880 Aschaffenburg – 1938 Davos

Tanzschule Wigman. Um 1926.

Gouache over black chalks.
With the estate stamp of the Kunstmuseums Basel (Lugt 1570 b) and the hand-written registration number "A Da/Be 22" on the reverse.
On brownish wove paper. 34 x 48,2 cm (13.3 x 18.9 in), the full sheet. [CH]

The present work is documented at the Ernst Ludwig Kirchner Archive, Wichtrach/Bern.

Called up: December 9, 2023 – ca. 6.55 pm ± 20 min.

€ 20.000 – 30.000 (R/D)
$ 21,000 – 31,500

PROVENACE

- Artist's estate (Davos 1938, Kunstmuseum Basel 1946).
- Stuttgarter Kunstkabinett Roman Norbert Ketterer, Stuttgart (1954).
- Galerie Wolfgang Ketterer, Munich.
- Private collection Northern Germany (acquired from the above in 1985).

EXHIBITION

- Ernst Ludwig Kirchner. Gemälde, Aquarelle, Zeichnungen, Graphik, Galerie Wolfgang Ketterer, Munich, September 6 - October 26, 1985, cat. no. 97 (color illu. p. 117).

- **With this multi-figure, colorful depiction, the artist combines important themes of his art: the female nude, dance and movement**
- **Dance has played an important role in Kirchner's oeuvre since the scenes from the dance cafés and variety shows in Dresden around 1905**
- **In the 1920s, Kirchner met Mary Wigman and Gret Palucca, important dancers of the time, and became intensively involved with modern dance**
- **The artist visited the modern, progressive Wigman Ballet School in Dresden during a trip in 1926 (cf., among others, Presler, sketchbook Skb 127)**
- **In Mary Wigman's expressive dance, Kirchner sees the former program of the "Brücke" artists from 1906 implemented, the direct and unadulterated reproduction of "what urges to create"**

"First great impression today at Mary Wigman. I feel the parallel, as expressed in her dances, in the movement of the masses, which reinforce the individual movement. It is infinitely stimulating and attractive to draw these body movements. [...] Yes, what we suspected has become reality. The new art is here. Mary Wigman unconsciously uses much of the modern pictures and the creation of a modern concept of beauty is at work in her dances as well as in my pictures."

E. L. Kirchner, January 16, 1926, in: Lothar Grisebach (ed.), Davoser Tagebuch, Stuttgart 1998, p. 126.

"I'm now doing a lot of work and drawing every day at the Wigman dance school. This dance gives me a lot, it's very much connected to our modern age."

E. L. Kirchner to his partner Erna Schilling, letter dated February 2, 1926, quoted from: Hans Delfs (ed.), E. L. Kirchner. Der gesamte Briefwechsel, Zurich 2010, no. 1650.

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

462

ERNST LUDWIG KIRCHNER

1880 Aschaffenburg – 1938 Davos

Unterhaltung. 1923.

Watercolor and ink brush over chalk drawing.
Upper left and upper center signed. With the estate stamp (Lugt 1570b) and the hand-writtten number "A Da/Bi 10" on the reverse. On firm smooth wove paper. 35 x 47 cm (13.7 x 18.5 in), the full sheet. [CH]

The work is registered in the Ernst Ludwig Kirchner Archive, Wichtrach/Bern.

Called up: December 9, 2023 – ca. 6.56 pm ± 20 min.

€ 30.000 – 40.000 (R/D)
$ 31,500 – 42,000

PROVENACE

- Artist's estate (Davos 1938, Kunstmuseum Basel 1946).
- Galerie Elfriede Wirnitzer, Baden-Baden.
- Private collection Northern Germany.
- Private collection Switzerland (acquired fromt he above in 2006, Villa Grisebach auctions, May 26, 2006, lot no. 43).
- Private collection Northern Germany (acquired from the above).

LITERATURE

- Auktionshaus Weinmüller, Munich, 97th auction, catalog 105, Moderne Kunst, November 5, 1965, lot no. 140 (illu., plate 62).
- Villa Grisebach Auktionen, Berlin, 134th auction, Selected Works, May 26, 2006, lot no. 43 (color illu., p. 74).

- **Figure composition from the Davos period in intensive colors**
- **The scene probably shows E. L. Kirchner, his partner Erna Schilling and a guest, probably the art critic Gustav Schiefler, who visited the artist in Davos in June 1923**
- **In the year the watercolor was created, the couple lived in the house "In den Lärchen" until the fall of 1923, before moving into the "Wildbodenhaus" in winter**
- **Total work of art: In the watercolor, Kirchner shows some of the furniture he carved himself, including a bench backrest with mother and child figures, completed in the year this watercolor was created (cf. catalogue raisonné Henze 193/02)**
- **The bench can also be found in the painting "Coffee Table" (Gordon 754, Folkwang Museum, Essen), which is closely related to this watercolor in terms of motif and color, from the same year**

E. L. Kirchner, bank rest with mother and children, 1923, white pine, Eberhard W. Kornfeld Collection, Bern/Davos.

After a few longer stays in Davos, E. L. Kirchner and his partner Erna Schilling finally moved to Switzerland in 1923, the year the work offered here was created. In Davos, he moved into the "Wildbodenhaus" north of the Sertig Valley, where the couple led a simple rustic life with only few amenities. The Alpine landscape, the special, albeit hard life of the local farming families and the bucolic village idyll were important sources of inspiration for Kirchner during these years. With impressive creativity, he worked on prints, drawings, watercolors, paintings and even wooden sculptures and furniture for his home in the "Wildbodenhaus". Like some of his likeminded artist friends, Kirchner wanted to live a life that had little to do with that of the established bourgeois. He and Erna furnished the simple house in Switzerland with exotic furniture, some of which he designed and made himself with elaborate carvings inspired by African and Swiss folk art.
On one of these pieces of furniture, a chair carved by Kirchner, an older gentleman in a blue suit sits in a casual, comfortable pose. This could well be the art patron and critic Gustav Schiefler (1857-1935), who had visited Kirchner a few months before our work was created. Schiefler and Kirchner had an intensive correspondence, as Schiefler was working on a catalogue raisonné of E. L. Kirchner's graphic works during these months. The first volume was published in 1926. The chair is most likely "Stuhl III" from 1920 (Wolfgang Henze, catalogue raisonné of sculptures, 1920/05), which Kirchner adorned with a female nude on the backrest. In the picture's right we see the back of a red-painted pine bench, which had a carved female nude and two small children. Kirchner had only completed the bench shortly before our work was created (Henze, 1923/02). The present work impressively illustrates the artist's creative power during these years: The watercolor, dynamically brought to paper in strong, expressive colors, not only shows a sociable, possibly evening scene in the "Wildbodenhaus" that he had just moved into, but also stages Kirchner's elaborate seating furniture, of which only a few pieces have survived. [CH]

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

- **Early “Merz drawing” by the famous Dadaist**
- **After impressionist and constructivist beginnings, Schwitters attained his very own revolutionary pictorial language in his “Merz drawings”, collages found objects with typographic print**
- **Shortly after abstract painting had been invented, Schwitters made another decisive step by ridding his creations of any sort of artistic signature**
- **“Mz 122” - a small and fine document of this artistic departure to Modernism**
- **Schwitter’s famous “Merz drawings” are in many important museums like Tate Modern, London and the Museum of Modern Art, New York**

463 | FROM THE AHLERS COLLECTION

KURT SCHWITTERS

1887 Hanover – 1948 Ambleside/Westmorland

Mz 122 Tropfen rot. (Merzzeichnung). 1920.

Collage, paper on paper.
Monogrammed, dated and titled on the original mount. 8,4 x 6,8 cm (3.3 x 2.6 in), collage in mount. Original mount:. 16,5 x 11,5 cm (6.5 x 4.5 in). [JS]

Called up: December 9, 2023 – ca. 6.58 pm ± 20 min.

€ 50.000 – 70.000 (R/D)
$ 52,500 – 73,500

PROVENACE

- Rose Fried Gallery, New York.
- Gertrude Stein Gallery, New York.
- Private collection Beverly Hills, California.
- Rachel Adler Fine Art, New York.
- B.C. Holland Inc., Chicago.
- Annely Juda Fine Art, London.
- Private collection London.
- Timothy Baum, New York (from before 1994-2000).
- Galerie Brockstedt, Hamburg (since 2000).
- Ahlers AG, Herford (acquired from the above in 2000).

EXHIBITION

- Surrealism. revolution by Night. National Gallery of Australia, Canbarra, March 12 - May 2, 1993 / Queensland Art Gallery, Brisbane, May 21 - July 11, 1993 / Art Gallery of South Wales, Sydney, July 30 - November 19, 1993.
- Smal Formats, Leonard Hutten Galleries, New York, October-December 1994 (not in cat.).
- Ruhestörung. Steifzüge durch die Welten der Collage, Museum Marta Herford, Herford, September 28, 2013 - October 26, 2014, p. 17 (fig.).
- Schwitters, Miró, Arp, Hauser & Wirth, Zürich, June 12 - September 18, 2016, p. 23 (fig. p. 188).
- Konstruktive Welten. Anfänge einer neuen Universalsprache der Kunst, Foundation Ahlers Pro Arte, September- December 2022, p. 65 (fig.).

LITERATURE

- Karin Orchard / Isabel Schulz, Kurt Schwitters. Catalogue raisonné, vol. 1 1905-1922, Ostfildern-Ruit 2000, no. 673 (fig.).

- **Unique fragment of a painting that Baumeister destroyed in context of the Nazi ostracism**
- **Striking example of Baumeister’s work of the late 1920s and early 1930s**
- **Approach to the works of Fernand Léger, Kasimir Malevich and Le Corbusier, whom Baumeister knew from the Parisian artist group ‚Cercle et Carré‘**

464

WILLI BAUMEISTER

1889 Stuttgart – 1955 Stuttgart

Badende vor roter Fläche (Fragment). 1930.

Oil on canvas.
Signed, dated and titled on the reverse.
37,1 x 51 cm (14.6 x 20 in).

Called up: December 9, 2023 – ca. 6.59 pm ± 20 min.

€ 25.000 – 35.000 (R/D, F)
$ 26,250 – 36,750

PROVENACE

- Henri Gräff Collection (gifted from the artist in 1933).
- Private collection Berlin (acquired from the above, Sotheby’s, May 30, 1991).

EXHIBITION

- Vision und Formgesetz, Galerie Ferdinand Möller, Berlin, September 1930.
- Willi Baumeister, Galerie Ediitions Bonaparte, Paris, April 5 - 23, 1930.

LITERATURE

- Peter Beye, Felicitas Baumeister, Willi Baumeister. Catalogue raisoné of paintings, volume II, Ostfildern 2002, cat. no. 471 (illu.).
- Das Neue Frankfurt, 4th vol. 1930, issue 11, p. 239 (fig.).
- Sotheby’s, Berlin, Deutsche Kunst des 20. Jahrhunderts, May 30, 1991, cat. no. 41 (fig.).

The present work is a fragment of the destroyed oil painting “Badende” (Bathers), which was created in 1930 as part of the group ‚Figur‘ or ‚Akt unter der Dusche‘ (Nude under the Shower). After Hitler had come to power in 1933 and Baumeister’s subsequent dismissal from his teaching post at the Städelschule in Frankfurt a.M., he destroyed the painting. A letter from the former Baumeister student in Frankfurt, Henri Gräff, to the artist’s daughter Felicitas Baumeister dated October 22, 1990 (letter in the Baumeister archive) reveals that Baumeister cut up the painting shortly after his dismissal and left the fragments to Gräff at his request. [AW]

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

465

ERNST BARLACH

1870 Wedel/Holstein – 1938 Rostock

Der singende Mann. 1928. Cast between 1930–40.

Bronze with brown patina.
Lauer 432, Schult 343. With the signature below the right foot and the foundry mark "H.NOACK BERLIN" on the front. From an unnumbered edition of a total of 54 posthumous copies cast after 1938. 49,5 x 46,6 x 42,6 cm (19.4 x 18.3 x 16.7 in).

Called up: December 9, 2023 – ca. 7.00 pm ± 20 min.

€ 60.000 – 80.000 (R/D)
$ 63,000 – 84,000

PROVENACE

· Galerie Vömel, Düsseldorf
· Private collection North Rhine-Westphalia.

EXHIBITION

· Galerie Alfred Flechtheim, Berlin Düsseldorf 1930, cat. no. 19 (different copy)
· Ernst Barlach. Plastik, Zeichnungen, Druckgraphik, Städtisch Galerie München, August 7 - October 4, 1959, cat. 47, cover (different copy).

LITERATURE

· H. Thime, Ernst Barlachs Skulptur "Der singende Mann" in der Ausstellung "Neue deutscher Kunst, „ Oslo 1932, in: Cat. Rostock Ernst Barlach. Artist of the North, Ausstellung in der Kunsthalle Rostock, 1998, pp. 310 ff. (different copy).

- **Ernst Barlach's block-like, closed yet expressive formal language is unique among the German Expressionists**
- **He usually wraps his figures in loose clothing, as is the case here, so that the physicality takes a backseat to the expression**
- **19 copies of this bronze are in museum collections, among them the MoMA New York, the Neue Nationalgalerie, Berlin, the Cleveland Museum of Art, Cleveland / Ohio, the Museum Ludwig, Cologne, and the Ernst Barlach Haus, Hamburg**

With the sculpture "Der Singende Mann" (The Singing Man), Ernst Barlach takes up music as one of his favorite themes. In the young man singing with his eyes closed, he depicts the internalization of music. The bronze is a particularly beautiful example of his mastery of a theme the artist revisited time and again. The large bronze combines compositional sophistication with intimate expressiveness. The plaster cast from 1928, destroyed in 1945, was cast in zinc in the same year. Today this copy is owned by the Ernst Barlach Foundation, Güstrow. In 1930, Galerie Alfred Flechtheim announced an unnumbered edition of 10 copies. However, due to the high demand, the number of copies that were actually made was probably exceeded over the next few years. (Schult p. 191) In terms of its composition, the bronze combines the blocky character typical of Barlach with the spaciousness. The bent left leg emphasizes a different direction than the two hands that hold the right knee. As a result, the figure appears stable, solid and yet animated by a special lightness. [EH]

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

466

KARL SCHMIDT-ROTTLUFF

1884 Rottluff near Chemnitz – 1976 Berlin

Zwei Ruderboote am Steg. 1934.

Watercolor and ink brush.
Signed in lower left. On firm off-white wove paper. 50 x 70 cm (19.6 x 27.5 in), the full sheet. [CH]

The watercolor is documented in the archiv of the Karl and Emy Schmidt-Rottluff Foundation, Berlin.

Called up: December 9, 2023 – ca. 7.01 pm ± 20 min.

€ 40.000 – 60.000 (R/D, F)
$ 42,000 – 63,000

PROVENACE

· Kulturkreis im Bundesverband der Deutschen Industrie e. V.

· Private collection Northern Germany (acquired in 1995).

EXHIBITION

· Karl Schmidt-Rottluff. Retrospektive, Kunsthalle Bremen, July 16 - September 10, 1989; Städtische Galerie im Lenbachhaus, Munich, September 27 - December 3, 1989, cat. no. 288 (titled "Kähne am Steg", black-and.white illu.).

· Städtische Kunsthalle Mannheim (permanent loan, until 1994).

LITERATURE

· Villa Grisebach Auktionen, Berlin, 47th auction, Kunst des 19. und 20. Jahrhunderts, November 25, 1995, lot 224 (color illu.).

- **In the remote village of Rumbke on Lake Leba on the Pomeranian Baltic Sea, Schmidt-Rottluff found peace and inspiration in the summers of the 1930s, far away from the catastrophic political events and unrest**
- **In its finely modulated, atmospheric colors and lively freshness, our large-format watercolor contradicts Schmidt-Rottluff's difficult professional and social position as an artist ostracized by National Socialist art policy**
- **As early as 1933, his works were defamed as "degenerate", removed from German museums and ridiculed in the "Degenerate Art" exhibition in Munich in 1937, a year before the watercolor was created**
- **It was precisely in these years that Schmidt-Rottluff found new creative strength in the watercolor technique he had mastered since his beginnings**
- **In 1989, this watercolor was part of the important retrospective at the Städtische Galerie im Lenbach-haus in Munich and at the Kunsthalle Bremen**
- **In the same year, he created the closely related painting "Sommerabend am See" (Summer Evening by the Lake, today in the Kunstsammlungen Chemnitz)**

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

467

GABRIELE MÜNTER

1877 Berlin – 1962 Murnau

Blumen mit weißer Rose II. 1950.

Oil on cardboard.
Lower left signed and dated. Signed, dated and titled as well as inscribed with the work number 2/50 on the reverse, there also with the estate stamp and a label with the estate number "B 28". 49,5 x 34 cm (19.4 x 13.3 in).

Called up: December 9, 2023 – ca. 7.02 pm ± 20 min

€ 70.000 – 90.000 (R/N, F)
$ 73,500 – 94,500

PROVENACE

· Artist's estate (with the stamp on the reverse).
· Dalzell Hatfield Galleries, Los Angeles (with the label on the stretcher).
· Hagstrom Collection, Kansas City, Missouri (acquired from teh above in 1969).
· Private collection Switzerland (acquired through Hindman in 2016).

LITERATURE

· Hindman Auctioneers, Chicago, Modern and Contemporary Art, September 30 - October 1, 2016, lot 28.

- **Gabriele Münter's flower still lifes occupy an important position in the art of the first half of the 20th century**
- **The love of arranged detail is particularly evident in Münter's flower still lifes**
- **Münter loved her garden in Murnau and captured the splendor of the blossoms in today sought-after still lifes**
- **Variations on selected pictorial themes are an important instrument in the artist's oeuvre**

In the first half of the 20th century, only one painter and one female painter occupied a significant position in German modernist art with regard to flower still lifes: Emil Nolde and Gabriele Münter. While Nolde sought to heighten the glowing, intoxicating quality of the flowers through intense color effects, Münter took a different approach. She was fascinated by the formal beauty of flowers, which she captured with simple painterly means. The artist did not allow her flowers to grow into exotic creatures; on the contrary, she reduces their spectacular value to a simplicity of expression based solely on form and color. Gabriele Münter arranged the flowers from her garden in Murnau, which she loved and cared for very much, and always attained new solutions in her still lifes. [EH]

468

EMIL NOLDE

1867 Nolde/Nordschleswig – 1956 Seebüll/Schleswig-Holstein

Blaue Iris, Feuerlilien, Rudbekia. 1930/1935.

Watercolor.
Signed in lower right. On Japon. 33,5 x 45,5 cm (13.1 x 17.9 in), the full sheet.

Accompanied by a certificate of autheticity issued by Prof. Martin Urban. Foundation Seebüll Ada and Emil Nolde, on February 17, 1995 (in copy).

Called up: December 9, 2023 – ca. 7.03 pm ± 20 min.

€ 70.000 – 100.000 (R/D, F)
$ 73,500 – 105,000

PROVENACE

· Private collection France.

· Private collection Southern Germany (since 2010).

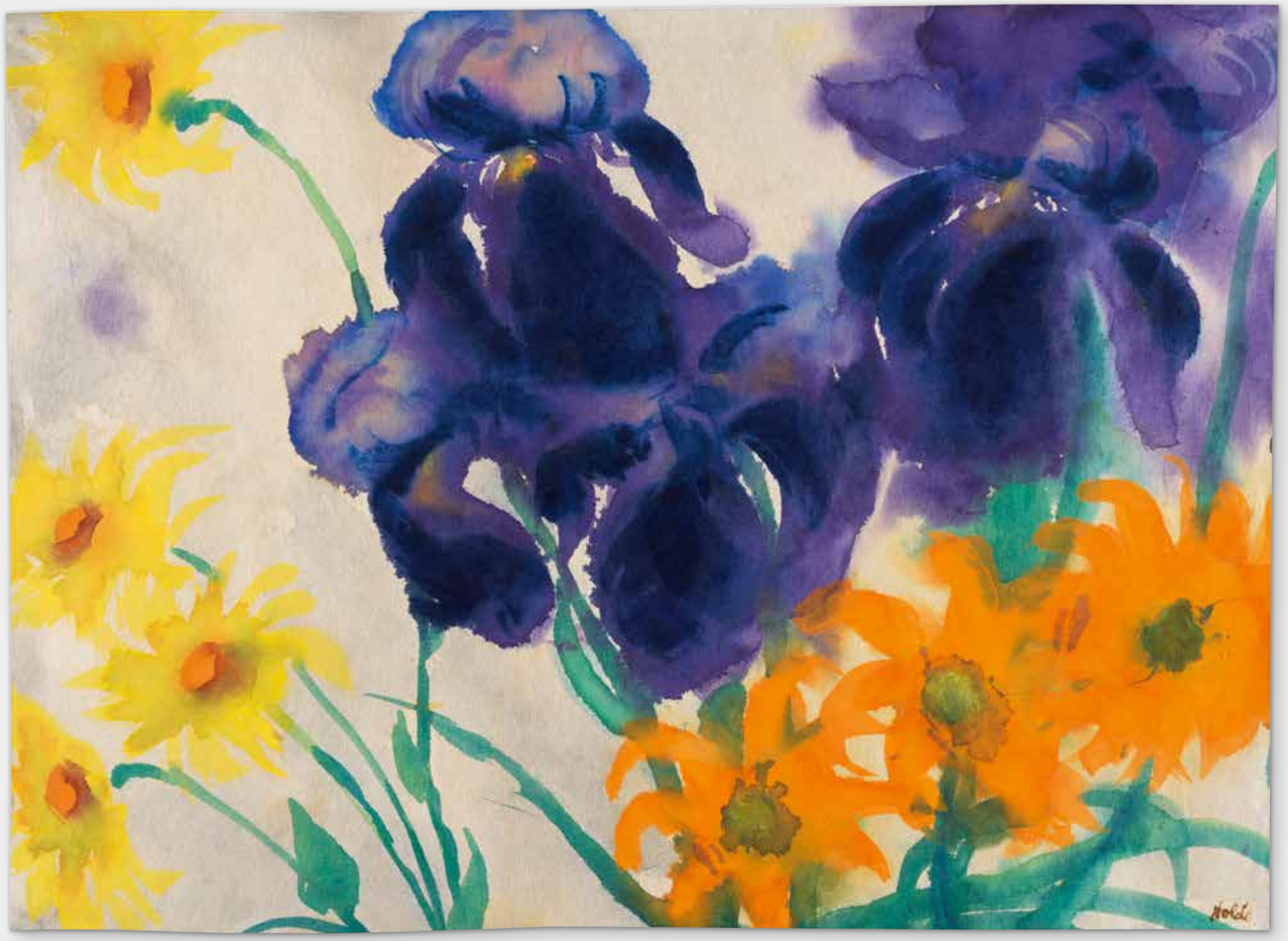
LITERATURE

· Grisebach, Berlin, June 4, 2010, lot 37.

· Grisebach, Berlin, November 25, 1994, lot 30.

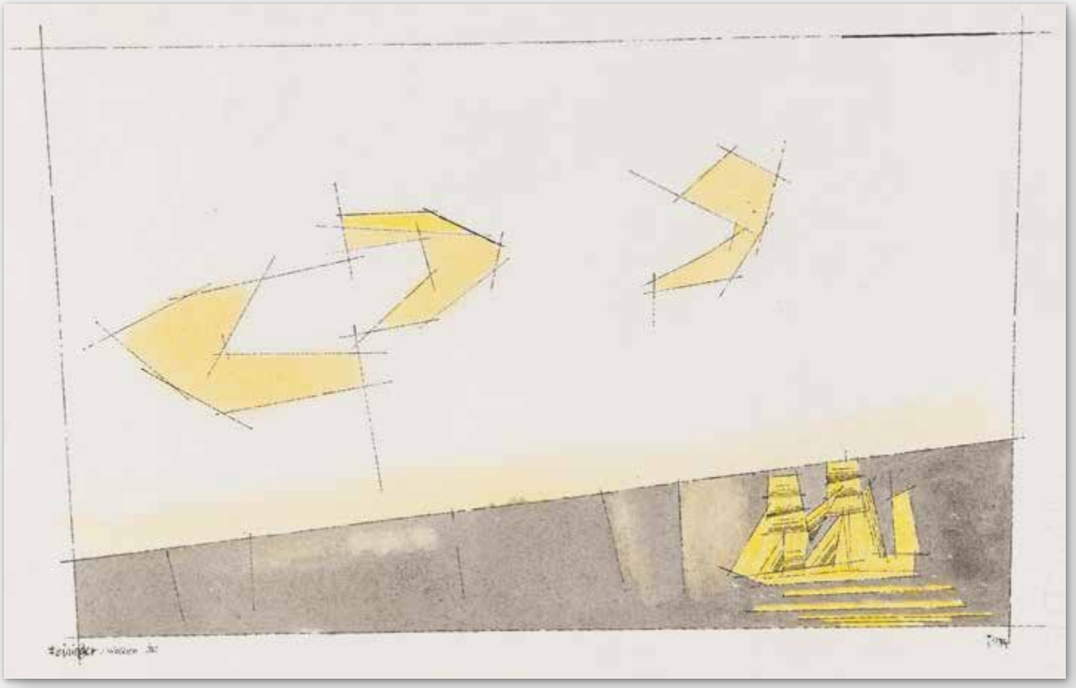
- **Large-size watercolor in exquisite colors**
- **Nolde's flowers are indivual beings that embody a character and ssensations**
- **In uniquely rich colors – especially the iris was masterly created from the color's free flow**

© Nolde Stiftung Seebüll 2023



Watercolors occupy a particularly large part of Emil Nolde's oeuvre. Nolde did not regard watercolor as a technique useful for what cannot be realized in painting, but rather as a completely independent means of expressing and, above all, interpreting color so pure and transparent. His efforts to give colors a particular luminosity, especially in watercolors, by working into the wet Japon in order to allow the color body to be fully absorbed by the paper, have earned him the reputation of being an innovator of this old technique. But it is particularly their colorful subjects, the flowers and the landscapes, that have won such a large circle of admirers. Every single watercolor by Emil Nolde fills an entire wall and radiate from afar. Viewers are drawn to the luminous images even before they recognize what is depicted. It was the flowers, that gave Nolde color. They gave him the courage to use the color freely and purely. The first flower pictures were created in 1906 and he would intensively work on the motif for the next two years. Until then his flower paintings had all been oil paintings. The first large floral watercolors were probably created in Utenwarf. Unfortunately, the development of this technology is difficult to understand. Nolde dated very few of his watercolors. Although it is possible to identify certain time frames for certain topics in his oeuvre, this is not the case with flower watercolors. They make up a unified group that runs through his entire work. One thing that is certain is the fact that the garden in Seebüll served as an inexhaustible source of inspiration. Since diking and drainage plans threatened to destroy the original landscape around Utenwarf, the Noldes were forced to give up their home. In 1927 they acquired an empty terp on which they built the Seebüll residence and studio house by 1937. They wrest a large area from the swampy marsh. To use this as a flower garden, they created drainage ditches and build high reed walls to protect the garden from wind and storms, common phenomena of the land. In 1928, Nolde told his long-time friend Hans Fehr "about our young garden with its swelling abundance of flowers", "as beautiful as we have never had it before." The garden, created in the shape of their initials A and E, for Ada and Emil, was soon realized and would be the Noldes pride and joy, Its lush blossoms would inspire Emil Nolde's art for the rest of his artistic career. Flowers are the main protagonists of his compositions; their surroundings hardly play a role at all. He characterized each individual flower head, it almost feels as if he captured their personality. The exotic iris with its dark violet colors and eccentric petals is at the heart of the present composition, surrounded by cheerfully glowing fire lilies and coneflowers. The contrasting colors fan one another in their luminosity. Nolde's flowers are expressions of a longing for a perfection of color that can fulfill its true purpose. The color dominates the picture and is an expression of an emphatic enthusiasm for the pure experience of nature, which Nolde uses to visualize it in his own, unmistakable way. [SM]

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



469

LYONEL FEININGER

1871 New York – 1956 New York

Wolken IV. 1934.

Watercolor and India ink.
Lower left signed and titled, lower right dated.
On Ingres laid paper (with watermark).
31 x 47 cm (12.2 x 18.5 in), size of sheet. [AR]

Achim Moeller, director of the Lyonel Feininger Project LLC, New York – Berlin, has confirmed this work's authenticity, it is registered in the archive of the Lyonel Feininger Project under the number 1886-10-30-23. Accompanied by the certificate.

Called up: December 9, 2023 – ca. 7.04 pm ± 20 min.

€ 20.000 – 30.000 (R/D, F)
$ 21,000 – 31,500

PROVENACE

- Julia Feininger, New York.
- Private collection.
- Galleria Castelnuovo, Ascona.
- Private collection Soutern Germany (acquired from the above in 1980).

"I have just come up from the beach, where I was drawing [...] the clouds above the water [...], a whole continent of storm clouds [...]. The water lay completely still [...]. I feel so many images emerging in me, I have such a longing for the realization of these visions [...]."

Lyonel Feininger, Sept. 9, 1922, in a letter to Julia Feininger. Quoted from: Werner Timm, Feininger an der Ostseeküste, in: Roland März (ed.), Lyonel Feininger. Von Gelmeroda nach Manhattan, Berlin 1998, p. 305.

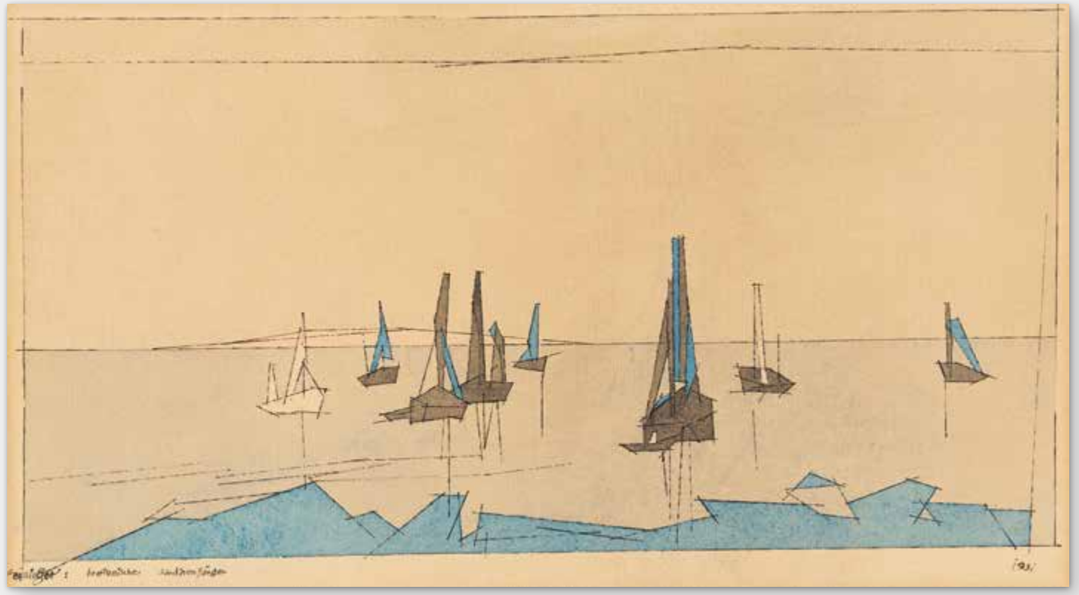
- **Perfect interplay of graphic lines and pointed color accents**
- **Abstract clouds over a calm sea are among Feininger's central motifs**
- **He spent the spring and summer of 1934 in Mrzezyno on the Baltic Sea, shortly after the Bauhaus closed and the National Socialists came to power**
- **Exhibited in Berlin and the USA during the artist's lifetime**
- **Privately owned for 43 years**

EXHIBITION

- Lyonel Feininger - Sonderausstellung: Neue Aquarelle, Kohlezeichnungen und Federzeichnungen, Galerie Ferdinand Möller, Berlin, Febr.-March 1935, no. 53
- 2nd Feininger Exhibition 1937: 35 New Paintings, 130 Drawings and Prints by Lyonel Feininger, Mills College Art Gallery, Oakland, June 27 - August 7, 1937 (no. 39 on trasnport list).

LITERATURE

- Hans Schulz-Vanselow, Lyonel Feininger und Pommern, Kiel 1999, p. 252.



470

LYONEL FEININGER

1871 New York – 1956 New York

Bretonische Sardinenfänger. 1931.

Watercolor and India ink on laid paper.
Signed and titled in lower left and dated in lower right. 24,5 x 42,5 cm (9.6 x 16.7 in), size of sheet. [AR]

Achim Moeller, director of the Lyonel Feininger Project LLC, New York – Berlin, has confirmed this work's authenticity, it is registered in the archive of the Lyonel Feininger Project as 1880-10-24-23. The lot is accompanied by the certificate.

Called up: December 9, 2023 – ca. 7.06 pm ± 20 min.

€ 25.000 – 35.000 (R/D, F)
$ 26,250 – 36,750

PROVENACE

- Private collection Northern Germany (since 1967).
- Ever since family-owned.

LITERATURE

- Dr. Ernst Hauswedell, Moderne Kunst, auction 155, Hamburg, November 18, 1967, lot 257 (fig. p. 53).

- **Marvelous watercolor in a subtle execution from the late Dessau Bauhaus years**
- **Feininger makes the silence palpable, capturing it in cool colors and clear lines**
- **One of the artist's preferred motifs: sea, clouds, ships and figures in ever new constellations and compositions**
- **Family-owned for more than 50 years**

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

471

OTTO DIX

1891 Gera – 1969 Singen

Düsseldorf (Straßenszene Düsseldorf). 1923.

Watercolor and gouache over pencil and pen.
Lower right signed and dated, as well as inscribed "225". Titled on the reverse.
On wove paper (with watermark). 60,5 x 48,5 cm (23.8 x 19 in). [AW]

Accompanied by a photo authentication (in copy) from Mr Rainer Pfefferkorn, Otto Dix Foundation, from August 20, 1986.

Called up: December 9, 2023 – ca. 7.07 pm ± 20 min.

€ 80.000 – 120.000 (R, F)
$ 84,000 – 126,000

PROVENACE

· Collection of Hedwig and Wilhelm Buller, Duisburg.
· Private collection (acquired from the above in 1959.
· Galerie Michael Haas, Berlin (acquired from the above in 1985).
· Deutsche Bank Collection (acquired from the above in 1986).

EXHIBITION

· Otto Dix. Werke der 20er Jahre. Aquarelle, Zeichnungen, Graphik, Galerie Michael Naumann, Düsseldorf, March 12 - April 30, 1986, cat. no. 10 (cover and color illu.).
· Arbeiten auf Papier, Galerie Michael Haas, Berlin, 1986, cat. no. 2 (color illu.).

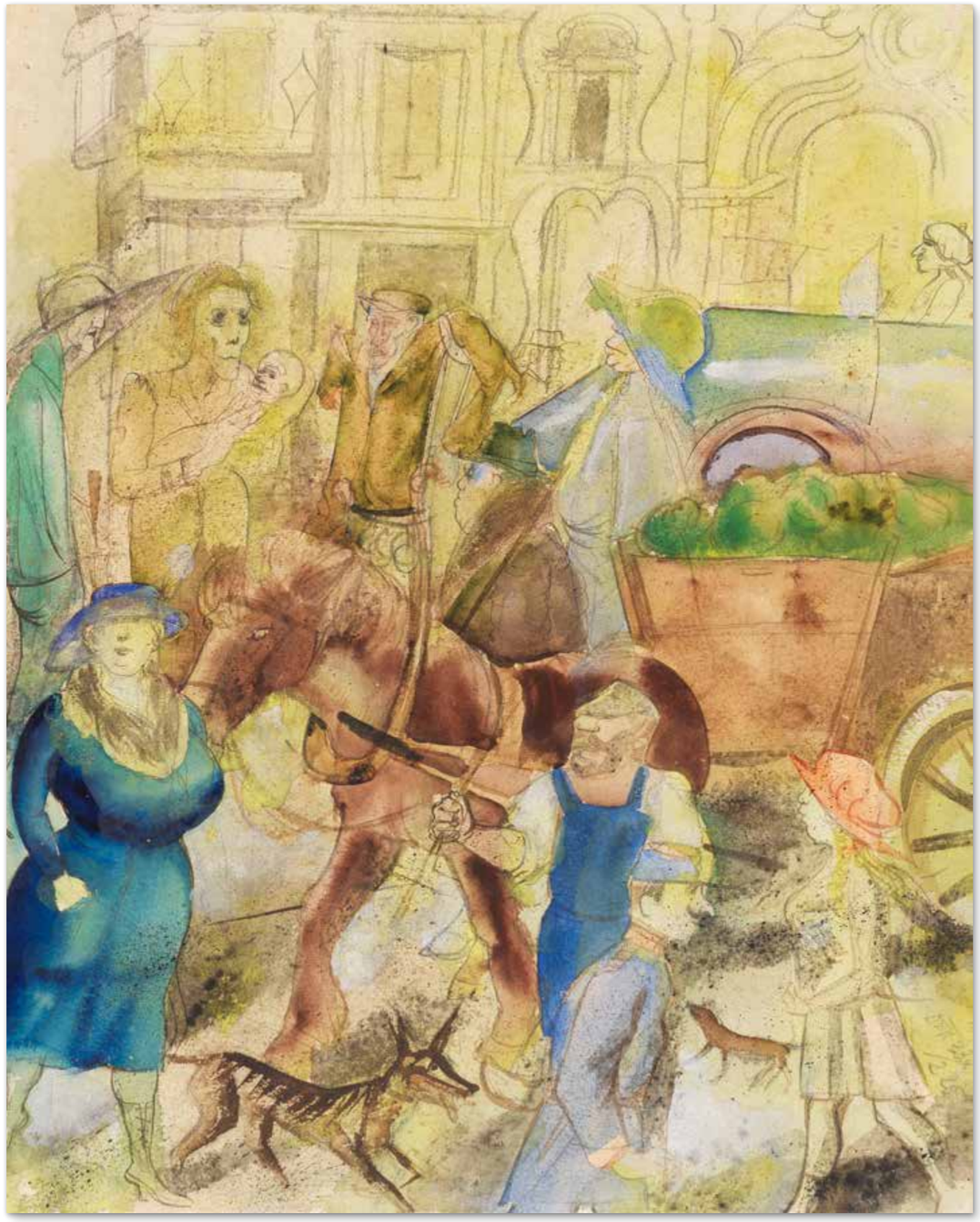
LITERATURE

· Suse Pfäffle, Otto Dix. Catalogue raisonné of watercolors and gouaches, Stuttgart 1991, no. A/G 1923/7 (color illu. p. 124).
· Lempertz'sche Kunstversteigerung, Cologne, 458th auction, December 5, 1959, lot 69.
· Sotheby's, London, December 5, 1985, lot 583 (fig.).

- **Characteristic, large-format watercolor from the sought-after 1920s**
- **His most significant watercolors were created in Düsseldorf in 1922/23**
- **After his traumatic experience and in the tense social situation after WWI, Dix sketched social typologies from the demimonde to the bourgeoisie**

"I have never written any confessions of mine, since, as you will see, my paintings are confessions of the most sincere kind, the like of which you will rarely find in these times, nor am I at all willing or able to talk about aesthetic and philosophical matters, and anything else would be vain and foolish chatter. Nor am I willing to reveal the depths or shallows of my soul to astonished citizens and contemporaries. He who has eyes to see, let him see!"

Otto Dix to Hans Kinkel, 1948, quoted from: Dix in Düsseldorf, ex. cat. Remmert and Barth, Düsseldorf 2011, p. 120



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

472

EMIL NOLDE

1867 Nolde/Nordschleswig – 1956 Seebüll/Schleswig-Holstein

Einsames Paar. 1938/1945.

Watercolor and tempera.
Signed in lower right. On Japon. 26,5 x 22,8 cm (10.4 x 8.9 in), the full sheet. [SM]

Accompanied by a photo confirmation of authenticity issued by Prof. Dr. Manfred Reuther, Klockries, on October 30, 2023. The watercolor is listed in the Archive Reuther as "Nolde A - 289/2023".

Called up: December 9, 2023 – ca. 7.08 pm ± 20 min.

€ 40.000 – 60.000 (R/D, F)
$ 42,000 – 63,000

PROVENACE

· Private collection Southern Germany.

· Private collection Southern Germany (inherited from the above).

- **A special quality of his watercolors is the differentiated characterization of people and their remarkable typification**
- **Character scene inspired by the world of theater with imaginative costumes and exaggerated characters**
- **The figures are solely created from the bright blue, red and yellow**

„The watercolors, the final measure of [Nolde's] directness and spontaneity, are among the best in Modern art. [Nolde] always felt the painter should paint first and think afterward"

Bernard S. Myers, The German Expressionists: A Generation in Revolt, London 1963, p. 128.

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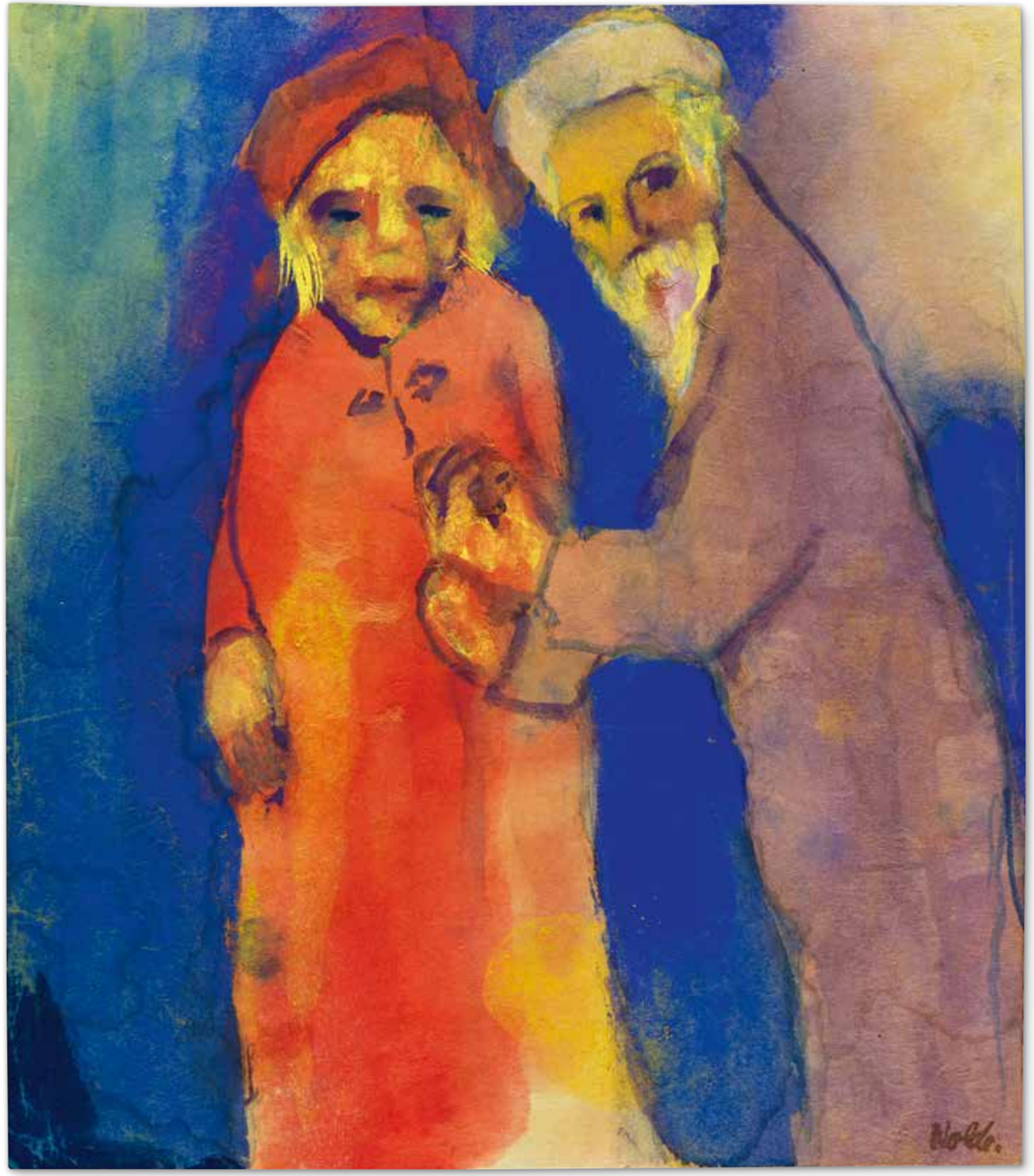
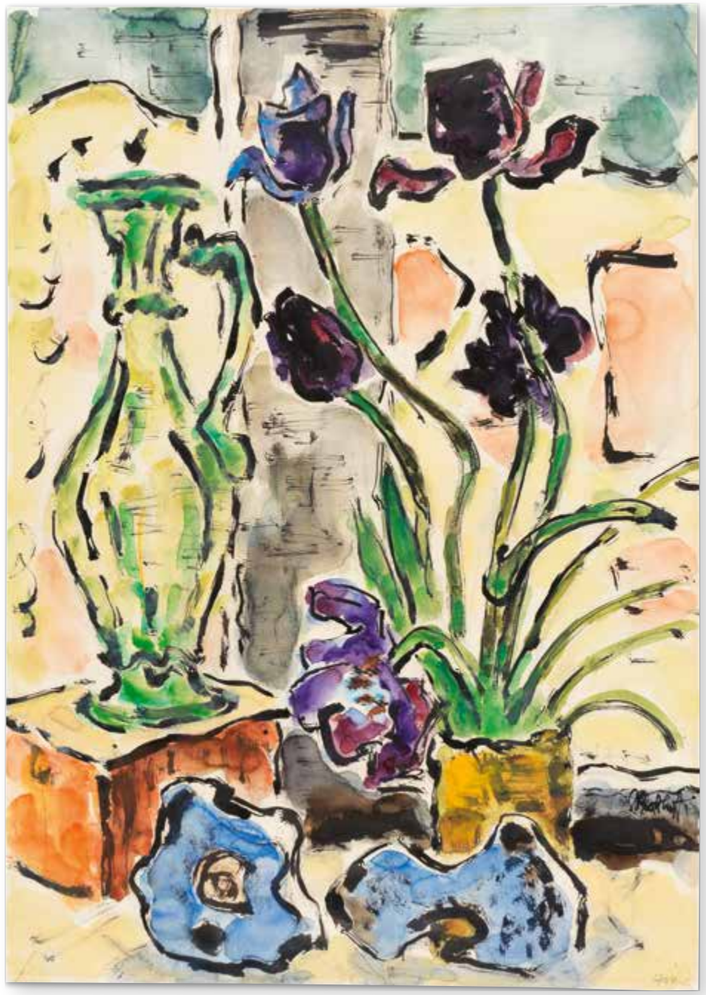




- **Sovereignly composed, summery still life**
- **Fascinating example of Schmidt-Rottluff's masterly composition of outline and colored form**
- **Important PROVENIENZ: Formerly part of the Bahlsen Collection, Hanover**
- **The technique of watercolor is of central importance in Schmidt-Rottluff's oeuvre: it always played an important role in his oeuvre from the years of the "Brücke" to his last creative phase of the 1970s**

473

KARL SCHMIDT-ROTTLUFF

1884 Rottluff near Chemnitz – 1976 Berlin

Mit den schwarzen Tulpen. 1967.

Watercolor and India ink.
Signed in the image in lower right and inscribed with the work number "6734" in bottom margin. Titled and inscribed "69/37" on the reverse. On off-white wove paper. 70 x 49,5 cm (27.5 x 19.4 in), the full sheet. [JS]

Called up: December 9, 2023 – ca. 7.10 pm ± 20 min.

€ 20.000 – 30.000 (R/D, F)
$ 21,000 – 31,500

PROVENACE

- Collection H. Bahlsens Keksfabrik KG, Hanover.
- Estate of Andrea v. Nordeck neé Bahlsen, Hanover (from the above).
- Delta Kunsthandels - u. Verwaltungs GmbH & Co. KG (estate of the above - 2019, Kastern, March 16, 2019, lot 88).
- Private collection Northern Germany (since 2019).

LITERATURE

- Kastern Kunstauktionen, auction on March 16, 2019, p. 33, cat. no. 88 (fig.).

474

OSKAR KOKOSCHKA

1886 Pöchlarn/Lower Austria – 1980 Montreux

Blumenstillleben. 1969.

Watercolor.
Lower right signed and dated. On laid paper (watermark as artist's monogram).
57 x 39 cm (22.4 x 15.3 in), size of sheet. [CH]

Called up: December 9, 2023 – ca. 7.11 pm ± 20 min.

€ 25.000 – 35.000 (R/N, F)
$ 26,250 – 36,750

PROVENACE

- Private collection Switzerland (obtained from the artist in 1970).

- **Kokoschka executed the lively, colorful watercolor on paper without a preliminary drawing**
- **Both the artist's ,s drawing and painting skills are particularly concentrated in his sought-after, naturalistic flower watercolors**
- **The artist was particularly successful in the later years of his career: he participated in the Venice Biennale in 1948, in documenta I, II and III in 1955, 1959 and 1964, and was honored with a grand retrospective at the Tate Gallery in London in 1962 and the Belvedere in Vienna in 1971**
- **The artist's drawings and watercolors are now in the world's most prestigious museums and collections, including the Metropolitan Museum, New York, the Tate Gallery and the Victoria & Albert Museum, London, the Centre Pompidou, Paris, and the Bayerische Staatsgemäldesammlungen, Munich**

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

475

MAX ERNST

1891 Brühl – 1976 Paris

Promenade sous la neige. 1957.

Oil on paper on canvas, on canvas-covered cardboard.
Signed in lower left. Titled and inscribed with a dedication on the reverse.
24,4 x 18 cm (9.6 x 7 in), the full sheet.

Accompanied by a confirmation of authenticity issued by Dr. Jürgen Pech, Bonn, from October 29, 2023. The present work is documented in the archive of the oeuvre catalog Max Ernst.

Called up: December 9, 2023 – ca. 7.12 pm ± 20 min.

€ 60.000 – 80.000 (R/N, F)
$ 63,000 – 84,000

PROVENACE

- Max Ernst, Huismes (France).
- Collection of Madame Floquet, Annecy (gift from the artist).
- Private collection (acquired from Hôtel Marcel Dassault, December 15, 2000, lot 12).
- Private collection Switzerland (acquired from the above, Christie's June 19, 2007, lot 468).

LITERATURE

- Hôtel Marcel Dassault, Paris, Auction Art Moderne, December 15, 2000, lot 12 (color illu.).
- Christie's, London, Impressionist and Modern Art Day Sale, June 19, 2007 (color illu.).

- **Max Ernst had significant influence on Dada and Surrealism**
- **Since his 'Histoire naturelle' (1926), the surreal elements of nature have been one of the most important themes in his oeuvre**
- **Max Ernst participated in documenta I, II, III**
- **As a central artist of the German-French avant-garde, Max Ernst's works are at, among others, the Solomon R. Guggenheim Museum, Metropolitan Museum and Museum of Modern Art, New York, the Center Pompidou, Paris, and Tate Gallery, London**

For Max Ernst, nature was an essential source of inspiration through which he was able to express his intuitions and surreal imaginations. With "Promenade sou la neige" he puts us in a quasi-hallucinatory state: the sound of footsteps crunching the snow and the muted perception of the surrounding become palpable.
In his ‚Histoire naturelle' (1926), Max Ernst made the surreal elements of nature one of the most important themes in his oeuvre. Paintings such as "la Nymphe Écho" (1936) at the MoMA, New York, "La dernière forêt" (1960/70) at the Center Pompidou, Paris, or (La nature à l'aurore) (1936) at the Städel Museum in Frankfurt am Main, provide impressive proof thereof.
Max Ernst uses his art to restore surprise, irritation and mystery to nature, contrary to its disenchantment through science and the consumer culture. Recently, the Kunstmuseum Bonn dedicated the exhibition "Max Ernst und die Natur als Erfindung" (Max Ernst and Nature as Invention, October 13, 2022 - January 22, 2023) to this topic. The exhibition examined the artist's work as a draft of an alternative natural history in the context of the art of his time up to the present day. Hence "Promenade sous la neige" is a work that addresses an elementary theme in Max Ernst's world of thought. It is particularly worthwhile mentioning that the canvas-covered cardboard onto which the small picture is mounted, was selected, designed and inscribed with a personal dedication for the first owner by Max Ernst. [EH]

In frame

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

- **Beautiful collage made by Schwitters during his stay in Barnes, London**
- **Inscribed with the provisional catalog raisonné number "1103 U" by the son on the reverse**
- **After Impressionist and Constructivist beginnings, Schwitters found his own revolutionary visual language in his "Merzzeichnungen," collages of typographic found objects, which he maintained throughout his life**
- **Schwitters' famous "Merzzeichnungen" are now part of numerous important museum collections, including the Tate Modern, London, and the Museum of Modern Art, New York**
- **Consistent provenance and part of the same collection for almost 40 years**

476

KURT SCHWITTERS

1887 Hanover – 1948 Ambleside/Westmorland

Ohne Titel (VENI). Merzzeichnung. 1944.

Collage, newsprint, transparent paper, cloth and oil painting on cardboard.
Lower right monogrammed and dated. 13,5 x 12 cm (5.3 x 4.7 in).

Called up: December 9, 2023 – ca. 7.14 pm ± 20 min.

€ 20.000 – 30.000 (R/D)
$ 21,000 – 31,500

PROVENACE

- Artist's studio.
- Ernst Schwitters, Lysaker 1948-1960 (inherited from the artist)
- Lord's Gallery, London (on consignment 1959-60)
- Collection of Dieter and Miriam Keller, Stuttgart and Baden-Baden (acquired from Lord's Gallery in 1960, London)
- Private collection Northern Germany (acquired from the above at Hauswedell & Nolte in 1985).

EXHIBITION

- A New Selection of Collages by Kurt Schwitters, Lord's Gallery, London 1959, no. 23
- Kurt Schwitters 1887-1948. Cambridge Arts Council Gallery, Cambridge November 14 - December 5, 1959, Glynn Vivian Art Gallery, Swansea, January 2 - 23,1960, Graves Art Gallery, Sheffield, January 30 - February 20, 1960, Leicester Museum and Art Gallery Leiscester, February 27 - March 19, 1960, Herbert Temporary Art Gallery, Coventry, March 25 - April 16, 1960, Glasgow University Print Room, Glasgow, April 23 - May 14, 1960, cat. no. 101.
- Kurt Schwitters, Sprengel Museum Hanover, February 4 - April 20, 1986 (1st ed. only), cat. no. 291.

LITERATURE

- Orchard, Karin, und Isabel Schulz, Kurt Schwitters. Catalogue raisonné, ed by Sprengel Museum Hanover by commission of the Niedersächsische Sparkassenstiftung, der Norddeutschen Landesbank, Sparkasse Hanover and the Kurt and Ernst Schwitters Stiftung, Hanover, vol. III. Ostfildern-Ruit 2006, no. 3080, p. 434 fig.
- Moderne Kunst, Hauswedell & Nolte, Moderne Kunst, 254th auction, June 8/9, 1984, lot 1502, fig. plate 125.
- Moderne Kunst, Hauswedell & Nolte, Moderne Kunst, 259th auction, June 6-8, 1985, lot 1462, plate 123a.

477 | FROM THE WILLIAM LANDMANN COLLECTION, CANADA

OSSIP ZADKINE

1890 Smolensk – 1967 Paris

Les combattants ou la terreur ou les guerriers. 1947.

Bronze with black-brown patina.
Base with the monogram and the number and the foundry mark "H. Noack Berlin". From an edition of eight copies. 49,6 x 28 x 24 cm (19.5 x 11 x 9.4 in).
Cast by art foundry Hermann Noack, Berlin 1959.
[AW]

Accompanied by a certificate from the Ossip Zadkine Research Center, Brussels, dated November 7, 2023. The work is regisetred at the archive with the number S-406-4.

Called up: December 9, 2023 – ca. 7.15 pm ± 20 min.

€ 20.000 – 30.000 (R/N, F)
$ 21,000 – 31,500

PROVENACE

- Weber Galerie, Düsseldorf (acquired from the artist in 1959).
- Galerie Springer, Berlin.
- Martin Landmann Collection (1923-2021), Vancouver, Canada (acquired from the above in 1961).
- Ever since family-owned.

EXHIBITION

- Zadkine. Œuvres récentes, Palais des Beaux-Arts, Brussels, February 1948, cat. no. 48.
- Stedelijk Museum, Amsterdam, April to June 1948, cat. no. 54.
- L'Œuvre de Zadkine, Musée d'art moderne de la Ville Paris, May 1949, cat. no. 60.
- Ossip Zadkine, Museum Boijmans van Beuningen, Rotterdam, December 1949, cat. no. 67.
- Zadkine. Plastiken 1910-1953, Wallraff-Richartz Museum, Cologne, 1960.

LITERATURE

- Sylvain Lecombre, Ossip Zadkine. L'Œuvre sculpté, Paris 1994, no. 145 (fig.).
- Ionel Jianu, Zadkine, Paris 1979, cat. no. 344.
- Christa Lichtenstern, Ossip Zadkine (1890-1967). Der Bildhauer und seine Ikonographie, Berlin 1980, cat. no. 253.

- **Ossip Zadkine is considered one of the greatest masters of cubist sculpture**
- **In Paris in the early 1910s, he was part of artist circles around Picasso, Brancusi, Apollinaire, Sonia Delaunay and Matisse**
- **He had numerous exhibitions and retrospectives between 1948 and 1950, among others at the Stedelijk Museum, Amsterdam, the Musée National d'Art Moderne, Paris, and the Museum Boijmans Van Beuningen, Rotterdam**
- **In 1950 he received the sculpture prize at the Venice Biennale**

478

KARL HOFER

1878 Karlsruhe – 1955 Berlin

Mädchen vor Architektur. 1949.

Oil on canvas.
Lower left monogrammed (in ligature) and dated. Stretcher titled "2 Frauen vor Architektur". 101 x 70,5 cm (39.7 x 27.7 in).
The work is documented on a photo shot by the Berlin art photographer Ewald Gnilka, with whom Karl Hofer worked together as of the mid 1940s, archive number 25620. [CH]

Called up: December 9, 2023 – ca. 7.16 pm ± 20 min.

€ 40.000 – 60.000 (R/D, F)
$ 42,000 – 63,000

PROVENACE

- Galerie A. M. Bänninger, Berlin/Zürich.
- Galerie K. Meissner, Zürich.
- Private collection Switzerland.
- Galerie Salis & Vertes, Salzburg.
- Private collection Southern Germany (from the above).

EXHIBITION

- Retrospektiv. Karl Hofer 1878-1955, Baukunst-Galerie, Cologne, January 27 - April 15, 1967, cat. no. 60 (fig.).
- Commemorative Exhibition Karl Hofer 1878-1955, Kulturamt der Stadt Salzburg/Museum Carolino Augusteum, Museumspavillon im Mirabellgarten, Salzburg, July 4 - August 31, 1975, cat. no. 19 (fig.).

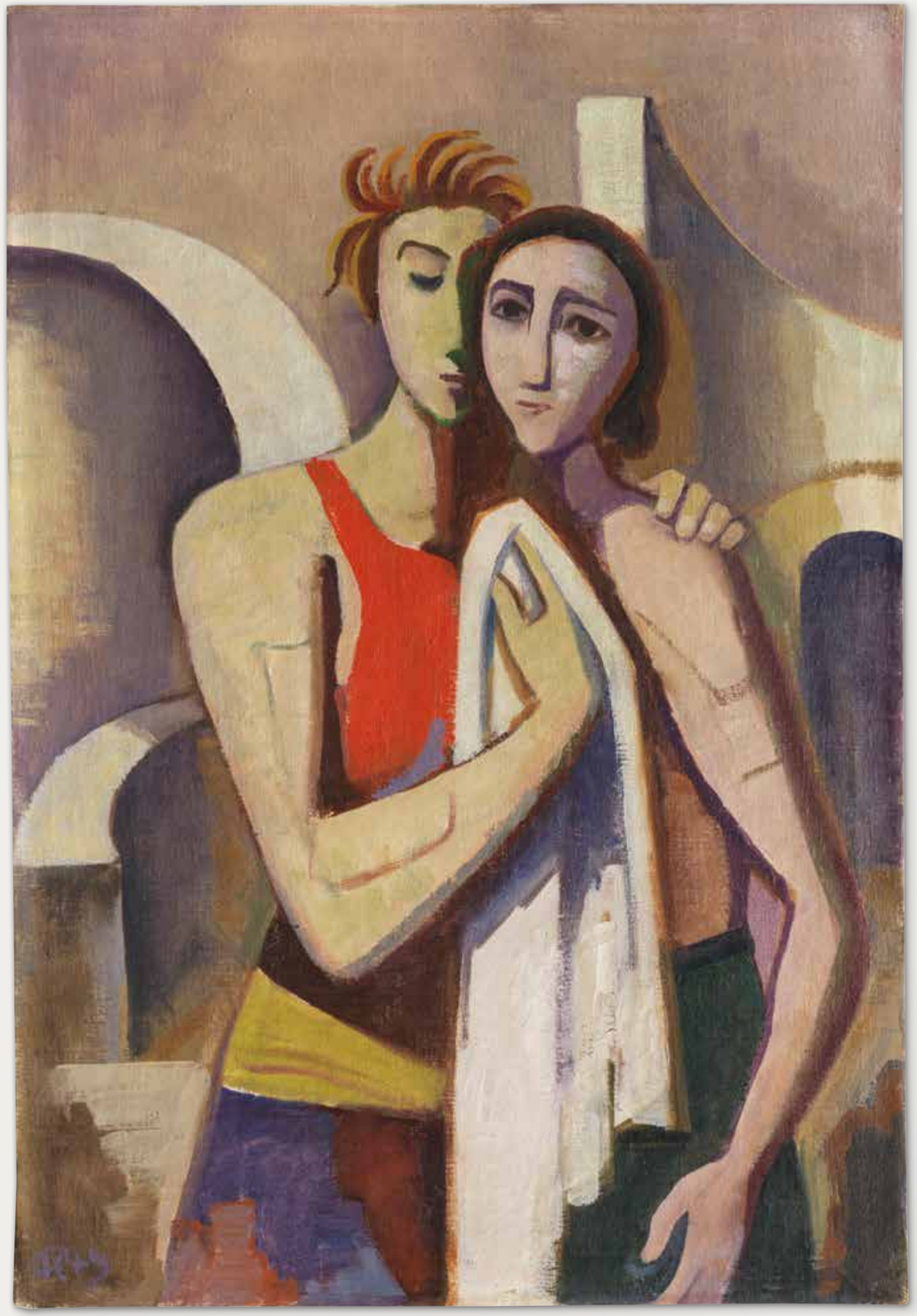
LITERATURE

- Karl Bernhard Wohlert, Karl Hofer. Catalogue raisonné of paintings, vol. 3, Cologne 2007, p. 66, no. 2207 (black-and-white illu.).
- Doris Schmidt (ed.), Briefe an Günther Franke. Porträt eines deutschen Kunsthändlers, Köln 1970, p. 122, Karl Hofer an Günther Franke, letter from December 22, 1951 (foot note 4).
- Christie's, London, German and Austrian Art, October 11, 1995, p. 210, lot 197 (color illu.).

- **One of the artist's most important and sought-after couple paintings**
- **With the bright, reduced color palette, the clear repertoire of forms and the unusual architectural background framing the figures, the artist achieves a particularly modern, timeless quality**
- **The introverted female figures, characteristic of Hofer's oeuvre, only appear vulnerable at first glance, here he shows them as strong personalities thanks to their size, physical condition and self-confidence**
- **A modern development of the motif in the earlier painting "Two Girlfriends" in the Hamburger Kunsthalle (1923/24)**
- **In these post-war years, Hofer was able to build on his success; hi paintings were part of the legendary exhibition "German Art of the 20th Century" at the Museum of Modern Art, New York in 1957**

"His figures huddle together as if to give each other protection, with fearful, unsuspecting or introverted, waiting expressions."

Dr. Frank Schmidt, then director of the Hamburger Kunsthalle, 2012, in: ex. cat. Karl Hofer. Von Lebensspuk und stiller Schönheit, Hamburger Kunsthalle, 2012, p. 90.



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

- In 1920, Roeder became established as sculpture in Berlin in the circle of Käthe Kollwitz
- "Einsame" was the first work she made after WW II after she had beem detained in Padua
- Sensitive example of her characteristic reduced pictorial language

479

EMY ROEDER

1890 Würzburg – 1971 Mainz

Einsame. 1946.

Bronze with dark brown patina.
Presumably from an edition of 6 casts.
36,4 x 11,5 x 8,7 cm (14.3 x 4.5 x 3.4 in). [SM]

Called up: December 9, 2023 – ca. 7.18 pm ± 20 min.

€ 10.000 – 15.000 (R/D, F)
$ 10,500 – 15,750

PROVENACE

- Private collection Mainz (obtained from the artist.
- Private collection Hesse.

LITERATURE

- Friedrich Gerke, Emy Roeder. Eine Werkbiographie mit einem Gesamtkatalog der Bildwerke und Zeichnungen, Wiesbaden 1963, catalogue raisonné no. 37, p. 316, fig. 74 and 75.
- Hans-Jürgen Imiela, Emy Roeder, 1975, p. 36 (different copy).
- Emy Roeder. Bildwerke, Handzeichnungen, ex. cat. Städtische Galerie Würzburg, 1981, cat. no. 30, p. 43 (different copy).

480

MAX ERNST

1891 Brühl – 1976 Paris

Réveille du jour (L'eclipse). 1962.

Mixed media. Oil and gouache on paper.
Signed in upper right. On paper, laid on fiberboard. 21 x 16,5 cm (8.2 x 6.4 in), the full sheet.

Called up: December 9, 2023 – ca. 7.19 pm ± 20 min.

€ 40.000 – 60.000 (R/D, F)
$ 42,000 – 63,000

PROVENACE

- Galerie Lucie Weill, Paris.
- Timothy Baum, New York.
- Private collection Europa.
- Private collection Northern Germany.
- Private collection Switzerland (acquired from the above).

EXHIBITION

- Two Surrealist Wise Men as Seen at Christmastime. Max Ernst and Joan Miró, prints and drawings, Dec. 1968, Kovler Gallery, Chicago, no. 9.

LITERATURE

- Werner Spiess/Sigrid and Günter Metken, Max Ernst Œuvre Catalog: Werke 1954-1963, Houston/Cologne 1998, no. 3617, p. 295 (fig.).
- Sotheby's Parke Bernet, New York, October 23, 1974, lot 165.
- Christie's East, New York, May 11, 1989, lot 172.

- **Impressive testimony to Ernst's continued enthusiasm for technical experimentation**
- **The transition from night to day is the time of dreams**
- **Max Ernst creates a magical and unreal aura with his refined technique**
- **Paintings by the artist are in numerous important international museums like the Museum of Modern Art, New York, the Center Pompidou, Paris, and the Tate Collection, London**

The search and development of new techniques is inherent in Max Ernst's oeuvre. He used over-painting, collage, frottage, grattage. In this sense, the Décalcomanie technique also helped him to alienate the mundane and to stage the inexplicable in a vexing manner. The dark brushstrokes roll off against a light background. Max Ernst imagines the atmosphere of the beginning of a day when the curtain of night is lifted. It is the time of dreams and expression of the subconscious. [EH]

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

- **With his visionary imagery mixed with deep psychological knowledge, Edgar Ende is one of the most important German surrealists**
- **Eery and at the same time captivating, stage-like scenery with surreal perspective and lighting**
- **The paintings from the 1930s, which were key to Ende's artistic development, are among the most sought-after works on the international auction market (source: artprice.com)**

481

EDGAR ENDE

1901 Altona – 1965 Munich

Begegnung. 1933.

Oil on canvas.
Lower right signed and dated. Signed, titled and inscribed "Kaulbachstr.90" on the reverse.
70 x 90 cm (27.5 x 35.4 in). [AW]

Called up: December 9, 2023 – ca. 7.20 pm ± 20 min.

€ 30.000 – 40.000 (R/D, F)
$ 31,500 – 42,000

PROVENACE

- Artist's studio.
- Graphisches Kabinett Günther Franke, Munich (stretcher with gallery label, presumbaly on consignment from the above).
- Castle Dietramszell, Bavaria (deposited by the artist).
- Central Collecting Point Munich (January 14, 1946 - June 2, 1946, with the partly covered no. 18441).
- In possession of the artist (reobtained from the above on June 2, 1946).
- Gesellschaft der Freunde Haus der Kunst, Munich (label on the stretcher).
- Private collection Austria (acquired from the above in 2006).

EXHIBITION

- München 1869-1958. Aufbruch zur modernen Kunst, Haus der Kunst, Munich, June 21 - October 5, 1958, cat.no. 1174 (exhibition label on the stretcher).
- Malerei, Graphik, Plastik. Erwerbungen 1955-1969 der Gesellschaft der Freunde Haus der Kunst München, Kunstverein Göttingen, March 23 - May 4, 1969, cat. no. 9.
- Edgar Ende. Gemälde, Gouachen, Zeichnungen, Städtische Galerie im Lenbachhaus, Munich, November 25, 1987 - Januayr 17, 1988; Hamburger Kunsthalle, February 5 - March 27, 1988; Städtische Kunsthalle, Mannheim, June 23 - August 28, 1988; Von der Heydt-Museum, Wuppertal, October 2 - November 20, 1988, cat. no. 18 (exhibition label on the stretcher).

LITERATURE

- Axel Hinrich Murken, Edgar Ende 1901-1965. Der Träume Allmacht. Mit der 2. verbesserten Auflage des Werkverzeichnisses seiner Gemälde, Herzogenrath 2009, no. 66.
- CCP Munich, file card 18441 (BArch Koblenz B323/672, B323/623).
- Gustav Friedrich Hartlaub, Romantischer Surrealismus: Edgar Ende, in: Die Kunst und das schöne Heim, 52 (1954), no. 8, pp. 292-295 (fig. p. 294).
- Jörg Kriechbaum, Edgar Ende. Gemälde, Gouachen und Zeichnungen, Stuttgart 1987, p. 73.
- Peter Sager, Von Ende zu Ende, in: Zeit-Magazin, no. 1, 1988, pp. 18f.
- Asahi Shimbun (ed.), Edgar Ende und Michael Ende, Tokyo 1989, color illu. no. 10.
- Michael Ende, Der Traum offenbart das Wesen der Dinge, Bolzano 1991, p. 178.
- Sprengel Museum, Hanover (loan fromL ‚Gesellschaft der Freunde Haus der Kunst', 1995).
- Volker Kinnius (ed.), Edgar Ende. Visionen aus dem Dunkel. Die Gemälde der 20er und 30er Jahre, Bielefeld 1998, illu. plate 65.
- Axel Hinrich Murken, Edgar Ende. Sein Leben und sein Werk (1901-1965). Seine kunsthistorische Stellung in der Malerei des 20. Jahrhunderts, Herzogenrath 2001, p. 48 (fig.).
- Neumeister, Munich, Sonderauktion. Gesellschaft der Freunde Haus der Kunst München, October 9, 2006, lot 27 (color illu. p. 71).

- **Early, nighttime street scene, the stage-like lighting and the play of light and shadow make for its special appeal**
- **After he had served in World War I, Wunderwald became an important representative of New Objectivity and is considered a chronicler of Berlin city life**
- **Exhibited in the posthumous retrospective at the Berlinische Galerie and Städtische Galerie Albstadt on the occasion of the artist's 100th birthday**

482

GUSTAV WUNDERWALD

1882 Cologne – 1945 Berlin

An der Heerstraße. 1918.

Oil on canvas.
Signed in lower left. 76 x 90 cm (29.9 x 35.4 in). [AR]

We are grateful to Mrs Hildegard Reinhardt for her kind expert advice.

Called up: December 9, 2023 – ca. 7.22 pm ± 20 min.

€ 18.000 – 24.000 (R/D)
$ 18,900 – 25,200

PROVENACE

- Private collection Sindelfingen.
- Art dealer Werner Fischer, Berlin (with the label on the reverse).
- Private collection Lower Saxony (acquired from the above).

EXHIBITION

- Neue Sachlichkeit - 12 Maler zwischen den Kriegen, Galerie von Abercron, Cologne, March 12 - May 3, 1975, cat. no. 17 (illu. p. 14, with the label on the reverse).
- Gustav Wunderwald - Gemälde, Handzeichnungen, Bühnenbilder - Eine Ausstellung zum 100. Geburtstag des Künstlers, Berlinische Galerie, Berlin, August 20 - October 10, 1982, Städtische Galerie Albstadt, November 21, 1982 - January 2, 1983, cat. no. 36.

LITERATURE

- Hildegard Reinhardt, Gustav Wunderwald (1882-1945). Untersuchungen zum bildkünstlerischen Gesamtwerk, Hildesheim 1988, cat. no. WV 38 (black-and-white illu. on p. 324).

483

GIORGIO DE CHIRICO

1888 Volos – 1978 Rome

Piazza d'Italia. 1969.

Oil over a lithograph, laid on canvas.
Signed in lower right. Unique work owing to the overpainting.
50 x 70 cm (19.6 x 27.5 in).
The basis of this work is the lithograph of the same name (Brandani 70), however, with an altered motif. An arch was added to the arcade in right and left, which deepens the perspective. The canvas was painted over up to the border.

Accompanied by a photo authentication issued by Isabella de Chirico, Rome, on June 10. 1978.
Accompanied by a writing from Prof. Paolo Picozza, Fondazione Giorgio e Isa de Chirico, from February 27, 2009, in which he confirms both the technique and the mentioned photo authentication.

Called up: December 9, 2023 – ca. 7.23 pm ± 20 min.

€ 70.000 – 90.000 (R/D, F)
$ 73,500 – 94,500

PROVENACE

· Galerie d'Eendt, Amsterdam.

· Private collection Netherlands.

LITERATURE

· Cf. Edoardo Brandani (ed.)/Giorgio Di Genova/Patrizia Bonfiglioli, Giorgio de Chirico. Catalogo dell'opera grafica 1969-1977, Bologna 2015, no. 70 (for the lithograph).

Painting over printed templates was already common practice in the late 19th century. The master himself created a large number of variations of the "Piazza d'Italia", one of de Chirico's most popular motifs. With a stage-like architecture and the robe sculpture resting or standing on a base, the basic idea was always the same. With his pictorial inventions, de Chirico, a native Greek, created a new Hellas in Italy. Surrealism in his compositions takes a back seat to classic forms. A kind of mystical mood is created by citing various European cultures, classic, medieval and modern times at once, thus achieving a kind of state of suspense. De Chirico is one of the central figures of 20th century art. As a pioneer of the "Pittura metafisica" he has a far-reaching influence on the subsequent stylistic developments of Surrealism, New Objectivity and Magical Realism. [CH]

- **Mysterious scenery full of surreal moments**
- **Dream-like city view typical of de Chirico with exceptional shadowing and brilliant perspective construction**
- **Giorgio de Chirico is the main representative of the "Pittura metafisica" and one of the most important forerunners of Surrealism**
- **The artist's works are in renowned international museums like the Museum of Modern Art, New York, the Pinakothek der Moderne, Munich, the Vatican Museums, Rome, and the Peggy Guggenheim Collection, Venice**

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

- **Painting in an unusual form**
- **For the first time on the art market**
- **Depiction of picturesque facades on Markstraße in Bad Tölz in the style of New Objectivity**
- **Currently, the Louisiana Museum of Modern Art, Humlebæk, shows works by Carl Grossberg in the show "Allemagne/Années 20/Nouvelle Objectivité/August Sander", which had previously been on display at the Centre Pompidou, Paris**

484

CARL GROSSBERG

1894 Wuppertal-Elberfeld – 1940 Laon (France)

Marktstraße in Bad Tölz. 1934.

Oil on panel.
Lower right signed and dated. Verso inscribed by a hand other than that of the artist. 64 x 383 cm (25.1 x 150.7 in).
In tthe original frame.

Called up: December 9, 2023 – ca. 7.24 pm ± 20 min.

€ 25.000 – 35.000 (R/D)
$ 26,250 – 36,750

PROVENACE

· Private collection Bad Tölz (directly from the artist).

· Ever since family-owned.

The ensemble of the Tölzer Markstraße is part of the Bavarian list of monuments and is mentioned as one of the most impressive streets in Upper Bavaria. The buildings, erected since the Middle Ages, received a uniform appearance after 1900 through the historicist facades from the Munich architect Gabriel von Seidl. Carl Grossberg depicted this view in a free and by no means realistic way. He succeeded in depicting this urban masterpiece in a clear coolness. Everything cozy is reduced in favor of clear, factual forms. Carl Grossberg received the order from the Feile family, because the father-in-law of Peter Feile, a good friend of Grossberg's, bought the house on Marktstraße and was the landlord of the cafe and wine house Ott. A postcard still bears witness to the original place it was mounted.
Peter Feile, whose family owned this extraordinary work, was a close friend of Carl Grossberg. Peter Feile is known as one of the most important representatives of 'Neues Bauen' in Bavaria. With the model houses of the Lerchenhainsiedlung in Würzburg, he built the first flat-roof residential houses in Bavaria. With the increasing influence of the National Socialists the so-called "Heimatschutzstil" became the measure of all things. This backward-looking style ultimately drew on ideas such as those realized by Gabriel von Seidl on Marktstraße in Tölz.
From this point of view, the seemingly emotionless painting gets a new touch. Grossberg worked out a Tölz view for his friend Feile, which can also be understood as a criticism of the backwardness of the NS building guidelines. Because Feile was actually a convinced "Bauhaus" architect who, under the pressure of political developments, subordinated himself to the Heimatschutz style decreed from above. Feile himself moved to Bad Tölz after the war and would spend the rest of his life there. [EH]

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

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PABLO PICASSO

1881 Malaga – 1973 Mougins

Portrait de Jacqueline au chapeau de paille multicolore. 1962.

Linocut.
Baer 1283 B d 2 a (of B d 2 b). Bloch 1074. Signed and numbered. From an edition of 50 copies. On Arches wove paper (with the truncated watermark). 34,5 x 27 cm (13.5 x 10.6 in). Sheet: 63 x 44,5 cm (24.8 x 17.5 in). [SM]

Called up: December 9, 2023 – ca. 7.27 pm ± 20 min.

€ 30.000 – 40.000 (R/D, F)
$ 31,500 – 42,000

PROVENACE

· Galerie Valentien, Stuttgart (with the label on the reverse).
· Private collection Baden-Württemberg.

- **Portrait of Jacqueline Roque, whom Picasso married in 1961**
- **From the second series of colored linocuts from 1962, which he began with great energy at the age of over 70**
- **With his linocuts, Picasso created impressive color sheets with**
- **“It was Pablo Picasso who, with his most varied ingenuity, made this technique equal to all others.” (Koschatzky, 1972)**

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VERSTEIGERUNGSBEDINGUNGEN

Stand Juni 2023

1. Allgemeines

1.1 Die Ketterer Kunst GmbH & Co. KG mit Sitz in München (im folgenden „Versteigerer") versteigert grundsätzlich als Kommissionär im eigenen Namen und für Rechnung der Einlieferer (im folgenden „Kommittenten"), die unbenannt bleiben. Im Eigentum des Versteigerers befindliche Gegenstände (Eigenware) werden im eigenen Namen und für eigene Rechnung versteigert. Auch für die Versteigerung dieser Eigenware gelten diese Versteigerungsbedingungen, insbesondere ist auch hierfür das Aufgeld (unten Ziff. 5) zu entrichten.

1.2 Die Versteigerung wird durch eine natürliche Person, die im Besitz einer Versteigerungserlaubnis ist, durchgeführt; die Bestimmung dieser Person obliegt dem Versteigerer. Der Versteigerer bzw. der Auktionator ist berechtigt geeignete Vertreter gemäß § 47 GewO einzusetzen, die die Auktion durchführen. Ansprüche aus der Versteigerung und im Zusammenhang mit dieser bestehen nur gegenüber dem Versteigerer.

1.3 Der Versteigerer behält sich vor, Katalognummern zu verbinden, zu trennen, in einer anderen als der im Katalog vorgesehenen Reihenfolge aufzurufen oder zurückzuziehen.

1.4 Sämtliche zur Versteigerung kommenden Objekte können vor der Versteigerung beim Versteigerer besichtigt werden. Dies gilt auch bei der Teilnahme an Auktionen, bei denen der Bieter zusätzlich per Internet mitbieten kann (so genannten Live-Auktionen). Ort und Zeit kann der jeweiligen Ankündigung im Internetauftritt des Versteigerers entnommen werden. Ist dem Bieter (insbesondere dem Bieter in einer Live-Auktion) die Besichtigung zeitlich nicht (mehr) möglich, da beispielsweise die Auktion bereits begonnen hat, so verzichtet er mit dem Bietvorgang auf sein Besichtigungsrecht.

1.5 Gemäß Geldwäschegesetz (GwG) ist der Versteigerer verpflichtet, den Erwerber bzw. den an einem Erwerb Interessierten sowie ggf. einen für diese auftretenden Vertreter und den „wirtschaftlich Berechtigten" i.S.v. § 3 GwG zum Zwecke der Auftragsdurchführung zu identifizieren sowie die erhobenen Angaben und eingeholten Informationen aufzuzeichnen und aufzubewahren. Der vorbezeichnete Erwerber bzw. zum Erwerb Interessierte, bzw. dessen Vertreter sind hierbei zur Mitwirkung verpflichtet, insbesondere zur Vorlage der erforderlichen Legitimationspapiere, insbesondere anhand eines inländischen oder nach ausländerrechtlichen Bestimmungen anerkannten oder zugelassenen Passes, Personalausweises oder Pass- oder Ausweisersatzes. Der Versteigerer ist berechtigt, sich hiervon eine Kopie unter Beachtung der datenschutzrechtlichen Bestimmungen zu fertigen. Bei juristischen Personen oder Personengesellschaften ist der Auszug aus dem Handels- oder Genossenschaftsregister oder einem vergleichbaren amtlichen Register oder Verzeichnis anzufordern. Der Erwerber, bzw. an dem Erwerb Interessierte, versichern, dass die von ihnen zu diesem Zweck vorgelegten Legitimationspapiere und erteilten Auskünfte zutreffend sind und er, bzw. der von ihm Vertretene „wirtschaftlich Berechtigter" nach § 3 GwG ist.

2. Aufruf / Versteigerungsablauf / Zuschlag

2.1 Der Aufruf erfolgt in der Regel zum unteren Schätzpreis, in Ausnahmefällen auch darunter. Gesteigert wird nach Ermessen des Versteigerers, im Allgemeinen in 10 %-Schritten.

2.2 Der Versteigerer kann ein Gebot ablehnen; dies gilt insbesondere dann, wenn ein Bieter, der dem Versteigerer nicht bekannt ist oder mit dem eine Geschäftsverbindung noch nicht besteht, nicht spätestens bis zum Beginn der Versteigerung Sicherheit leistet. Ein Anspruch auf Annahme eines Gebotes besteht allerdings auch im Fall einer Sicherheitsleistung nicht.

2.3 Will ein Bieter Gebote im Namen eines anderen abgeben, muss er dies vor Versteigerungsbeginn unter Nennung von Namen und Anschriften des Vertretenen und unter Vorlage einer schriftlichen Vertretervollmacht mitteilen. Bei der Teilnahme als Telefonbieter oder als Bieter in einer Live-Auktion (vgl. Definition Ziffer 1.4) ist eine Vertretung nur möglich, wenn die Vertretervollmacht dem Versteigerer mindestens 24 Stunden vor Beginn der Versteigerung (= erster Aufruf) in Schriftform vorliegt. Anderenfalls haftet der Vertreter für sein Gebot, wie wenn er es in eigenem Namen abgegeben hätte, dem Versteigerer wahlweise auf Erfüllung oder Schadensersatz.

2.4 Ein Gebot erlischt außer im Falle seiner Ablehnung durch den Versteigerer dann, wenn die Versteigerung ohne Erteilung des Zuschlags geschlossen wird oder wenn der Versteigerer den Gegenstand erneut aufruft; ein Gebot erlischt nicht durch ein nachfolgendes unwirksames Übergebot.

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

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

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

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

2.8 Der Zuschlag verpflichtet zur Abnahme und Zahlung.

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

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

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

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

3.4 Es wird ausdrücklich darauf hingewiesen, dass Telefongespräche mit dem Telefonbieter während der Auktion zu Dokumentations- und Beweiszwecken aufgezeichnet werden können und ausschließlich zur Abwicklung des Auftrages bzw. zur Entgegennahme von Angeboten, auch wenn sie nicht zum Abschluss des Auftrages führen, verwendet werden können.

Sollte der Telefonbieter damit nicht einverstanden sein, so hat er spätestens zu Beginn des Telefonats den/die Mitarbeiter/-in darauf hinzuweisen.

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

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

3.6 Der Bieter in der Live Auktion verpflichtet sich, sämtliche Zugangsdaten zu seinem Benutzerkonto geheim zu halten und hinreichend vor dem Zugriff durch Dritte zu sichern. Dritte Personen sind sämtliche Personen mit Ausnahme des Bieters selbst. Der Versteigerer ist unverzüglich zu informieren, wenn der Bieter Kenntnis davon erlangt, dass Dritte die Zugangsdaten des Bieters missbraucht haben. Der Bieter haftet für sämtliche Aktivitäten, die unter Verwendung seines Benutzerkontos durch Dritte vorgenommen werden, wie wenn er diese Aktivität selbst vorgenommen hätte.

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

4. Gefahrenübergang / Kosten der Übergabe und Versendung

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

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

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

5. Kaufpreis / Fälligkeit / Abgaben

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

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

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

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

5.4 Käuferaufgeld

5.4.1 Kunstgegenstände ohne besondere Kennzeichnung im Katalog unterliegen der Differenzbesteuerung.

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

– Zuschlagspreis bis 800.000 Euro: hieraus Aufgeld 32 %.

– Auf den Teil des Zuschlagspreises, der 800.000 Euro übersteigt, wird ein Aufgeld von 27 % berechnet und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 800.000 Euro anfällt, hinzuaddiert.

– Auf den Teil des Zuschlagspreises, der 4.000.000 Euro übersteigt, wird ein Aufgeld von 22 % berechnet und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 4.000.000 Euro anfällt, hinzuaddiert.

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

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

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

– Zuschlagspreis bis 800.000 Euro: hieraus Aufgeld 27 %.

– Auf den Teil des Zuschlagspreises, der 800.000 Euro übersteigt, wird ein Aufgeld von 21 % erhoben und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 800.000 Euro anfällt, hinzuaddiert.

– Auf den Teil des Zuschlagspreises, der 4.000.000 Euro übersteigt, wird ein Aufgeld von 15 % erhoben und zu dem Aufgeld, das bis zu dem Teil des Zuschlagspreises bis 4.000.000 Euro anfällt, hinzuaddiert.

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

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

5.5 Folgerecht

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

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

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

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

6. Vorkasse, Eigentumsvorbehalt

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

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

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

7. Aufrechnungs- und Zurückbehaltungsrecht

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

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

8. Zahlungsverzug, Rücktritt, Ersatzansprüche des Versteigerers

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

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

8.3 Der Käufer hat seine Erwerbung unverzüglich, spätestens 1 Monat nach Zuschlag, beim Versteigerer abzuholen. Gerät er mit dieser Verpflichtung in Verzug und erfolgt eine Abholung trotz erfolgloser Fristsetzung nicht, oder verweigert der Käufer ernsthaft und endgültig die Abholung, kann der Versteigerer vom Kaufvertrag zurücktreten und Schadensersatz verlangen mit der Maßgabe, dass er den Gegenstand nochmals versteigern und seinen Schaden in derselben Weise wie bei Zahlungsverzug des Käufers geltend machen kann, ohne dass dem Käufer ein Mehrerlös aus der erneuten Versteigerung zu steht. Darüber hinaus schuldet der Käufer im Verzug auch angemessenen Ersatz aller durch den Verzug bedingter Beitreibungskosten.

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

9. Gewährleistung

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

9.2 Die gebrauchten Sachen werden in einer öffentlichen Versteigerung verkauft, an der der Bieter/Käufer persönlich teilnehmen kann. Ist der Bieter/Käufer gleichzeitig Verbraucher i.S.d. § 13 BGB wird er auf folgendes ausdrücklich hingewiesen:

Da er in einer öffentlich zugänglichen Versteigerung i.S.v. § 312g Abs. 2 Nr. 10 BGB ein Kunstwerk ersteigert, das eine gebrauchte Sache darstellt, finden die Vorschriften des Verbrauchsgüterkaufs, also die Vorschriften der §§ 474 ff. BGB auf diesen Kauf keine Anwendung.

Unter einer „öffentlich zugänglichen Versteigerung" i.S.v. § 312g Abs. 2 Nr. 10 BGB versteht man eine solche Vermarktungsform, bei der der Verkäufer Verbrauchern, die persönlich anwesend sind, oder denen diese Möglichkeit gewährt wird, Waren oder Dienstleistungen anbietet und zwar in einem vom Versteigerer durchgeführten, auf konkurrierenden Geboten basierendem transparenten Verfahren, bei dem der Bieter, der den Zuschlag erhalten hat, zum Erwerb der Waren oder Dienstleistung verpflichtet ist. Da die Möglichkeit der persönlichen Anwesenheit für die Ausnahme des § 474 Abs. 2 S. 2 BGB ausreicht, kommt es nicht darauf an, dass ein oder mehrere Verbraucher an der Versteigerung tatsächlich teilgenommen haben. Auch die Versteigerung über eine Online-Plattform ist daher als eine öffentlich zugängliche Versteigerung anzusehen, wenn die Möglichkeit der persönlichen Anwesenheit der Verbraucher gewährleistet ist.

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

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

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

10. Haftung

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

11. Datenschutz

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

12. Schlussbestimmungen

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

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

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

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

12.5 Streitbeilegungsverfahren:

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

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

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

DATENSCHUTZERKLÄRUNG

Stand Mai 2020

Ketterer Kunst GmbH & Co. KG München

Anwendungsbereich:

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

Verantwortliche Stelle:

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

Ketterer Kunst GmbH & Co. KG
Joseph-Wild-Str. 18, D-81829 München

Sie erreichen uns postalisch unter der obigen Anschrift, oder
telefonisch unter: +49 89 55 244-0
per Fax unter: +49 89 55 244-166
per E-Mail unter: infomuenchen@kettererkunst.de

Begriffsbestimmungen nach der DSGVO für Sie transparent erläutert:

Personenbezogene Daten

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

Verarbeitung Ihrer personenbezogenen Daten

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

Einwilligung

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

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

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

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

- Ihre Kontaktdaten wie Name, Anschrift, Telefon, Fax, E-Mail, Steuernummer u.a., und soweit für finanzielle Transaktionen erforderlich, Finanzinformationen, wie Kreditkarten- oder Bankdaten;
- Versand- und Rechnungsdaten, Angaben welche Versteuerungsart Sie wünschen (Regel- oder Differenzbesteuerung) und andere Informationen, die Sie für den Erwerb, das Anbieten bzw. sonstiger Leistungen unseres Hauses oder den Versand eines Objektes angeben;
- Transaktionsdaten auf Basis Ihrer vorbezeichneten Aktivitäten;
- weitere Informationen, um die wir Sie bitten können, um sich beispielsweise zu authentifizieren, falls dies für die ordnungsgemäße Vertragsabwicklung erforderlich ist (Beispiele: Ausweiskopie, Handelsregisterauszug, Rechnungskopie, Beantwortung von zusätzlichen Fragen, um Ihre Identität oder die Eigentumsverhältnisse an einem von Ihnen angebotenen Objekte überprüfen zu können). Teilweise sind wir dazu auch gesetzlich verpflichtet, vgl. § 2 Abs. 1 Ziffer 16 GwG und dies bereits schon in einem vorvertraglichen Stadium.

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

Registrierung/Anmeldung/Angabe von personenbezogenen Daten bei Kontaktaufnahme

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

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

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

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

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

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

Live-Auktionen

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

Ihre Rechte bei der Verarbeitung Ihrer personenbezogenen Daten

Gemäß den Vorschriften der DSGVO stehen Ihnen insbesondere folgende Rechte zu:

- Recht auf unentgeltliche Auskunft über die zu Ihrer Person gespeicherten personenbezogenen Daten, das Recht eine Kopie dieser Auskunft zu erhalten, sowie die weiteren damit in Zusammenhang stehenden Rechte nach Art. 15 DSGVO.
- Recht auf unverzügliche Berichtigung nach Art. 16 DSGVO Sie betreffender unrichtiger personenbezogener Daten, ggfls. die Vervollständigung unvollständiger personenbezogener Daten - auch mittels einer ergänzenden Erklärung - zu verlangen.
- Recht auf unverzügliche Löschung („Recht auf Vergessenwerden") der Sie betreffenden personenbezogenen Daten, sofern einer der in Art. 17 DSGVO aufgeführten Gründe zutrifft und soweit die Verarbeitung nicht erforderlich ist.
- Recht auf Einschränkung der Verarbeitung, wenn eine der Voraussetzungen in Art. 18 Abs. 1 DSGVO gegeben ist.
- Recht auf Datenübertragbarkeit, wenn die Voraussetzungen in Art. 20 DSGVO gegeben sind.
- Recht auf jederzeitigen Widerspruch nach Art. 21 DSGVO aus Gründen, die sich aus Ihrer besonderen Situation ergeben, gegen die Verarbeitung Sie betreffender personenbezogener Daten, die aufgrund von Art. 6 Abs. 1 lit e) oder f) DSGVO erfolgt. Dies gilt auch für ein auf diese Bestimmungen gestütztes Profiling.

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

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

Beschwerderecht nach Art. 77 DSGVO

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

Datensicherheit

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

Datenspeicherzeitraum

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

Wir weisen darauf hin, dass für den Fall, dass Sie unsere Internetdienste in Anspruch nehmen, hierfür unsere erweiterten Datenschutzerklärungen ergänzend gelten, die Ihnen in diesem Fall gesondert bekannt gegeben und transparent erläutert werden, sobald Sie diese Dienste in Anspruch nehmen.

*Verordnung (EU) 2016/679 des Europäischen Parlaments und des Rates vom 27. April 2016 zum Schutz natürlicher Personen bei der Verarbeitung personenbezogener Daten, zum freien Datenverkehr und zur Aufhebung der Richtlinie 95/46/EG (Datenschutz-Grundverordnung)

TERMS OF PUBLIC AUCTION

As of June 2023

1. General

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

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

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

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

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

2. Calling / Auction Procedure / Winning a lot

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

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

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

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

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

2.6 A bid is accepted if there is no higher bid after three calls. Notwithstanding the possibility of refusing to accept the bid, the auctioneer may accept the bid with reserve; this shall apply especially if the minimum hammer price specified by the commissioner is not reached. In this case the bid shall lapse within a period of 4 weeks from the date of its acceptance unless the auctioneer notifies the bidder about unreserved acceptance of the bid within this period.

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

2.8 Winning a lot makes acceptance and payment obligatory.

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

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

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

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

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

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

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

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

4. Transfer of perils / Delivery and shipping costs

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

4.2 The buyer bears the costs of delivery, acceptance and shipment to a location other than the place of performance, with the auctioneer determining the type and means of shipment at its own discretion.

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

5. Purchase price / Due date / Fees

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

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

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

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

5.4 Buyer's premium

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

– Hammer price up to 800,000 €: herefrom 32 % premium.

– The share of the hammer price exceeding 800,000 € is subject to a premium of 27 % and is added to the premium of the share of the hammer price up to 800,000 €.

– The share of the hammer price exceeding 4,000,000 € is subject to a premium of 22 % and is added to the premium of the share of the hammer price up to 4,000,000 €.

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

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

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

– Hammer price up to 800,000 €: herefrom 27 % premium.

– The share of the hammer price exceeding 800,000 € is subject to a premium of 21% and is added to the premium of the share of the hammer price up to 800,000 €.

– The share of the hammer price exceeding 4,000,000 € is subject to a premium of 15% and is added to the premium of the share of the hammer price up to 4,000,000 €.

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

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

5.5 Artist's Resale Right

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

4 percent for the part of the sale proceeds from 400 euros up to 50,000 euros, another 3 percent for the part of the sales proceeds from 50,000.01 to 200,000 euros, another 1 percent for the part of the sales proceeds from 200,000.01 to 350,000 euros, another 0.5 percent for the part of the sale proceeds from 350,000.01 to 500,000 euros and a further 0.25 percent for the part of the sale proceeds over 500,000 euros.

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

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

6. Advance payment / Retention of title

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

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

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

7. Right of offset- and retention

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

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

8. Delay in payment, Revocation, Claims for compensation

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

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

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

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

9. Guarantee

9.1 All items to be auctioned can be viewed and inspected prior to the auction. The items are used and are being auctioned off without any liability on the part of the auctioneer for material defects and exclude any guarantee. However, in case of material defects which destroy or significantly reduce the value or the serviceability of the item and of which the purchaser notifies the auctioneer within 12 months of the acceptance of his bid, the auctioneer undertakes to assign any claim which it holds against the consignor or - should the purchaser decline this offer of assignment - to itself assert such claims against the consignor. In the case of a successful claim against the consignor by the auctioneer, the auctioneer pays the buyer the amount obtained up to the amount of the hammer price, step by step, against the return of the item. The buyer is not obliged to return the item to the auctioneer if the auctioneer itself is not obliged to return the item within the framework of asserting claims against the consignor or another entitled person. The buyer is only entitled to these rights (assignment or claim against the consignor and payment of the proceeds) if he has paid the auctioneer's invoice in full. In order for the assertion of a material defect to be effective against the auctioneer, the buyer must submit a report from a recognized expert (or the creator of the catalog raisonné, the artist's declaration or the artist's foundation), which proves the defect. The buyer remains obliged to pay the premium as a service fee.

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

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

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

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

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

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

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

10. Liability

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

11. Privacy

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

12. Final Provisions

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

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

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

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

12.5 Dispute Resolution:

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

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

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

DATA PRIVACY POLICY

As of May 2020

Ketterer Kunst GmbH & Co. KG Munich

Scope:

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

Data controller:

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

Ketterer Kunst GmbH & Co. KG,
Joseph-Wild-Str. 18, D-81829 Munich

You can reach us by mail at the addresses above, or
by phone: +49 89 55 244-0
by fax: +49 89 55 244-166
by email: infomuenchen@kettererkunst.de

Definitions under the European GDPR made transparent for you:

Personal Data

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

Processing of Your Personal Data

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

Consent

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

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

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

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

- Your contact details, such as name, address, phone, fax, e-mail, tax ID, etc., as well as financial information such as credit card or bank account details if required for transactions of a financial nature;
- Shipping and invoice details, information on what type of taxation you are requesting (regular taxation or differential taxation) and other information you provide for the purchase, offer, or other services provided by us or for the shipping of an item;
- Transaction data based on your aforementioned activities;
- other information that we may request from you, for example, in order to perform authentication as required for proper contract fulfillment (examples: copy of your ID, commercial register excerpt, invoice copy, response to additional questions in order to be able to verify your identity or the ownership status of an item offered by you). In some cases we are legally obligated to this, cf. § 2 section 1 subsection 16 GwG (Money Laundering Act) and this is the case before closing the contract.

At the same time, we have the right in connection with contract fulfillment and for purposes of taking appropriate actions that lead to contract formation to obtain supplemental information from third parties (for example: if you assume obligations to us, we generally have the right to have your creditworthiness verified by a credit reporting agency within the limits allowed by law. Such necessity exists in particular due to the special characteristics of auction sales, since in the event your bid is declared the winning bid, you will be depriving the next highest bidder of the possibility of purchasing the artwork. Therefore your credit standing – regarding which we always maintain the strictest confidentiality – is extremely important.)

Registration/Logging in/Providing personal data when contacting us

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

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

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

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

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

Live Auctions

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

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

Your Rights Relating to the Processing of Your Personal Data

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

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

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

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

Right to Complain Under Art. 77 of the GDPR

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

Data Security

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

How Long We Store Data

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

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

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

THE TEAM

Management	Contact	Location	E-Mail	Extension
Owner, auctioneer	Robert Ketterer	Munich	r.ketterer@kettererkunst.de	+49-(0)89-5 52 44-158
Auctioneer	Gudrun Ketterer M.A.	Munich	g.ketterer@kettererkunst.de	+49-(0)89-5 52 44-200
Managing director, auctioneer	Peter Wehrle	Munich	p.wehrle@kettererkunst.de	+49-(0)89-5 52 44-155
Senior Director	Nicola Gräfin Keglevich	Munich	n.keglevich@kettererkunst.de	+49-(0)89-5 52 44-175
Senior Director	Dr. Sebastian Neußer	Munich/Cologne	s.neusser@kettererkunst.de	+49-(0)221-510 908 10
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INFO

Glossary

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

Results

Results available from December 11, 2023, 9 am on +49 (0)89 55244-0.
For the export of works of art from the European Union, the Cultural Protection Agreement of 1993 and the UNESCO Convention from 1975 must be observed.

Owner's list 547

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Collection Consulting

For Private Collectors

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

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

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

Corporate Collections

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

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

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

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

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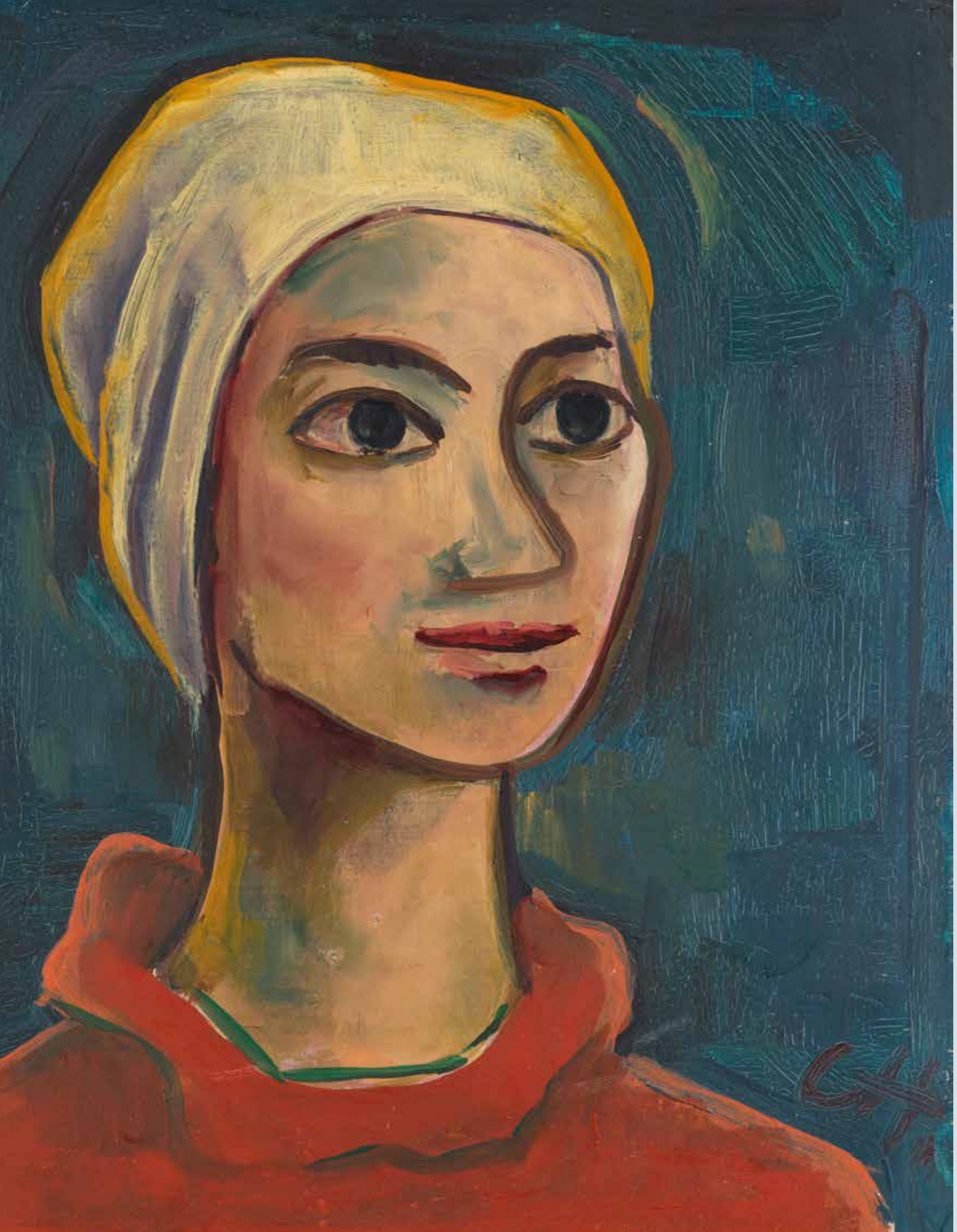

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