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Записка о Картинах Проф. Н. К. Рериха

24 -го Июля 1929 года Совет Трести Музея в единогласной и торжественной декларации об'явил Музей Рериха, как собственность Американской нации, выразив в том же документе, при сем прилагаемом в копии, и прочие условия, сопровождающие и утверждающие этот дар. Указанная декларация является настолько национальным документом, что мы должны с величайшей тщательностью охранять неприкосновенность этого дара, составляющего историческую дату в жизни Культуры Америки. Напомним себе все условия и положения картин моих состоящих в Музее а также и тех, которые составляют мою личную собственность; дабы никакого смещения или недоразумения не могло возникнуть в этой области.

В официальном каталоге Музея 1929 - 30 года означены все картины, входящие в содержание означенной Декларации. При этом эти зафиксированные каталогом картины распадаются на две определенные группы. Против каждой картины обозначен год ее написания. Итак первая группа картин, написанная до от'езда в Индию, то есть до Мая 1923 года составляет безусловную собственность Музея, ибо приобретена на средства, пожертвованные Музеем г. Л. Хоршем. Вторая группа, состоящая из картин, написанных в Азии от 1923 -ого до 1929 -го года, была передана мною Музеем за цену, определенную Советом Трести в двести тысяч долларов. Так как Совет Музея не имел в своем распоряжении этой суммы, то было условлено, что эта сумма остается за Учреждением при условии выплаты процентов из четырех процентов годовых. Таковые проценты в стесненности средств Учреждения я не получаю. Зная стесненность положения, вызванную всеобщим неслыханным в истории мировым кризисом, я и не претендую на это условие, лишь бы цельность торжественной Декларации 1929 года была вполне охранена. Ведь не забудем, что торжественная Декларация имела ввиду всю нацию, о чем и было доведено досвоевремя до сведения Правительства. Конечно все члены Совета понимают всю неотменимость условий этой торжественной Декларации, ставшей всеобщим достоянием. Таким образом благодаря точным данным официального каталога Музея 1929 -30 года, вполне ясно определяется положение двух групп картин, составляющих упомянутый в

Декларации состав Музея. С тех пор на таких же процентных условиях были приобретены этюды и эскизы и картина "Мадонна Труда", привезенные из Индии г-жею Эстер Лихтман в Журналах Заседаний эти вещи точно обозначены. Также Советом Музея были приобретены семь этюдов от частных собственников - из серии "Этюдов 1903-его года". От меня и от жены моей Е. И. Рерих за это время были принесены в дар Музею следующие картины: "Ламаюра", "Приказ Кесар Хана", "Будда Испытатель", а также триптик "Жанн Д'Арк". Кроме моих картин в Музее находятся три портрета моих работы моего сына Святослава Рериха, из которых один был пожертвован Музею моим сыном в 1931 году, поставленные на выставку временно. Этим определяется состав Музея, объявленного национальной собственностью.

В течение периода от 1930-по 1934 -год, все картины мои, посланные в Америку для продажи, а также поставленные на временную выставку в Париже, Брюгге, в Риге в Белграде, в Загребе, в Бенаресе и в Алагабаде составляют мою личную собственность; таково ~~княжеские~~ положение моих картин, написанных за период от 1930 по 1934 год. Все означенные картины имеются в точных списках, сопровождавших каждую посылку, и на каждой из этих картин на обратной стороне написано не только ее название, но и год написания. Все эти списки хранятся в полнейшем порядке и исключают всякое недоразумение о картинах.

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STATEMENT regarding STATUS of the PAINTINGS of Prof.N.de ROERICH .  
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On the 24th of July 1929 the Board of Trustees of Roerich Museum unani-  
mously and solemnly declared the Roerich Museum as the property of the American  
Nation, expressing in the same document (which is herewith attached in copy)  
also all other conditions which affirm this donation. The mentioned declara-  
tion represents such a document of national importance, that we must with  
greatest care safeguard the inviolability of this donation, which constitutes  
a historical date in the cultural life of America.

Let us recall the status of my paintings, as those in the Museum, so also  
those which are my personal property, in order that there could be no confu-  
sion or misunderstanding about them.

In the official Catalogue of the Museum, dated 1929/30 there are enumerated  
all paintings which constitute the subject of the above-stated declaration.  
These paintings, recorded in the catalogue, fall into two definite groups.  
Against every painting there is also mentioned in the catalogue the date of  
its execution.

Thus the first group of paintings, painted before my departure from New-York  
to India, viz. before May 1923, constitutes the unquestionable property of the  
Museum, for it had been acquired on the funds given to the Institution by  
Mr.Louis L.Horch.

The second group, consisting of paintings painted in Asia between 1923 and  
1929, was handed over by me to the Museum for a sum, which was determined by  
the Board of Trustees at \$200,000.- Since the Board of Trustees did not  
dispose over such an amount, it had been decided that this amount remains  
owing by the Museum to me and a rate of interest of 4% p.a. was fixed on this  
amount, as due and payable to me. This interest, because of the financial  
difficulties of the Institution, I do not receive. Knowing the most difficult  
situation called forth by the unheard of in the history world crisis, I did  
not all this time claim the interest due, provided that the inviolability of

of the Status of the solemn Declaration of July 24, 1929 is maintained to the letter, as pledged. Let us not forget that this solemn Declaration had in view the entire American Nation and that of this Declaration at the time the U.S. Government was officially informed and a copy of said Declaration duly deposited with the Government. Of course all Members of the Board fully realize the complete irrevocability of the above Declaration, which has become a national property.

Thus in accordance with the data in the official catalogue of the Museum 1929/30, the position of the two groups of paintings is quite clearly defined and these groups constitute the subject of the Declaration of July 24, 1929.

Since then, on the same interest basis were acquired by the Board of Trustees a few sketches and the paintings "Madonna Laboris", which were brought from India to New-York by Miss Esther J. Lichtmann. In the Minutes of the 153rd Meeting of December 14, 1931, paragr. 4 these paintings are definitely enumerated.

Likewise the Board of Trustees acquired a number of sketches from private owners, mentioned under the heading "New Acquisitions" in the same catalogue. From myself and from Mme de Roerich during this period the following paintings were further donated to the Museum: "Lamayura", "Command of Ghessar Khan", "Buddha - The Tester" and the tryptych "Joan of Arc". Besides my paintings, there were loaned to the Museum four portraits of myself, painted by Mr. S. Roerich, of which one was later donated to the Museum in 1931.

During the period 1930-34 all my paintings which were sent from India to New-York for sale and also all the paintings of the same period, which were loaned to Paris, Brugge, Belgrad, Zagreb, Riga, Benares, Allahabad (excluding a few paintings in Yugoslavia, sent from the previous series from New-York) constitute my personal property. Such is the status of my paintings, completed during the period 1930 to 1934. All the mentioned paintings of this

period are recorded on exact lists, which accompanied every despatch of paintings, duplicates of which lists were sent to Mr. Louis L. Horch, as the President of the Museum and who has my general power of attorney. On every of these paintings there is on the back not only its title, but also the year of its execution. All these lists are in complete order, thus excluding the possibility of any misunderstandings about the status of my paintings.

Nicholas de ROERICH.

"Urusvati"  
NAGGAR, Kulu, Punjab  
INDIA .

Oct. 24, 1935.

STATEMENT regarding Status of the Paintings of Prof.N.de ROERICH.

On the 24th of July 1929 The Board of Trustees of Roerich Museum unani-  
mously and solemnly declared the Roerich Museum as the property of the Ameri-  
can Nation, expressing in the same document, which is herewith attached in  
copy, also all other conditions which affirm this donation. The mentioned  
declaration represents such a document of national importance, that we must  
with greatest care safeguard the ~~status~~<sup>inviolability</sup> of this donation, which constitutes  
a historical date in the cultural life of America.

Let us recall the status of my paintings, as in the Museum, so also  
those which are my personal property, in order that there could be no  
confusion or misunderstanding on this subject.

In the official catalogue of the Museum dated 1929/30 there are enumerated  
all paintings which constitute subject of the above-stated declaration.  
These recorded in the catalogue paintings fall into two definite groups.  
Against every painting there is also mentioned ~~the~~ in the catalogue the  
~~year~~ date of its execution.

Thus the first group of paintings, painted before my departure from  
New-York to India, viz. before May 1923, constitutes <sup>the</sup> with unquestionable  
property of the Museum, for it had been acquired on the funds <sup>given</sup> ~~donated~~ to  
Institution  
the ~~Museum~~ by Mr.Louis L.Horch.

The second group consisting of paintings painted in Asia between 1923  
and 1929 was handed over by me to the Museum for a sum, which was <sup>determined</sup> ~~defined~~  
by the Board of Trustees at \$200,000.- Since the Board of Trustees did not  
dispose over such an amount it had been decided that this amount remains  
owing by the Museum to me and a rate of interest of 4% <sup>p.a.</sup> was fixed on this  
amount, as due ~~the~~ and payable to me. This interest, because of the  
~~present~~ financial difficulties of the Institution, I do not receive. Knowing  
the most difficult situation called forth by the unheard of in the history

STATEMENT OF THE BOARD OF TRUSTEES OF THE MUSEUM OF THE CITY OF BOSTON

1933

The Board of Trustees of the Museum of the City of Boston has the honor to acknowledge the receipt of the report of the Finance Committee for the year 1933. The report shows a balance of \$1,000,000.00 at the beginning of the year and a balance of \$1,000,000.00 at the end of the year. The report also shows a deficit of \$1,000,000.00 for the year.

The Board of Trustees has considered the report and has decided to accept the same. The Board also has decided to appropriate \$1,000,000.00 for the year 1933. The Board has also decided to appropriate \$1,000,000.00 for the year 1934.

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world crisis, I did not all this time claim the interest due, provided that the inviolability of the status of the ~~declaration~~ solemn declaration of July 24, 1929 is maintained to the letter, as pledged. Let us not forget that this solemn declaration had in view the entire ~~national~~ American nation of U.S. and this declaration at the time the Government was officially informed of said declaration and a copy, was ~~deposited~~ duly deposited with the Government. Of course all members of the Board fully realize the complete irrevocability of the above declaration, which has become a national property.

Thus in accordance with the data in the official catalogue of the Museum 1929/30 the position of the two groups of paintings is quite clearly defined and these groups constitutes the subject of the Declaration of July 24, 1929.

Since then, on the same interest basis were acquired by the Board of Trustees a few sketches and the painting "Madonna Laboris" (~~XXXXXX~~) which were brought from India to New-York by Miss Esther J. Lichtmann.

In the Minutes <sup>Dec. 10, 1931 16-12</sup> these paintings are definitely enumerated.

Likewise the Board of Trustees acquired ~~XXXXX~~ sketches from private owners <sup>Dec. 14, 1931 4. - Dec 17, 1931 - 27</sup> mentioned under the heading "Acquisitions" in the same catalogue. ~~from a series of sketches of 1903.~~ From myself and from Mme H.

de Roerich during this period the following paintings were further donated to the Museum :

- "Lamayura", "Command of Ghessar Khan", "Buddha the fester",
- and the tryptych "Joan of Arc". Besides my paintings, there were loaned to the Museum <sup>four</sup> ~~three~~ portraits of myself, painted by Mr. S. Roerich, later of which one was donated to the Museum in 1931.

During the period 1930-1934 all my paintings which were sent from India to New-York for sale, and also all the paintings of the same period, which were loaned to Paris, Brugge, Belgrad, Zagreb, Riga, Benares, Allahabad (excluding a few paintings in Yugoslavia, sent from the ~~my~~ previous series from New-York)

Apr 10 / 1932 / *Uman* / *Painting*

Dec 31-35 / 18 / 1932

Sept 12 / 1932 / 19



constitute my personal property. Such is the status of my paintings completed during the period 1930 to 1934. All the mentioned paintings of this period are recorded on exact lists, which accompanied every despatch of paintings, duplicates of which were sent to Mr. L. L. Horch, as the President of the Museum and ~~xxxbeinginpossessionof~~ who has ~~xxxx~~ <sup>having</sup> my general power of attorney. <sup>△</sup>

On every of these paintings there is on the back not only its ~~name~~ title, but also the year of its execution. All these lists are in complete order ~~and~~ <sup>thus</sup> excluding the possibility of any misunderstandings about the status of my paintings.

Naggar  
Oct. 24, 1935.

ANNEX # 1

to STATEMENT regarding STATUS of PAINTINGS .

At Darjeeling on Oct.29, 1928 Miss Grant typed upon request of Mr. Louis L.Horch, President of the Roerich Museum, New-York, for technical reasons pertaining to the building, the following letter signed by me:

Hillside, Darjeeling,  
August 29, 1928.

Mr.Louis L.Horch  
905 West End Avenue  
New-York N.Y.

Dear Mr.Horch,

I herewith confirm that all my paintings and drawings from Finland, as well as all paintings of mine, during the years from 1924 to 1928, including the paintings sent from Darjeeling, from Kashmir and from Uрга, and cited in the catalogue of the Roerich Museum, were sold to you

The paintings from 1924 up to 1928 including the Oriental series, constitute the \$200,000 group, which was acquired from me by the Museum, but for which I did not receive payment on account of lack of funds (see my preceeding statement regarding the Status of Paintings).

On July 24, 1929 both the original group as well as this group were by declaration proclaimed the property of the Nation, as mentioned in the same Statement.

Again we affirm that this Declaration of July 24, 1929 expressed our irrevocable decision.

Nicholas de ROERICH.

Naggar.  
Oct.29, 1935.

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MEMORANDUM regarding STATUS of the PAINTINGS of Prof.N.de ROERICH.

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On the 24th of July 1929 the Board of Trustees of Roerich Museum unanimously and solemnly declared the Roerich Museum as the property of the American Nation, expressing in the same document all other conditions which affirmed this donation. The mentioned declaration represents such a document of national importance, that we must with greatest care safeguard the inviolability of this national property, which constitutes a historical date in the cultural life of America.

Let us recall the status of my paintings, as those in the Museum, so also those which are my personal property, in order that there could be no confusion or misunderstanding about them.

In the official Catalogue of the Museum, dated 1929/30 there are enumerated all paintings which constitute the subject of the above-stated declaration. These paintings, recorded in the said catalogue, fall into two definite groups. Against every painting there is also mentioned in the catalogue the date of its execution.

Thus the first group of paintings, painted before my departure from New-York to India, viz. before May 1923, constitutes the first nucleus of the Museum, for it had been acquired on the funds donated to the Institution by Mr.Louis L.Horch.

The second group, consisting of paintings painted in Asia between 1923 and 1929 should be regarded as consisting of two sub-groups:

- 1) paintings made permanent during the time of the Expedition, as my contribution to the Expedition (see Annex)
- 2) a group of paintings from #735 to 898 (a list of which is with Mr.M.Lichtmann.)

In Nov.1929, the Board of Trustees had decided to credit me with \$200,000.- which would make the entire collection up to Nov.1929 permanent (see copy of attached letter from Mr.L.L.Horch). Since the Board of Trustees did not dispose over such an amount, it had been decided that this amount remains with the Museum on the condition of interest payment of 4½% p.a. as due and payable to me. This interest, because of the financial difficulties of the Institution, I did not receive for several years already. Knowing the most difficult situation called forth by the unheard-of in the history of the world crisis, I did not all this time claim the interest due, provided that the inviolability of the Status of the solemn Declaration of July 24, 1929 is maintained to the letter, as pledged. Let us not forget that this solemn Declaration had in view the entire American Nation and that of this Declaration at the time the U.S.Government was officially informed and a copy of said Declaration duly deposited with the Government. Of course all Members of the Board fully realize the complete irrevocability of the above Declaration, which has become a national property.

Thus in accordance with the date in the official catalogue of the Museum, 1929/30, the position of the two groups of paintings is quite clearly defined and these groups constitute the subject of the Declaration of July 24,1929.

Since then, on the same interest basis were acquired by the Board of Trustees a few sketches and the paintings "Madonna Laboris", which were brought from India to New-York by Miss Esther J.Lichtmann. In the Minutes

of the 153rd Meeting of December 14, 1931, paragr. 4, these paintings are definitely enumerated, as well as others of which Mr. M. Lichtmann knows. The amount of \$20,000 according to the resolution of the Board of Trustees' meeting were added to the \$200,000 principal. (NB: This last sum should not be confused with \$21,086 which was outlayed by me on behalf of the work and which by resolution of a Meeting of the Board of Trustees, was also credited to me on the same interest basis.

Likewise the Board of Trustees acquired a number of sketches from private owners, mentioned under the heading "New Acquisitions" in the same catalogue. I further donated to the Museum my tryptych "Joan of Arc". Besides my paintings, there were loaned to the Museum four portraits of myself, painted by Mr. S. N. Roerich, of which one was later donated to the Museum in 1931.

During the period 1930-34 all my paintings which were sent from India to New-York for sale and also all the paintings of the same period, which were loaned to Paris, Brugge, Belgrad, Zagreb, Riga, Benares, Allahabad (excluding a few paintings in Yugoslavia, sent from the previous series from New-York) constitute my personal property. Such is the status of my paintings, completed during the period 1930 to 1934. All the mentioned paintings of this period are recorded on exact lists, which accompanied every despatch of paintings, duplicates of which lists were sent to Mr. Louis L. Horch, as the President of the Museum, and who had my general power of attorney. On every of these paintings there is on the back not only its title, but also the year of its execution. All these lists are in complete order, thus excluding the possibility of any misunderstanding about the status of my paintings.

NAGGAR, Kulu, Punjab  
India

Feb. 17, 1936

Nicholas de ROERICH .

ANNEX

to Memorandum regarding STATUS of paintings.

Since the expedition was conducted according to numerous statements, documents and printed matter, solely on American capital (sponsored by an American Institution) it certainly cannot be now construed as my private undertaking. If the paintings from 1924 to 1927 would have been a regular purchase by the Museum from me, then the expedition would have been my private undertaking, hence the above statement could have never been made at the time. It was always my understanding that while the Institutions have sponsored and financed the expedition I have contributed to it by way of paintings of equal or even higher value. While on this expedition, I have received no salary, all the sums being used exclusively for and in connection with this expedition and therefore are not taxable.

The letter dated Aug. 29, 1928 was written by me together with Miss Frances R. Grant, who was told by the President of the Museum, Mr. H. that it was needed for some technical purposes. I understand Mr. H. has now produced this letter as if a proof that these paintings of 1924-1927 were purchased, but as I have never received any sum except the expedition amounts, and as these are described as American capital by Mr. H. himself, in a sworn statement, and were spent for and on the expedition, it is quite evident that this transaction could not have been a purchase, and can only be viewed as my contribution to the same expedition. In other words the Institutions have not only profited by the said expedition in scientific data and collections, but have actually been enriched by my own paintings of equal, if not higher value, as compared to the Institution's contribution for the Expedition. Mr. H. himself has never referred to these paintings as a purchase, but always spoke in the term of "making paintings permanent".

To recapitulate:

Since there is only one expedition sum as such, there are only two alternatives:

A - Either the money in question was for the American Expedition, as it had been officially stated everywhere, and in this case the money for the paintings (if they were purchased) has never been received by me and the paintings could be in the Museum only as my contribution or the sum is still to be paid to me.

B - Or the money was for the paintings, and in this case I have outlaid my own money on behalf of the American Expedition and have to be now reimbursed for my "loan".

And in both cases the amount is not taxable, since it was spent on the Expedition.

To elucidate matters, I am sure that if the other contributors to the same expedition account (as Mr and Mrs Lichtmann and Miss Grant) be asked for what purpose they made their respective contributions, they will also confirm that their contributions were made for the expedition.

Thus no matter how one approaches this question, the truth remains - we received no salaries and the money was spent on the Expedition and as such is untaxable.

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MEMORANDUM

In 1931 prior to my departure to India, Mr.H.as well as Mrs H. have repeatedly approached me saying that my collections and art cannot be left unprotected in New York during my absence, as they were not insured and secondly as Mr.H.claimed, "if anyone wished to bring suit, the property could be attached" and cause me inconvenience. This continued for quite some time and as my property was not at the time insured and my apartment not very safe owing to leakage, etc. I followed Mr.H.'s advice and transferred the property for protection to the Roerich Museum. Mr.H.himself prepared the receipt and said to me that it is wiser to put in the receipt the words " 'for money due' - because then the receipt would have some priority and would be indisputable by others". That money due, he said, could be considered to be my \$500 guarantee for the purchase of the house next door on 103rd Street, for which as far as I know Mrs K.Campbell gave the money. Since the transfer was made to the Museum, of which I am Vice-President and Trustee for life, and because of other considerations, I had no reason to doubt the words of the President.

Mr.H.at the time told me that he had written to Prof.and Mme Roerich that this was transferred merely for protection purposes and I believe his entry on June 9th 1931 in his Diary is the passage he mentioned to me. Prior to my departure in July 1931, I have told to Mr.H.that I will prefer to settle my debt to the Roerich Museum by setting aside a definite part of my art objects, mentioned in the receipt, which objects would be chosen by me and him, thus closing this transaction. Mr.H.accepted this idea, which he thought excellent, and we chose some 120 old Masters and other art objects from my List, which more than amply covered my debt. As Director of "Corona Mundi" (to which effect I have a paper) I was entitled to the administration salary which was never at any time drawn by me, as I wanted to save the Roerich Museum all the money.

The 120 objects were given over to Miss N.Porutchik, then Secretary of "Corona Mundi" and copies of the papers to this effect were sent to India to Prof.Roerich with the regular reports, also stating in the next report that already a number of things had been sold. Since the objects were valued very low, Mr.H.told me that the surplus from the sale would certainly be refunded to me, but I never considered this, as I regarded the matter as closed.

At my departure Mrs K.Campbell as well as Miss Ingeborg Fritschi, kindly consented to take care of the remaining objects belonging to me, which were in my apartment on the 25th floor. Also before my departure I have presented the Roerich Museum as a gift with my portrait of Prof.Roerich (with the casket), hanging in the Roerich Museum, as well as with some carvings, which were in the Hall of the East. The value of these gifts amounts to over \$5,000. This portrait and carvings were included in the original transfer for protection, dated May 1st 1931. All these years my remaining collections were in charge of Mrs K.Campbell and Miss Fritschi, who had the keys and to whom I gave permission to use and remove whatever pieces they wanted. Some of the pieces were placed in Mr and Mrs.M.Lichtmann's studio and apartment since they were too large for the space on the 29th floor.

When it became apparent in December 1934 that my apartment will have to be vacated, - though according to agreement Prof.and Mme Roerich and myself had a right to this apartment for life and we never relinquished it on principle, our conceding to its temporary leasing out was only to accomodate

the Institutions and Bondholders, Mr.H.has written to Mme Roerich and myself in India, asking what to do with my property in my apartment (see Minutes of December 1934), in case the apartment will be leased out. We answered him that all property will have to be removed and stored on the 29th floor of the same building, which storage place I had been given use of. (This place I intended to use for scientific experimentations). Mrs Campbell and Miss Fritschi have taken care of the removal of the property, packing, etc. and Mr.H.has given Mrs Campbell the only key to the said room on the 29th floor which contains my property.

I would like to mention here that the Minutes from New-York carry no reference to this transfer of May 1st at that or any other time, also that this property never figured on the Roerich Museum books at the time nor later (see financial statements of Roerich Museum) which were sent from here together with the Minutes and other documents). The Minutes however record my gift of Prof.de Roerich's portrait and of the carvings in the Hall of the East.

Regarding the 120 objects, as I left on the same day, August 12th, when they were transferred, I had no time to obtain the receipt for these, but I had been promised that the receipt would be sent on. However the receipt was not forthcoming, but the objects were acknowledged in the "Corona Mundi" reports, sent to India from New York, (which we now recently sent to Miss Fritschi).

S.ROERICH.

NAGGAR

July 31st, 1936.

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To find out from Stern the exact  
legal points on which, as he himself said,  
the original court decision in the  
Roosevelt Museum case could be  
reversed.

2) The legal points, as well as, any  
other relevant information and  
technicalities should be recorded  
with the greatest possible detail and care.

3) All the Tibetan Series of paintings  
~~was~~ and the paintings after  
1929 - were never paid for. Some  
of Tibetan Series were purchased  
for \$225,000. <sup>in 1924 by the Museum</sup> but this was paid for in  
bonds of our house (105 shares)



which  
4 lot bonds were with Korch  
and they did pay ~~the interest~~  
at the rate of 4% for ~~the~~  
about 3 years

after which the payments and  
bonds were seized by Mr Korch  
at the time of the reorganization  
and this break away in 1955

Урожай на Катунь в  
этом году как она это  
содержится зрелая.

Весь этот год все  
Катунь пошла  
на ее службу по  
войне в эту войну.

Ваш  
Т. Александров. —