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The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	JTS	II. B. 7

OWEN ELLIOTT

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ELLIOTT, SHUTTLEWORTH & INGERSOLL

Mr. James Thrall Soby - #2 September 15, 1955

This de Chirico painting was checked and rechecked. A photograph of the painting was furnished with a certificate on the back written in Italian and signed by de Chirico. A translation given me by Professor Gasperi, who was again present when the transaction was closed, is as follows;

"I declare that this photograph reproduces a painting that was made by me in 1918 : "Le muse inquietanti".

size : 97 x 66

Giorgio de Chirico
22/7/1948

P.S. : A painting of the same subject owned by Mr. Feroldi was painted one year before but is less brilliant and not as deep in color as the one which this photo shows.

Giorgio de Chirico"

Enclosed is a copy of the certificate and also a recent photograph showing the same painting as the original photograph.

The painting clearly discloses that it is earlier than your dubious 1947 date. There are many minute age cracks on the face of the painting, and the back of the canvas gives additional and unmistakable evidence of age much before 1947.

The 1918 painting is well known in Venice and is reproduced on a commercial series of colored postcards covering famous Italian subjects. One of these is enclosed.

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ELLIOTT, SHUTTLEWORTH & INGERSOLL

Mr. James Thrall Soby - #3 September 15, 1955

The date was confirmed by those who saw it in Venice, and I was told by them that those who have seen the 1917 painting considered the 1918 version the better.

Since your article appeared, the painting has been examined by several qualified people, including Marvin Cone (Who's Who in America). The unanimous and positive opinion is that both face and back establish a date much earlier than 1947 and decisively confirm the 1918 date. Mr. Cone, who is head of the Coe College Art Department, had seen and examined the painting when it was received here as it is ultimately intended as a donation to the College Art Galleries. He says that the painting was unquestionably made much earlier than 1947 and that its appearance in all respects supports the 1918 date. This statement is made positively and without reservation. He will submit a written opinion if desired.

I am lead to the conclusion that you may have seen the painting under glass, and further, that you did not have an opportunity to examine the back. There are several small damages on the face of the painting which have been unskillfully touched up and which evidently occurred from time to time over a period of years. The painting did not have the care it would receive in the hands of an appreciative collector such as the owner in whose hands it was when you saw it in Venice. Its appearance would indicate it may have been in storage for many years.

Concededly the painting I have is not the first version. To me this is immaterial. There seems to be general agreement with de Chirico's statement that it is the best of the three versions of the subject and, therefore, the best "of what may well be the greatest painting of de Chirico's entire career."

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ELLIOTT, SHUTTLEWORTH & INGERSOLL

Mr. James Thrall Soby - #4 September 15, 1955

It is of importance that after painting the first version he considered he could paint another of the same subject that would be better. Significantly, the quality of the work bears out that he must have done it while he was in this metaphysical mood, and it is more reasonable to assume the date of a year later than the first version than a date thirty years later and after he had completely departed from this phase of his career. The inferior quality of the 1924 version supports this hypothesis.

I am requesting that you eliminate the doubt as to the 1918 date in your forthcoming book. It is important that the painting be not stigmatized by the inference of a forged date, and also that, being a metaphysical subject, it be recognized as done during de Chirico's metaphysical period.

I wish you could see this canvas again and examine it carefully as I am sure you would not have the slightest uncertainty as to the correctness of the 1918 date.

The University of Iowa at Iowa City, only 26 miles from here, has a good Art Department, and if you would care to designate someone there, arrangements could be made to have such designated person or persons examine it and give an opinion.

This painting will never be for sale for, as stated, it will become a part of the permanent art collection of Coe College, but for this purpose it should have a good record.

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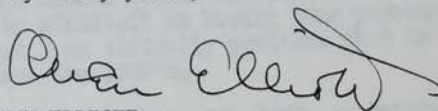
ELLIOTT, SHUTTLEWORTH & INGERSOLL

Mr. James Thrall Soby - #5 September 15, 1955

The College has an annual rotating loan from the Solomon Guggenheim Museum and Mr. James Johnson Sweeney was kind enough to appear on the Fine Arts program last spring. We would like to interest you in a personal appearance at the College. I am President of the Board of Trustees and give considerable time to college interests. Perhaps you will be kind enough to let me talk to you about this on my next trip to New York as I am there several times a year.

My wife and I have been gradually collecting paintings which we consider of museum caliber. You may be interested in some acquired within the year and copies are enclosed. We are now looking for a good Picasso, but this may wait until next fall when we again expect to be in Paris.

Very truly yours,



OWEN ELLIOTT

OE MH
Enc.

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JAMES THRALL SOBY

Brushy Ridge Road
New Canaan, Conn.

Sept. 21, 1955

Mr. James W. Husted,
Winthrop, Stevens, Putman and Roberts,
40 Wall Street,
New York 5, N.Y.

Dear Jim:

I am enclosing Mr. Owen Elliott's letter to me of Sept. 15th and my reply, with copy and airmail envelope in case you think my letter can be sent to Mr. Elliott as it stands.

I am also enclosing the photostat of de Chirico's affidavit claiming a 1918 date for the picture in question. The photostat was sent me by Mr. Elliott. I didn't have it before, though someone at the restaurant of Arturo Boana in Venice (where the picture was hanging when I saw it in 1948) showed me a copy of the photostat.

De Chirico has given affidavits of this kind to a number of buyers whom he has sold pictures which I know without question were painted much later than he claims. Very recently, for example, he sold Mr. Nathan Cummings of Chicago a group of five paintings (when Cummings showed little interest in de Chirico's current work) which the painter dated by affidavit as having been painted in 1915 and 1916. All are recent paintings, and I am virtually positive that de Chirico has not had any early works on hand since the 1920's.

In a letter to Mr. Cummings' wife dated Sept. 19, 1953, de Chirico's wife declares: "He (de Chirico) has made an exception for you declaring the dates of those paintings while he usually only certifies the execution of the painting and his signature." On May 30th, 1955, de Chirico himself wrote to Mr. Cummings as follows: "When I sold a painting I declare only (de Chirico's italics) that it is a authentic work, which I have painted and signed. One time I have done an exception for you but I don't want repeat (sic.) it." Both letters are in English, I have quoted them exactly, and I have the original of Signora de Chirico's letter and a photostat of the letter from de Chirico to Mr. Cummings.

The painter here again is telling a flagrant lie. He has falsely dated by affidavit or inscription on the canvas a number of his own replicas, the market for early pictures being higher than for his current, banal paintings. But these two letters to the Cummings's sound as though he's now trying to hedge on the dating problem, knowing that he's been caught red-handed.

I've asked the Museum to send you a copy of my de Chirico book, in case yours is at home, and a copy of the September issue of Art News in which the article referred to by Mr. Elliott occurs. My text about the Elliott picture is on page 134 of the book; the Art News article is on page 35.

Sorry to trouble you with all this, but we may have trouble with Elliott and

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Best to you and thanks. I'll wait to hear from you.

Sincerely,

De Chirico has given affidavits of this kind to a number of buyers who he has sold pictures which I know without question were painted much later than he stated. For example, he sold Mr. Edwin Gooding of Chicago a group of five paintings (Mr. Gooding showed little interest in de Chirico's work) which he painted later by affidavit as having been painted in 1915 and 1916. All are recent paintings, and I am virtually positive that de Chirico had not had my early work on hand since the 1920's.

In a letter to Mr. Gooding's wife dated Sept. 17, 1953, de Chirico's wife declared: "We (de Chirico) has made an exception for you because the dates of these paintings which he usually only certified the execution of the painting and his signature." On May 19th, 1954, de Chirico himself wrote to Mr. Gooding as follows: "When I sold a painting I declare only (de Chirico's initials) that it is a authentic work, which I have painted and signed. The fact I have done a exception for you but I don't want repeat (sic) this." Both letters are in English. I have quoted them exactly, and I have the original of de Chirico's letter and a photograph of the letter from de Chirico to Mr. Gooding.

The painter here again is willing a elegant lie. He has already tried by affidavit or inscription on the canvas a number of his own signatures, the expert for early pictures with signs that for his current, local paintings. But these are letters to the Gooding's read at though he's not trying to hedge on the matter, knowing that he's been caught red-handed.

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Sept. 22, 1955

Mr. Owen Elliott,
Elliott, Shuttleworth and Ingersoll,
1120 Merchants National Bank Building,
Cedar Rapids, Iowa.

Dear Mr. Elliott:

Your letter of Sept. 15th has been forwarded to me here from the apartment I had several years ago in New York.

To begin with, I must tell you that my book, Giorgio de Chirico, was published two weeks ago. In it, as in the Art News article to which you refer, your version of de Chirico's The Disquieting Muses is dated 1947 (?). However, the Art News article printed only part of what I had to say about the picture now belonging to you and formerly in the collection of Arturo Deana in Venice. You will see in the copy of my book which I asked the Museum of Modern Art to send you as soon as possible that, in addition to what Art News records, I go on to say: "The picture is nevertheless a handsome work, more skillfully executed than the 1924 replica whose sloppiness by comparison with the original 1917 version is revealed by macrophotographs (page 128)." I should like to repeat here that I consider your version of The Disquieting Muses a fine picture which any museum or college should be glad to own.

The question of your picture's correct date is, of course, a research problem, as I'm sure you will understand from your close connection with Coe College. I can only give you my side of the story in all good faith.

It's true that I saw the picture under glass at Deana's restaurant in Venice; I did not look at the back of the picture for the simple reason that there was no one available to take the heavy picture down from the walls. But I spent a considerable time studying the picture under good light. Mr. Deana or one of his associates showed me a copy of de Chirico's affidavit, of which you have now kindly sent me a copy. The affidavit, of course, dates the picture as 1918, and adds in a postscript that it was completed one year after the 1917 version, then in the collection of Pietro Feroldi at Brescia.

Your version of the picture looked freshly executed, as I've said in my book. And I frankly don't think that the facts you bring out in your letter - that the face of the painting has minute cracks and that the back of the canvas gives evidence of age - are proof to the contrary. Many modern painters use old canvases and many modern pictures develop surface cracks soon after they are painted. The "touched-up" areas to which you refer in your letter could also have been added soon after the picture was completed. There was every possible reason why the picture should have been made to look old, there being no supplementary evidence as to its having been done in 1918 - such as reproductions in magazines or books of that early a date, at least to the best of my knowledge, and I have been working on the problem of the dates of certain de Chirico paintings for almost twenty years.

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One thing about your picture puzzled me greatly even before I saw and studied it. When I heard of its existence, I made innumerable inquiries among qualified people in Italy - scholars, art critics, journalists, etc. Many of these people had known de Chirico's art since the end of World War I, and one of them had given de Chirico his first one-man show in Italy, early in the winter of 1919. None of them remembered a 1918 version of the picture; on all sides there was astonishment that this version had so suddenly and mysteriously turned up. The authorities I talked to in Rome, Milan and Venice were as startled - and skeptical - as I was, that such a picture could have been lost to sight for so long a time. I was also told by a Venetian friend that Feroldi, owner of the 1917 version, was amazed and incredulous when he saw the 1918 version. And Feroldi knew a great deal about de Chirico's early career. The evidence for a quite recent date for your picture piled in on all sides. Even so, as you will note in my book, I dated the picture with a question mark.

A second puzzling factor relates to the letters de Chirico wrote Gala and Paul Eluard in 1924, the year when he executed for them the 1924 version of The Disquieting Muses. The Eluards wanted to buy the 1917 version, which then belonged to Giorgio Castelfranco in Rome. But Castelfranco was unwilling to sell except at a high price. De Chirico relayed this information on to the Eluards, and offered to paint a replica, which he did that same year. It seem curious, to put it mildly, that in de Chirico's letters to the Eluards (of which I have copies), there is no mention of a second, 1918 version. At that point de Chirico was a great admirer of Eluard and obviously eager to oblige. I think he would have mentioned the 1918 version at that time if it had existed.

One more point - perhaps minor by comparison: your version of the picture is signed in the slanting handwriting of de Chirico's later career, whereas every early picture I can think of (and I will check the matter more thoroughly) is signed in the vertical style of de Chirico's youth.

There are many more points to be made but I won't go into them ~~###~~ unless you ask me to. The basic fact to repeat, is that you've got a fine picture, as I've said in my book. I should think Coe College would be most grateful to receive the picture eventually.

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OWEN
V. C. B.
T. M. IN
C. W. G.
HARRY
ROBERT
CHAS. A.
RALPH
WILLIAM
THOMAS
W. R. S.

*Phot. Inscriptions on back of 1958 painting
Phot. Name*

*911 Lafayette 3-0700
ST Putna*



B161

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OWEN B
V. C. B
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ROBERT
CHAS. A
RALPH V
WILLIAM
THOMAS
W. R. SI

*Inscriptions on back of 1918 painting
Phot. Board*

*EW Leakehall 3-0700
Wentworth, Strass, Putnam
and Roberts*

EDIZIONI DEL CAVALLINO - VENEZIA
Cartoline a colori - N. 56

*1918 (?) number 7
Wentworth*

PRINTED IN ITALY

GIORGIO DE CHIRICO - LE MUSE INQUIETANTI, 1918
Coll. della Colomba - Venezia

8161

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C. W. G
HARRY 1
ROBERT
CHAS. A
RALPH 1
WILLIAM
THOMAS
W. R. S

*Phot. Inscriptions on back of 1918 painting
John Boardman*

*EW Hefell 3-0700
Wentworth, Stearns, Putnam
and Roberts*

*James W. Husted
40 Wall St.
N.Y. 5*

*5 weeks
9 days to pack
8-0196*

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V. C. S.
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HARRY
ROBERT
CHAS.
RALPH
WILLIAM
THOMAS
W. R. I.

6161

Photo. Inscriptions on back of 1918 painting
Photo. Translation on reverse -

L'ichion de la parente fotografica
riproduce un quadro de me
dipinto nel 1918: Le meu important
meu 97x66.-

Giorgio de Chirico

22-7-1948

P.S. Il quadro dello stesso soggetto
di proprietà dell'artista
Feroldi è stato dipinto un anno
di prima ma è meno brillante
e meno profondo di color
di quello cui si riferisce la
parente fotografica.

Giorgio de Chirico

Inscriptions on back of
1918 painting -
Translation on reverse

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V. C.
T. M.
C. W.
HARF
ROBE
CHAE
RALP
WILL
THON
W. R

L 4-8161

I declare that this photograph reproduces a painting that was made by me in 1918 : "Le muse inquietanti".

size : 97 x 66

Giorgio de Chirico
22/7/1948

P.S. : A painting of the same subject owned by Mr. Feroldi was painted one year before but is less brilliant and not as deep in color as the one which this photo shows.

Giorgio de Chirico

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ELLIOTT, SHUTTLEWORTH & INGERSOLL

ATTORNEYS AT LAW

1120 MERCHANTS NATIONAL BANK BUILDING

CEDAR RAPIDS, IOWA

September 15, 1955

DIAL 4-8161

OWEN ELLIOTT
V. C. SHUTTLEWORTH
T. M. INGERSOLL
C. W. GARBERSON
HARRY WILMARTH
ROBERT O. DANIEL
CHAS. A. HASTINGS
RALPH W. GEARHART
WILLIAM H. RYAN
THOMAS M. COLLINS
W. R. SHUTTLEWORTH

Mr. James Thrall Soby
36 East 72d Street
New York, New York

Dear Sir:

My attention has been directed to your article on de Chirico appearing in the September 1955 issue of Art News. This spring, while in Venice, I purchased the 1918 version of "The Disquieting Muse" and it is now in my home. This purchase was made through the Galleria del Cavallino, 1820 South Marco, Venice, and with the advice of Professor Luciano Gasperi of the Accademy Belle Arti, Venice. Professor Gasperi is a painter of some recognition and it is my understanding is on the Bienali Committee. A partner of Salviati & Co. whom I have known for some years, which company is the oldest and most widely known glass manufacturer in Italy with customers all over the world, also recommended it. He is a well known collector of contemporary Italian art and an experienced student of paintings.

The painting was at the residence of the owner. It was taken down from the wall and examined by my wife and me and also by the two gentlemen mentioned, both of whom were already familiar with the picture. Later my wife and I inspected it at some length in the art shop through which the transaction was closed. We have been acquiring a few carefully considered paintings over a period of years and are not unfamiliar with the hazards involved. Old masters are entirely avoided.

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—
LAWRENCE A. BAKER
TAX COUNSEL

September 27, 1955

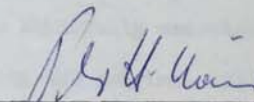
Mr. James Thrall Soby
Brushy Ridge Road
New Canaan, Connecticut

Dear Mr. Soby:

I hope you approve of this re-draft of your letter to Mr. Elliott.

I return your original draft, a copy of Mr. Elliott's letter, the envelope addressed to Mr. Elliott and a copy of the certificate.

Sincerely yours,



Peter H. Kaminer

Enclosures

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September 28, 1955

Mr. Owen Elliott
Elliott, Shuttleworth and Ingersoll
1120 Merchants National Bank Building
Cedar Rapids, Iowa.

Dear Mr. Elliott:

Your letter of September 15th has been forwarded to me here from the apartment I had several years ago in New York.

To begin with, I must tell you that my book, Giorgio de Chirico, was published several weeks ago. In it, as in the Art News article to which you refer, your version of de Chirico's The Disquieting Muses is dated c. 1947 (?). However, the Art News article printed only part of what I had to say about the picture now belonging to you and formerly in the collection of Arturo Deana in Venice. You will see in the copy of my book which I asked the Museum of Modern Art to send you as soon as possible that, in addition to what Art News records, I go on to say: "The picture is nevertheless a handsome work, more skillfully executed than the 1924 replica whose sloppiness by comparison with the original 1917 version is revealed by macrophotographs (page 128)." I should like to repeat here that I consider your version of The Disquieting Muses a fine picture which any museum or college should be glad to own.

The question of your picture's correct date is, of course, a research problem as I am sure you will understand from your close connection with Coe College. I want to assure you that my conclusion with respect to the date of the painting was arrived at only after very considerable research and in the utmost good faith.

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- 2 -

When I saw your version of the picture it looked freshly executed, as I said in my book. And I frankly do not think that the facts you bring out in your letter -- that the face of the painting has minute cracks and that the back of the canvas gives evidence of age -- are proof to the contrary. Many modern painters use old canvases and many modern pictures develop surface cracks soon after they are painted. The "touched-up" areas to which you refer in your letter could also have been added soon after the picture was completed.

I should be very pleased to tell you sometime when we should meet about the many reasons which led me to the conclusion that the date of the painting shown in Giorgio de Chierico's certificate was not correct. I want to assure you, however, that my conclusion was not arrived at hastily but only after considerable research and investigation. One basic fact which I want to repeat is that I do believe you have a very fine picture as I have also said in my book. I should think that Coe College would be most grateful to receive the picture eventually.

It was good of you to ask me to give lectures. Alas, I lecture seldom and I am afraid badly, and the experience always costs me anguish of mind. But I hope to get to Iowa before too long.

Please do not hesitate to write me again about the matter if you should so desire.

Sincerely yours,

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JAMES THRALL SOBY

Brushy Ridge Road
New Canaan, Conn.

Oct. 6, 1955

Mr. James W. Husted,
Winthrop, Stimson, Putnam & Roberts,
40 Wall St.,
New York 5, N.Y.

Dear Jim:

This is just a note to let you know that I had a 'phone call this morning from Mr. Owen Elliott (the owner of the de Chirico Disquieting Muses, whose inscribed date of 1918 I had questioned in my book, published by the Museum of Modern Art). Mr. Elliott could not have been more cordial, thanked me repeatedly for the letter I sent him as revised by Mr. Kaminer in your office, seemed deeply interested in the complicated problem of dating de Chirico's copies of his early pictures, asked me to come visit him and lecture, and said repeatedly he didn't care at all about the date of his picture so long as I thought it a good painting, which I do.

Obviously the Museum isn't going to have any legal trouble with Mr. Elliott, who 'phoned from New York in great excitement about the de Chirico show. All thanks to you and Mr. Kaminer; I still think it was wise to check with your office before mailing the letter. We may, of course, have trouble with de Chirico, but I rather doubt it, in view of the evidence he would not like to have made public.

With thanks and kindest regards,

Sincerely,