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Sunday, September 08, 2019 -  Anne Craner, art restitution, Mikhail Panin, recovered stolen art, sale of stolen paintings  No comments

## Restitution: Painting of Ivan the Terrible by artist Mikhail Panin



"Ivan the Terrible Before the Oprichina"  
by artist Mikhail N. Panin

Image Credit: US Justice Department

An oil painting, titled *Secret Departure of Ivan the Terrible Before the Oprichina* by artist Mikhail N. Panin, painted in 1911 will finally be going home almost 80 years after it went missing. The artwork had been stolen from the Ekaterinoslav City Art Museum during World War II and was only identified when it was consigned for sale in Alexandria, Virginia.

The artwork depicts the 16th-century Grand Prince of Moscow, Ivan IV Vasilyevich, the first Russian monarch to adopt the term "Tsar of All Russia" as his title. In the painting he is seen exiting the walls of a city, looking solemn on a white horse. Known throughout Russian history as *Ivan the Terrible*, Ivan IV brutally divided Russia into two separate territories in 1565.

During this period he ruled the first landholding, known as the *Oprichnina*, with an iron, and

oftentimes terrorizing, first from 1565 until 1572. The land under his jurisdiction included the wealthier regions of Muscovy, the former Novgorod Republic in the north, Dvina, Kargopol, Velikii Ustyug, Vologda and important regions for salt extraction such as Staraya Russa and Soligalich, which in practice meant that he had a monopoly of trade in this important commodity. The second territory, the Zemshchina was ruled by the remaining boyar duma, whose seat of influence and power included the more weakened Moscow.

The stolen painting was one of 63 artworks known to have disappeared in or around 1941 from the Dnipropetrovsk State Art Museum in the Ukrainian city of Dnipropetrovsk now known as Dnipro, taken ostensibly by Nazi German troops. The artwork eventually made its way overseas to a house in far away Ridgefield, Connecticut where the home and the massive artwork were both purchased by David Tracy and his wife Gabby, a Holocaust survivor in 1987. The Tracy's purchased the home themselves from a previous couple who likewise purchased the home along with the painting in 1962, this time from a former Swiss soldier who emigrated to the United States in 1946 but whom had died in 1986. The artwork had remained in the Ridgefield residence all that time, until the Tracy family, downsizing their home for a smaller condominium, and assuming the canvas was of modest value, consigned the painting to Potomack Company Auctions & Appraisals in Alexandria.



Painting as it appeared in Dnepropetrovsk State Art Museum, circa 1929

Image Credit: US Justice Department

In preparation for its eventual sale, the painting's history was then researched by Anne Norton Craner, a fine arts specialist with the Potomack Company whose provenance research led her to documentation which identified the 1911 work as being by the Ukrainian artist Mikhail Panin. As part of her due diligence, Craner contacted the museum in Ukraine, whose curators then supplied her with photos of the painting taken in 1929 when the painting was still part of the collection. The museum also supplied related inventory documentation which included a notation recording that the artwork was stolen from a city museum and listing it as "taken to Germany by the Hitlerites."

With this information, Elizabeth Haynie Wainstein, owner and CEO of The Potomack Company informed the consignor and contacted the FBI and the U.S. attorney's office, who in turn worked with the State Department and Ukrainian diplomats. Subsequently thereafter the United States Attorney for the District of Columbia issued a Complaint for Forfeiture in Rem on December 20, 2018 against the defendant property in accordance with Rule G(2) of the US Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions on the basis that the painting represented the proceeds of the interstate transportation of stolen property and possession of stolen goods. Appreciating the need for returning the lost painting to its rightful home, the Tracy family agreed to waive any and all

claims to the painting. Once no other claims were filed, the US Government began making plans to return the artwork to the Embassy of Ukraine in Washington, D.C.

When speaking about the restitution process U.S. Attorney for the District of Columbia Jessie K. Liu stated “The recovery of this art, looted during World War II, reflects the commitment of this office to pursue justice for victims of crime here and abroad. The looting of cultural heritage during World War II was tragic, and we are happy to be able to assist in the efforts to return such items to their rightful owners.”

The Potomack Company, pleased with their pivotal role in the painting's restitution, will host a handover ceremony on Monday, September 9th at their gallery in Old Town Alexandria located at 1120 N. Fairfax Street.

Invitees to the event include:

Valeriy Chaly, Ambassador of Ukraine to the United States  
FBI officers from the Washington Field Office who were involved in this case  
Representatives from the US Department of State  
Representatives from the Office of the U.S. Attorney for the District of Columbia  
The Tracy family

By: Lynda Albertson