Alfred Bader fonds

Chemistry and Art
More Adventures of a Chemist Collector

Adventures II -
Hofstra Horror Story

A HORROR STORY PLAIN AND SIMPLE
(but with a happy ending)

Collectors, art dealers, galleries and museums frequently lend their paintings for special exhibitions being held at other galleries or museums. Paintings from my collection are on exhibit in different parts of the world several times a year. Exhibitions give art students an opportunity to study paintings otherwise unavailable to them and give the public a chance, albeit short, to enjoy them. This is a horror story about one museum exhibition in 1988.

The Emily Lowe Gallery of Hofstra University in Hempstead, New York borrowed seven of the very best paintings in my collection for their exhibit *"People at Work: Seventeenth Century Dutch Art"* scheduled from April 17 to June 15, 1988. On May 26 I received a cordial letter from the Director of the Hofstra Museum, Dr. Gail Gelburd, informing me that the exhibition was going so well that all previous attendance records were broken. She also informed me of minor damage to one of my paintings on exhibit -- a separation of the varnish in the top right corner of *The Alchemist* painted by Cornelis Bega. She reassured me that the damage was truly insignificant and could be taken care of easily by the museum's conservator; on June 2 Dr. Gelburd telephoned and spoke with my secretary, Ms. Marilyn Hassmann, (I was in England at the time) to request written authorization to proceed with the repair of the Bega and then mentioned additional

damages --"a slight scratch, only to the varnish of the Verhout" and damage to one of the frames, that of the Vrel. My secretary spoke with me, informed me of the additional problems--the scratch to the varnish of the Constantijn Verhout painting, the *Portrait of Cornelis Abrahamz Graswinckel*, and the damage to the Vrel frame, all described as minor by Dr. Gelburd. We faxed Dr. Gelburd written authorization to proceed that same day. Unfortunately, since I was led to believe that the damage was so slight as to be immaterial, I foolishly did not think to ask for photographs before the restoration.

The frame of the Jacobus Vrel (1634-1662) painting of an *Interior with a Woman Darning* was very badly banged up when the painting was returned, so we threw that out, but I was relieved to see both paintings looking in fine condition. I was particularly pleased that the Verhout showed no signs of damage. Anthony Clark, then Director of the Minneapolis Institute of Arts, said of the portrait when it was exhibited in 1967 at the Kalamazoo Institute of Arts that it "...is as beautiful a piece of still life painting, and as original, daring, and elegant a work of art as anything I know...It is utterly clean and fresh." The Verhout painting does indeed exemplify perfection which has endured the span of hundreds of years. It is a treasure, my treasure. Constantijn Verhout is an exceedingly rare artist and I believe there are only three or four known works by him. His two best works are illustrated in Bernt. One is of a sleeping student, the other is mine.

In October of 1997 my very able conservator and friend, Charles Munch, came to my home for dinner. Naturally our conversation was of paintings and their conservation. I mentioned the Verhout and quite happily took it down, just to show him a pristine 17th century Dutch painting devoid of any restoration and requiring none. Charles, however, always preferred to decide a painting's condition for himself and so proceeded to examine the Verhout under ultraviolet light. My beautiful Verhout, the portrait of a brewer, now had a sharp 2" long scratch(Fig.1) across the face of the old man – very clear under UV, but not in ordinary light. I was so shocked I could not speak! And so the horror story which began in 1988 continued.

This painting had been at home in our collection since it was returned by the Hofstra Museum which had reported and repaired, almost ten years ago, "a slight scratch to the varnish." Clearly the damage had been much more severe. We had been completely uninformed about any restoration, thinking only that the painting had received a fresh coat of varnish from the Museum's conservator.

As I mentioned before, many of the paintings in our collection have been made available for exhibitions for the past 50 years. Only once before was a painting damaged, and that damage was handled quite differently. I was informed that a painting by Peter Lastman, the teacher of Rembrandt, had split in two. The museum in Jerusalem informed me immediately, sent

me detailed photographs and returned the painting in two pieces. Charles Munch glued the two panels together and the total cost of the damage, covered by the museum's insurance, was about $300.00. As the painting had originally been on two panels glued together, there was no lasting damage and no claim for loss of value.

One painting damaged in 50 years of exhibitions and then two paintings and one frame damaged at a two month exhibition at Hofstra.

Charles asked me to request the condition report from Hofstra Museum's conservator, giving details of the work performed with a photograph taken before the restoration was done. I requested this information on November 3, 1997 in a letter to Dr. Gail Gelburd, the Director of the Hofstra Museum.

Ms. Mary Wakeford, Assistant to the Director, sent Mervin Honig's museum conservator's undated report and recommendation. A copy of his invoice dated June 24, 1988 leads me to believe that his recommendations for treatment of my two paintings were made available to the museum early that same month, but were never provided to me verbally or otherwise. The conservator's recommendation "...The deeper part of the scratch as needed should be inpainted and varnished locally and where it might be necessary, filled with gesso putty..." If only this had been sent to me in 1988 I would have known immediately that the scratch was not only to the varnish, but was indeed more serious damage. I would then have requested that my own

conservator repair this damage and that the museum's insurance company compensate me for the repair and for the obvious loss in value. If only things had been handled differently...but where should we go from here in 1998?

On January 14 I sent Ms. Wakeford a certified letter informing her that I intended to have the restoration removed and the filling and in-painting improved by my conservator at a cost estimated to be less than $500, at Hofstra's expense. I also intended to seek compensation for the painting's loss of value from Hofstra's insurance company. If the insurance company would not honor a claim made nine years after damage occurred, I fully expected Hofstra to do the right thing. I requested authorization to proceed with the restoration

A month later I still hadn't had the courtesy of a response. My attorney followed up with a letter on February 24.

His letter did elicit a response. On March 3 I received a letter from David C. Christman, Director of the Hofstra Museum. Mr. Christman informed me that the statute of limitations on my claim had expired. Further, he said, "we find no merit in your claim."

I was already feeling hurt that I had not been informed of the damage to my Verhout; Mr. Christman's reply really galled me.

On March 30 I sent copies of all correspondence to Mr. James Shuart, President of Hofstra University. No reply.

On March 30 I also wrote to Mr. Christman challenging his statement about the statute of limitations having expired and informing him (as my attorney informed me) that it can be raised or waived. My attorney and I felt that in this case - involving non-disclosure of the damage at the time it occurred, the statute would be extended. As to my claim having no merit I asked Mr. Christman once again to review the facts and respond properly. If this response was not forthcoming, in addition to any other action I might decide on, I would take it upon myself to inform the art community of my experience with the Hofstra Museum so that other collectors and lenders would not risk the danger of receiving the same treatment.

No response.

In May I wrote a short essay about the damages to my painting entitled "How Not To Handle an Accident In a Museum". I had 100 photographs made showing the gouge to my Verhout painting under UV. My secretary and I sent packets containing Hofstra correspondence, the essay and the photograph to museums, curators, collectors, galleries and dealers each day for close to six weeks. I sent a packet to David Christman on August 10 and asked him to advise me if it contained any mistakes.

One of these information packets was sent to Professor Donna Barnes at Hofstra University. She had been the guest curator of the exhibition in 1988. Until she received the information from me, she had been completely

unaware of the damage to my paintings while at Hofstra. Professor Barnes met several times with Mr. Christman in an effort to resolve this situation.

My old friend, Dr. Ira Kukin also received an information packet. He pursued the matter with a Hofstra board member, Mr. Frank Zarb, who took up the matter with David Christman. The comment was made that Al Bader was riled up (if only they knew how much) and it would be best to settle the dispute. On June 16, 1998 David Christman offered me $300.00. Charles Munch was charging me $1150.00 to conserve the painting properly. The $300.00 offer was a slap in the face. We had another 100 photographs made to send along with the horror story.

Many of the art historians I contacted responded to me, some to Hofstra. The strongest and most helpful came from my old friend, Dr. William Robinson at Harvard who replied to Dr. Barnes' request for loans of paintings on July 20, 1999 as follows:

"This is no reflection on your work, but I have to tell you that I cannot recommend to Mr. and Mrs. Abrams that they grant loans to the Hofstra Museum in light of the museum's unprofessional handling of the damage to Dr. Bader's Verhout in the *People at Work* show. I have seen the correspondence on this matter. which records the museum's succession of mistakes, cover-ups, and evasion of responsibility from the time of the exhibition in 1988 until last year. It would be convenient if we could blame the old régime, but one of the worst documents in this exchange is a 1998

letter to Dr. Bader from David Christman. I feel sorry for you, because it was not in any way your responsibility, but the record of this incident is so appalling that I would not send Fogg drawings to Hofstra, nor could I recommend that the Abrams' drawings be exhibited there."

It was Professor Barnes who kept working on David Christman, Hofstra University and me. She surprised me by telling me that David Christman was actually a good human being. She told me that his response to my claim was at the direction of the University's lawyer, Emil Cianciulli, who said my claim had no merit. I accused David Christman of hiding behind Professor Barnes' skirts, for he never gave me the courtesy of a personal letter or a phone call or even a "we're sorry". I told Professor Barnes that after much thought I had decided not to sue Hofstra for damages. Charles Munch had completed the restoration to my satisfaction and at my expense. While I enjoy a good fight, especially when I am unequivocally right, I preferred to keep sending the information packets cautioning art collectors rather than initiating a lengthy lawsuit.

On October 6, 1998 I sent one of my information packets to Dr. Gail Gelburd, the former Director of the Hofstra Museum, now the Executive Director for the Council for Creative Projects in Lee, Massachusetts. She wrote on November 13, accusing me of professional libel and urging me immediately to cease general dissemination of my complaints containing her name. She, as Director of the Hofstra Museum at the time of the damages,

was only an employee of Hofstra University, and my misfortunes were clearly a University matter, to be addressed and resolved by them. This was certainly not her problem she believed.

It seemed as though I might soon be on the brink of a lawsuit, but I was confident that all of my statements pertaining to the former Director were truthful, and stated only the facts. I wrote Dr. Gelburd of my decision not to take Hofstra University to Court, but if she or any other party chose otherwise, I would proceed with a full claim for damages.

Professor Donna Barnes ultimately prevailed upon David Christman and myself to find a happier solution. David Christman wrote me on December 9, explaining his response as directed by the University attorney. He apologized for the damage to my Verhout and offered full reimbursement of the conservation fees I had paid Charles Munch, agreeing that it was the Museum's obligation to conserve the work in an agreeable manner.

It seems that Professor Barnes was right about David Christman being a good human being after all. His extremely cordial letter unruffled my tail feathers – it was time for both of us to end this nonsense.

Actually, there was a real silver lining to this affair. Charles Munch found that Mervin Honig, Hofstra's conservator, had used too much gesso and overpaint which was so visible under UV. Now, properly restored, the scratch is no longer visible under UV. And with the entire painting cleaned, it looks far better than it did before. Charles pointed out that his charge of

$1150.00 was not only for the repair of the scratch, but also included cleaning the entire painting. And so I returned $500 to Hofstra University on April 9, 1999.

Naturally I informed the art historians to whom I had written about this happy ending.

Dr. Barnes later asked me to loan two of my paintings, a Pieter Claesz still life of 1642 and the now beautifully cleaned Verhout to an exhibition entitled *A Matter of Taste* at the Albany Institute of History & Art in 2002. Donna had visited us in Milwaukee in October 1999. We had become friends and of course I consented to the loan and told her that I would even loan my fine Jacob van Ruisdael winter landscape to a Hofstra University Dutch winter landscape exhibition if she were responsible for that exhibition.

The Verhout looked beautiful in Albany though not in the really well written catalog because many of the color reproductions were off color - the Verhout looked a sickly green. The catalog was "manufactured in China" - museums can be pennywise and pound foolish - and museums are not alone.