

SCHOOL OF
HISTORICAL STUDIES
I.A.S.

Memo to:

Memo from:

Date:

There are two appraisal figures;
the first seemed a bit low
for income tax purposes -
LBA -



Ursus Books Ltd.

original to Mr. Panofsky

Rare and Scholarly Books

667 Madison Avenue, New York, New York 10021

T. PETER KRAUS
President

11th November 1975.

TO WHOM IT MAY CONCERN.

This is to confirm that the undersigned, President of Ursus Books Ltd., Member of the Antiquarian Bookseller's Association of America, appraised the Library of Professor Erwin Panofsky, at the Historical Studies Library, Princeton, N.J., on 29th August 1975.

The library contains 502 books which are catalogued on the enclosed slips. I have appraised the books individually at \$9,219.00.

The fact that the books come from such a distinguished owner has not been taken into account and hence the amount of \$9,219.00 may be considered a conservative figure.

Thomas Peter Kraus.

State of N.Y.

County of N.Y.

*13 November 1975 personally appeared Thomas PETER KRAUS
and gave to above.*

HERBERT POBINER
Notary Public, State of New York
No. 30-3210075
Certificate filed in New York County
Commission Expires March 30, 1977
Qualifies in Nassau County

INSTITUTE FOR ADVANCED STUDY
THE LIBRARY
PRINCETON, NEW JERSEY 08540

23 October, 1975

T. Peter Kraus, President
Ursus Books Ltd.
667 Madison Avenue
New York, New York 10021

Dear Mr. Kraus:

Thank you for coming so promptly to make an appraisal of the books Mrs. Panofsky has given to our Library. I apologize for the delay in acknowledging your services, but Mrs. Panofsky wanted to discuss the appraisal with her tax consultant.

The difficulty is the final figure. It would seem fairer to use the higher total for the very reason that the 500 odd volumes were not being sold en bloc, but were individual items which our library wanted, the duplicates and discards having been rejected from the original gift before the appraisal was made. Furthermore, if former ownership lends added value and if a few more titles are added that were not listed at the time, the \$9219.00 figure would not seem out of line for tax purposes.

Could you, perhaps, reword your appraisal with these thoughts in mind, unless, of course, you disagree?

Sincerely yours,

Mrs. W. S. Agar, Librarian
School of Historical Studies

LBA:rb



Ursus Books Ltd.

Rare and Scholarly Books

667 Madison Avenue, New York, New York 10021

T. PETER KRAUS
President

2nd September 1975.

TO WHOM IT MAY CONCERN.

Original to Mrs. Panofsky -

This is to confirm that the undersigned, President of Ursus Books Ltd., Member of the Antiquarian Bookseller's Association of America, appraised the library of Professor Erwin Panofsky, at the Historical Studies Library, Princeton, N.J., on 29th August 1975.

The library contains 502 books which are catalogued on the enclosed slips. I have appraised the individual items at \$9219.00; however, for the library as a whole, my appraisal is \$7500.00. The approximate 20% reduction is due to the fact that in order to sell such a collection en bloc, it would be appropriate to make a downward adjustment in price. The fact that the books come from such a distinguished owner has not been taken into account and hence the amount of \$7500 may be considered a conservative figure.

Thomas Peter Kraus

Thomas Peter Kraus

Herbert P. P. 9/2/75

HERBERT POBINER
Notary Public, State of New York
No. 30-3210075
Certificate filed in New York County
Commission Expires March 30, 1977
Qualifies in Nassau County



Ursus Books Ltd.

Rare and Scholarly Books

667 Madison Avenue, New York, New York 10021

T. PETER KRAUS
President

Historical Studies Library
Institute for Advanced Study
Princeton, N.J. 08540

Invoice No. 2090

Date: 9/2/75

Order No.:

Order date:

Terms:

Appraisal of Professor Panofsky's books

\$150. 00

PANOFSKY

July 9, 1974

Memorandum to Professors Lavin and Meiss

At your mutual convenience we might talk about arrangements for dealing with this material. I will try to get an appraisal at an appropriate time, and expect to consult with the librarian of Marquand, unless you have other advice.

Carl Kaysen

Attachment (letter from Mrs. Panofsky to CK of July 5, 1974)

July 9, 1974

Mrs. Gerda S. Panofsky
97 Battle Road
Princeton, New Jersey 08540

Dear Mrs. Panofsky:

Thank you very much for your generous and valuable gift. I know it will be of the greatest usefulness to the Members in art history, and therefore a most suitable tribute and memorial to Pan.

The Institute will, of course, be happy to arrange for an appraisal, and accept the gift in the appropriate manner so that it can qualify as a proper tax deduction. I am not sure just how soon the Institute will be able to make its selection, and, of course, an appraisal is contingent on that selection. We shall perhaps not be able to complete the arrangements till the early fall, but I take it there is no immediate urgency. While I may not be here in Princeton when you return from Europe, Mrs. La Brutte will be glad to help you if you have any immediate questions.

With warmest thanks.

Sincerely yours,

Carl Kaysen

97 Battle Road
Princeton, N. J. 08540

July 5, 1974

Professor Carl Kaysen
Director of The Institute for Advanced Study
Princeton, N. J. 08540

Dear Professor Kaysen:

after several years, during which teaching and various publications have kept me busy, I am glad to report that I have finally found the time to re-arrange our library. All the books that I want to keep for myself are now in the house, while all of those I have decided to part with are presently shelved in the cage of the Institute's library.

As a small expression of my gratitude for having been granted such a longterm shelter, I would like to offer to the Institute any books and/or periodicals located in the cage that might be considered a useful addition to its own catalogue. The same offer applies to the files of offprints in the cage. The only favor I would like to ask for is an appraisal of the gift for the purpose of tax deduction.

The books and periodicals that the Institute will not be interested in I would afterwards offer en bloc to a dealer.

I sincerely hope that you will find this proposal agreeable. I apologize for not having been able to take care of all the volumes before, the files of letters and manuscripts still requiring further work. I am leaving for Europe tonight and will be back by mid August. Before I leave, however, I will briefly explain to Mrs. Agar the shelves, boxes, and files that this letter is referring to.

With kindest regards,

sincerely yours,



Gerda S. Panofsky

cc: Mrs. Lily B. Agar

Kay

THE INSTITUTE FOR ADVANCED STUDY

PRINCETON, NEW JERSEY 08540

SCHOOL OF HISTORICAL STUDIES

M E M O R A N D U M

TO: Dr. Carl Kaysen

I omitted to say last evening that I believe Haussherr and Newman would be the most suitable Kress members.

I still like the project of publishing in English Pan's early German papers, which I mentioned to you five or six months ago. Gerda seems interested and willing and Janson endorses the project and would almost certainly agree to be one of the translators.

Millard Meiss

MM:jc
December 5, 1972.

November 30, 1972

Dear Mrs. Panofsky:

I write to acknowledge your response of 25 November. Since I understand from Professor Lavin that you have been talking to him as well as to Professor Meiss, perhaps I will delay a substantive reply for the moment. When the time comes for further discussion, I think it would be well if we had some conversation about the variety of next steps that will be involved, whatever decisions are taken.

Sincerely yours,

Carl Kaysen

Mrs. Erwin Panofsky
97 Battle Road
Princeton, New Jersey 08540

THE INSTITUTE FOR ADVANCED STUDY

PRINCETON, NEW JERSEY 08540

Telephone-609-924-4400

THE DIRECTOR

November 29, 1972

Memorandum for the Record


Telephone conversation with Irving Lavin today

Lavin talked to Mrs. Panofsky as planned. The discussion went well. Lavin made a record of it which he read me on the phone (although he had not indicated to Mrs. Panofsky that he would do so). She is to consider the proposals as recorded in the memorandum, and talk to him further in the week. The substance of his conversation was this:

If an arrangement could be made with a suitable man, Professor X, to take responsibility as senior editor, then Mrs. Panofsky would be the junior editor on a planned one-volume selection of Panofsky's letters. The size of the selection would be limited by the time schedule. Commercial publication would be sought. Mrs. Panofsky would have the responsibility for making an initial selection from the 15,000 some letters, cutting them perhaps by 2/3, and writing such brief notes as were appropriate to each letter. Professor X would have the responsibility for making the final selection, writing an introduction and such other comment as necessary, and dealing with the publisher.

In talking with Lavin about the agreement I pointed out that it was all right as far as it went; it left open the question of how Mrs. Panofsky would be supported, what would induce Professor X to do the job, and whether the Institute would consider subsidizing the publication of the volume if a commercial publication were not possible. I also pointed out that the Institute did not simply employ people and that there were two ways Mrs. Panofsky might be financed. She might be invited to be a member or she could be paid out of somebody's Assistant's Fund. I indicated some of the difficulties of inviting her as a member, repeating what I had told him in our earlier conversation.

Lavin further recorded that Mrs. Panofsky showed him her letter to me, and in consequence of their discussion suggested that I not give her a substantive answer at this time.


C.K.

THE INSTITUTE FOR ADVANCED STUDY

PRINCETON, NEW JERSEY 08540

Telephone-609-924-4400

THE DIRECTOR

November 29, 1972

Memorandum for the Record

Telephone conversation with Professor Meiss today

I recounted the substance of my conversation with Lavin. We talked a little about Mrs. Panofsky's conduct in the last four years and agreed that she had, consciously or unconsciously, avoided pursuing the clear recommendation both he and I had made to her about getting a collaborator. Meiss raised the question of the support of Mrs. Panofsky in the next two years. I repeated to him what I had said to Lavin and suggested that perhaps some of his and Lavin's Assistant's funds could be used to provide her with a stipend. Meiss made it clear he was unwilling to do so and suspected that Lavin was likewise. Indeed, he thought that my agreement to Lavin's proposal to converse with Mrs. Panofsky (see memorandum of 27 November) implied that I was prepared to find the money to support her. I indicated that I had a different view but suggested that we both think about that problem: Meiss thought Miss Frick would be uninterested but that the Kress Foundation was a possibility (Norton Simon, Inc. Foundation?). We agreed that it is unlikely that the Faculty would invite Mrs. Panofsky as a member even if it were appropriate; on the other hand, there would be no question about inviting Janson, Heckscher, or Wolfgang Stechow to a membership to work on the proposed volume.



C.K.

THE INSTITUTE FOR ADVANCED STUDY

PRINCETON, NEW JERSEY 08540

Telephone-609-924-4400

THE DIRECTOR

27th November, 1972

Memorandum for the Record:

Two Telephone Conversations with Irving Lavin this morning

Lavin called to chat about Mrs. Panofsky whom he will be seeing this afternoon. After more conversation about the present situation and its background we agreed roughly on the following.

Conceivably Mrs. Panofsky could be supported by the Institute for as much as two years, either out of Lavin's Assistant Fund or as a member. If as a member this would require some special action by the History Faculty. If she were to be supported at all there would have to be a clear understanding that there was a definite terminus to the support. Further, it would be highly desirable to have someone else involved in the editorial task, e.g. Heckscher or Janson. I made it plain to Lavin that there were dangers to me as well as to the Institute in making even what seemed at the time to be perfectly clear arrangements. I explained to Lavin as I had previously to Meiss that if Mrs. Panofsky desired to continue to keep the letters and papers in the Library I could arrange for her to do so even if she no longer occupied a cage.

ck
C.K.

97 Battle Road
Princeton, N. J. 08540
November 25, 1972

Professor Carl Kaysen
Director of The Institute for Advanced Study
Princeton, New Jersey 08540

Dear Professor Kaysen:

I apologize for the delay in acknowledging your letter of November 14 concerning the use of the cage, so generously built for the Panofsky papers in 1968. It took me by surprise, and before answering it I wished to consider carefully the new situation which it created.

First, let me thank you for the assurance of Mr. Morgan's assistance in removing the books and files from the Institute's library to the house at 97 Battle Road. The practical difficulty of such removal is not the main problem that I must solve, however. This is rather the safety of my husband's papers, which besides other records consist of a scholarly correspondence of some 15 000 letters, dating from 1920 through 1968, and unpublished manuscripts. These will not be proof against fire in my small wooden house, and I should not wish to assume the responsibility for their safety there.

Friends and colleagues in the history of art and related disciplines have been enthusiastically pleased by your statement that the Institute would like to arrange for and sponsor a publication of selected letters by Erwin Panofsky. Many have turned over their originals to me, and some have gone out of their way to provide me at their personal risk with correspondence now located in Eastern Europe behind the Iron Curtain. They did so, because they believed that such a tribute, as you have written, would be "a document of great and permanent value". Under the impression that the Institute was seriously interested in this publication, I have been working primarily with the letters, and so far have collected, identified, and dated about 6 500 of them, arranging them according to their authors and chronology. It will take another year at least to complete this, as must be done before beginning to select and edit them. My meetings and conversations with Professor Meiss until recently had encouraged me to proceed with the work in this way, and at this advanced stage of it your letter at this time took me the more by surprise.

(November 25, 1972)

By implication your letter now raises in my mind the question whether the Institute is in fact interested in the above publication, as I and other scholars had hitherto believed it was, and in the papers of one of the earliest continuous members of its faculty. If it is not, I shall have to inquire of other institutions in Europe, if not in the United States, about their interest in the project; and this will involve a decision about the ultimate disposition of Erwin Panofsky's papers and archive. Such decisions cannot easily be taken of a sudden and should not be lightly taken, as I believe you will agree. As I should not like to take them without previous consultation with Professor Meiss, so I think that I should not take them without the knowledge of Professor Lavin, who, I understand, will in a few months take up a professorship in the History of Art at the Institute and who, I believe, will be interested in the location and disposition of his predecessor's papers.

I should be grateful to you for the expression of your opinion concerning this problem, the responsibility for the solution of which I feel most keenly.

Yours sincerely,

Dr. Gerda Panofsky

Dr. Gerda Panofsky

cc: Professor Millard Meiss

THE INSTITUTE FOR ADVANCED STUDY
PRINCETON, NEW JERSEY

November 22, 1972

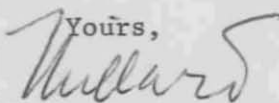
Dr. Carl Kaysen, Director
The Institute for Advanced Study

Dear Carl,

I send you herewith xeroxes of all communications to and from Gerda Panofsky. I wrote to her on November 11, 1971 because I had heard a rumor that N.Y.U. had arranged to publish the letters, and because I did not know whether she still adhered to the decision she expressed to you that she would herself do the job. The rumor about N.Y.U. turned out to be incorrect, and I did not mention it to her.

The conversation at the end of 1971, in which I was essentially a listener, was the only one we have had on the subject.

Yours,



Millard Meiss

MM: jc

THE INSTITUTE FOR ADVANCED STUDY

PRINCETON, NEW JERSEY 08540

Telephone-609-924-4400

THE DIRECTOR

Memorandum for the Record

Conversation with Irving Lavin on Panofsky matters in the Director's Office Friday, November 17, 1972

In the course of a conversation with Irving Lavin about money and other things, we talked briefly about Mrs. Panofsky.

1. He asked what commitment the Institute had toward publishing Pan's letters. I replied "None." He also informed me that Mrs. Panofsky would not be rehired at N.Y.C. next year as they were suffering from extreme budget pressure.
2. I have re-examined the items in the folder which bear on this point--namely, letter to Mrs. P. April 4 '68 from CK; reply from Mrs. P. April 9; memo of conversation May 6 '68 between Mrs. P. and CK; letter to Prof. Meiss from CK 5-8-68; copies of correspondence between Mrs. S. Kahr and Mrs. P. with covering letter from Mrs. P. to CK dated 5-27-68; copy of letter of 5-29-68 from Mrs. Kahr to Mrs. P.; memo of conversation on 8-21-68 between Mrs. P. and CK; letter to Prof. Meiss of 8-21-68; letter to Prof. Meiss of 11-7-69. My conclusion from these is: (1) we have no commitment; (2) Mrs. Panofsky probably thinks we do. The crucial point, of course, is whether she is the suitable editor. My understanding of my original discussion with Millard Meiss on this point is that he thought not. This I tried to convey to her in our meeting on May 6, 1968, and I repeated the point to Millard in my letter to him on May 8.

CK
C.K.

November 14, 1972

Dear Homer:

Here is what I wrote to Mrs. Panofsky.

Cordially,

Carl Kaysen

Professor Homer Thompson
School of Historical Studies

Attachment

November 14, 1972

Dear Millard:

I am sure you will be hearing about the attached; otherwise, I would not trouble you with it. There is increasing pressure for office space in the West building and, accordingly, I have decided to move the two people working for the American School out of the West Building into space in the second level of the library. This necessitates displacing Mrs. Panofsky, but I trust she will recognize that this is an inevitable end to what was understood from the first would be a temporary arrangement.

The American School people are also viewed as temporary tenants, and Homer Thompson understands clearly that they are such. It is indeed one of the virtues of moving them from the West building to a space that is obviously not permanently suitable that their temporary status is underlined.

Sincerely yours,

Carl Kaysen

Professor Millard Meiss
School of Historical Studies

November 14, 1972

Dear Mrs. Panofsky:

It is with regret that I write to tell you that we cannot continue to make available to you the cage in the library which you have been using for the last four years. Pressure on space requires us to use the area for other purposes more directly connected with the work of the Institute faculty. Accordingly, I would ask you to plan to give up the space by the first of May. Mr. Morgan will be glad to provide you any assistance you need in moving books and papers.

I know that you understood when the space was made available to you that it could not be a permanent arrangement. At that time I could not foresee just when competing demands would arise, but I am sure you were aware of the possibility. Of course, you are most welcome to continue to use the general library facilities and the other facilities of the Institute.

Sincerely yours,

Carl Kaysen

Mrs. Erwin Panofsky
97 Battle Road
Princeton, New Jersey 08540

cc: Mr. Minot C. Morgan, Jr.
Mrs. Lily B. Agar

bcc: Professor Millard Weiss
Professor Homer Thompson

97 Battle Road
Princeton, N. J., January 19, 1971

Professor Millard Meiss
The Institute for Advanced Study

Dear Millard,

while working with Pan's letters I have just filed his correspondence with you (a quite considerable volume !). Though I know how terribly busy you are, I would be nevertheless extremely grateful to you, if I could ask your help in a few instances in order to complete and to identify these records:

First, there must be some handwritten letters by Pan of which we do not have a copy. As far as I can see by his own notes, the following ones are missing:

Letter of July 26, 1951,

" " Febr. 11, 1956, ✓
" " Oct. 12, 1956 ✓ (= answer to letter of Oct. 8),
" " May 31, 1957,
" " July 31, 1957,
" " Oct. 27, 1957,
" " Nov. 1, 1957,
" " March 21, 1959,
" " July 25, 1959,
" " Aug. 14, 1959,
" " Aug. 11, 1960,
" " Jan. 4, 1963,
" " Oct. 19, 1964.

Should you have kept these letters by Pan, you would do me an immense favor, if some day at your convenience you would let me have xerox-copies of those. Also, in case you find other handwritten letters by Pan that I do not know of, I would be very happy, would you allow me to include ^{copies of} them in his collection.

Enclosed are on the other hand xerox-copies of seven and a half letters by you that-as a very rare exception-carry no date. I wonder whether by reading them over you could tell me the approximate year, or even month, so that I will be able to put them into the place where they belong.

G r a z i e i n f i n i t i s s i m e i n a d v a n c e !

Erwin Panofsky

Enclosures

JC
*When you have
time check this
list against
your xeroxes*

November 29, 1971

Mrs. Gerda Panofsky
97 Battle Road
Princeton, New Jersey 08540

Dear Gerda:

Thank you ever so much for your letter. Yes, we must meet, and I delayed replying because I thought I could suggest a day last week. I decided however to go off to Cambridge to see the family with Mig, and now come two weeks that are the busiest of the year at the Institute. Will you be here about the 17th, when the term ends? I know that is far off but it would be ever so much better for me.

Yours,

Millard Meiss

MM: jc

97 Battle Road
Princeton, New Jersey 08540

November 12, 1971

Professor Millard Weiss
Institute for Advanced Study
Princeton, N. J. 08540

Dear Millard:

thank you so much for your note of yesterday. It truly came as a surprise, for I did no longer hope that the Institute would be really interested in the once proposed publication of selected letters by Pan. Nevertheless over the past three years I have continued on my own to assort the letters, to identify and date them as well as trying to retrieve the handwritten material from the former recipients or the surviving relatives.

Whenever I had a spare afternoon or evening, I dedicated myself to the letters, and - far from being completed - the present collection of some thousand letters filed by authors and in chronological order is already quite impressive.

You are right that I am now a little more relieved having finished the most urgent proofs for Pan and having got rid of my inventory volumes for Bonn. But new obligations have come up in the meantime, partly because publishers approached me, partly because I needed means to live (and to be able to work with Pan's papers). To the former engagements belongs among other commitments the new edition of Abbot Suger that I am preparing for the Princeton Press. To the latter category belongs my lecturing at NYU with survey-course and seminar, - though the Spring term only, just because I need time for all those publications.

- 2 -

But to return to the letters: it would be wonderful and I would be very happy indeed if you ever could take off a quiet hour to discuss with me the possibilities of editing or not a selection of Pan's correspondence. Give me just two days or so early next week so that I can prepare some facts that might give you a concrete idea of the numbers of letters, those already in order and those still to emerge.

Any time after the midst of next week we could arrange an appointment, - just let me know when it would be convenient for you.

No, I haven't yet come across earlier letters from Pan to you or viceversa, - who knows where they will turn up and whether.

With kindest regards,

yours,



Gerda Panofsky

November 11, 1971

Mrs. Gerda Panofsky
97 Battle Road
Princeton, New Jersey 08540

Dear Gerda,

After his last conversation with you about the publication of a selection of Panofsky's letters, quite a while ago now, the Director told me or rather, I believe, wrote me that he had proposed that you discuss the matter with me. Because as I knew you were occupied with a number of immediate editorial problems and were collecting the available outstanding letters I have supposed that you were not yet ready to talk. Now however that you have got your German book out of the way I wonder whether we should not meet before long to exchange ideas about a publication -- since we cannot get very far with a thing of this sort on any social occasion.

Yours,

Millard Meiss

MM:jc

P.S. Have you by chance found any more letters from Pan to me during the 'thirties and 'forties?

May 6 , 1971

Professor Meiss:

Only two of the letters listed
by Mrs. Panofsky are amongst those xeroxed.

jc

To

Prof. and Mrs. Carl Kaysen

with kindest regards,

Isidor Panofsky

January 31, 1970

Dear Mrs. Panofsky:

Thanks very much for the copy of
Pan's beautiful book on Titian which we look
forward to reading.

My wife joins me in warmest appreciation.

Sincerely yours,

Carl Kaysen

Mrs. Gerda Panofsky
97 Battle Road
Princeton, New Jersey

Copy of each of the attached to
Professor Meiss 11-7-69

REB

November 7, 1969

Dear Millard:

Attached are all the records I have of conversations with Gerda Panofsky and copies of correspondence with her on the question of producing a selection of Pan's letters. As you see, it is much longer since I talked with her about it than I had remembered, and it is clear that we must look at the situation reasonably soon.

Cordially,

Carl Kaysen

Professor Millard Meiss
Institute for Advanced Study

Attachments

97 BATTLE ROAD
PRINCETON, NEW JERSEY

October 22, 1968

Professor Carl Kaysen
The Institute for Advanced Study
Princeton, New Jersey 08540

Dear Dr. Kaysen:

once more I am very much indebted to you. Thank you for having discussed the matter of our house before the Trustees and for sending me the extract from the minutes of the meeting.

Now I feel really relieved to make plans for the future beyond the range of just one month.

Thank you for your understanding that I wanted the legal situation to be perfectly clear.

Very sincerely yours,



Gerda Panofsky

M

October 18, 1968

Mrs. Erwin Panofsky
97 Battle Road
Princeton
New Jersey 08540

Dear Mrs. Panofsky:

I am happy to be able to tell you that the Board of Trustees of the Institute confirmed the commitment I made to you in my letter of April 23, 1968. Attached is an extract from the minutes of the Board meeting which indicates their action.

Sincerely yours,

Carl Kaysen

Enc.

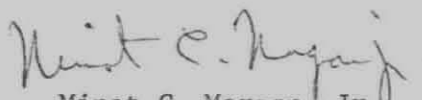
EXTRACT FROM THE MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES HELD
ON OCTOBER 9, 1968

7. Mrs. Panofsky -
Tenure of 97 Battle
Road

The Director advised the Board that under the terms of the deed of premises 97 Battle Road, Princeton, New Jersey the Institute has the right to repurchase the property and land on one (1) month's notice. He reported that he received a letter from Mrs. Panofsky asking if this period could be extended. He recommended that the term be extended to one (1) year from the date that the Institute gives notice. It was

RESOLVED that the term provided in the deed of premises 97 Battle Road, Princeton, New Jersey pertaining to notice of repurchase by the Institute be and the same is hereby extended to one (1) year.

Attest:


Minot C. Morgan, Jr.
Assistant Secretary

September 30, 1968

Mrs. Erwin Panofsky
97 Battle Road
Princeton, New Jersey

Dear Mrs. Panofsky:

Thanks very much for your note. I
will be taking the matter of your house up with
the Trustees on 9 October and will let you know
of their action thereafter.

Sincerely yours,

Carl Kaysen

11

97 BATTLE ROAD
PRINCETON, NEW JERSEY

September 26, 1968

Professor Carl Kaysen
Institute for Advanced Study
Princeton, New Jersey 08540

Dear Dr. Kaysen:

yesterday I admired the new cage in the Library! May I tell you once more how immensely grateful I am for this generous solution to store my husband's files and part of his books for the time being.

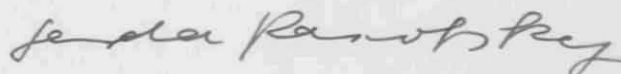
I understand fully that this is not meant as a permanent right but only as a temporary - though very efficient - help.

I intend to spend the winter with filing the correspondence by addressees (instead of years) and collecting the missing handwritten letters from important friends and colleagues, as I have already started to do by exchanging xerox-copies with various people and institutions. After this, viz. towards next spring, we will be able to get a more concrete idea of the kind and number of letters that might be considered for a printed edition - which, as I fervently hope, will enjoy the patronage of the Institute.

Concerning the house 97 Battle Road may I express my renewed gratitude for the relief that your letter of April 23 has brought me for the future by increasing the period of notice to one year. To my dismay my lawyer informed me in the meantime that your so kind letter written on behalf of the Institute would, however, remain nothing but a personal agreement between you and me and would not affect the legal situation of one month's notice as given by the deed. I would, therefore, feel extremely obliged to you if you could discuss the problem with the trustees.

With my very best thanks,

very sincerely yours,



Gerda Panofsky

11

August 21, 1968

Dear Millard:

Gerda Panofsky came in this morning. I am afraid that she has decided to do the letters herself, and that she is seeking the Institute's sponsorship. My only response was to suggest that she discuss the matter with you. This raises every problem we have already worried about - about the undesirability of creating a relationship between Gerda and the Institute in which she in effect becomes a pensioner. She announced her decision after I had agreed to provide her some storage space in the lower level of the Library for Pan's letters, papers, etc. It does seem to me that this multiplies the danger, and that I will have to be tough about moving her out of the Library within a reasonable period.

I assume that she will be in touch with you, and we will talk further.

Cordially,

Carl Kaysen

Professor Millard Meiss
Historical Studies

THE INSTITUTE FOR ADVANCED STUDY

PRINCETON, NEW JERSEY 08540

Telephone-609-924-4400

THE DIRECTOR

August 21, 1968

Memorandum for the Record

Conversation in my office this morning with Mrs. Gerda Panofsky.

1. I raised the question of her moving out of Professor Panofsky's office. I agreed to provide space in the second level Library in the form of a lockable cage in which she could put Professor Panofsky's files and reprints. On this understanding she was ready to move out of the office as soon as the space was available.

2. She indicated she has decided to work on the letters herself, and wondered whether this could be done under Institute sponsorship. I suggested that she discuss the matter with Professor Meiss.

3. She raised the security of her tenure of the house. Her Lawyer had pointed out that my letter was not legally binding on the Institute, and that a successor Director could initiate a new policy, or that I could change my mind. I agreed that this was the case, but pointed out that it was my intention to report this change to the Board, that it would be entered in the Minutes of the Board, and that that would constitute an additional assurance. I promised to notify her when this had been done.

CF
Carl Kaysen

May 31, 1968

Mrs. Gerda Panofsky
97 Battle Road
Princeton
New Jersey 08540

Dear Mrs. Panofsky:

Thanks very much for the picture of your husband which I am most happy to receive, and which will find a proper place in the Institute.

I am grateful for the copy of Mrs. Kahr's reply to you, and will add it to the file of the items we should consider at the appropriate time.

Sincerely yours,

Carl Kaysen

May 31, 1968

Dear Millard:

The attached will show you the latest developments in respect to the publication of Pan's letters. I plan to do nothing about this as yet.

With warmest regards.

Cordially,

Carl Kaysen

Professor Millard Meiss
Hilton Hotel
Brussels
Belgium

97 BATTLE ROAD
PRINCETON, NEW JERSEY

May 31, 1968

Professor Carl Kaysen
Institute for Advanced Study
Princeton, New Jersey 08540

Dear Dr. Kaysen,

yesterday, on Memorial Day, I had two arthistorian visitors, - one from the Metropolitan Museum in New York, the other from Munich, - who wanted to discuss a problem in my husband's Dürer-book. Dr. Bruno Lohse from Munich (Laplacestr. 13, 8 München 27) brought me "instead of flowers" a beautiful enlargement of a photograph taken of my husband last year at Munich during the ceremony of awarding the order of the Pour-le-mérite to him. Dr. Lohse gave me in addition another enlargement of the same photograph as a gift for the Institute, which I am herewith forwarding to you.

I am enclosing also a Xerox-copy of Mrs. Sidney Kahr's letter of reply that arrived today.

Sincerely yours,



Gerda Panofsky

Enclosures

M

TWENTY-FIVE EAST EIGHTY-SIXTH STREET, NEW YORK, N. Y.

May 29, 1968

Dear Gerda:

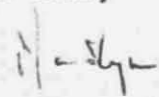
It seems more likely that my memory was greyed by sorrow than that the condition of your house's paint gives rise to any doubt as to its color. In any case, I feel foolish to have spread this inaccurate recollection so widely. Oddly enough, other members of the birthday delegation who have read the letter have not corrected me.

Yes, I was aware that the rights to Pan's letters would belong to you; it was for this reason that I was deliberately vague about this proposal in my letter to the alumni. It seemed worthwhile nevertheless to use this opportunity to find out who among the alumni had letters from Pan which they would be willing to make available to us simply in order to preserve them, if not for publication. I am delighted to know that The Institute for Advanced Study is planning to publish a selection of the letters, with your approval. I think I can speak for the Alumni Association (though of course I would seek approval of the Board before acting on this) in offering to let the editors have the information we are gathering, if they wish it. Please feel free to let them know this. Personally I would be very happy to cooperate in every way I can in furthering the publication.

The idea of publishing the letters did not originate with me, though I certainly favored it. More than one valuable book could be made of Pan's remarkable letters, it seems to me. The book that I envisaged, comprising letters to students and colleagues, would have dealt solely with iconographic and iconological problems and would have been illustrated with the works of art under discussion and with comparative material. Other volumes, addressed more to the general public, might deal with philosophical, literary, and other types of content.

Sidney and I look forward to seeing you soon. With love from both of us,

As ever,



Mrs. Erwin Panofsky
97 Battle Road
Princeton, New Jersey 08540

J

97 BATTLE ROAD
PRINCETON, NEW JERSEY

17 M
May 27, 1968

Prof. Carl Kaysen
The Institute for Advanced Study
Princeton, N. J. 08540

Dear Dr. Kaysen,

according to our telephone conversation I am sending you the enclosed Xerox-copies of my correspondence with Mrs. Sidney Kahr, who is a good friend of ours.

Concerning my opinion on a possible edition of my husband's letters by the Institute, I can only assure you that I have not changed my mind neither in a negative nor in the positive way since we talked about the matter on May 6. I did not write to you afterwards because we had decided to wait until Professor Meiss' return, but I would like to thank you for your speaking so openly to me about your reasons and concerns, which I appreciated very much.

May I take advantage of this letter to thank you also for your communication of the resolution of the Trustees of the Institute for Advanced Study. I should like to express my gratitude to the Trustees for their sympathy.

With kindest regards,

sincerely yours,

Gerda Panofsky

Gerda Panofsky

Enclosures

97 BATTLE ROAD
PRINCETON, NEW JERSEY

May 24, 1968

Mrs. Sidney Kahr
25 East 86th Street
New York, N. Y.

Dear Madlyn,

thank you so much for your kind and thoughtful letter that I got this morning. I was deeply touched by your words about Pan and by your plans to honor his memory. This is one more wonderful token that Sidney and you have given us of your sincere friendship. Conjuring up the sunny day of last year's March, when you arrived with the New York birthday-delegation, is rather melancholic, and since you wished Pan to get at least two hundred years old, those happy days seem to have passed more than a century ago. Nevertheless I was somewhat amused by your describing our house as grey: it is actually white, but I know well enough that it needs to be painted.

I am also touched by your suggestion to collect Pan's letters to students and colleagues and eventually to print them. I have, however, one objection to this: The Institute for Advanced Study intends to sponsor for an edition of Pan's selected letters in a very generous way. Would it not be better to include those letters, that you are trying to collect, in this edition instead of printing them separately? (Incidentally, do you know that letters always belong to the person who has written them* and not to the one who has received the letter?)

I hope to see you before long, i.e. as soon as I have the titian-proofs and also page-proofs of my own out of the house.

Please give Sidney my kindest regards and be sure of my love

as ever,

yours

Erwin

* and therefore all rights on Pan's letters are now belonging to me -)

TWENTY-FIVE EAST EIGHTY-SIXTH STREET, NEW YORK, N. Y.

May 22, 1968

Dear Gerda:

Somewhat to my dismay, I find myself President of the Alumni Association of the Institute of Fine Arts. This happened rather suddenly and too late in the academic year for the smooth ordering of the necessary business. I would have liked to speak with you before sending out the annual letter to the members, but I was hesitant to bother you with the aspect of it that concerns you, which is the suggestion, which apparently arose in a number of places at the same time, that we attempt to collect and perhaps some time publish a collection of passages from Pan's letters to students and colleagues.

I do not intend to give you the impression that you need to talk about this now with me or anyone else, but only to keep you informed, so that you will hear about my letter first from me rather than from someone else and perhaps inaccurately. For this reason I enclose a copy of the letter which has been mailed to the Alumni Association list. Needless to say, if you wish to make any comments, I will be very glad to know your thoughts about this proposal or anything else you might care to mention.

At the same time, I must say I am very sorry to send you the letter; it makes me sad, and I can imagine its effect on you.

Please do let me know when I can help you.

With affectionate regards from Sidney and me,

As ever,

W. S. G.

Mrs. Erwin Panofsky
97 Battle Road
Princeton, New Jersey 08540



THE ALUMNI ASSOCIATION
of the Institute of Fine Arts
1 EAST 78TH STREET
NEW YORK, N. Y. 10021

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HELENE MUENSTERBERGER

May 9, 1968

Dear Alumnus/a:

It was noon on a crisp, sunny Saturday in March of last year when ten members of the Alumni Association arrived at the grey house on Battle Road in Princeton to present the Association's gift to Pan on his seventy-fifth birthday. Professor and Mrs. Panofsky warmly welcomed the visitors, and their peerless Emma set out a splendid lunch. Nobody but Pan could have managed so well to be simultaneously the gracious host and the semi-surprised guest of honor. He was pleased to receive the new complete edition of Mozart's letters and even more delighted with the little "diploma" Shirley Alexander had made to communicate our birthday wishes, which, as Pan later wrote, "outweighs all imaginable academic 'distinctions'". What we truly wished was that he would live to be at least two hundred years old, teaching all the way. As it turned out, we were not to celebrate with him even one more birthday.

Beyond everything else that he so superbly was, Pan was a teacher. He had taught his seminar at the Institute on the December day when the illness struck, and it was entirely in character that he managed during his last weeks, when he could do pitifully little, to send in the grades of his students. Perhaps it was the feeling he radiated that he was with you that provided the single most valuable lesson of this great and famous man for students who would also be teachers. Not long ago a student who had been hesitant to approach him about a problem she was working on reported jubilantly: "It was easy. You know right away that he likes you. You don't have to prove anything."

Harry Bober spoke for us in the notice the Alumni Association had published in the Times: "The Alumni of the Institute of Fine Arts of New York University mourn the death of Erwin Panofsky. He was our teacher for almost four decades from his very first year in this country until this, the last year of his life. As teacher, he gave us unstintingly and inspiringly of his knowledge and lore, of wisdom and excitement about images, words, art, love, and life. In the radiant warmth of his teaching, students matured early to scholarship and became his colleagues; and then he gave us and shared even more for he had ever so much to give. For all of us it is a much lessened world without our beloved Pan."

In the world of art history his erudition, wit, and wisdom will play their part as long as books are read and courses are taught. Those of us who have had the privilege of being students within his orbit and of feeling directly or indirectly the unique richness that his personality brought to his learning would like to keep his inspiration alive in a more personal sense. At the same time, we wish to do him honor. How shall we do this? Please let us know your thoughts about it. If you are moved to send money to be put aside for a Panofsky memorial fund, please do so; in deciding what form the memorial should take, it would be helpful to have some idea of the amount of money that can be devoted to it. One suggestion that has been made is that we should collect photocopies of letters that Pan wrote to students and colleagues. Eventually it might be possible to print a private edition of selections from these. If you have any letters from him, please let us know your reaction to this proposal and whether you would be willing to send copies for the Alumni Association archives.

Bill Beckstein.

Not HAI's preferred.
candidate

Don't give him the
facilities of Institute etc

Preferred candidate is -

Peter Larsson NYU
Trust of FA

wife could help.

Office of the Director

May 8, 1968

Dear Millard:

I trust this finds you and Miggie rested and relaxed in the familiar setting of I Tatti.

I had a long talk with Gerda this week about a variety of matters, mostly centering on the question of the volume of letters. She volunteered to do the editorial job herself and asked me whether I thought this would raise any problems. In what I hope was a tactful way, I pointed out first the question of detachment; second, and more important, the risk that she might get into a long run relationship with the Institute which would be difficult on both sides. It would not be a proper job for her, and it might put us in a position where we would find it embarrassing to terminate it. She recognized the merit of this and quoted Pan on the virtue of the Institute rule of not appointing anyone who did not have some place to go back to and a finite term to his appointment. We agreed that, if she did not do it, whoever was selected for the editorial responsibility would have to be a person of wide learning who had known Pan well and who knew some of his circle of friends and correspondents and who was personally perceptive with respect to the relationships involved. Gerda showed some continuing anxiety about her own ability to control just what would be done.

In the end we agreed that we should talk about this matter again when you return.

Annette joins me in greetings to both of you.

Cordially,

Carl Kaysen

Professor Millard Meiss
Villa I Tatti
Florence, Italy

cc: Panofsky File

4

THE INSTITUTE FOR ADVANCED STUDY

PRINCETON, NEW JERSEY 08540

Telephone-609-924-4400

THE DIRECTOR

Memorandum for File

Appointment with Mrs. Erwin Panofsky and Dr. Kaysen in the
Director's Office 11:00 a.m. Monday, May 6, 1968

In a discussion with Mrs. Panofsky on several matters the following points were covered:

1. She understands that her husband's office has to be made available. We agreed to talk in the beginning of September about moving things out.
2. I reassured her about the house and said that she should simply count on living there for the near future without concern.
3. We discussed the question of a volume of Pan's letters. She asked why she should not do the job herself. I raised the possible dangers of her getting into an indefinite relation with the Institute both from her own point of view and ours. We agreed we would discuss it further on Millard Meiss's return.


Carl Kaysen

Same letter sent to: Professor Hans Panofsky, 1179 Oneida St.
State College, Pa.
Prof. Wolfgang K.H. Panofsky, SLAC, Stanford, Calif.

April 29, 1968

Mrs. Erwin Panofsky
97 Battle Road
Princeton, New Jersey

Dear Mrs. Panofsky:

At their meeting last weekend the Trustees of the Institute passed the following resolution and directed me to communicate it to you:

"The Trustees of the Institute for Advanced Study note with great sorrow the death of Erwin Panofsky, Professor Emeritus at the Institute, on 14 March, 1968, in his seventy-sixth year. Dr. Panofsky came to the Institute in 1935 as one of its first two professors in what was then called the School of Humanistic Studies, and served continuously until his retirement in 1962. As Professor Emeritus in the last five years, he continued his active and productive career and his close relation with the Institute. He was the greatest historian of art of his generation, and his work is the best exemplar of what the Institute exists to foster. He in turn brought to us not only the distinction of his intellect but the sweet strength of his character.

"The Trustees express their sympathy to his wife, Gerda Sörgel Panofsky, and his two sons, Hans and Wolfgang K. H. Panofsky."

Sincerely yours,

Carl Kaysen

April 28, 1968

Mr. J. Seymour Montgomery
22 Chambers Street
Princeton, New Jersey

Dear Mr. Montgomery:

Attached is a copy of the letter I am sending to Mrs. Panofsky, the effect of which I think is perfectly plain. Mr. Morgan will be glad to answer any questions that may arise in either your or her mind on this arrangement.

Sincerely yours,

Carl Kaysen

cc: Mr. M. C. Morgan, Jr.

Office of the Director
Institute for Advanced Study

April 23, 1968

Mrs. Erwin Panofsky
97 Battle Road
Princeton, New Jersey

Dear Mrs. Panofsky:

I understand from Wolfgang that he and his brother have deeded their interest in your late husband's house to you and that, therefore, you are now the sole owner. As you may know, the arrangements under which your husband purchased the land from the Institute provide that we can repurchase the house and land at one month's notice, at a price to be determined by an agreed procedure. I write to tell you formally, on behalf of the Institute, that we will not exercise this right without giving you one year's notice of our intention to do so.

Please be assured that we here will do everything possible to make your continued stay easy and agreeable.

Sincerely yours,

Carl Kaysen

cc: Mr. M.C.Morgan, Jr.
Mr. J. Seymour Montgomery

April 23, 1968

Mrs. Erwin Panofsky
97 Battle Road
Princeton, New Jersey

Dear Mrs. Panofsky:

Thank you very much for your letter of April 20. I am glad to hear what you have to say and would be pleased to talk with you further at the earliest convenient opportunity for you. Please call Mrs. Bortell when you are back in Princeton, and she will arrange for us to get together.

I understand from Wolfgang that he and his brother have deeded the house over to you, and I enclose a formal letter which has the effect of increasing the period of notice the Institute will give you before any change is made in the status of the existing arrangements concerning your house.

With best wishes for a peaceful trip to California, and looking forward to seeing you,

Sincerely yours,

Carl Kaysen

Enclosure

97 BATTLE ROAD
PRINCETON, NEW JERSEY

April 20, 1968

Professor Dr. Carl Kaysen
The Institute for Advanced Study
Princeton, New Jersey

Dear Mr. Kaysen,

thank you so much for your letter of April 15.

Meanwhile my former letter of April 9 is superseded in two points: the Will has not only the probate, but Hans and Wolfgang have transferred all of their interests in my husband's manuscripts and other papers, including the letter entirely to me. I also had the chance to talk at least with Wolf at great length about a possible selected publication of my husband's letters.

To discuss the matter further and in more detail I should like to come over to your office some day. This Wednesday, April 24, I am, however, planning to join Wolf on his return to California and to spend a few days with his family in Los Altos. I will be back in Princeton on April 30.

May I call Mrs. Bortell early in May and ask for an appointment at any time that would be convenient for you ?

Thank you for forwarding me a copy of the letter from Utrecht University.

With kindest regards,

sincerely yours,

Gerda Panofsky

(Gerda Panofsky)

April 15, 1968

Mrs. Erwin Panofsky
97 Battle Road
Princeton, New Jersey 08540

Dear Mrs. Panofsky:

Thank you for your note of April 9. I will be glad to wait until a later time to discuss further with you the questions you raised there. I appreciate the spirit of your response, and I am sure we can work out arrangements which will do honor to your husband's work.

I enclose a copy of a message of sympathy from the University of Utrecht. Unfortunately, it was misaddressed to Princeton University, but finally reached its proper destination.

Sincerely yours,

Carl Kaysen

Enclosure

C O P Y

April 15, 1968

Mrs. Erwin Panofsky
97 Battle Road
Princeton, New Jersey 08540

Dear Mrs. Panofsky:

Thank you for your note of April 9. I will be glad to wait until a later time to discuss further with you the questions you raised there. I appreciate the spirit of your response, and I am sure we can work out arrangements which will do honor to your husband's work.

I enclose a copy of a message of sympathy from the University of Utrecht. Unfortunately, it was misaddressed to Princeton University, but finally reached its proper destination.

Sincerely yours,

Carl Kaysen

Enclosure

C O P Y

April 15, 1968

Professor Hans Panofsky
1179 Oneida Street
State College, Pennsylvania

Dear Professor Panofsky:

Thanks for your note of April 10
informing me that your father's widow will
have the sole rights in his literary estate.
I will continue to be in communication with
her about these matters.

Cordially,

Carl Kaysen

PRINCETON UNIVERSITY
PRINCETON, NEW JERSEY 08540

JEREMIAH S. FINCH
Secretary
313 Nassau Hall

To: Prof. Dr. A. C. de Vooy, Rector Magnificus
Prof. Dr. J. Lanjouw, Secretary
Senaat der Rijksuniversiteit te Utrecht

Honored Colleagues:

Princeton University acknowledges with appreciation your letter of April 2, 1968, expressing sympathy in the decease of Professor Erwin Panofsky. As a visiting lecturer, and recipient of the degree of Doctor of Letters, honoris causa, he was warmly esteemed by his many friends and associates in the University.

Dr. Panofsky's academic position was, however, at the Institute for Advanced Study, a neighboring institution which is not actually connected with Princeton University, although there are close ties. I am therefore sending your letter to Dr. Carl Kaysen, Director of the Institute.

On behalf of Princeton University permit me to extend to the Senate of the University of Utrecht most cordial greeting.

Jeremiah S. Finch
Secretary of the University

April 10, 1968

1179 Oneida St
State College Pa
April 10, 1968

Dr Carl Kayser
Inst. for Advanced Study
Princeton

Dear Dr Kayser:

Many thanks for your kind letter of April 4. You have probably heard from my brother WKH that we have decided to transfer our legal interests in our father's letters and technical writings to our step-mother, Mrs Gerda Panofsky.

Since she is a well-qualified art historian, we believe that she will be in a good position to make the necessary decisions.

With best regards

Hans Panofsky

11

97 BATTLE ROAD
PRINCETON, NEW JERSEY

April 9, 1968

Professor Carl Kaysen
The Institute for Advanced Study
Princeton, New Jersey

Dear Mr. Kaysen,

thank you very much for your extremely kind letter of April 4. May I to begin with express my deep gratitude for all the help and protection that you are giving me in my present situation. May I further thank you for your visit to the house, and for the commemoration, jointly arranged with the New York Institute which must have been beautiful from what I was told by Harold Cherniss and Mrs. Forster. At the same time I should like to regret that I was physically not able to see you, nor to go to New York.

The request of your letter is another token of your sincere friendship. It seems to me, however, too soon to make decisions upon a selected publication of my husband's letters, both for legal and personal reasons.

Legally we cannot dispose of any literary rights before the Will is probated. Nor do I want to concede anything by implication without having agreed with Hans and Wolfgang upon the main question, whether my husband himself would have approved of such an edition.

Though most of the letters were written for professional reasons, they are also documents of lifelong and close friendships and therefore very personal. Moreover my husband used to answer a great deal of his correspondence in his own handwriting of which there would be no record in the files. To publish a proper selection would mean to contact people all over the world. Furthermore the editor would have to be familiar with my husband's predilections and dislikes in order to restrict the enormous number of letters not only quantitatively but also qualitatively in the right proportion. I guess, such a job would require utter devotion over a period of at least two or three years.

I am inclined to say, that I myself principally would have no objections to your most generous offer. For the above reasons my consent would, however, depend on who would do the editorial work. I would further reserve the right to myself to retain material which I consider being private, and I would ask to share in the responsibility of the choice and any editorial questions.

With kindest regards,

sincerely yours,

Gerda Panofsky

(Gerda Panofsky)

Law Offices
Smith, Stratton, Wise & Heher

P. O. Box 209

One Palmer Square

Princeton, New Jersey 08540

Telephone 609-924-6000

HARRY HEHER
OF COUNSEL

TRENTON OFFICE
1412 TRENTON TRUST BLDG.
TRENTON, NEW JERSEY 08608
TELEPHONE 609-599-9512

EDGAR S. SMITH
HENRY M. STRATTON, II (1949-1963)
HUGH D. WISE, JR.
HENRY S. BROAD
HOMER R. ZINK
JOHN ROBERT HEHER
FRANK P. REICHE
WILLIAM G. WOOD
GARRETT M. HEHER
SAMAYLA D. DEUTCH

April 5, 1968

Dr. Carl Kaysen, Director
Institute for Advanced Study
Olden Lane
Princeton, New Jersey

Dear Doctor Kaysen:

Following your telephone call on Wednesday, I did some research into the question which you raised concerning the construction of Professor Panofsky's will. It was difficult to reach a quick opinion, and I called again this morning to request a copy of the will. Mrs. Wakeham was good enough to send me a copy, in confidence, which I am returning.

In response to your question as to whether the literary property in letters written by Professor Panofsky, and unpublished books and other writings, passed to his wife under Article Third or to his residuary beneficiaries under Article Fourth of the will, it is my opinion that they pass under Article Fourth. The main paragraph in Article Third refers to tangible personal property, and the courts in New Jersey and other states have been almost unanimous in construing such clauses. The courts have held that money in bank accounts, for example, would not pass under such a clause, even though the bank book was found with the personal possessions. It is my opinion that literary property would be considered the same way, and would not be included as a part of the tangible personal property. The difficulty is the reference to "books and manuscripts" in this clause, and also the reference to "all contract rights under which I receive royalties." The latter clause particularly is not usually bracketed with a bequest of tangible personal property.

Smith, Stratton, Wise & Heher

Dr. Carl Kaysen, Director

April 5, 1968

Page 2

It is still my opinion, however, that the literary property would pass under Article Fourth. The clause "books and manuscripts" in Article Third would, in connection with Dr. Panofsky's own writings, pass to Mrs. Panofsky the actual tangible articles, but not the publication rights. The situation would be similar to that of letters written to a third person, wherein the recipient has the right to use, and even sell, the original letter, but does not have the right to publish it. That right remains in the writer.

Finally, I feel that the clause regarding "contract rights under which I receive royalties" refers only to rights under existing contracts for books and other writings, and does not refer to literary property which has not yet been published or otherwise made subject to formal agreement.

This opinion may cover more area than you were concerned with, but I did not wish to give an off-hand opinion which might be too casual and lead you astray.

Yours very truly,


Homer R. Zink

HRZ:ejs
Enclosure

April 5, 1968

H. R. Zink, Esq.
Smith, Stratton, Wise & Heher
One Palmer Square
Princeton
New Jersey 08540

Dear Mr. Zink:

Enclosed, is a copy of Mr. Erwin Panofsky's will which you requested on the telephone this morning.

We understand that the will was to be probated this week, but as we are not certain at this time we trust that you will treat this as extremely confidential.

Dr. Kaysen will be in the office again on Monday, but should you wish to write to him he will be in receipt of his mail when he returns from out of town on Sunday.

Yours sincerely,

Angela Wakeham
Secretary to the Director
and Office Manager

Original Will filed in J. Seymour Montgomery's clients' will box, First National Bank of Princeton, East Nassau Street Branch, Princeton.

I, ERWIN PANOFSKY, residing and domiciled in the Township of Princeton, County of Mercer and State of New Jersey, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all other Wills and Codicils heretofore made by me.

FIRST: It is my desire to be cremated with as little ceremony as may be possible.

SECOND: I direct that all my debts, funeral expenses and administration expenses be paid as soon as practicable after my death.

THIRD: I give and bequeath to my friend GERDA SOERGEL, presently of 132 South Olden Lane, Princeton, New Jersey, to whom I anticipate being married in the near future, all of my clothing, household furniture, furnishings, equipment, utensils and supplies, physical and personal effects, domestic animals, automobiles and boats with all tools and equipment therefor, books and manuscripts, pictures, works of art, silverware, pewter, plate, china, glass and all other tangible personal property owned by me at the time of my death, but not being limited to those articles of the classes hereinabove specifically mentioned in this Article; also all contract rights under which I receive royalties.

If said GERDA SOERGEL does not survive me this legacy shall lapse and shall become and be a part of my residuary estate and I give and bequeath the same accordingly, as hereinafter provided in Article FIFTH.

FOURTH: I give and devise to said, GERDA SOERGEL for a period of one year from the date of my death, the absolute and exclusive use of the real property which is my residence at the date of my death and at the end of such one-year period I give and devise the real property to my

sons, HANS A. A. PANOFSKY and WOLFGANG K. H. PANOFSKY, in equal shares and if only one of them be living at the end of such one-year period, then the whole thereof to the one surviving.

If neither of my said sons is living at the end of such one-year period, then this devise shall lapse and the said real property shall become and be a part of my residuary estate and shall be disposed of accordingly as hereinafter provided in Article FIFTH.

During said one-year period following the date of my death, the said GERDA SOERGEL shall be responsible for the payment of real estate taxes, maintenance and insurance upon and in connection with my said residence and contents, but the amount of taxes to be paid by her shall be only that portion not paid by the INSTITUTE FOR ADVANCED STUDY-LOUIS BAMBERGER AND MRS. FELIX FULD FOUNDATION, pursuant to an Agreement between me and it, contained in a letter to me from Robert Oppenheimer, Director of said INSTITUTE, dated June 3, 1957.

FIFTH: I give, devise and bequeath all of the rest, residue and remainder of my property, both real and personal, of whatever nature and wherever located in three equal shares to the said GERDA SOERGEL and to my said sons, HANS A. A. PANOFSKY and WOLFGANG K. H. PANOFSKY. If the said GERDA SOERGEL does not survive me then I give, devise and bequeath my said residuary estate to my said sons in equal shares.

If either one of my said sons, or both, does not survive me, I give, devise and bequeath the share of my residuary estate devised and bequeathed to such deceased son, to his issue me surviving in equal shares, per stirpes and not per capita.

If neither of my said sons nor any issue of theirs survive me, I give, devise and bequeath the whole of my said residuary

estate to the said GERDA SOERGEL.

SIXTH: I hereby nominate, constitute and appoint THE FIRST NATIONAL BANK OF PRINCETON, of Princeton, New Jersey, as Executor of this my Last Will and Testament. If said Bank fails to qualify, resigns, or is removed, then I hereby nominate and appoint my son, HANS A. A. PANOFSKY, as sole Executor thereof in the place and stead of the said THE FIRST NATIONAL BANK OF PRINCETON. Neither of my Executors hereinabove nominated shall be required to file any bond or other security in any jurisdiction whatever for the faithful performance of its or his duties hereunder.

SEVENTH: I trust to the generosity of my sons above-named to recognize my great appreciation for the many years of faithful service of my former domestic employee, BERTHA ZIEGENHAGEN, of 28/30 Ferdinandstrasse, Hamburg, Germany, and my present domestic employees, EMMA EPPS, of 175 Birch Avenue, Princeton, New Jersey, and ALICE WRIGHT, of 114 Dempsey Avenue, Princeton, New Jersey, and, therefore, I request, but do not direct, that they and the survivor of them, make some financial provision for the above-named domestic employees from the assets of my estate inherited by them, in such amounts and at such times as they or he may deem appropriate to express my feelings of appreciation and affection for the said employees.

EIGHTH: My Executor hereinabove named shall have the following powers and authority of a discretionary nature:

a. To retain any part or all of my estate in the form in which I leave it, even though not in the form of investments allowed under the laws of any jurisdiction for an executor or trustee.

b. To divide or distribute my estate wholly in cash or wholly in kind and partly in cash and partly in kind, with power for

that purpose to determine the values of such property.

c. To sell, mortgage, divide, exchange, lease and otherwise manage and dispose of at public or private sale, all property, both real and personal, without application to any court, provided, however, that if said GERDA SOERGEL survives me, this power shall not apply to any real property which has been occupied as our residence either on a full-time or part-time basis. It is my intention by this sub-paragraph "c" that my Executor shall have an absolute and unqualified power of sale over such real property, unaffected by the passage of time or by the condition of my estate. Any sale of such real property made pursuant to the power herein granted shall be conclusively presumed to have been required for the payment of my debts or for the administration and distribution of my estate. It is my intention that any deed of my Executor affecting such real property, which is valid as to form and is properly executed, shall be conclusively presumed to convey valid title to such property.

d. To invest any and all of the property and funds of my estate in any real or personal property including, but not being limited to, investments and securities of any class including common stocks without being limited to investments classified as legal for executors in any jurisdiction.

e. To exercise all voting and other rights in connection with all securities and investments in my estate including the right: (1) to vote in person or by proxy, (2) to delegate discretionary powers, (3) to join in any reorganization or protective committee and make any payments in connection therewith, (4) to consent to the reorganization, consolidation, merger or dissolution of any corporation and (5) to exercise, sell and purchase stock rights and to make any and all payments in connection

therewith.

f. To settle, compromise and adjust any and all claims by or against me or my estate.

g. To borrow from any source, including one or more of themselves, such sum or sums of money as is necessary or proper for the advantageous settlement and administration of my estate.

h. To cause any and all securities to be registered in the name of a nominee or nominees.

i. To join with said GERDA SOERGEL in income tax returns for any period prior to or subsequent to my death and to pay any portion of such tax, up to the whole thereof.

j. To retain any share of my estate or any income which becomes payable to a minor until such minor attains the age of twenty-one years or sooner dies, with all the powers of investment and management hereinbefore in this Article EIGHTH granted to such Executor (who may claim such compensation as is allowed to a guardian) and subject to the provisions of Article NINTH, below; and to collect the income therefrom and to pay over or apply all or any part of such share and of the income therefrom as it may deem necessary or advisable to or for the use, support, maintenance and education of such minor either by payment directly to such minor or to his or her guardian or to the person with whom he or she may reside, or by payment directly for goods and services furnished to such minor. The receipt of any person to whom such payment is made shall be deemed full and sufficient acquittance therefor.

NINTH: The following administrative and interpretative powers and provisions shall govern the administration of my estate

and the conduct of my Executor aforesaid:

Persons dealing with my Executor shall not be obligated to look to the application of any moneys paid to it or him.

IN WITNESS WHEREOF, I, the said Testator, ERWIN PANOFSKY, have hereunto set my hand and seal this 7th day of June, in the year of our Lord one thousand nine hundred and sixty-six.

Erwin Panofsky

(L.S.)

ERWIN PANOFSKY

Subscribed, Sealed, Published and Declared by Erwin Panofsky, the above-named Testator, to be his Last Will and Testament, in the presence of us who were all present at the same time and who, thereupon, at his request and in his presence and in the presence of each other have hereunto subscribed our names as Witnesses this 7th day of June, 1966.

Lois Powers

26 Beatty St.

Trenton, N. J.

Beverly R. Guarino

1333 Cedar Lane

Trenton, N. J.

J. Seymour Montgomery

325 Nassau St.

Princeton, N. J.

Original Will filed in J. Seymour Montgomery's clients' will box, First National Bank of Princeton, East Nassau Street Branch, Princeton.

I, ERWIN PANOFSKY, residing and domiciled in the Township of Princeton, County of Mercer and State of New Jersey, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all other Wills and Codicils heretofore made by me.

FIRST: It is my desire to be cremated with as little ceremony as may be possible.

SECOND: I direct that all my debts, funeral expenses and administration expenses be paid as soon as practicable after my death.

THIRD: I give and bequeath to my friend GERDA SOERGEL, presently of 132 South Olden Lane, Princeton, New Jersey, to whom I anticipate being married in the near future, all of my clothing, household furniture, furnishings, equipment, utensils and supplies, physical and personal effects, domestic animals, automobiles and boats with all tools and equipment therefor, books and manuscripts, pictures, works of art, silverware, pewter, plate, china, glass and all other tangible personal property owned by me at the time of my death, but not being limited to these articles of the classes hereinabove specifically mentioned in this Article; also all contract rights under which I receive royalties.

If said GERDA SOERGEL does not survive me this legacy shall lapse and shall become and be a part of my residuary estate and I give and bequeath the same accordingly, as hereinafter provided in Article FIFTH.

FOURTH: I give and devise to said GERDA SOERGEL for a period of one year from the date of my death, the absolute and exclusive use of the real property which is my residence at the date of my death and at the end of such one-year period I give and devise the real property to my

sons, HANS A. A. PANOFSKY and WOLFGANG K. H. PANOFSKY, in equal shares and if only one of them be living at the end of such one-year period, then the whole thereof to the one surviving.

If neither of my said sons is living at the end of such one-year period, then this devise shall lapse and the said real property shall become and be a part of my residuary estate and shall be disposed of accordingly as hereinafter provided in Article FIFTH.

During said one-year period following the date of my death, the said GERDA SOERGEL shall be responsible for the payment of real estate taxes, maintenance and insurance upon and in connection with my said residence and contents, but the amount of taxes to be paid by her shall be only that portion not paid by the INSTITUTE FOR ADVANCED STUDY - LOUIS BAMBERGER AND MRS. FELIX FULD FOUNDATION, pursuant to an Agreement between me and it, contained in a letter to me from Robert Oppenheimer, Director of said INSTITUTE, dated June 3, 1957.

FIFTH: I give, devise and bequeath all of the rest, residue and remainder of my property, both real and personal, of whatever nature and wherever located in three equal shares to the said GERDA SOERGEL and to my said sons, HANS A. A. PANOFSKY and WOLFGANG K. H. PANOFSKY. If the said GERDA SOERGEL does not survive me then I give, devise and bequeath my said residuary estate to my said sons in equal shares.

If either one of my said sons, or both, does not survive me, I give, devise and bequeath the share of my residuary estate devised and bequeathed to such deceased son, to his issue me surviving in equal shares, per stirpes and not per capita.

If neither of my said sons nor any issue of theirs survive me, I give, devise and bequeath the whole of my said residuary

estate to the said GERDA SOERGEL.

SIXTH: I hereby nominate, constitute and appoint THE FIRST NATIONAL BANK OF PRINCETON, of Princeton, New Jersey, as Executor of this my Last Will and Testament. If said Bank fails to qualify, resigns, or is removed, then I hereby nominate and appoint my son, HANS A. A. PANOFSKY, as sole Executor thereof in the place and stead of the said THE FIRST NATIONAL BANK OF PRINCETON. Neither of my Executors hereinabove nominated shall be required to file any bond or other security in any jurisdiction whatever for the faithful performance of its or his duties hereunder.

SEVENTH: I trust to the generosity of my sons above-named to recognize my great appreciation for the many years of faithful service of my former domestic employee, BERTHA ZIEGENHAGEN, of 28/30 Ferdinandstrasse, Hamburg, Germany, and my present domestic employees, EMMA EPPS, of 175 Birch Avenue, Princeton, New Jersey, and ALICE WRIGHT, of 114 Dempsey Avenue, Princeton, New Jersey, and, therefore, I request, but do not direct, that they and the survivor of them, make some financial provision for the above-named domestic employees from the assets of my estate inherited by them, in such amounts and at such times as they or he may deem appropriate to express my feelings of appreciation and affection for the said employees.

EIGHTH: My Executor hereinabove named shall have the following powers and authority of a discretionary nature:

a. To retain any part or all of my estate in the form in which I leave it, even though not in the form of investments allowed under the laws of any jurisdiction for an executor or trustee.

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that purpose to determine the values of such property.

c. To sell, mortgage, divide, exchange, lease and otherwise manage and dispose of at public or private sale, all property, both real and personal, without application to any court, provided, however, that if said GERDA SOERGEL survives me, this power shall not apply to any real property which has been occupied as our residence either on a full-time or part-time basis. It is my intention by this sub-paragraph "c" that my Executor shall have an absolute and unqualified power of sale over such real property, unaffected by the passage of time or by the condition of my estate. Any sale of such real property made pursuant to the power herein granted shall be conclusively presumed to have been required for the payment of my debts or for the administration and distribution of my estate. It is my intention that any deed of my Executor affecting such real property, which is valid as to form and is properly executed, shall be conclusively presumed to convey valid title to such property.

d. To invest any and all of the property and funds of my estate in any real or personal property including, but not being limited to, investments and securities of any class including common stocks without being limited to investments classified as legal for executors in any jurisdiction.

e. To exercise all voting and other rights in connection with all securities and investments in my estate including the right: (1) to vote in person or by proxy, (2) to delegate discretionary powers, (3) to join in any reorganization or protective committee and make any payments in connection therewith, (4) to consent to the reorganization, consolidation, merger or dissolution of any corporation and (5) to exercise, sell and purchase stock rights and to make any and all payments in connection

therewith.

f. To settle, compromise and adjust any and all claims by or against me or my estate.

g. To borrow from any source, including one or more of themselves, such sum or sums of money as is necessary or proper for the advantageous settlement and administration of my estate.

h. To cause any and all securities to be registered in the name of a nominee or nominees.

i. To join with said GERDA SOERGEL in income tax returns for any period prior to or subsequent to my death and to pay any portion of such tax, up to the whole thereof.

j. To retain any share of my estate or any income which becomes payable to a minor until such minor attains the age of twenty-one years or sooner dies, with all the powers of investment and management hereinbefore in this Article EIGHTH granted to such Executor (who may claim such compensation as is allowed to a guardian) and subject to the provisions of Article NINTH, below; and to collect the income therefrom and to pay over or apply all or any part of such share and of the income therefrom as it may deem necessary or advisable to or for the use, support, maintenance and education of such minor either by payment directly to such minor or to his or her guardian or to the person with whom he or she may reside, or by payment directly for goods and services furnished to such minor. The receipt of any person to whom such payment is made shall be deemed full and sufficient acquittance therefor.

NINTH: The following administrative and interpretative powers and provisions shall govern the administration of my estate

and the conduct of my Executor aforesaid:

Persons dealing with my Executor shall not be obligated to look to the application of any moneys paid to it or him.

IN WITNESS WHEREOF, I, the said Testator, ERWIN PANOFSKY, have hereunto set my hand and seal this 7th day of June, in the year of our Lord one thousand nine hundred and sixty-six.

Erwin Panofsky

(L.S.)

ERWIN PANOFSKY

Subscribed, Sealed, Published and Declared by Erwin Panofsky, the above-named Testator, to be his Last Will and Testament, in the presence of us who were all present at the same time and who, thereupon, at his request and in his presence and in the presence of each other have hereunto subscribed our names as Witnesses this 7th day of June, 1966.

Lois Powers

26 Beatty St.

Trenton, N. J.

Beverly R. Guarno

1333 Cedar Lane

Trenton, N. J.

J. Seymour Montgomery

325 Nassau St.

Princeton, N. J.

April 4, 1968

Dear Peef:

Attached, are two pieces of paper, one a copy of a letter to Gerda on the matter we spoke on. You should get this at about the same time as your mother and brother get theirs. The other, a formal letter to you making the same request; I have sent an identical one to your brother. As you see, it turns out that the three of you are joint owners of the literary property, i.e. the copyright of your father's letters.

As to the other matter which we spoke about - your desire to do something in California. I have not yet had a chance to get the right contacts, but I will do it shortly.

Cordially,

Carl Kaysen

P.S. Please call me if you see any problem in this.

Professor W. K. H. Panofsky
Stanford Linear Accelerator Center
Stanford University
Stanford, California 94305

Enc.

April 4, 1968

Professor W. K. H. Panofsky
Stanford Linear Accelerator Center
Stanford University
Stanford, California 94305

Dear Professor Panofsky:

The Institute would like to arrange for and sponsor the publication of a selection of your father's letters to historians of art and scholars in related disciplines all over the world. His colleagues feel that this would be both a fitting tribute to him and a document of great and permanent value. I join in this view, and I also feel that the world of scholarship should be allowed to share the delight of seeing a profound and learned mind working in informal ease.

I understand that your brother Hans, and your father's widow are the owners of the literary rights in your father's correspondence, and I am, therefore, addressing to all of you the same request for permission to use the material. You would, of course, share in the royalties, and we can settle the specific details later.

We will seek a first rate scholar to take the editorial responsibility for the selection, arrange for him to do some of the work here, and make available to him the counsel of your father's colleagues. Professor Meiss, in particular, has agreed to make himself available for this purpose.

To do this job properly, the editor should have at his disposal the complete set of your father's reprints, which are now carefully arranged in the files in his office. I would hope that after this use, the reprints could be left in the library as a memorial to him.

With best wishes,

Cordially,

Carl Kaysen

M

April 4, 1968

Mrs. Gerda Panofsky
97 Battle Road
Princeton
New Jersey 08540

Dear Mrs. Panofsky:

I regret that I must intrude on your grief with business, but there is a matter of some importance on which decisions need to be taken. The Institute would like to arrange for and sponsor the publication of a selection of your husband's letters to historians of art and scholars in related disciplines all over the world. His colleagues feel that this would be both a fitting tribute to him and a document of great and permanent value. I join in this view, and I also feel that the world of scholarship should be allowed to share the delight of seeing a profound and learned mind working in informal ease.

I understand that you, Hans and Wolfgang are the owners of the literary rights in your husband's correspondence, and I am, therefore, addressing to all of you the same request for permission to use the material. You would, of course, share in the royalties, and we can settle the specific details later.

We will seek a first rate scholar to take the editorial responsibility for the selection, arrange for him to do some of the work here, and make available to him the counsel of your husband's colleagues. Professor Meiss, in particular, has agreed to make himself available for this purpose.

To do this job properly, the editor should have at his disposal the complete set of your husband's reprints, which are now carefully arranged in the files in his office. I would hope that after this use, the reprints could be left in the library as a memorial to him.

With all sympathy and respect,

Sincerely yours,

Carl Kaysen

Y P O C

Presiding of Panofsky Letters

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THE INSTITUTE FOR ADVANCED STUDY

PRINCETON, NEW JERSEY 08540

SCHOOL OF HISTORICAL STUDIES

February 8, 1968

Dr. Carl Kaysen
Director
The Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Kaysen:

Thank you for "hearing" me today. Should you wish to get in touch with Professor Heckscher his address is:

Professor William S. Heckscher
Department of Art
Duke University
6605 College Station
Durham, North Carolina 27708

Telephone: 919 - 684 - 2224

Again, many thanks,

Yours sincerely,

Roxanne Forster

Roxanne Forster