

An updated response from art historian Gail Levin:

Philip Sanborn's account does not explain Arthayer Sanborn's secrecy in selling through the auction houses, as documented by his October 26, 1979 letter to Peter Rathbone at Sotheby's announcing that he wants to sell some early drawings, but that he wishes to remain anonymous. Sanborn did this despite the fact that the history of ownership by someone "close" to Hopper would have helped to authenticate the works and bring a higher price.

Nor does Philip Sanborn's statement explain why Arthayer Sanborn told so many different stories to different people about how he came into possession of art by Edward Hopper. Sometimes he said that it was a gift from Edward Hopper; other times he claimed that the works came from Jo Hopper; sometimes the Bequest of Jo Hopper; sometimes a purchase of the Nyack house contents; sometimes drawings hidden in a purchase of antique furniture from Washington Square. In short too many explanations where no written documentation confirms any of the above. Arthayer Sanborn claimed to have been a close friend of Edward Hopper, which he was not. He claimed he was Hopper's minister, which he was not since Hopper disdained organized religion. Arthayer Sanborn was Marion Hopper's minister, who got and kept the key to the Nyack house, where he learned that art works were stored.

If the Hoppers told their attorney to get rid of the rest of the stuff in the house, then why did they leave all of Edward's art in the house to the Whitney? Much of what came to the Whitney in the way of Hopper's early art came from the Nyack house after Jo's death. If the attorney was notified and recognized gifts to Sanborn from the Hoppers, where are such written communications? Attorneys, especially those dealing with estates and elderly people, put such details in writing. They of all people protect themselves with written documentation. Sanborn had no documentation or he would have produced it when asked by the Random House attorney after he wrote to Sonny Mehta at Knopf in March of 1996. He asserted to Mehta that he owned or had once owned a list of 29 works reproduced in my book, *Edward Hopper: An Intimate Biography*, to which he claimed copyright. When Knopf's attorney asked Sanborn for proof of how he came to possess these works, he withdrew his claim in his subsequent letter.

Even if this story recounted by Philip Sanborn were true and the Hoppers told the attorney to empty the house, according to Philip

Sanborn, this wasn't done until after Jo's death. At that point, all of the art by Edward Hopper remaining in the contents of the Nyack house belonged to the Whitney as explicitly stated in Jo's will. It was by then legally too late to buy art as part of the contents. Also, any value of the contents (after the art by Edward went to the Whitney) was left to all 6 residual legatees, not just to Sanborn.

Jo and Edward were already too feeble to climb the rickety ladder to get into the attic in 1965, but she left a diary entry that I quoted in my biography and it does not mention telling the attorney to empty the house or the Hoppers giving anything to Sanborn. She wrote instead, "I felt gladness I wasn't throwing out her treasures or selling the 100 yr. old birthplace." She describes how she had to "do everything, drag, haul, unwrap, wrap, wash hands 28 times a day," etc. The attorney had no right to sell the art as "contents" after Jo's death since the art in the contents clearly belonged to the Whitney by the explicit terms of the will. Very likely the attorney was unaware that there was art in the house and Arthayer Sanborn, who knew that there was, was not forthcoming about what he knew was there. It would appear that he did not wish to share with the other five residual legatees what he took from the house contents and from the art bequeathed to the Whitney.

If Philip Sanborn says that his father did not keep the early oils that they found in the attic, then how did so many of them get into Arthayer Sanborn's collection? There are many that Sanborn admitted owning listed in my catalogue raisonne and possibly others that passed through his possession that appeared for sale anonymously at auction. One of them that he claimed to have owned was recently on the market for \$195,000. Another, an early self-portrait, Arthayer Sanborn gave away to a friend who sold it to the Museum of Fine Arts in Boston. These paintings were some of the art works that were all clearly left in the will to the Whitney.

If Edward or Jo Hopper gave Arthayer Sanborn works of art, why did they fail to record all of these gifts in the record books that Jo kept so carefully? She was still keeping them in 1965 along with writing in her diary and writing letters to friends. No mention of gifts to Sanborn appears.

Philip Sanborn still does not explain how his father got so many drawings and a major canvas (*City Roofs*, 1932) from the Washington Square studio. Why doesn't he? In the record book, Jo marks *City Roofs*, "here in studio." There is no evidence that either Edward or Jo Hopper ever gave art works to Arthayer Sanborn, who emphatically

told me that they did not. There are no inscriptions, no notes documenting gifts of art that I have ever seen, no record book entries, no mention in Jo's diaries, and nor in letters to others. Nor I do believe that the Hoppers intended for a preacher in Nyack to take possession of Edward's early work and then dump it on the art market to enrich himself. Or that the Hoppers meant for Edward's letters and other papers to end up with a preacher who would move to Florida and determine who could see those papers. Philip Sanborn's account just does not convince any more than the different stories his father told to different people at different times.

Arthayer Sanborn had no documentation and no way to show how he got millions of dollars worth of art (in today's market) from a couple who seldom gave art away and kept careful records whenever they did.

Why would the executor send Sanborn with Hopper's works to John Clancy at the Rehn Gallery, when the art belonged to the Whitney Museum? What would Clancy have to do with it? I interviewed Clancy at length, but he never mentioned this story. Why wouldn't Sanborn deliver these works directly to the Whitney Museum, the rightful owner, where there was much more space? Both are in NYC.

The lawyer for the estate did not have the authority to deprive either the Whitney or the other 5 residual legatees by giving Sanborn art, documents, or other materials just because he was on the scene. Anything that he took or bought from the Nyack house after Jo's death clearly belonged equally to all the other five named in the will as residual legatees.

And by the way I did meet Arthayer and Ruth Sanborn. I visited with them in their homes in both New Hampshire and in Florida. I spoke with them at length over several days in those homes. I spoke with Arthayer Sanborn on various occasions by phone and in person at the Whitney Museum, starting in June 1976, when he took the initiative to come to see me at the Whitney, where he wanted to get me to authenticate the works in his collection.

Gail Levin