

Ladies and Gentlemen:

I am a Certified Member of the Appraisers Association of America. My field is Modern Art, specifically ceramics, tapestries and prints. I have been a member of the Appraisers Association of America since 1992.

However, it is as a collector that I believe my testimony can help legislators understand some important factors that perhaps have not been thoroughly explored in discussions surrounding [H.B. No. 6955](#) (RAISED) AN ACT PROHIBITING THE SALE AND TRADE OF IVORY AND RHINOCEROS HORN. (ENV)

Over many decades I assembled what may be the largest collection of whist counters in the world. Whist is a card game that was the precursor of modern contract bridge. Everyone from Ben Franklin to Napoleon to Catherine the Great to the Robber Barons played this game, which became very popular in the United States. Between about 1880 and 1910 artifacts were created to keep score of points in this card game. After the Meiji Restoration, changes came to Japan that put a lot of artisans who had created sword furniture and netsukes out of work. These skilled workers turned to producing items for export, many of them in ivory. One such export item was whist counters, then in demand in Britain and the U.S.

As with okimono and netsuke, the Japanese artisans made use of ivory. Ivory pegs in fact were used in the more deluxe British-made whist markers. When bridge came in, production of whist counters stopped -- almost totally before the first world war. Thus it is unlikely that anybody would have produced an ivory whist counter in the past 100 years.

I was in negotiations with a collector in France to purchase many of my finest ivory counters when the US ban was announced. The result was a direct loss to me of over \$10,000 and at the time I wondered whether the constitution allowed what amounted to the confiscation of my property (well, of the MONETARY VALUE of my property) without compensation. Perhaps that will be among the final points when this issue ultimately reaches the Supreme Court which I believe will eventually happen. Let me remind you that the Fifth Amendment of the Constitution of the United States say "...nor shall private property be taken for public use, without just compensation."

In the meanwhile, it would be sad indeed if Connecticut passed this bill that will literally take money out the pockets of collectors (some of them Connecticut taxpayers). Of course everyone wishes to save the elephants, but making it impossible to buy or sell ivory that was made into artifacts a hundred years ago benefits no one -- including elephants.

Whist counters are just one of the myriad items in which artists and artisans innocently utilized ivory. Many such items were bought and sold for relatively inexpensive prices over many decades. It would be an exception rather than the rule for there to be any detailed documentation for such sales. Even if there had originally been meaningful invoices, it defies logic to think that someone would keep such records, yet the bill in question puts the onus of proof on innocent possessors of items that may have descended in families over centuries.

I urge you to exercise prudence and to resist adding Connecticut to the States that have with good intentions jumped onto a bandwagon that is crushing innocent collectors under its wheels.

Sincerely,  
Charles Mathes, President  
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