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The decision is printed in the United States Treasury Decisions, 54, no. 43063 and reprinted in "Fresh Paint: A Just Decision," The Arts, 14 (12 1928), 337-38. 10 Epstein, Jacob, Epstein, an Autobiography (New York, 1955), p.

### **Modernism on Trial: C. Brancusi v. United States (1928)**

United States. Constantin Brancusi (1876-1957) was born in Romania, but from 1904 he lived and worked as a sculptor in Paris. He was preoccupied by the theme of the bird, culminating in the sculpture Bird in Space, of which he made 15 versions in marble and bronze and a number of plaster casts.

### **MoMA | "But Is It Art?" Constantin Brancusi vs. the United**

In United States v. Perry, 146 U.S. 71 (1892), stained glass windows were not accepted as fine art and a 45% import duty was levied. In United States v.

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