

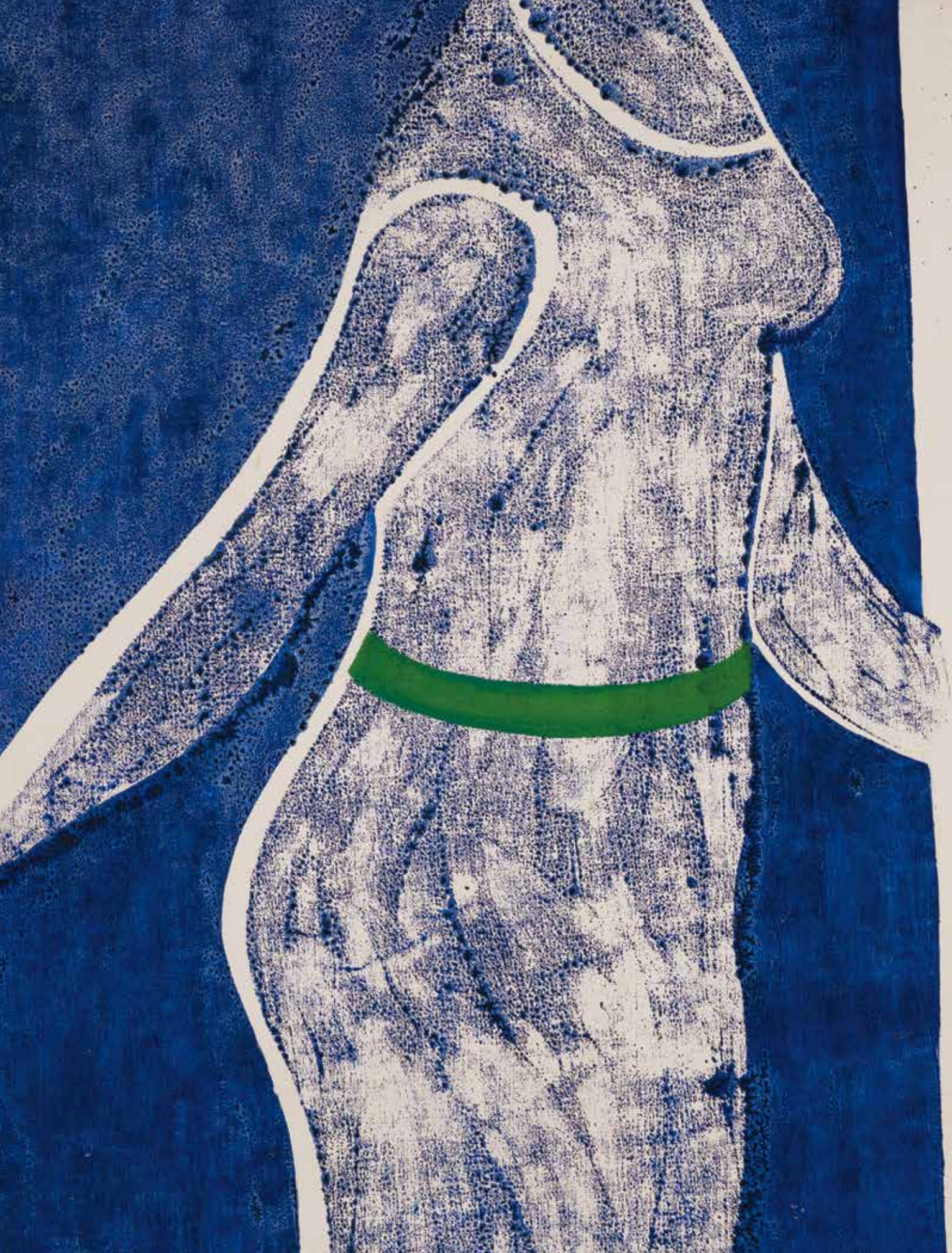


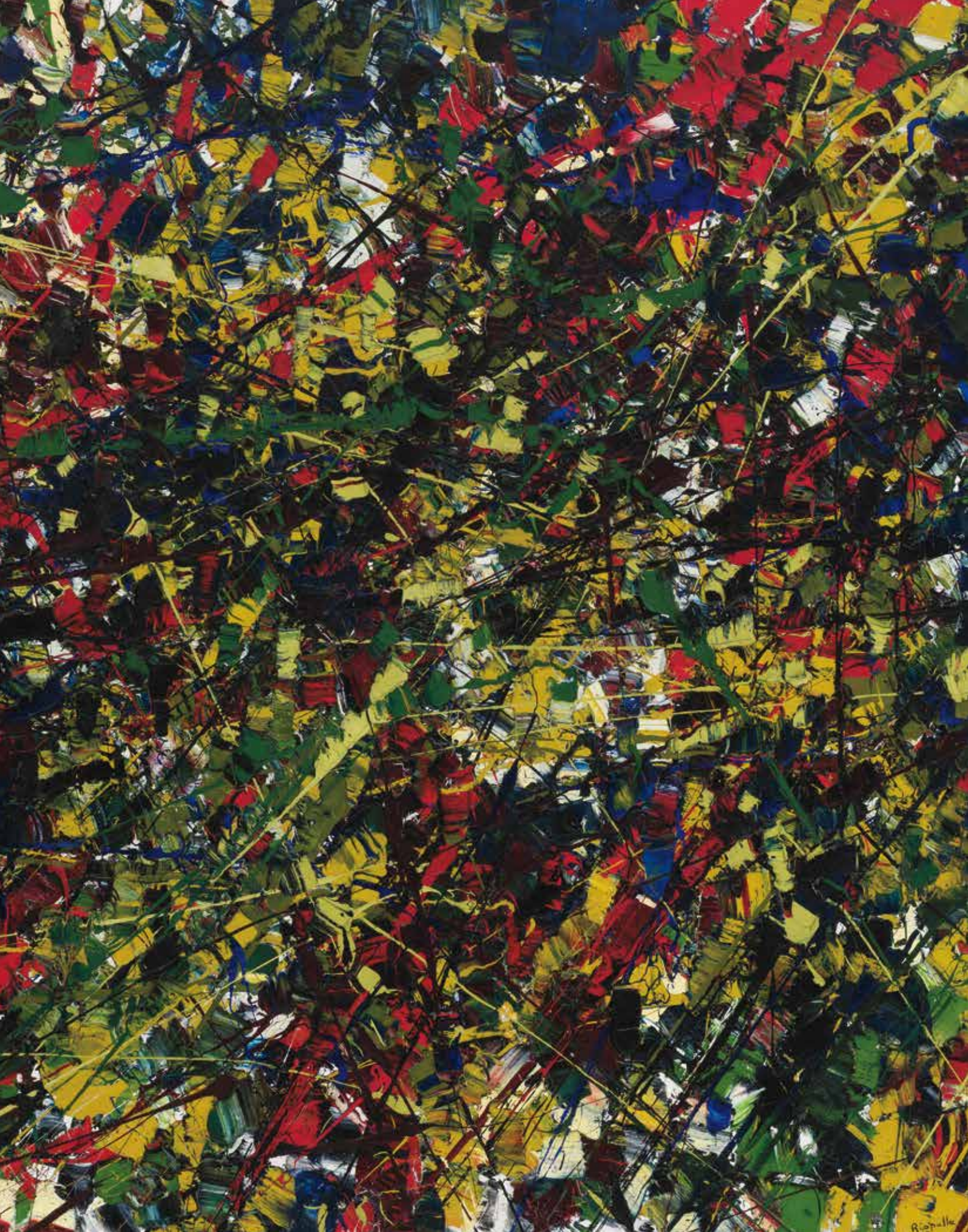
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\$300-500	\$50
\$500-2,000	\$100
\$2,000-5,000	\$250
\$5,000-10,000	\$500
\$10,000-20,000	\$1,000
\$20,000-50,000	\$2,500
\$50,000-100,000	\$5,000
\$100,000-300,000	\$10,000
\$300,000-1,000,000	\$25,000
\$1,000,000-2,000,000	\$50,000
\$2,000,000-3,000,000	\$100,000
\$3,000,000-5,000,000	\$250,000
\$5,000,000-10,000,000	\$500,000
\$10,000,000+	\$1,000,000

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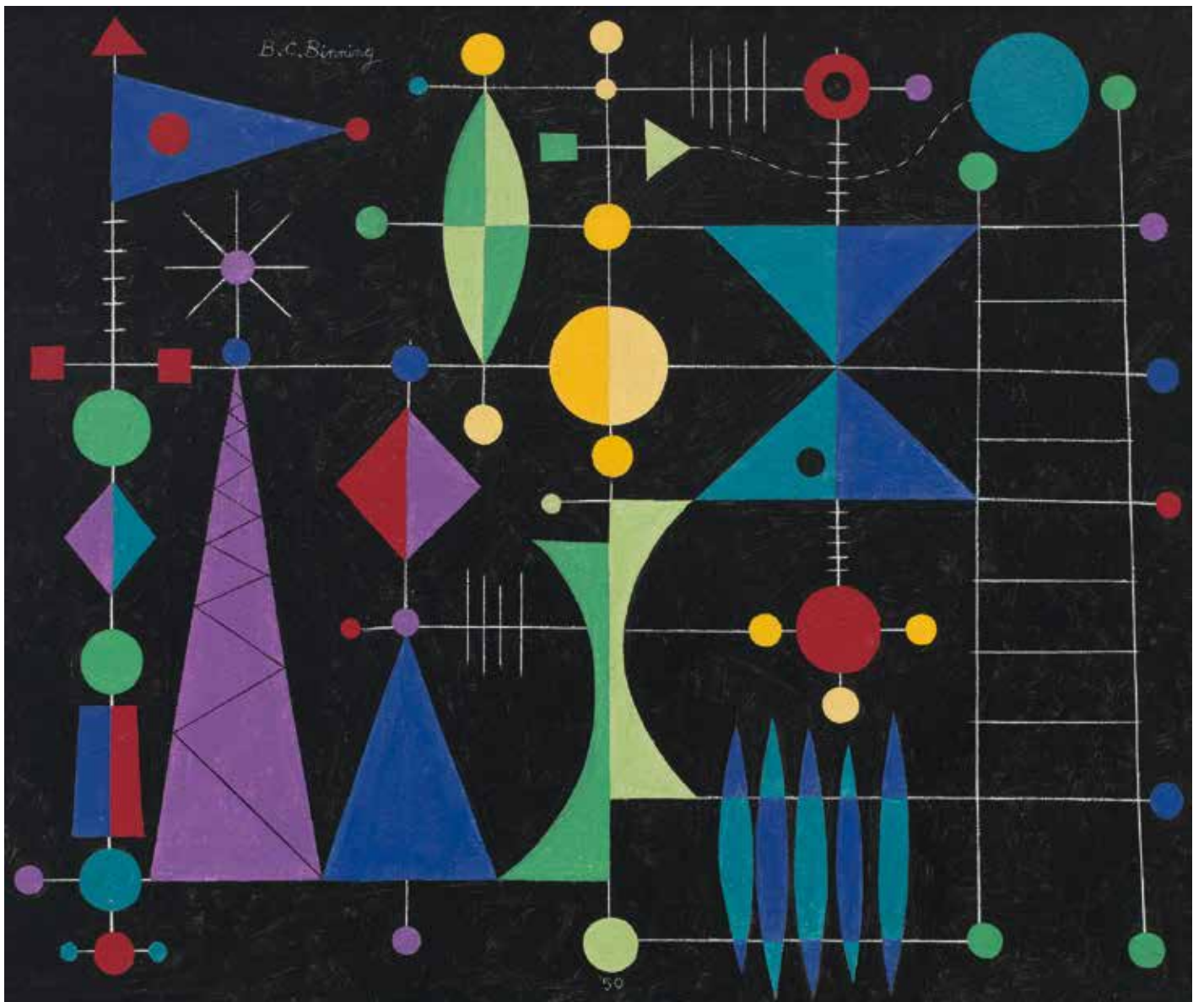
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1 Bertram Charles (B.C.) Binning

BCSFA CGP CSGA OC RAIC RCA 1909 – 1976

Night Signals

oil on board, signed and dated 1950 and on verso titled on various labels and inscribed *Catalogue #19* on a label
29 x 34 ¾ in, 73.7 x 88.3 cm

PROVENANCE

Private Collection, Vancouver, early 1950s
By descent to the present Private Collection, Vancouver

LITERATURE

B.C. Artists' 19th Annual Exhibition, Vancouver Art Gallery, 1950, listed page 1
Doreen E. Walker, *B.C. Binning: A Classical Spirit*, Art Gallery of Greater Victoria, 1986, reproduced, catalogue #19, and the related 1950 oil entitled *Night Harbour*, in the collection of the Vancouver Art Gallery, reproduced, catalogue #45, unpaginated
Abraham Rogatnick, Ian M. Thom and Adele Weder, *B.C. Binning*, 2006, essay by Ian M. Thom, pages 126 and 131, the 1950 oil *Night Harbour* reproduced page 131

EXHIBITED

Vancouver Art Gallery, *B.C. Artists' 19th Annual Exhibition*, November 28 – December 17, 1950, catalogue #7
Art Gallery of Greater Victoria, *B.C. Binning: A Classical Spirit*, November 28, 1985 – February 2, 1986, traveling in 1986 – 1987 to the McMichael Canadian Art Collection, Kleinburg; Winnipeg Art Gallery; Glenbow Museum, Calgary; and the Vancouver Art Gallery, catalogue #19

B.C. BINNING WAS a seminal figure in the West Coast modernist art scene. His teaching career began in 1933 with his appointment as an instructor at the Vancouver School of Art; he continued on to the University of British Columbia, where in 1949 he was appointed as an assistant professor at the School of Architecture. He went on to establish and head the Department of Fine Arts there in 1955. He was a cultural catalyst in Vancouver at the time, participating in the development of the UBC Fine Arts Gallery and the Nitobe Memorial Garden, as well as organizing the Festival of the Contemporary Arts. He exhibited internationally: in a survey of Canadian art in Washington, DC, in 1950; at the Carnegie Institute in Pittsburgh in 1952; in the *Venice Biennale* in 1954; in Venezuela and Washington in 1955; in Milan in 1957; and at the Brussels World's Fair in 1958. Also involved with integrating art into architecture, he designed murals for the facade of the BC Hydro building and for the interior of the Canadian Imperial Bank of Commerce, Granville and Dunsmuir branch. A vital, formative contributor to the West Coast scene in both art and architecture, he affected generations of students and the cultural scene as a whole, and his influence extended nationally

and internationally. He served on the Visual Arts Committee of the National Arts Centre in Ottawa from 1964 to 1967, and was on the Canada Council's Advisory Panel for the Arts from 1965 to 1969.

Binning was an early British Columbia modernist, and his 1950s abstractions were often based on nautical themes, as in this stunning work with its abstracted flags and buoys. He had a sailboat named *Skookumchuck*, which he had partially built himself, and he was an enthusiastic navigator around Vancouver's shores and the coastline of British Columbia. A sensitive observer of these seascapes, he commented, "Being a seaside person, small boats, ships and things of the sea are old loves of mine—I know them well and I find them ready forms for interpretation."

With its colourful symbolic shapes against an inky black background, *Night Signals* has a strong impact. Binning must have found this image compelling, as there were two previous versions from 1950 with colour variations in the abstracted shapes—a smaller oil, 17 x 21 ½ inches, entitled *Night Harbour*, sold by Heffel in fall of 2010, and an 8 x 10 ½-inch oil, in the collection of the Vancouver Art Gallery. He also produced a silkscreen in an edition of 20, which was printed by Gordon Smith. Our *Night Signals* is the largest work, and it is impressive.

Binning explained the genesis of these works from an aesthetic revelation he experienced, stating, "*Night Harbour* came about when I was coming home from another excursion ... into the harbour in Vancouver ... and suddenly you break out into all the lights of the harbour and the ships and so on, and all this black velvety summer night again with all these signals, lights flashing and neon signs—all this activity going on at night. You know it's really quite stirring."

Influences present in Binning's work were more European than North American. Affinities with the work of Paul Klee and Joan Miró can be seen, and were acknowledged by Binning in his work—in the use of whimsical, abstracted forms, wiry lines and a sense of fantasy and playfulness. In *Night Signals*, Binning expressed his feeling of excitement through the abstracted forms radiant with colour, which, propelled by their brilliance, pop forward from the flat black surface. At the same time, Binning contained these forms in a composition that is both formal and elegant by linking them in a carefully spaced grid connected by thin lines. Binning's unique sense of the drawn line can be seen in both his pencil drawings and his paintings—it is one of the elements that define his work. So, too, do his sense of lyricism, his imbuing of abstract shapes with emotion, his simplicity of visual statement and his cool classicism. *Night Signals* derives from a powerful and specifically West Coast visual experience, yet this codified expression of Vancouver's harbour in the night is a universal visual statement, a masterwork by this important British Columbia artist.

ESTIMATE: \$40,000 – 60,000



2 Paul-Émile Borduas

AUTO CAS QMG RCA 1905 – 1960

Sans titre

oil on canvas, circa 1949
8 ¾ x 9 ½ in, 22.2 x 24.1 cm

PROVENANCE

Private Collection, Montreal

LITERATURE

François-Marc Gagnon, *Paul-Émile Borduas: A Critical Biography*, 2013, page 256

THE AUTOMATIST MANIFESTO *Refus global* (Total Refusal), published by Paul-Émile Borduas and other artists in 1948, was very badly received by the nationalist and Catholic establishment. It provoked the dismissal of the painter from the École du meuble de Montréal, where he had been teaching since 1935. Borduas, who was the father of three children, then found himself without income, except from the sale of his own paintings and the lessons he gave to the children of Mont-Saint-Hilaire. In *Projections libérantes*, he wrote, “At last! free to paint!” But the truth was that he had no other main source of income other than his own paintings, and artist materials are costly, as are frames. And the more expansive paintings were harder to sell at that time.

We see the effects of all these conditions on his production post-1948, especially on our *Sans titre*. The paintings get smaller, and watercolours become more abundant. Borduas exhibited at his friends’ places (such as the studio of Guy and Jacques Viau in April 1948 and in May 1949) or at his atelier in Mont-Saint-Hilaire (November 1950), to avoid the cost of galleries. He also took advantage of group shows—such as at the Art Gallery of Toronto (October – November 1948), the Montreal Museum of Fine Arts (the spring shows of 1949 and 1950), and the Musée de la province de Québec (November – December 1949).

After 1949, Borduas abandoned the system he had been using to date his paintings (indicating by numbers the month and year of their production—for instance, 9.46 or *L'éternelle Amérique* to indicate that the painting was produced in September 1946). He neglected to sign or date some of them, as with our painting, or just signed them with the letter B. (as in *Sombre spirale*, 1950). For stylistic reasons, we believe the painting is from 1949 (compare it with 4.48 or *La pâque nouvelle* or *Les voiles blancs du château-falaise*, 1949).

In our *Sans titre*, we see an excellent example of the evolution of Borduas’s Automatist paintings. In the “classical” period of his Automatist production, “objects” detached themselves clearly from a background that recedes to infinity—as for example in 19.47 or *Parachutes végétaux*, which is in the collection of the National Gallery in Ottawa, or *Carquois fleuris* (1947), in the collection of the Montreal Museum of Fine Arts. In *Sous le vent de l’île* (1947), the background is painted with a brush and the objects partly with the painting knife to enhance this distinction. Here we still have this division between a background and objects, but the objects executed in white with a painting knife seem fragmented into many elements. After Borduas’s contact with New York painting, his backgrounds tended to migrate to the surface and absorb the objects, which would then disappear. One good example of the process is *Les signes s’envolent*, 1953 (in the collection of the Montreal Museum of Fine Arts), whose title could be read as “the signs get absorbed in the background.” The transitional character of our *Sans titre* gives it great historical interest, not to mention that it is a little gem from Borduas’s oeuvre.

We thank François-Marc Gagnon of the Gail and Stephen A. Jarislowsky Institute for Studies in Canadian Art, Concordia University, for contributing the above essay.

This work is included in François-Marc Gagnon’s online catalogue raisonné of the artist’s work at <http://www.borduas.concordia.ca>, #2018-1506.

This lot is accompanied by a letter of authenticity signed by François-Marc Gagnon, dated May 21, 2018.

ESTIMATE: \$30,000 – 50,000



3 Jean Albert McEwen

AANFM RCA 1923 – 1999

1—Noir

oil on canvas, signed and dated 1962 and on verso titled and inscribed *McEwen* and \$200 on the National Council of Jewish Women label
20 x 20 in, 50.8 x 50.8 cm

PROVENANCE

National Council of Jewish Women of Canada, Ottawa
Private Collection, Ontario

LITERATURE

Constance Naubert-Riser, *Jean McEwen: Colour in Depth*, Montreal Museum of Fine Arts, 1987, page 19, a similar 1962 work entitled *T—Noir*, in the collection of the Smithsonian Institution in Washington, DC, reproduced page 82

EXHIBITED

National Council of Jewish Women of Canada, Ottawa Section, *Exhibition and Sale of Works by Leading Canadian Artists from Coast to Coast*

THE WORKS JEAN MCEWEN produced between 1960 and 1963 were dominated by a strong vertical presence, and our *1—Noir* and *T—Noir*, in the collection of the Smithsonian Institution in Washington, DC, are excellent examples of this phase in McEwen's career. As Constance Naubert-Riser explained, "McEwen has devoted his entire creative output to exploring the power of colour while providing it with a structure, all with the aim of revealing the qualities of depth inherent to it." In *1—Noir* McEwen explored the materiality of the paint itself by successively layering opaque and translucent pigments, while structuring the painting in a binary manner. Fiery panels flank the cavernous centre track, while offset squares of mustard and inky brown define the right and upper edges of the canvas.

In 1958, the National Council of Jewish Women of Canada established the *Exhibition and Sale of Works by Leading Canadian Artists from Coast to Coast*, with all proceeds going to the council, a volunteer organization founded in 1897 in Toronto. *1—Noir* was acquired from one such exhibition by a private collector in Ontario and has remained in that collection ever since.

ESTIMATE: \$30,000 – 50,000



4 Jean Albert McEwen

AANFM RCA 1923 – 1999

Les continents fleuris #11

oil on canvas, on verso signed, titled and dated 1974 – 1975 on the gallery label
36 x 40 in, 91.4 x 101.6 cm

PROVENANCE

Mira Godard Gallery, Toronto
Private Collection, Toronto

LITERATURE

Constance Naubert-Riser, *Jean McEwen, Colour in Depth*,
Montreal Museum of Fine Arts, 1987, page 38

THROUGHOUT HIS CAREER, Jean McEwen experimented with techniques, materials and compositional formats to create his fascinating works. As Constance Naubert-Riser related, McEwen wrote in his 1979 book *Cul de lampe*, “A painting is created from

rhythm, form, space, light, shade and colour—but it is the feeling, the poetry of the painter that produces the harmony.” McEwen comprehended space completely through colour. In *Les continents fleuris #11* (The Flowering Continents #11), his variegated use of opaque and translucent layers sets up an interplay between the golden surface and the dark hues and compositional elements that lie below it, playing with the viewer’s perception of space. Underpainted faint vertical lines divide the canvas and create tension between the centre and the margins of the work. As the luminous yellow dances across the surface in a gestural manner, the resulting rich texture developed demonstrates McEwen’s sophisticated manipulation of the material. Typical of this series, dripping appears above the lower edge. A master of Colour Field painting, McEwen generates a captivating composition with depth and drama on this magnificent canvas.

ESTIMATE: \$30,000 – 50,000



5 Michael James Aleck Snow

OC RCA 1928 –

Green Belt

oil on canvas (also catalogued as polymer on canvas),
on verso signed, titled and dated 1963
26 ½ x 45 ½ in, 67.3 x 115.6 cm

PROVENANCE

The Isaacs Gallery Ltd., Toronto
Private Collection, Toronto

LITERATURE

Louise Dompierre, editor, *Walking Woman Works: Michael Snow, 1961 – 67: New Representational Art and Its Uses*, Agnes Etherington Art Centre, 1983, reproduced page 51 and listed pages x and 157

Michael Snow, *Biographie of the Walking Woman, 1961 – 1967*, 2004, reproduced, unpaginated

EXHIBITED

Poindexter Gallery, New York, *Michael Snow*, January 28 – February 15, 1964, catalogue #23

Henry Street Settlement, New York, *Gymnasium Show 1*, June 10 – 21, 1964, third prize

The Isaacs Gallery Ltd., Toronto, *Interim Works by Four Artists*, January 7 – 27, 1965, catalogue #6

A MULTI-TALENTED ARTIST, filmmaker and musician, Michael Snow is well into his seventh decade as an artist, using any medium that furthers his creative ambition. In 1967, through a veil of false modesty and insouciance, he claimed he was not a professional: his paintings were done by a sculptor, sculptures by a filmmaker, films by a musician, and sometimes the paintings were done by a painter, sculptures by a sculptor, and films by a filmmaker. Like all innovators, Snow gives himself permission to do what he needs, when he needs it, and how he needs it.

Born in Toronto, raised in Rosedale, schooled at Upper Canada College and a graduate of the Ontario College of Art (now OCAD University), Snow established himself on the Toronto art scene in the early 1950s as a painter. During his first two-artist exhibition, in January 1955 with Graham Coughtry at Hart House at the University of Toronto, the mayor of Toronto questioned the propriety of their figurative art, fomenting a *succès de scandale* that famously prompted an exasperated Coughtry to think aloud that every damn tree in Canada had been painted.

Snow's first solo exhibition of *Walking Woman* works opened at Toronto's Isaacs Gallery in March 1962. That year he and his

then wife, Joyce Wieland, left Toronto for New York, where they would remain until 1971. At the time of their move, both were established in Toronto, showing at the Isaacs Gallery and pursuing careers in commercial and fine arts. Within two years, *Green Belt* debuted in Snow's first solo exhibition in New York, at the Poindexter Gallery. The Poindexter exhibition in January and February 1964 had 27 *Walking Woman* works, including *Sideway* (sold at Heffel, November 24, 2011, when it achieved the record price for Snow at auction) and *Green Belt*'s much exhibited and published variant, *BEACH-HCAEB* (collection of the McIntosh Gallery, Western University, London, Ontario, catalogue #1.33).

Green Belt and *BEACH-HCAEB* are imperfectly mirrored *Walking Women* that Snow indicated could be described as monoprints. Commonly, a monoprint is a painted design on a smooth, rigid matrix that is run through a press to leave an impression on a support, usually paper. Snow made up his own rules by painting the matrix on canvas, folding it over and printing mirrored images on one surface. With paint on the left and right sides of the canvas, he folded the canvas in half and then carefully pressed the sides against each other to register the composition in reverse.

Snow's incorporation of printmaking techniques in his paintings is limited to his 1963 paintings *Green Belt* and *BEACH-HCAEB*, and the 1964 sculpture *Register* (collection of the Art Gallery of Hamilton, catalogue #1999.1.1). His 1963 monoprint paintings follow Andy Warhol's embrace of the silkscreen printmaking technique for his paintings by one year. But whereas Warhol's silkscreening allowed economy of scale by reusing the matrix and abandoned the notion of painterly touch, Snow's technique was singular and predicated on touch. Given the labour required, it is not surprising that Snow used the technique only twice.

Like Michael Snow's best works, *Green Belt* combines visual appeal and the enigma of its elements. One does not have to know the *Walking Woman* series to apprehend the image because of Snow's deft touch with colour and composition. *Green Belt* has had one owner since leaving the artist's possession in the 1960s. It has not been exhibited since its 1965 showing at the Isaacs Gallery in a four-artist show with Richard Gorman, Robert Markle and Wieland, and, for the first time in more than half a century, the last of Snow's monoprint paintings in private hands will be shown and offered at public auction.

We thank Gregory Humeniuk, art historian, writer and curator, for contributing the above essay.

ESTIMATE: \$70,000 – 90,000



6 Jack Hamilton Bush

ARCA CGP CSGA CSPWC OSA P11 1909 – 1977

Down and Across

acrylic on canvas, on verso signed, titled, dated February 1967, inscribed *Toronto / Acrylic Polymer W.B. / John Simon Guggenheim Memorial Foundation* on the André Emmerich Gallery label and stamped André Emmerich Gallery Inc., 41 East 57
58 x 49 in, 147.3 x 124.5 cm

PROVENANCE

André Emmerich Gallery, New York, April 1967 – September 1968

Acquired from the above by Atlantic Richfield Company (ARCO), September 19, 1968

Sold sale of *Modern, Post-War & Contemporary Art*, Christie's, Los Angeles, December 5, 2000, lot 17

Private Collection, Colorado

LITERATURE

Nine Canadians, Institute of Contemporary Art, 1967, reproduced, unpaginated

Robert Anderson, quoted in "Works from the Atlantic Richfield Company," Wright Auctions, 2016, para. 3, <https://www.wright20.com/auctions/2016/01/prints-multiples/works-from-the-atlantic-richfield-company>, accessed July 26, 2018

EXHIBITED

Institute of Contemporary Art, Boston, *Nine Canadians*, May 19 – June 21, 1967, catalogue #7

THE YEAR 1967 was an exciting time for the arts in Canada. A surge of confidence (i.e., investment) meant that Canada could rally—cheerleaders and all—with a new sense of cosmopolitan character. Montreal hosted Expo 67, where Jack Bush was included in the *Painting in Canada* group exhibition in the Canadian Pavilion. As the country was making a mark on the international scene, so too was Bush. His striped painting *Bright Afternoon* (1966) was featured on the cover of the January 20, 1967 issue of *Art International*. Perhaps this was no surprise, since the magazine's Switzerland-based editor James Fitzsimons had personally purchased the painting.

In late April 1967, the André Emmerich Gallery purchased four of Bush's most recent striped paintings, including *Down and Across*. By this time Bush's paintings were increasingly in demand, and therefore consignments to dealers were subsiding, while straight purchases and even yearly guarantees became the norm and his main source of income. Emmerich had been representing Bush in New York City since 1964 and would keep the artist on his roster through to 1986.

From May 19 to June 21, 1967, Emmerich loaned *Down and Across* to the Institute of Contemporary Art, Boston, for inclusion in the exhibition *Nine Canadians*. At nearly the same time, from May 2 to June 4, 1967, Bush was included in another group exhibition south of the border, at the Museum of Modern Art in

New York. The exhibition, titled *Canada '67*, was undoubtedly intended to acknowledge the Dominion's centenary. Even farther afield that year, Bush was one of only two artists who represented Canada at the 1967 *Bienal de São Paulo*. Organized by the National Gallery of Canada, several of Bush's large striped canvases were sent to São Paulo that fall, including many paintings reaching nearly 10 feet long, such as *Red and Green Pillar* (1966), *Across and Down* (1966) and *V Cut #1* (1967). All of these works bear strong connections in style, colour and paint application to *Down and Across*.

In March 1967, shortly after Bush finished painting *Down and Across*, he applied for the Guggenheim Fellowship. An André Emmerich Gallery label on the stretcher for *Down and Across* reads: "John Simon Guggenheim Memorial Foundation." This is most likely an indication that *Down and Across* was put forward as an example of recent work required by the fellowship application. The good news came in early spring 1968; Bush had won the John Simon Guggenheim Memorial Foundation Fellowship in Fine Arts.

Since it left the artist's studio in 1967, *Down and Across* has not returned to Canada until now, in 2018. A little over 50 years ago, the painting was acquired by Atlantic Richfield Company (ARCO), which would eventually boast one of the largest corporate art collections in the world. ARCO was formed as a result of a merger between two oil companies in 1966 led by Robert O. Anderson, who happened to be an avid art collector. As ARCO's founder and chair, Anderson hired the Bauhaus master Herbert Bayer to be the company's art and design consultant, alongside a staff that worked to catalogue and manage the art collection.

ARCO was first based in New York City and later in Los Angeles. The company's art collection grew to more than 15,000 works before it was liquidated in the year 2000, after British Petroleum bought out ARCO in 1999. Anderson's passion for contemporary art was largely due to the correlations he saw between his own alternative path to success and the way in which artists think outside the box; according to Anderson, "That's one of the many reasons contemporary art is beneficial to society."

We thank Dr. Sarah Stanners for contributing the above essay. Dr. Stanners brought the definitive Jack Bush retrospective to fruition with Marc Mayer at the National Gallery of Canada and the Art Gallery of Alberta (2014 – 2015). She launched *Jack Bush: In Studio* (2016) at the McMichael Canadian Art Collection, where she served as Chief Curator from 2015 to 2018, overseeing 27 exhibitions and 8 publications on Canadian art. Dr. Stanners is now director of the Jack Bush Catalogue Raisonné and holds a status-only appointment as assistant professor at the University of Toronto, Department of History of Art.

This work will be included in Sarah Stanners's forthcoming *Jack Bush Paintings: A Catalogue Raisonné*.

ESTIMATE: \$250,000 – 350,000



7 Andy Warhol

1928 – 1987 American

Joseph Beuys (F. & S. II.244)

screenprint on Lenox Museum Board, signed and editioned PP 3/9 and on verso certified by the copyright stamp © Andy Warhol 1980 and stamped with a blindstamp, 1980 – 1983
40 x 32 in, 101.6 x 81.3 cm

PROVENANCE

Private Collection, Montreal

LITERATURE

Frayda Feldman and Jörg Schellman, editors, *Andy Warhol Prints: A Catalogue Raisonné, 1962 - 1987*, 4th edition, 2003, reproduced page 116, State III and listed page 217, catalogue #II.244 Phaidon, "What Andy Warhol Saw in Joseph Beuys," para. 3, <http://www.phaidon.com/agenda/art/articles/2016/february/08/what-andy-warhol-saw-in-joseph-beuys>, accessed August 29, 2018

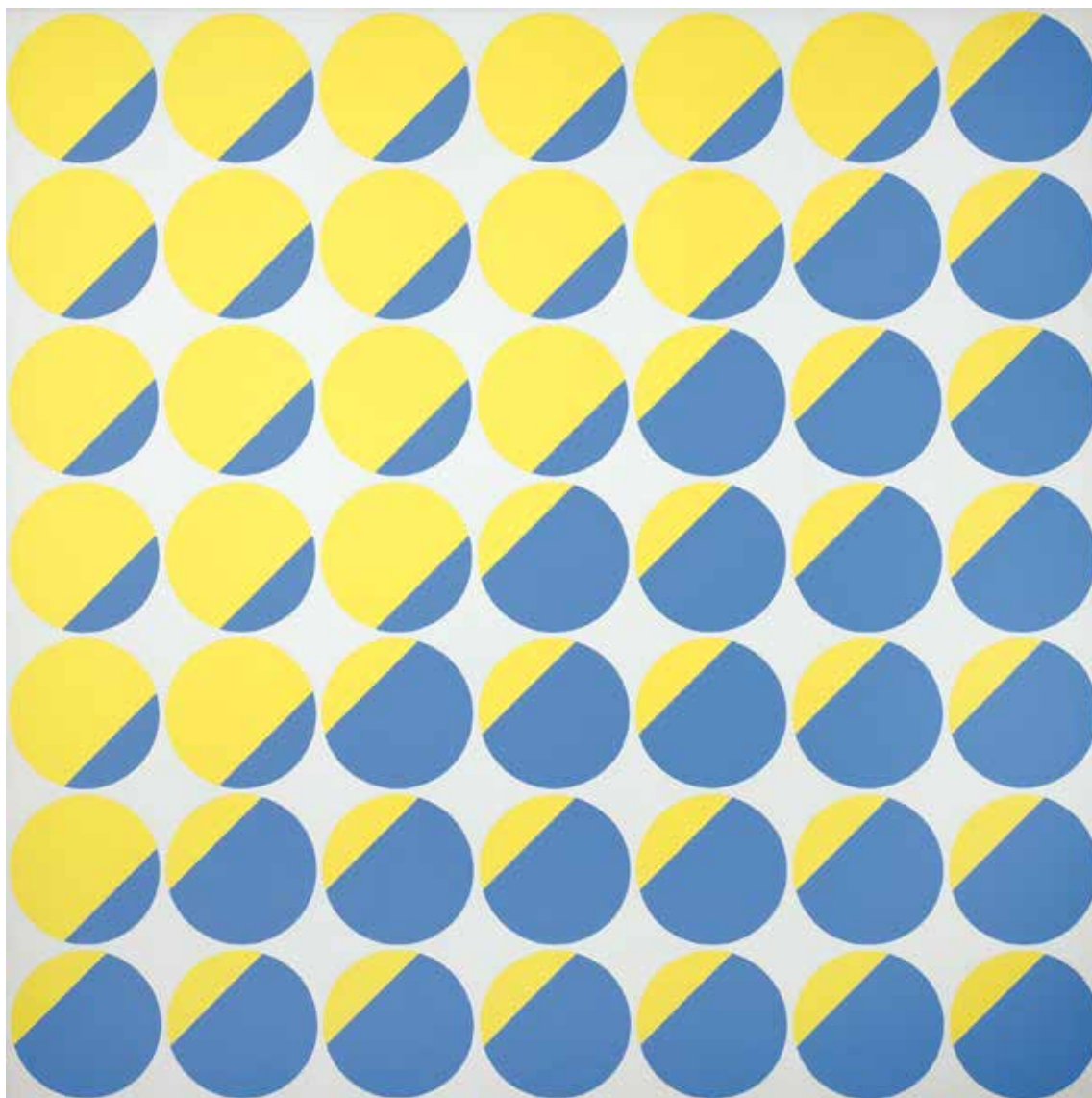
THIS ICONIC SCREENPRINT was based on a photograph taken by Andy Warhol of leading contemporary German artist Joseph Beuys. The two artists met a number of times in New York, Naples and Düsseldorf. Warhol also made paintings of Beuys, and he created a campaign poster for Beuys's Green Party, stating that he liked Beuys's politics.

An article on the publisher Phaidon's website states, "The pair recognised each other's genius, myth-like reputation and prominence, despite operating at opposing poles of a post-war art world. As the American art critic David Bourdon put it, their 1979 meeting in New York, around the time of a Beuys Guggenheim retrospective, 'had all the ceremonial aura of two rival popes meeting in Avignon.'"

The catalogue raisonné states that there are three states; states II and III have rayon flock. There are 150 prints in the edition, 36 AP, 9 PP and 45 TP not in portfolios. The publisher was Editions Schellmann & Klüser, Munich, Germany / New York, and the printer was Rupert Jasen Smith, New York.

The exhibition *Andy Warhol—From A to B and Back Again* will take place at the Whitney Museum of American Art in New York from November 12, 2018 to March 31, 2019.

ESTIMATE: \$30,000 – 40,000



8 Denis Juneau

AANFM ARCA 1925 -

Jaune et bleu sur blanc

acrylic on canvas, on verso signed, titled, dated 1967
and inscribed *liquitex* and *No: 79*
56 x 56 in, 142.2 x 142.2 cm

PROVENANCE

Private Collection, Montreal

LITERATURE

Roald Nasgaard, *Abstract Painting in Canada*, Art Gallery
of Nova Scotia, 2007, page 172

DENIS JUNEAU'S PAINTING and sculpture embody, in his own words, "movement in the world ... nuclear movement, the perceptual movement in space, the invisible vibration of sound, the movement of the beat of our hearts." Through the use of bold

colour and a strict geometric vocabulary, his works are astonishingly dynamic, and *Jaune et bleu sur blanc* is no exception. This work is composed of a grid of blue and yellow circles—each half is the exact mirror reflection of the other, with the lower-right circles being primarily blue and the upper-left, yellow. Through these subtle interplays of tone and contrast, the artist achieves the illusion of movement, as the composition seems to ripple towards its diagonal centre. Juneau was an important figure from the second generation of *Plasticiens*, along with Guido Molinari and Claude Tousignant. He studied industrial design from 1954 to 1956 at the Centro Studi Arte-Industria in Novara, Italy. He was awarded the Gershon Iskowitz Prize and the prix Paul-Émile Borduas. His works are included in museum collections such as the Montreal Museum of Fine Arts, the Musée national des beaux-arts du Québec and the National Gallery of Canada.

ESTIMATE: \$25,000 – 35,000



9 Jack Hamilton Bush

ARCA CGP CSGA CSPWC OSA P11 1909 – 1977

Three to One

acrylic on canvas, on verso signed, titled and inscribed *Toronto / February 1961 [sic] / Acrylic Polymer W.B.*, February 1971
56 x 78 in, 142.2 x 198.1 cm

PROVENANCE

Collection of the Artist
Waddington Galleries, London, England, 1971
Horace Richter, New York, 1971
Galerie Wentzel, Hamburg, Germany, November 1980
Sold sale of *Contemporary Paintings, Drawings and Sculpture*,
Sotheby Parke Bernet, New York, November 13, 1980, lot 73
Lonti Ebers Fine Arts, Toronto, 1980
HCI Holdings Ltd., Toronto, 1980
Private Collection, Vancouver, 1982

IN THE SPRING of 1971, Jack Bush sent several unstretched canvases to Leslie Waddington's gallery on Cork Street in London, UK. Waddington mounted a solo show for Bush that October, but *Three to One* had sold just one week before the exhibition's opening. The buyer was from New York City, and it is possible he was a preferred client whom the gallery aimed to please by allowing pre-show access to new paintings by the artist. From there, *Three to One* resided in the United States until about 1980, when the painting surfaced at Galerie Wentzel in Hamburg, Germany. Despite the seeming distance, the painting maintained its ties to the USA, since Galerie Wentzel was run by Bogislav von Wentzel and Elizabeth von Wentzel (now Elizabeth Lyman-Cabot), who is the sister of Lewis Cabot, another long-time supporter of Colour Field art and donor of several Bush paintings now at the Museum of Fine Arts, Boston.

Three to One returned to the USA in late fall 1980, to be auctioned by Sotheby Parke Bernet under an incorrect date of 1961. The error was rooted in the artist's own mistake, as he inscribed the verso with a 1961 date rather than its actual date of 1971. The painting is, however, listed by the artist in his own records as being executed in February 1971 and fits perfectly within his stylistic tendencies for the early 1970s, including a rolled ground and stark shapes in bright, opaque colours that often grace the canvas rhythmically, in a manner analogous to jazz—surprising and lively. *Three to One* is an exemplar of this comparison, as if the three arcs of colour are enjoying a breakout solo by the strong and confident bar of blue. Altogether, the distinct elements of this painting make a striking composition.

After being auctioned in New York, the painting spent two years in a corporate collection in Toronto; from 1980 to 1982, *Three to One* was owned by HCI Holdings Ltd., which was originally a fireworks manufacturing company. HCI was largely shaped by a business partnership that included Andrew Sarlos (1931 – 1997), once known as “the Buddha of Bay Street.” HCI was transformed into an investment fund that, at its peak, made \$9 million in one day in a hostile takeover move; it was a kind of aggressive financial manoeuvre that Toronto had not witnessed before. In 1993, one year after receiving the Order of Canada, Sarlos published a book titled *Fireworks: The Investment of a Lifetime*.

As is often the case, a widespread depression in the stock market results in corporations selling some of their assets. Long-hidden paintings suddenly surface at fair prices and the art market surges. When the recession hit in the early 1980s, Sarlos lost many millions of dollars and HCI took a dive. Sarlos approved the sale of *Three to One* in 1982. It sold to a private collector based in Vancouver, BC, where the painting has resided ever since.

From the UK to the USA, from the USA to Germany and back again, and from Toronto to Vancouver, Bush's *Three to One* has been appreciated far and wide. It is arguable that Bush's market remains strong because of a particularly Canadian habit: to eagerly embrace that which has been validated by UK and US markets. Still, the path of Bush's global market remains distinct from other historical Canadian painters, such as Lawren Harris. It was during Bush's lifetime that his international market was strongest, not posthumously with curatorial gilding and strong marketing campaigns. Bush's widespread successes came directly from his own work and those who loved to live with his paintings, then and now.

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ESTIMATE: \$250,000 – 350,000

10 Jack Hamilton Bush

ARCA CGP CSGA CSPWC OSA P11 1909–1977

So

acrylic on canvas, on verso signed, titled, dated 1968
and inscribed *Acrylic Polymer W.B* and *Top*
43 x 24 in, 109.2 x 61 cm

PROVENANCE

Galerie Godard Lefort, Montreal
Acquired from the above by the present Important Private
Collection, Montreal, then California

LITERATURE

“Bush’s First One-Man Exhibition Locally,” *The Montreal Star*,
February 22, 1969

Diary, Jack Bush fonds at the E.P. Taylor Research Library
and Archives, Art Gallery of Ontario

EXHIBITED

Galerie Godard Lefort, Montreal, *Jack Bush*, 1969

IN 1968, MIRA GODARD expressed an interest in hosting a Jack Bush exhibition at her Galerie Godard Lefort in Montreal, despite the fact that at the time, the David Mirvish Gallery (DMG) in Toronto exclusively represented the artist across Canada.

Godard was not shy about approaching Bush when he made a visit to her gallery in January 1968. According to Bush’s diary: “Mira said, pleadingly, her large beautiful eyes on me ‘Jack, we must get together and plan our show—just you and me!’ Wow. I said ‘I’m David’s artist—Mira, we’ll all have to get together’” (artist’s diary, January 24, 1968).

On November 26, 1968, Bush flew to Montreal with Alkis Klonaridis, director of the David Mirvish Gallery, to meet with Godard. Bush recalled in his diary that she was “pushy,” but with this assertiveness Godard did manage to set her preferred February 1969 date for a Jack Bush exhibition at her gallery. Remarkably, it was the artist’s first solo show in Montreal, a city where he had spent part of his childhood, high-school years and early adulthood.

Ultimately, Godard acquired Bush paintings via DMG. On December 8, 1968, Klonaridis and Bush selected 11 paintings to send to Godard in anticipation of the upcoming solo exhibition. The show opened with a celebratory evening on February 17, 1969 with six of the 11 canvases on display, including *So*, which the gallery sold to the present owner. National Gallery of Canada curators Dennis Reid and Brydon Smith attended the exhibition opening and purchased *Big A* for \$2,000; the *A* stood for Alkis. Bush reported that more than half the exhibition sold and, after the show, artist Yves Gaucher arranged a dinner for 20 at a local Chinese restaurant (artist’s diary, February 17, 1969). Godard kept at least one of the paintings for herself; she displayed Bush’s *Little Yellow* (1968) in her dining room for many years.

Little Yellow and *So* were both painted in May 1968, and the two paintings are virtually the same size: 44 x 24 and 43 x 24 inches, respectively. *Little Yellow* was a sure indication that the artist was moving more and more towards a style that would later be described as the “fringe” paintings (where one dominant colour takes up most of the composition before the side or bottom terminates in a stack of multiple colours). At the same time, *Little Yellow* remains close to *So* in its visual foolery, which puts the canvas surface in cahoots with the painted composition; that is, the painting includes the canvas as a part of the picture. While the white rectangle at the right of *Little Yellow* mimics a section of blank canvas (the National Gallery of Canada’s director, Marc Mayer, once affectionately likened it to a missing tooth), Bush takes the process even further in *So* by actually leaving sections of the canvas unpainted. With the impossibly thin application of colour next to sections of untouched canvas, the unity of colour and substrate is asserted on one plane.

Like a textbook example of Colour Field ethos, *So* respects the most inherent characteristic of a painting—its flatness. And yet, while Bush’s painting technique aims to be as flat as possible, the composition mischievously implies a sense of lift or a rift rising between one side and the other. Appearing like a fault line across fields of abstraction, the continuous schism between one third and the other two thirds of the composition suggests that there are two planes at work, and even evokes a sense of movement as the eye runs up and down this curious, unmarked line. Although the painting remains utterly flat, the visual effect is like seeing one painted canvas lean against another.

After 1966, Bush used tape to demarcate the sections of colour as he painted—but he also let colour bleed a little. He was okay with a wavering line or a stray spot of paint. If his stripes were hinged on a colour theory or achievement of virtuosity then, as they say, anyone could do it. Bush wanted to capture a feeling with his paintings. With this in mind, could *So* be aiming to express the feeling of the fifth note in a musical scale? Or is it capturing the feeling of moving on, or changing subjects when we say “So...”? It is hard to tell, or maybe that is the point.

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ESTIMATE: \$150,000 – 250,000



11 Sayed Haider Raza

1922 – 2016 Indian

Composition I

oil on board, signed and dated 1964 and on verso signed, titled on the Galerie Dresdnere label, dated and inscribed *P.568*
13 $\frac{7}{8}$ x 12 $\frac{3}{4}$ in, 35.5 x 32.5 cm

PROVENANCE

Galerie Lara Vincy, Paris
Galerie Dresdnere, Toronto
Acquired from the above by a Private Collection, Toronto, 1972
A gift to the present Private Collection, Toronto

THIS 1964 PAINTING is a delightful example of the early Sayed Haider Raza compositions sold by Galerie Dresdnere to its Canadian clients, beginning with its 1957 inaugural exhibition in Montreal. Before establishing his gallery, Simon Dresdnere initiated a friendship and valued business connection with Lara Vincy, the owner of the eponymous Paris gallery then representing the works of Raza and other young abstract artists working in that city. Raza's work was then included in a May 1958 group exhibition at Dresdnere, and the gallery inventory record reveals that there were enough sales of Raza paintings to warrant a shipment from Paris of 27 more canvases in November of that year, of which 26 were sold in short order to Montreal collectors. Two successful solo exhibitions followed, in 1959 and 1962. After the gallery moved to its Toronto location in 1962, it continued to acquire Raza paintings until at least 1968. This sparkling gem was the second Raza painting acquired by a prominent Toronto collector, who later presented it as a treasured wedding gift to close family friends.

ESTIMATE: \$20,000 – 30,000





12 Jean Albert McEwen

AANFM RCA 1923 – 1999

Sans titre (from the series Jardin de givre) / Sans titre (verso)

double-sided oil on canvas, on verso signed, dated 1954
and inscribed 5255 Côte-St-Luc on a label
70 x 60 in, 177.8 x 152.4 cm

PROVENANCE

A gift from the Artist to Yvonne Thomas

A gift from the above to the present Private
Collection, Paris, circa 1998

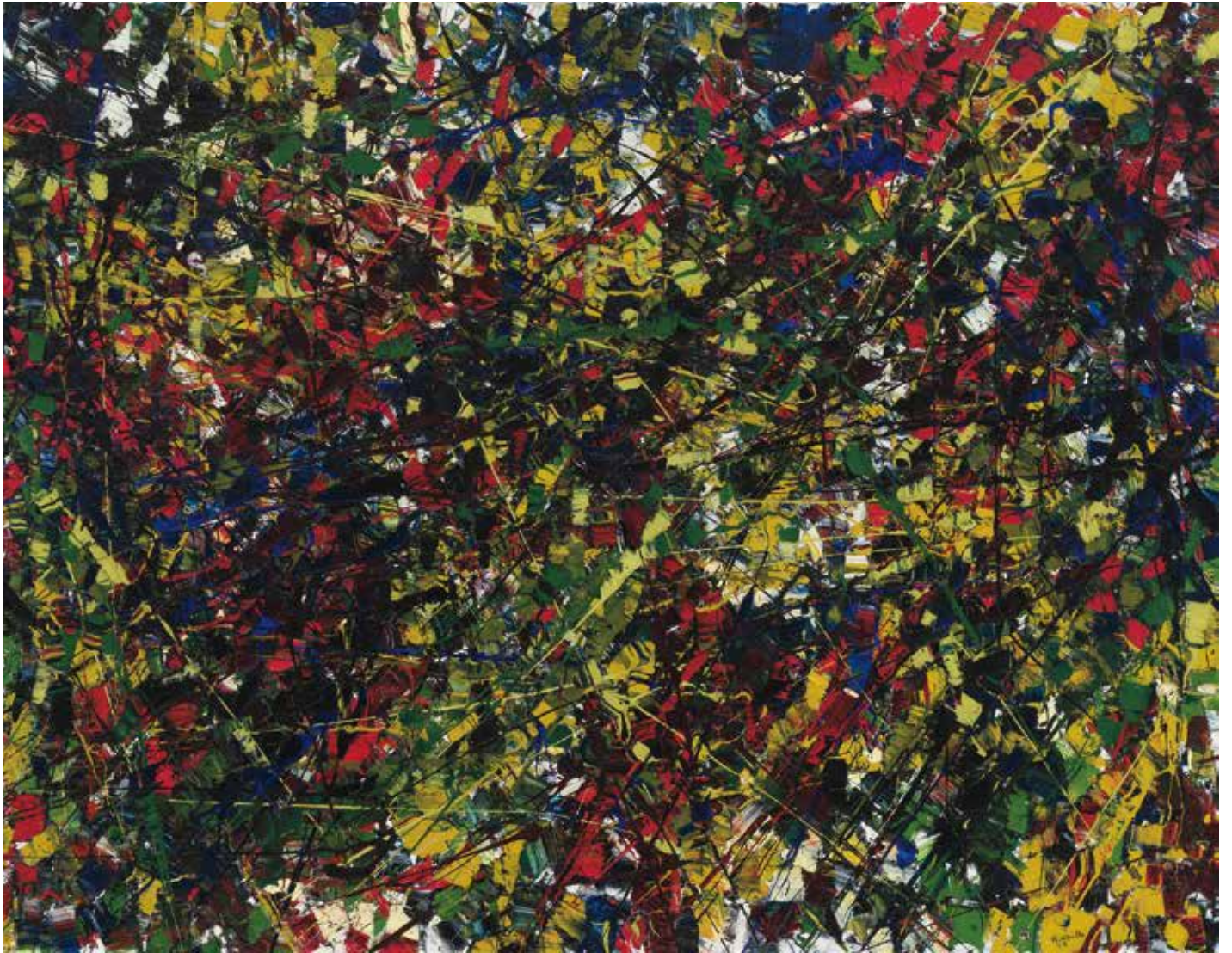
Ah ! comme la neige a neigé !
Ma vitre est un jardin de givre.
Ah ! comme la neige a neigé !
Qu'est-ce que le spasme de vivre
À la douleur que j'ai, que j'ai !

— ÉMILE NELLIGAN, excerpt from
“Soir d’hiver” (circa 1898)

Oh! how the snow's been snowing!
My window pane is a garden of frost.
Oh! how the snow's been snowing!
What is the spasm of living
to the painful grief I have, I have!

THIS IMPRESSIVE DOUBLE-SIDED oil on canvas, with its tempestuous ecru surface accented by yellow, is a rare work from a series entitled *Jardin de givre* (Garden of Frost) that McEwen completed in 1955. The series title is a reference to Émile Nelligan's famous poem “Soir d’hiver,” which made a powerful impression on the artist, who translated its gripping stanzas into restless and layered painterly gestures. During the 1950s, McEwen moved away from Automatism and developed the unique handling of colour and texture for which he is known. Inspired by works from Colour Field painters such as Mark Rothko and Barnett Newman, he would set layer upon layer of lustrous oil paint on his canvas, building up to a surface of dazzling tonal variations and depth. This work was acquired by the present private collection from abstract painter Yvonne Thomas, to whom McEwen gifted this painting. As well as McEwen, she associated with other well-known artists such as Robert Motherwell and Hans Hofmann during her time in New York. Also noteworthy is that a trace of the artist's hand is visible in the upper right quadrant of the work, an ethereal reminder of the artist's presence. On verso is a painting dated 1954.

ESTIMATE: \$30,000 – 50,000



13 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

Jouet

oil on canvas, signed and dated 1953 and on verso titled and stamped with the Paris export stamp
45 x 57 ½ in, 114.3 x 146.1 cm

PROVENANCE

Galerie Jacques Dubourg, Paris
Galerie Anne Abels, Cologne, 1959
Private Collection, Geneva
Sold sale of *Canadian Post-War & Contemporary Art*, Heffel
Fine Art Auction House, June 17, 2009, lot 31
Property of an Important Estate, British Columbia

LITERATURE

Harold Rosenberg, “The American Action Painting,” *ARTnews*, vol. 51, no. 8, December 1952, pages 22 – 23 and 48 – 50
Robert Goldwater, “These Promising Younger Europeans,” *ARTnews*, vol. 52, no. 8, December 1953, pages 14 – 16 and 53 – 54
James Fitzsimmons, “Art,” *Art and Architecture*, vol. 70, no. 12, December 1953, pages 32 – 33
Robert M. Coates, “Young Europeans at Guggenheim Museum,” *The New Yorker*, no. 29, December 19, 1953, page 89
James Thrall Soby, “Younger European Painters,” *Saturday Review*, January 2, 1954, pages 61 – 62
Karel Appel, *Georges Mathieu, Mattia Moreni and Jean Paul Riopelle*, Kunsthalle Basel, 1959
Eduard Trier, *Jean Paul Riopelle*, Galerie Anne Abels, 1959, reproduced

EXHIBITED

Kunsthalle Basel, *Karel Appel, Georges Mathieu, Mattia Moreni and Jean Paul Riopelle*, January 24 – March 1, 1959, traveling in 1959 to the Musée des beaux-arts, Neuchâtel, Switzerland, catalogue #38
Galerie Anne Abels, Cologne, *Jean Paul Riopelle*, November – December 1959, catalogue #2

DATED 1953, *JOUET* (Toy) belongs to the crucial period when Jean Paul Riopelle confronted the New York scene head-on. He was part of James Johnson Sweeney’s show entitled *Younger European Painters* at the Solomon R. Guggenheim Museum (which was not yet in the Frank Lloyd Wright building) at the end of 1953 and the beginning of 1954, exhibiting the rather dark *Blue Night*, 1952, now in the collection of the Guggenheim Museum. At this time, Riopelle was already in contact with the Pierre Matisse Gallery in New York. Moreover, the art critics, who were quick to compare him to Jackson Pollock, noticed his contribution to the Guggenheim’s show, singling him out as one of the most promising among the 33 “younger European [!] painters” exhibited. It was a grand debut. Meanwhile his teacher, Paul-Émile Borduas, was having his first one-man show in New York at Georgette Passedoit Gallery, at 121 East 57th Street, not far from the Pierre Matisse Gallery (situated in the Fuller Building at 41 East 57th Street) where Riopelle was showing.

The issue, of course, was the competition between New York and Paris, not Canadian painting. Had Sweeney’s show demonstrated the existence of a new avant-garde in Paris, strong enough to leave behind what was then happening in New York? It is in this context that the critics who mentioned Riopelle’s contribution to *Younger European Painters* should be considered. For instance, the art historian Robert Goldwater suggested that “Pollock and Riopelle, Soulages and Kline, Bazaine and Brooks, etc.” should be compared to each other. The comparison between Wols and Pollock, attempted by Georges Mathieu in Paris, is dismissed in favour of Riopelle. For James Fitzsimmons, three major painters were exhibited in *Younger European Painters*: Riopelle, Pierre Soulages and Mathieu! For Robert Coates, who is habitually credited as the creator of the appellation Abstract Expressionism, Soulages, Serge Poliakoff, Pierre Tal-Coat and Riopelle were the best in the exhibition. We find the same type of selection from James Thrall Soby. For him, Soulages and Mathieu came first, but Alberto Burri, Marc Mendelson, Riopelle, Raoul Ubac and Vieira de Silva were also worthy of attention. The only one to directly attempt a comparison between Pollock and Riopelle was Fitzsimmons, in the *Art and Architecture* article already referenced.

Fitzsimmons wrote, “Riopelle’s painting is large and horizontal, and resembles some of Pollock’s later compositions. But Riopelle did less with line and more with colour, and the reference to the external world, to nature, was more overt. He laid on his colour—deep reds, greens, blues and blacks—very thickly, layer on layer, with short choppy strokes that were sometimes parallel, sometimes diagonal to each other. Over and among these colours he threw a tracery, a torn web of sparkling white lines. The final result is quite magnificent: a sort of tapestried richness of substance.”

There is much to say about this description. Speaking of “tapestried,” Fitzsimmons was quite close to the metaphor that would be used later about Riopelle’s pictorial effect, when the word “mosaic” was used instead. The difference between Pollock and Riopelle was aptly put: Pollock worked with line, Riopelle with colour. In fact, Pollock came from Pablo Picasso and Riopelle from Claude Monet. Even when Pollock broadened his lines, as in the magnificent *Greyed Rainbow*, 1953, at the Art Institute of Chicago, they remained what they were: lines. We should not forget that 1953 is the date of Pollock’s *Portrait and a Dream*, in the collection of the Dallas Museum of Art, where figuration influenced by Picasso clearly surfaced. In his article, Fitzsimmons insisted on the figurative effect of Riopelle’s *Blue Night*, stating, “For me the painting has the feeling of a dense forest at night with the blue night sky showing through the thick leaves and branches.”

In fact, *Blue Night* was much more abstract than his contemporary Pollock’s painting of 1952 – 1953. And Fitzsimmons did not advance his case by stressing that since Riopelle was a Canadian, who “worked for a time as a trapper,” he must have known the forest! Why not say that Pollock, who came from Wyoming, worked as a cowboy and took the idea of his use of line from the movement of lashes? By the way, this story of Riopelle having



been a trapper was the pure invention of André Breton, who used to call him “le trappeur supérieur.” They liked trappers in Paris! In Paris, Riopelle and his American friends, Sam Francis and Joan Mitchell, had quite deliberately detached themselves from the vogue for Picasso after the war and became interested in Monet, who, when almost blind, transformed his beloved garden in Giverny into abstract fields of colour. This was understood early on by Francis and Riopelle: painting could be a colour field, more or less homogenous, that invaded the scope of vision. A French critic invented the word “nuagisme” (from *nuage*—cloud) to described the effect produced by their paintings.

In fact, the real affinity between Pollock and Riopelle lies at a deeper level. Both had been looking for a way to remain extremely conscious during the act of painting. Pollock put his canvas flat on the floor in order to dominate the whole surface. He created line with paint thrown from above, staying in constant control of what he was doing. Otherwise, he could not have achieved the all-over effect he was searching for. The canvas became, as Harry Rosenberg suggested, an “arena in which to

act—rather than a space in which to reproduce, re-design, analyze, or express an object, actual or imagined,” an arena where “energy was made visible,” to quote the title of B.H. Friedman’s book on Pollock. The same was true of Riopelle. One has to realize how the use of the palette knife was as determinant for Riopelle as the drip technique was for Pollock. When the palette knife charged with colour was applied, the result was unknown, or rather it would only be known after Riopelle lifted it from the canvas. Then he would have to decide what to do after. Each stroke of the palette knife was a succession of hiding and emergence that made the painter extremely aware of what was happening on his canvas. Each stroke of paint became a conscious decision, always risky.

In both cases, the consciousness of the process of painting was at the maximum. The very awareness of each painter made them feel in control of what was at stake on the canvas. Neither Pollock nor Riopelle wanted to get involved in copying nature, because they would have lost themselves in the object being painted. They wanted to “work from within,” as Pollock famously said.



One last word about the title of the work—why *Jouet (Toy)*? I don't think Riopelle wanted to suggest that painting was for him just a playful activity. It was done with too much inner struggle to be considered as such. In fact, Riopelle had been often reluctant to give titles to his pictures, preferring to simply leave them untitled and to let others do the job. In 1953, he had two small children in the house—Yseult was five and Sylvie four years old. I imagine that there were some toys around!

We thank François-Marc Gagnon of the Gail and Stephen A. Jarislowsky Institute of Studies in Canadian Art, Concordia University, for contributing the above essay.

This work is accompanied by a photo-certificate of authenticity #1953.056H (#255-CA-GA) and is included as an addendum to Volume 1, in Yseult Riopelle's online catalogue raisonné on the artist's work at <http://www.riopelle.ca>.

ESTIMATE: \$1,200,000 – 1,600,000

OPPOSITE AND ABOVE: Jean Paul Riopelle in his studio on rue Durantin, Paris, 1952
Photos: John Craven
Courtesy of Yseult Riopelle



14 Paul-Émile Borduas

AUTO CAS QMG RCA 1905 – 1960

Dominos

oil on canvas, signed and dated 1958 and on verso titled on a label and on the gallery label and inscribed *Lot #9833* and *Piece #47* on a Cirker's, New York—Long Island label 39 ¼ x 31 ¾ in, 99.7 x 80.6 cm

PROVENANCE

Acquired from the Artist's studio by Martha Jackson,
New York, 1958
Gallery Moos Ltd., Toronto
Private Collection, Ontario

LITERATURE

François-Marc Gagnon, *Paul-Émile Borduas (1905 – 1960):
Biographie critique et analyse de l'oeuvre*, 1978, mentioned
pages 446, 450 and 502
Paul-Émile Borduas, *Écrits II, Tome 2: 1954 – 1960*, André-G.
Bourassa and Gilles Lapointe, editors, 1997, letter from
Borduas to Michael Camus, August 5, 1956, pages 853 – 854
François-Marc Gagnon, *Paul-Émile Borduas: A Critical Biography*,
2013, page 390 and mentioned pages 437, 439 and 443

EXHIBITED

Martha Jackson Gallery, New York, *An Intimate Showing of
Recent Paintings by Paul-Émile Borduas*, March 24 – April 19,
1959, catalogue #5

HAVING MOVED FROM New York to Paris in September of 1955, Paul-Émile Borduas underwent a difficult time, physically and emotionally. Never robust, he was plagued by illness and fatigue, by loneliness and depression, and by frustration that his dreams of success in Paris were slow to materialize. His state of mind is well documented in François-Marc Gagnon's critical biography, and more intimately in Gagnon's co-edition (with Gilles Lapointe) of the newly discovered, fascinating correspondence of Borduas with Rachel Laforest, a divorced single mother living in Montreal, who may have been one of Borduas's reasons for leaving New York, hoping to live with her in Paris. Despite these problems, and despite many weeks spent on what might be called therapeutic solo driving excursions through central and southern Europe, Borduas remained active as a painter, taking his art in new directions and producing some of his most widely recognized works.

One of the characteristics of Borduas's New York paintings was that they retained an all-over, gestural quality, with predominantly white surfaces of thick paint, manipulated with a palette knife and modulated by what Gagnon has called "coloured caresses." In Paris, Borduas began experimenting with quite large areas of black in various sizes, shapes and positions, juxtaposed with the white. I say "juxtaposed" because this black/white dynamic (what is foreground, what recedes—are the black and white balanced in "cosmic" space?) has been much discussed. To his friend Michel Camus, Borduas described these paintings as very austere, but with a "strange flame" bursting from them.

But this stark black/white dynamic was not all Borduas was exploring. By 1958, he had moved on to a suite of monochromes

in subdued greys, whites and reds. Also, at roughly the same time, he was working on a variation of the black/white motif by introducing areas of rich chestnut brown. In about a dozen of these paintings a specific structure emerged: broad strokes of brown imposed on a nuanced white background in various patterns, and over those brown areas, large spots of pure black. Into the "cosmic" space of the black-and-white series had floated areas showing not only a layering of colours, and therefore depth, but movement. *Dominos* belongs to that group of paintings, apparently produced in a burst of activity early in 1958.

Martha Jackson, the well-known gallery owner who had helped and encouraged Borduas in New York and later in Paris, visited his studio on rue Rousselet in May 1958. She obviously liked these new and unfamiliar works, because five of the seven paintings she chose for shipment to New York, including *Dominos*, were obviously members of the white/brown/black group. Of that selection, some were quite static in composition, while others were almost calligraphic and gestural. *Dominos* lies somewhere in the middle, with solidly placed shapes that give a hint of shifting action. In all of these paintings we see luscious impasto, subtly modulated whites, rich blacks and browns.

The year 1958 was a good one for Borduas. It was the 10th anniversary of the publication of the Automatists' manifesto, *Refus global*, with signs of a broadening, positive recognition in Quebec for this document now recognized as crucial in the province's modern history. In France, Borduas was about to get some of the attention he deserved, with a solo exhibition at the Galerie Saint-Germain in the spring of 1959. But in just a few months, all painting would stop for Borduas.

We thank Ray Ellenwood, professor emeritus at York University and author of *Egregore: A History of the Montréal Automatist Movement* as well as numerous articles on the Automatist painters, for contributing the above essay.

This work is included in François-Marc Gagnon's online catalogue raisonné of the artist's work at <http://www.borduas.concordia.ca>, #2005-1327.

ESTIMATE: \$350,000 – 450,000



15 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

Mi-chemin

oil on canvas, signed and dated 1962
and on verso titled on the gallery labels
35 x 45 ½ in, 88.9 x 115.6 cm

PROVENANCE

Galerie Jacques Dubourg, Paris
Laing Galleries, Toronto
Blue Barn Gallery, Ottawa
Private Collection, Ontario

LITERATURE

Guy Robert, *La peinture au Québec depuis ses origines*,
1978, page 101
Guy Robert, *Riopelle, Chasseur d'images*, 1981, page 107
Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné*,
Volume 3, 1960 – 1965, 2009, reproduced page 148,
catalogue #1962.020H.1962
Emese Krunák-Hajagos, “Mitchell / Riopelle: Nothing in
Moderation,” *NY Arts*, <http://nyartsmagazine.net/mitchell-riopelle-nothing-moderation>, accessed September 10, 2018

EXHIBITED

National Gallery of Canada, Ottawa, *The Sixth Biennial
of Canadian Art*, June 4 – August 22, 1965

MI-CHEMIN FROM 1962 is a fine, impressive-scale painting from an important year in the development of the artist's career. In an interview, Jean Paul Riopelle claimed that his work was “nothing abstract, nothing figurative.” Thereby, perhaps we have the clue to the painting's title *Mi-chemin* (which translates as “halfway”). Most certainly *Mi-chemin* occupies an intermediary position between paired polar options within Riopelle's production, as well as the events within his personal life.

In 1954 he began a 25-year intense, fiery, tumultuous relationship with the second-generation Abstract Expressionist American painter Joan Mitchell. She traveled back and forth between the United States and France to be with Riopelle, but their attempt to cohabitate in Paris in 1958 failed. Even in 1962, after the finalization of Riopelle's divorce from his first wife, he and Mitchell could not entirely mediate their mutual and independent needs, and they both maintained separate studios and homes at Giverny. Later on, in 1969, Mitchell purchased and lived out her life at Claude Monet's former property La Tour in Vétheuil, and Riopelle resettled in rural Quebec. They were halfway in, halfway out of a relationship, and finally parted in 1979.

Yet in the early 1960s, at the time of the creation of *Mi-chemin*, they had a strong bond romantically, intellectually and artistically. Much has been written about them, and an important recent exhibition at the Art Gallery of Ontario and the Musée national des beaux-arts du Québec has compellingly paired examples that demonstrate their shared aesthetic sensibilities

and reciprocal influence upon one another's paintings. Certainly, their work of this period embraced relatable ideas of abstract paintings inspired by observation and adulation of nature. While overall these commonalities can be conceded to be evidently the general case, *Mi-chemin* may point to a slightly different observation concerning the evolution of Riopelle's paintings.

Mitchell's paintings of this date aspired towards lyric, expressive abstraction in fluid, painterly applications. *Mi-chemin* shows Riopelle moving away from this stylistic touchstone that had informed his work of the later 1950s. Instead, the blocks of colour are more orderly, controlled and structural. It is noteworthy that Riopelle had just the year prior completed large bronze sculptures at the Meudon Foundry, and a solo exhibition of his sculpture was presented in 1962 at Galerie Jacques Dubourg, Paris. The form building explored by *Mi-chemin* could be described as halfway between sculptural inclinations and painterliness, his characteristic lushly applied paint constructed as impasto building blocks.

The year 1962 was an important one for Riopelle, as he held exhibitions in Paris and Gimpel Fils in London, as well as participating in group exhibitions of prominent Canadian modernists at Milan and Spoleto. His work was shown in Zurich alongside leading international modernists such as Mark Rothko, Pablo Picasso, Karel Appel, Robert Motherwell and Pierre Soulages. Riopelle represented Canada at the 1962 *Venice Biennale*, curated by J. Russell Harper. He was awarded second place; his friend Alberto Giacometti took first. A mid-career Riopelle retrospective was organized by the National Gallery of Canada in 1963. This was followed by solo exhibitions at the Musée du Québec in 1967, at the Fondation Maeght (Saint-Paul-de-Vence, France) in 1971, and at the Musée d'Art Moderne de la Ville de Paris in 1972. *Mi-chemin* is a powerful work emblematic of his art of this vital period in the development of his oeuvre.

Works of this period by Riopelle are prominently showcased in the collections of every major Canadian public art museum and chronicled in international art history texts that define the art of its time. Additionally, his works are in prestigious international public art museum collections, among them the Metropolitan Museum of Art, Museum of Modern Art and Brooklyn Museum in New York; National Gallery of Art and Hirshhorn Museum and Sculpture Garden in Washington, DC; Art Institute of Chicago; Albright-Knox Art Gallery in Buffalo; National Galleries of Scotland, Edinburgh; Los Angeles County Museum of Art; Centre Pompidou in Paris; and the Tate in London.

We thank Jeffrey Spalding for contributing the above essay. Spalding is an artist, curator, author and educator. For more than 40 years, Spalding has served in leadership roles at art museums and educational institutions. He is currently an Art Consultant for the Tao Hua Tan Cultural and Creative Company, and a Lifetime Senior Artist, Tao Hua Tan International Artist Creative Residency, China.

ESTIMATE: \$250,000 – 350,000

16 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

Lances

oil on canvas, signed and dated 1958 and on verso signed, titled, inscribed variously and stamped with Paris export stamps and with the Arthur Lenars & Cie, Paris shipping label 23 ¾ x 28 ¾ in, 60 x 73 cm

PROVENANCE

Galerie Jacques Dubourg, Paris
Svensk-Franska Konstgalleriet, Stockholm
Private Collection, Stockholm
Sold *The Modern Sale 581*, Bukowskis, October 21, 2014, lot 228
Galerie Thomas, Munich
The Art Emporium, Vancouver
Private Collection, Los Angeles

EXHIBITED

Svensk-Franska Konstgalleriet, Stockholm, *Riopelle 1949 – 1959*, 1959, catalogue #24
Galerie Thomas, Munich, *Art Basel*, 2016

LANCES FROM 1958 is an exemplary work by Jean Paul Riopelle made at a time of his rise to international prominence. It is thoroughly indicative of the evolution of his renowned, highly personal abstract vocabulary.

Riopelle is recognized for his immense contributions as an eminent, inspirational founding member of Les Automatistes. He is likewise noted as a confrere of key international artists of post-war Europe, among them Georges Mathieu, Alberto Giacometti, André Masson and Max Ernst. These close associations led to his inclusion in exhibitions of the international Surrealist movement. In these exhibitions, his flamboyant all-over abstractions of the early 1950s shared affinities with the work of Jackson Pollock, Franz Kline and the American Abstract Expressionists. His work was heralded by prestigious public and private galleries in Europe, including that of Pierre Loeb in Paris, and the Pierre Matisse Gallery in New York (from 1953).

In 1952 Riopelle participated in the *Venice Biennale* and again in 1954 represented Canada, together with B.C. Binning and Paul-Émile Borduas (his work was also included at Venice in 1962). His work was included in the 1953 *Younger European Painters* exhibition at the Solomon R. Guggenheim Museum in New York City. Riopelle received an Honorable Mention at the 1955 *Bienal de São Paulo*.

Thus by the mid-1950s Riopelle was an acknowledged contributor to the movements of Surrealism and Automatism. His mosaic-like all-over abstractions were emblematic of the spirit of “the new art,” which patterned the entire canvas surface with recurring gestures consistently from edge to edge. These accomplishments alone would have secured the artist a permanent place within the pantheon of international art history.

Yet, ever restless and inventive, Riopelle left behind these prior stylistic approaches that had made his reputation. In 1956, his works began to shift considerably in character. By 1958 (the year of *Lances*), he had rebirthed his art, carving out distinctly inimitable formats. He risked going forward by going backwards. Riopelle re-introduced the tradition of figure-ground relationships and part-by-part relational compositions. He had also recommenced work on sculpture; thus, the notion of a form set amidst space may have also informed his new pictorial lexicon.

Riopelle emphatically stated that his paintings were purely non-objective, not derived as abstractions from nature. Instead, within the legacy of automatic Surrealism, they would commence in the absence of preordained structural thoughts. A first mark called for a counterbalancing action, creating a myriad of intuitive gestural responses until a sensed formal harmony was achieved.

However, the works from the mid-1950s onwards operate quite differently. *Lances* would appear to be guided by reference to a governing thought. Its title, *Lances*, might connote either the noun, a trundle of pointed spears, or else the verb, the action of lancing or spearing. The formal decisions made about which types of gestural actions, marks and colours seem derived. *Lances* is about “something.” Even if this is solely a feeling or emotion, the painting’s assertive posture defines a mood.

Lances was created in 1958, a hallmark year that showcased an astonishing series of Riopelle works in exhibitions on two continents. These included shows in London, Brussels, Cologne, Wuppertal and Hanover, as well as at Pittsburgh’s Carnegie Museum and the National Museum of Modern Art, Paris. Riopelle received an Honorable Mention at the Guggenheim Museum’s Guggenheim International Award exhibition in 1958, and a major retrospective of his work was held at the Kölnischer Kunstverein, Cologne. *Lances* is at the heart of the artist’s principal achievements of this crucial period.

Riopelle was the most internationally renowned, successful Canadian artist born in the twentieth century. He is one of two Canadians whose work is chronicled in H.H. Arnason’s *History of Modern Art*, used for decades worldwide as the standard university text.

We thank Jeffrey Spalding for contributing the above essay. Spalding is an artist, curator, author and educator. For more than 40 years, Spalding has served in leadership roles at art museums and educational institutions. He is currently an Art Consultant for the Tao Hua Tan Cultural and Creative Company, and a Lifetime Senior Artist, Tao Hua Tan International Artist Creative Residency, China.

This work is included as an addendum in Yseult Riopelle’s online catalogue raisonné on the artist’s work at <http://www.riopelle.ca>.

ESTIMATE: \$200,000 – 250,000





17 Jean Paul Lemieux

CC QMG RCA 1904 – 1990

Jeune fille en uniforme

oil on canvas, signed and dated 1957 and on verso titled and inscribed 584-57-10 and \$600
35 ½ x 24 in, 90.2 x 61 cm

PROVENANCE

Alma Mater Society of the University of British Columbia,
Vancouver, 1958

LITERATURE

Guy Robert, *Lemieux*, 1975, a similar 1957 painting entitled *Françoise* reproduced page 250

Guy Robert, *Lemieux*, 1978, pages 240, 245 and 248

Suzanne Greist-Bousquet and Harvey R. Schiffman, “The Poggendorff Illusion: An Illusion of Linear Extent?” *Perception*, vol. 10, no. 2, 1981, pages 155 – 164

Marie Carani, *Jean Paul Lemieux*, Musée du Québec, 1992, pages 47 – 53 and 240

Johannes Climacus, *Concluding Unscientific Postscript to Philosophical Fragments*, Vol. 1, Søren Kierkegaard, editor; H.V. Hong and E.H. Hong, translators, 1992, page 72

Caroline Desbiens, “Something Straight in Our Landscapes: Looking at the ‘Lemieux Effect’ in Quebec Nationalism,” *Ecumene*, vol. 7, no. 2, 2000, pages 211 – 213

Kevin Griffin, “Unknown Treasures See Light: UBC Alma Mater Society Displays Works by Major Canadian Artists Such as E.J. Hughes from Its Permanent Collection,” *The Vancouver Sun*, September 15, 2007, page D2

Alma Mater Society of the University of British Columbia: Permanent Collection, 1948 – 2008, 2008, reproduced, unpaginated

Bruce Mamer, “Oblique Shot (Dutch Angle),” *Film Production Technique: Creating the Accomplished Image*, 2008, pages 9 – 10

Aliyah Shamsher et al., *Alma Mater Society of the University of British Columbia Permanent Collection, 1948 – 2008*, Alberta Genealogical Society, 2008, unpaginated

Gaëtan Brulotte, *L’univers de Jean-Paul Lemieux*, 2015, pages 105 and 106

Michèle Grandbois, *Jean Paul Lemieux: Life and Work*, Art Canada Institute / Institut de l’art canadien, 2016, https://www.aci-iac.ca/content/art-books/10/Art-Canada-Institute_Jean-Paul-Lemieux.pdf, accessed September 5, 2018

EXHIBITED

Penticton Art Gallery, *Students Collect: University of British Columbia Alma Mater Society Student Art Collection: 1948 – 1968*, Collection of the Alma Mater Society of the University of British Columbia, July 11 – September 7, 2008

THE UNIVERSITY OF British Columbia’s Alma Mater Society Art Collection began its life as the Brock Hall Art Collection with the 1948 purchase of an E.J. Hughes painting done a year earlier. It cost a mere \$150 at the time, and a similar work *Fishboats, Rivers Inlet* was sold in 2004 by Heffel for \$920,000 (lot 47 in this sale). This far-sighted collection strategy was initiated by English professor Hunter Lewis some eight years earlier, when he had begun advocating that art on campus would have a salutary effect

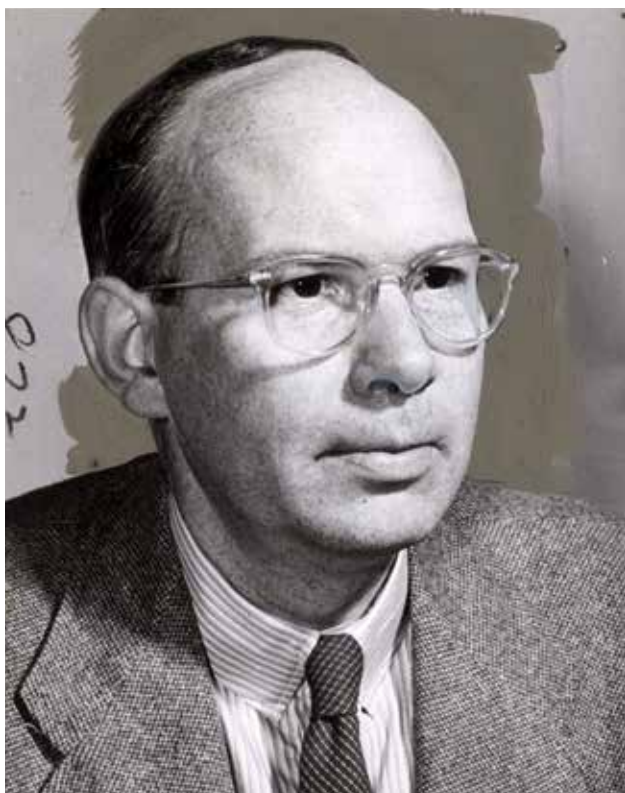


Brock Hall Art Gallery, circa 1960
Unknown photographer
University of British Columbia Archives, UBC 1.1/11094

on student life. He could not have known that between the years 1955 and 1968, energetic individuals such as artist and professor B.C. Binning and AMS vice-president Ron Longstaffe would undertake to build a modern collection of astonishing variety and quality.

Binning especially spurred the growth of the collection by communicating regularly with staff at Hart House at the University of Toronto, and through them with members of the original Group of Seven. These connections would prove to be immensely important, as was an opportunity afforded by *Maclean’s* magazine, when managing editor Pierre Berton and others wished to celebrate British Columbia in art. Binning accepted their invitation to join a group of Canadian artists for this purpose, and he managed to convince Berton to donate the commissioned works to UBC in 1958, building the collection and boosting the atmosphere of excitement and cultural vitality in one fell swoop. Important works by Lawren Harris, Gordon Smith, Jack Shadbolt and others soon adorned the walls of Brock Hall.

In the same year, perhaps seeking to diversify the collection beyond a purely BC focus, the Alma Mater Society acquired a painting by Jean Paul Lemieux, who was rapidly becoming one of the more celebrated Québécois painters of the second half of the twentieth century. Lemieux was influenced early in his career by the realistic naturalism of regionalist painters, probably facilitated by one of his early instructors, the so-called eighth member of the Group of Seven, Edwin Holgate. After passing through a period of Primitivism, in which narrative subjects poked fun at what writer Michèle Grandbois calls the “moral rigidity prevalent in Québec,” he gradually moved into a Minimalist period (1951 – 1955), in which paintings were increasingly simplified, until even busy Montreal street scenes appear at first glance to be nothing more than geometrical abstractions. *L’été à Montréal* (Summer in Montreal), 1959, is an excellent, albeit quite late example. Although marking a return to more implicitly narrative themes,



B.C. Binning, co-founder of the Department of Fine Arts at UBC, circa 1960
City of Vancouver Archives, AM1616-CVA 136-028



Hunter Lewis, UBC professor, circa 1950 – 1959
Unknown photographer
University of British Columbia Archives, UBC 1.1/5411.1

in the Classical period (1956 – 1970) that followed, Lemieux’s works retained a strong element of simplification and abstraction. Isolated figures began to appear in desolate, uncomplicated landscapes, creating a unique visual vocabulary that would ensure the artist’s immense popularity.

Jeune fille en uniforme (Girl in Uniform), 1957, is one of the Classical period works for which Lemieux is rightly considered an iconic artist. Against a mostly empty background, a solitary figure stands very close to the right edge of the image, as if to suggest she is part of our space. She just happens to be in the way of our view, like someone photobombing our snapshot of the vista. The casualness of this representation belies what some feel is “the critical centre of his art,” the quest to use the human figure as a symbol of something else. Most of Lemieux’s figures share certain characteristics: they face us directly, motionless, arms hanging slackly, wearing restrictive clothing. They seem always to symbolize submission, malleability and “a life of sacrifices,” as Gaëtan Brulotte wrote. Marie Carani, who wrote the catalogue for a posthumous Lemieux retrospective at the Musée du Québec in 1992, characterized these elements as a “Lemieux effect,” which she defined as “a metaphysical poetry of nature, transformed into imaginary landscapes that ... invite meditation and contemplation ..., suggesting the presence of another story, one of tragedy.”

The work offers a fusion of disparate impressions that parallels the critical reception of Lemieux the artist. He was, at one and the same time, immensely popular and a critical darling—two reactions that do not often coincide. One of the consequences is that writers have occasionally taken him to represent a specifically Québécois mythology in which “territorial nationalism” symbolizes national identity for francophones. For instance, Caroline Desbiens compares the horizontality of Lemieux’s landscapes (even in vertical pictures) to the rhetoric and visual culture accompanying Jacques Parizeau’s “Declaration of Sovereignty” that preceded the 1995 Quebec independence referendum. In such interpretations, the landscape is specifically understood as rural Quebec, serving as a metaphor of territorial belonging. For Lemieux himself, however, the landscape seems to have served more metaphysically as a symbol of “the oppressive effects of horizontality on man,” which biographer Guy Robert explained as an ambiguous symbol of “the solitude and alienation of human beings.” Carani agrees, asserting that the subject was only a means for Lemieux, not an end.

Jeune fille en uniforme illustrates both a solitary individual and the landscape as a possible symbol of nationhood, but it does so in a manner that allows us to transcend the limitations of both in order to contemplate a kind of existential uncertainty. Note



Ron Longstaffe (top right) and the UBC Student Council, 1955 – 1956
 Photo: Campbell Studios
 Courtesy of the AMS Archives

that the horizon line is not exactly horizontal, for it rises ever so slightly from left to right. If we assume it to be a continuous, straight line without significant topographical variation, it illustrates the Poggendorff illusion, as discussed by Suzanne Greist-Bousquet and Harvey R. Schiffman, in which a viewer misperceives the segment of the horizon line on the right of the figure as correctly aligned with the segment on the left of the figure. This alone plants a subtle doubt in the mind of a methodical viewer. It is a little like the so-called Dutch tilt used in cinematography, in which a camera shot is composed so the horizon line is not parallel with the bottom of the frame, to suggest disorientation or even madness.

Similarly, the figure is slightly “off.” Not only is she pointlessly “in our way,” she is implausibly attenuated, and her arms, planted firmly at her sides, suggest an inability to act. The darkness of her clothing, contrasting with the brighter colours of her face, also suggests immobility, perhaps even entrapment. Of course, that her clothing is a uniform suggests the absence of a fully autonomous self. Then we notice that her expression is purposefully ambiguous, her stylized face seeming to alternate between bemusement, annoyance, indifference and skepticism. Our inability to pin down her mood is a sign of existential subjectivity. Even the sketchiness of the paint application suggests uncertainty.

Guy Robert wrote that Lemieux once stated, “I paint because I like to paint. I have no theories. I try to express in my landscapes and characters the solitude in which we all live and, in every painting, the inner world of my memories. The surroundings in which I find myself are only of interest because they allow me to paint my inner world.” In light of this, *Jeune fille en uniforme* begins to seem like a reflection of Søren Kierkegaard’s description of the “single individual,” which maintains, among other things, that “subjective truth” is not a matter of the external world, but of introspection and experiences necessarily shared between sender and receiver. Similarly, Lemieux saw his peopled landscapes as pictures of a self-experiencing solitude. Robert put it more poetically by proposing that Lemieux uses “horizon lines as barometers of the soul.” *Jeune fille en uniforme* is clearly a masterpiece in this genre.

We thank Robert Belton, Associate Professor, Art History and Faculty of Creative and Critical Studies, the University of British Columbia, Okanagan Campus, for contributing the above essay.

ESTIMATE: \$300,000 – 500,000







18 Jean Paul Lemieux

CC QMG RCA 1904 – 1990

Les citadens

oil on canvas, signed and dated 1973

49 ¼ x 108 ½ in, 125.1 x 275.6 cm

PROVENANCE

Mira Godard Gallery, Toronto

Private Collection, Ontario

LITERATURE

Musée national des beaux-arts du Québec, <https://www.mnbaq.org/en/exhibition/jean-paul-lemieux-silence-and-space-1204>, accessed August 14, 2018

National Gallery of Canada, “Jean Paul Lemieux,” <https://www.gallery.ca/collection/artist/jean-paul-lemieux>, accessed August 14, 2018

A GUIDE TO the permanent display of Jean Paul Lemieux’s painting at the Musée national des beaux-arts du Québec suggests that the artist’s figures “move in a world of ‘silence and space.’” Evocative and accurate, this description also points to why so many art lovers find Lemieux’s paintings compelling. The people and milieus he evokes are highly sympathetic, and yet, in the apparent calm typical of his work in the 1950s and 1960s, also different from us. *Les citadens* (The City Dwellers)—pictured here—arose from a later point in Lemieux’s career, a time when he was more willing to express emotions such as fear on the visages of his characters.

Like the people depicted, this canvas is both familiar from and unusual in Lemieux’s world view. The wide horizontal format, subtle palette, and controlled, though never static, human interactions are vintage Lemieux. The number of figures—nine in the foreground—and the cityscape with its attendant urban activities that threads across the horizon, however, show that he continued to change as an artist. Although earlier paintings such as *La promenade des prêtres* (The Priests’ Promenade), 1958, included multiple figures, they did not typically bring us in close to the faces, and thus, the complex emotions of their subjects. Precedents such as *La conversation* (The Conversation), 1968, with its four male figures, were painted in the same period as *Les citadens*. Observing these subtle but pointed interactions is the great pleasure of this period.

A man at the extreme right looks away from us and towards the young woman in profile next to him—we see him looking at her and replicate this gaze ourselves. By contrast, the woman in the white coat who frames the composition on the left looks directly at us, but in a neutral, even ambivalent, manner. Singled out formally and psychologically, the man fourth from the right wears a mottled red coat that is bolder than any other in the picture, and a fedora instead of a more close-fitting hat. He has been placed on the diagonal, in strong contrast to the planar arrangement of all the other figures. Where does his sharp-eyed gaze fall? Mostly on the figure at the far right, but perhaps he also meets our eye as we take in the whole scene.

In 1967, Lemieux said about his approach to art: “I have no theories. In my landscapes and my characters I try to express the solitude we all have to live with, and in each painting, the inner world of my memories. My external surroundings only interest



details

me because they allow me to paint my inner world.” Without contradicting him, it is important to register that the setting of *Les citadens*—a huge open space in winter, with an extensive cityscape against a lowering sky behind it—is urban and thus also a cipher for the subtle transmissions of anxiety and even potential conflict that we see in the group before us. The painting is an existential meditation: Do these people know one another? If so, what are they doing? If not, why are they standing together in this place?

Lemieux’s style and subjects are familiar, but his work retains the ability to surprise and challenge. He makes us keenly aware of our own slightly voyeuristic looking, which is ultimately directed to our own thoughts and feelings.

We thank Mark Cheetham, Professor of Art History at the University of Toronto and author of *Remembering Postmodernism: Trends in Canadian Art, 1970 – 1990*, for contributing the above essay.

ESTIMATE: \$900,000 – 1,200,000



19 Jean Paul Lemieux

CC QMG RCA 1904 – 1990

Le ballon rouge

oil on canvas, signed and on verso titled, dated circa 1971
on the gallery labels and inscribed 4727-C and 5198c
14 x 12 in, 35.6 x 30.5 cm

PROVENANCE

Galerie Christin, Quebec City
Galerie Bernard Desroches, Montreal
Galerie Michel-Ange, Montreal
Private Collection, Quebec

LITERATURE

Guy Robert, *Lemieux*, 1975, page 154

Ever since 1956 ... his painting has ruthlessly stripped away all superfluous decoration, retaining only the bare bones of nostalgia, which is carried by the personages and

landscapes of his pictures. His is the art of decanting, filtering, maturing an idea until it reaches a point at which it can express some aspect of the great mystery which is the human condition.

—GUY ROBERT

AS IN HIS winterscapes, Jean Paul Lemieux has distilled this landscape to sand, a strip of water and sky, which forms the backdrop for the central figure. The boy sits still on the sand, his hand on the red ball—a symbol of innocent childhood play. His nudity brings an association of vulnerability yet he looks calmly away, lost in contemplation, inhabiting a simple moment of relaxation, drenched in the sun that reflects off his shoulders, knees and hair. It is a scene set on an empty stage, in which Lemieux casts the boy as an enigmatic character, on whom we project our own interpretation of his state of being.

ESTIMATE: \$25,000 – 35,000

20 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

Où sont les belles ombres

oil on paper on canvas, signed
and on verso titled, dated circa 1956
and inscribed 2232 and No. 11/7
25 ½ x 19 ¾ in, 64.8 x 50.2 cm

PROVENANCE

Galerie d'Art Michel Bigué, Quebec
Masters Gallery Ltd., Calgary
By descent to the present Private
Collection, Calgary

LITERATURE

Robert Bernier et al., *Riopelle, des visions
d'Amérique*, 1997, reproduced page 95
Yseult Riopelle, *Jean Paul Riopelle
Catalogue Raisonné, Volume 2,
1954 – 1959*, 2004, reproduced page
381, catalogue #1956.02OP.V1956
Michel Martin et al., *Mitchell / Riopelle:
Nothing in Moderation / Un couple
dans la démesure*, Musée national des
beaux-arts du Québec and the Art
Gallery of Ontario, 2018, pages 22
and 28

THE 2017 TO 2018 exhibition *Mitchell /
Riopelle: Nothing in Moderation / Un
couple dans la démesure*, at the Musée
national des beaux-arts du Québec
and the Art Gallery of Ontario, demon-
strated the connection between the
work produced by Joan Mitchell and
Jean Paul Riopelle in the mid-1950s.
They met in 1954 in Paris, and the col-
lision was monumental. Michel Martin
wrote that as “painters of great passion,
lovers and accomplices, but also rivals,
Joan Mitchell and Jean Paul Riopelle
formed for almost twenty-five years
an unconventional couple.” There are
strong similarities between their works
on paper in the mid-1950s. In 1958,
Mitchell wrote to Riopelle, “Last night I
painted eight pictures on paper... some
very grey and dark [that] had an
influence of someone I know in Paris—
including a palette knife.” That person
in Paris was, of course, Riopelle, whose
lyrical abstractions on paper she was
thinking of, bold and gestural works
such as this.

ESTIMATE: \$25,000 – 35,000





21 Alexander Colville

PC CC 1920 – 2013

Two Boys Playing

glazed tempera on board, signed and dated 1952
and on verso signed, titled, dated and inscribed
glazed tempera / A2058 / 20 x 20
20 x 20 in, 50.8 x 50.8 cm

PROVENANCE

T.H. Edwards, Montreal
Mira Godard Gallery, Toronto
Private Collection, Ontario

LITERATURE

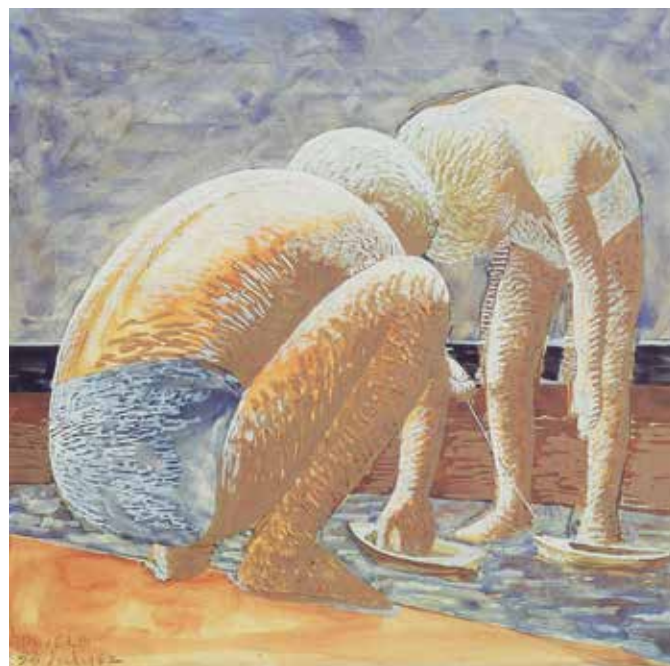
Helen J. Dow, *The Art of Alex Colville*, 1972, reproduced
page 70 and listed page 220
David Burnett, *Colville*, Art Gallery of Ontario, 1983,
reproduced page 86 and listed page 245
David Burnett, *Alex Colville*, Heffel Gallery Limited, 1989,
the 1952 tempera on paper study entitled *Two Boys Playing*
reproduced, unpaginated
Mark A. Cheetham, *Alex Colville: The Observer Observed*,
1994, pages 13 and 45

EXHIBITED

Art Gallery of Ontario, Toronto, *Colville*, July 22 – September 18,
1983, traveling in 1983 – 1984 to Museum Ludwig, Cologne;
Dalhousie Art Gallery, Halifax; Staatliche Kunsthalle, Berlin;
Montreal Museum of Fine Arts; and the Vancouver Art Gallery,
catalogue raisonné #32
Heffel Gallery Limited, Vancouver, *Alex Colville*, October 7 – 31,
1989, the 1952 tempera on paper study entitled *Two Boys Playing*
National Gallery of Canada, Ottawa, loaned for temporary
display in the Canadian Galleries, 2007 – 2008

TWO BOYS PLAYING is a small and intimate painting. Its reserve and modesty are typical of Alex Colville's philosophy of art and of his life; this approach is in part responsible for the enduring power of this image and for his remarkable success as an artist. Colville wanted to make important observations quietly. He habitually used family members as models. Here, we see two of Alex and Rhoda Colville's three sons—Graham was born in 1944, John in 1946, and Charles in 1948—completely absorbed in their game. Colville is careful to let their young bodies convey purpose and emotion; we do not see their faces. They are too busy to acknowledge us as viewers. Characteristic, too, is Colville's taciturn title. He does not record which of his sons we see, but instead universalizes both the children and their activity. There is no doubt that the picture is based on close personal observation; we have Colville's masterly, precisely dated sketch as evidence that he was there, watching and recording his children's movements. Yet how different this view is from a typical family snapshot.

Two Boys Playing is paradigmatic of Colville's art in that it is both highly personal and yet universal. The art historian and art dealer



ALEXANDER COLVILLE
Two Boys Playing
tempera on paper, 1952
10 x 10 in, 25.4 x 25.4 cm
Private Collection

Not for sale with this lot

David Burnett, who knew Colville well, claims, “It is a mark of a special creative talent when, in reviewing the career of an artist, it is wrong to separate the work he has produced from the life he has led.” Certainly Colville fashioned both his life and his art with the utmost care, and these strands are intertwined. But in important ways he was not concerned to show us his life but rather life in general—what was important, how people behave, what they value. What he cared most about was what he called the “grace” in everyday domestic existence.

Colville remains one of the most celebrated artists in Canada. During his life, and since his death at age 92 in 2013, hundreds of thousands of people have attended his exhibitions. Many more have seen reproductions of his paintings. *Two Boys Playing* is one of several Colville paintings that inspired a book of poems by Carol Malyon titled *Colville’s People*. The Art Gallery of Ontario’s large Colville retrospective in 2014 to 2015 hosted more than 166,000 visitors, at that time the largest attendance for a Canadian artist recorded at the AGO. One outcome of this popularity is that we know a lot about Colville and his work. He happily embraced the role of public figure; he was forthcoming about his own work and readily expressed views on topics from politics to philosophy. Even as an early Colville painting, however, *Two Boys Playing* transcends biographical details. Rather than making us wonder what beach the Colvilles visited, for example, the exacting composition and precise delineation of *Two Boys Playing* draws us into more important questions.

A small but tellingly Colvillesque detail speaks to the quality of this painting. The boys are paired with two model boats, which Colville carved himself, that they guide along pools of water at the beach. We may assume that these toys are the same, but the boys are two years apart and quite different in stature. Colville skilfully employs foreshortening to make the smaller boy’s boat smaller too, since it is slightly further away in the depth of the composition. The boats are therefore like the boys—stand-ins perhaps—but not, too. The children are acutely conscious as they actively “sail” their models. Though they are relaxed, everything about their bodies suggests their rapt enjoyment of the moment. In contrast to the boats, the boys are mentally and physically absorbed, traits that we think of as essentially human.

Colville’s highly finished preparatory study for this painting shows the composition fully achieved. In the final work, however, he has further distanced himself—and thus us as viewers—from the moment-to-moment dynamism of the boys. In the drawing, his younger son’s arms and legs are cross-hatched in a bright white tempera, suggesting highlights of sun on his body. But this visual vibrancy gives way in the final painting to a much stiller surface, both on the children’s forms and in the landscape, where the sky, water and beach are almost unnaturally uniform. Colville steps back from the personal to have us think about the scene more generally.

As a professor of art at Mount Allison University in Sackville, NB, from 1946—when he returned from service in World War II—until 1963, Colville’s duties included teaching art history. He found this assignment more helpful to his own work than the art classes he also taught: “I was learning from [art history] as a painter,” he reported. The pervasive stillness of *Two Boys Playing* chimes with the characteristic look of paintings from one of his favourite periods in the history of art, the early Renaissance in Italy. Early in his long career though this painting is, it comes from and exemplifies the strengths of a crucial period in Colville’s life. On his first trip to New York City, in May 1952, Colville secured commercial representation at the Hewitt Gallery. He held successful exhibitions there in 1953 and 1955. He produced some of his most memorable paintings at this time, including *Nude and Dummy* (1950), *Child and Dog* (1952), *Soldier and Girl at Station* and *Man on Verandah* (both 1953). Although *Two Boys Playing* and other gems from this time are not religious, they are deeply contemplative and respectful. They are secular homages to what lies beyond the immediate surfaces of life and art.

We thank Mark Cheetham, Professor of Art History at the University of Toronto and author of *Alex Colville: The Observer Observed*, for contributing the above essay.

ESTIMATE: \$600,000 – 800,000





22 Christopher Pratt

ARCA CSGA OC 1935 –

House in August

oil on board, signed and dated 1969 and on verso signed, titled, dated February 1969 and inscribed oil 17 ½ x 24 ½ in, 44.5 x 62.2 cm

PROVENANCE

Mira Godard Gallery, Toronto
Private Collection, Ontario

LITERATURE

David P. Silcox and Meriké Weiler, *Christopher Pratt*, 1982, pages 76 and 77, reproduced page 77
Joyce Zemans, *Christopher Pratt: A Retrospective*, Vancouver Art Gallery, 1985, reproduced page 23
Tom Smart, *Christopher Pratt: Six Decades*, Art Gallery of Sudbury, 2013, reproduced page 38
Christopher Pratt, interview by Valerie Pringle, February 21, 1986, <http://www.cbc.ca/player/play/2454733682>, accessed August 23, 2018

EXHIBITED

Vancouver Art Gallery, *Christopher Pratt: A Retrospective*, November 23, 1985 – January 26, 1986, traveling in 1986 to the Art Gallery of Ontario, Toronto; Memorial University Gallery, St. John's; and Dalhousie Art Gallery, Halifax

THIS CLASSIC CHRISTOPHER PRATT painting displays both the directness of vision and abiding mystery that make his work so appealing. His image of an outport house in his native and much-beloved Newfoundland depicts vernacular architecture, but its intensity of affect suggests that we might better think of it as a portrait. We see the facade (or face) close up in all its detail and symmetry. The closely observed building and its meticulously painted seaside setting might lead us to think of Pratt's work as somehow "photographic," but it is far from that. Instead, he records memories of places, people and structures, radically editing out what he finds extraneous to their essence and changing what he wants to change.

Could any home be this perfect? Each green window shade is lowered to the same level, and the shadows made by the window mullions are identical—they fall on the same pleats in the drawn curtains. The detail to end all details is that the door has no knob. "It would have violated the symmetry," Pratt reported.

The fuller implications of Pratt's paintings emerge when we look and think beyond his immaculate surfaces. Again, akin to the portrait of a person, the face of *House in August* tells much that it does not literally show. Indeed, this work can be seen as a psychological portrait in which what is not visible is its most significant dimension. The shades and curtains are all closed in the same manner. We cannot see into the house, and given the intensity of the August sunlight, it is difficult to imagine that an occupant could see out through the curtains. Not only is the door closed, it cannot be opened from the inside or from our position as viewers. The facade seems to be in comfortable, purposeful and long-term repose.

In its hyper-reality, could the house betoken a peaceful death? Or perhaps its flawlessness suggests a beloved place idealized in memory. While *House in August* seems to invite some speculations, as viewers we should keep in mind that Pratt himself—interviewed at the time of his 1986 retrospective at the Art Gallery of Ontario—stated that he creates his paintings to "satisfy some requirement that's entirely personal." He claims not to know why people respond as they do to his work. Eloquent in his silence like *House in August*, however, neither does he preclude our speculations.

We thank Mark Cheetham, Professor of Art History at the University of Toronto and author of *Alex Colville: The Observer Observed*, for contributing the above essay.

ESTIMATE: \$80,000 – 120,000



23 Mary Frances Pratt

CC OC RCA 1935 – 2018

Preserving Summer—Black Currant Jam

oil on canvas, signed and dated 1998 and on verso titled and dated on the Mira Godard Gallery label
24 x 30 in, 61 x 76.2 cm

PROVENANCE

Mira Godard Gallery, Toronto
Private Collection, Colorado

LITERATURE

Kerry Clare, “Mary Pratt: On Blogging, and Preserving Light and Time,” *Pickle Me This* [Blog], August 25, 2013, <http://picklemethis.com/2013/08/25/mary-pratt>, accessed June 13, 2018

MARY PRATT IS one of Canada’s most renowned realist painters, and *Preserving Summer—Black Currant Jam* is a fine example of an

important part of her oeuvre—still lifes that incorporate domestic rituals around the production, display and consumption of enticing foods. Pratt produced jams and jellies as part of her family life in Newfoundland; she commented that she found jellies as beautiful as the stained glass windows in churches. Here Pratt takes us into her private, intimate world: the aftermath of the jam’s tasting, showing the remainder pooling in the bowl and staining the spoon and spatula, connoting the sensual enjoyment of its delicious flavour. Through the use of photographs, she examines her subject closely, capturing a moment in time. She called the camera “my instrument of liberation”—it allowed her to “concentrate on the light, and the content and the symbolism” of her subjects. Pratt’s handling of light is exquisite here. It washes across the bowl, reflects from the handle of the silver spoon, and casts both shadow and pools of light across the table below, intensifying the sensuality of her subject.

ESTIMATE: \$30,000 – 40,000



24 Mary Frances Pratt

CC OC RCA 1935 – 2018

Buttered Roaster

oil on canvas, signed and dated 1993 and on verso signed, titled *Buttered [sic] Roaster*, dated and inscribed *Gesso Ground, oil paint, Liquin, RAMAR varnish*
16 x 20 in, 40.6 x 50.8 cm

PROVENANCE

Private Collection, Ontario

LITERATURE

Ray Cronin et al., *Mary Pratt*, Art Gallery of Nova Scotia and The Rooms, 2013, page 121

One cannot look at her whole body of work without seeing that her realism, far from being “magic” or “photo” realism, is rather a social realism—a careful focused and, indeed, thoughtful look at the state of being immersed in the domestic: the quotidian hurly-burly of meals ... and all

of the other myriad elements that come with the social constructs of “the family” and “the home.”

—RAY CRONIN

IN THIS SENSUAL painting, Mary Pratt showed her mastery of still life composition through the careful placement of the vegetables, contrasting the round shapes of slices of onion against vertical slivers of carrots. Pratt chose this image because it was beautiful to her, and she preserved it with a photograph to refer to while painting in her studio. Pratt’s awareness of light is acute here; a ray of light rakes across the dark background and, entering the roaster, illuminates the vegetables and causes the interior of the roaster to glow with a golden light. Pratt has infused *Buttered Roaster* with the sense of an elevated ritual, in the process transforming an everyday image of food preparation into something quietly radical.

ESTIMATE: \$25,000 – 35,000

25 Alexander Colville

PC CC 1920 – 2013

Chaplain

acrylic polymer emulsion on board, on verso signed, titled, dated 1991 and inscribed *acrylic* and inscribed on a label with the artist's notes about the paint material
26 ¾ x 36 ¼ in, 67.9 x 92.1 cm

PROVENANCE

Drabinsky Gallery, Toronto
Heffel Gallery Limited, Vancouver, 2001
Private Collection, Vancouver

LITERATURE

David Burnett, *Alex Colville*, Drabinsky Gallery, 1991, reproduced page 13, listed page 23
Philip Fry, *Embarkation: The Genesis of a Painting*, Montreal Museum of Fine Arts, 1994, reproduced page 25
Philip Fry, *Alex Colville: Paintings, Prints and Processes, 1983–1994*, Montreal Museum of Fine Arts, 1995, reproduced page 83 and preliminary drawings reproduced pages 82 and 84

EXHIBITED

Drabinsky Gallery, Toronto, *Alex Colville*, October 19 – November 13, 1991
Montreal Museum of Fine Arts, *Alex Colville: Paintings, Prints and Processes, 1983–1994*, September 30, 1994 – January 15, 1995, catalogue #18

ALEX COLVILLE IS one of the most acclaimed artists in Canada. During his long life and since his death at age 92 in 2013, hundreds of thousands of people have attended his exhibitions. Many more have seen reproductions of his paintings, especially on book covers. The Art Gallery of Ontario's large Colville retrospective in 2014 to 2015 welcomed over 166,000 visitors, the largest attendance for a Canadian artist recorded at this institution. The catalogue was a best-seller in the art category.

Why this abiding popularity? "Why?" was one of Colville's favourite questions too. His deceptively simple and always legible paintings ask existential questions: Why are we here? Who is this person? What is our relationship with animals and thus with ourselves? *Chaplain* is a masterly example of Colville's commitment to understanding what matters in life. "I have a friend who is the chaplain at Acadia University," he reported. "This is a

portrait of him which attempts to show what he is like—in so far as this is possible." In line with his typically taciturn titles, however, Colville's comment gives away little about the chaplain. He is not named; few personal details are suggested by the painter's matter-of-fact acknowledgment of his subject. Meticulous and specific, *Chaplain* is at the same time not conventionally biographical. The satisfying result is that we as viewers can explore the questions that Colville plots for us. His paintings are supremely controlled to allow us this freedom.

Chaplain is a testament to Colville's signature practice of careful mathematical measurement, in this case charted through extensive preparatory drawings, discussed by Philip Fry in the Montreal Museum of Fine Arts exhibition catalogue cited. Colour is minimal, and the patterns traced by the floor tiles, wall trim, and especially the elaborate screen formed by the spindles of the foreground railing, which dominates the view of this church or chapel interior, are painstakingly rendered and interrelated with purpose. A perfect balance is struck between these visually absorbing ornamental details and our sightline to the supposed subject of the painting. The chaplain is in all ways composed; he is as still as the architecture that frames him, hands gently folded, face calm. He is dressed in black robes, in stark tonal contrast to the white and grey of his surroundings. Significantly, we cannot fully see his eyes because he wears glasses, and Colville has made sure that the spindles partially block our view.

We might say that the chaplain is expressionless, which has the virtue, again, of allowing us to speculate on what he may be thinking, who he "is." Is he deep in thought, preparing to speak? Is he resting after speaking? Is he confined by the space we see, as Fry claims, or does it instead afford him some privacy from our unbidden gaze? We do not know, which brings us back to the wisdom of Colville's description of this work as being about what the man is like "in so far as this is possible." As the generic title suggests, then, this is not "the" chaplain with this or that characteristic, it is "a" chaplain, in the sense of a role, a position in a community. A *tour de force* of design, Colville's *Chaplain* is a memorable meditation by an ultimately secular visual philosopher.

We thank Mark Cheetham, Professor of Art History at the University of Toronto and author of *Alex Colville: The Observer Observed*, for contributing the above essay.

ESTIMATE: \$500,000 – 700,000





26 Georges Mathieu

1921 – 2012 French

Huisne

oil on canvas, signed and on verso titled and dated 1969 on the gallery label and inscribed *NS / PO_S* and with the Dominion Gallery inventory #F4834
25 ½ x 39 in, 64.8 x 99.1 cm

PROVENANCE

Dominion Gallery, Montreal
Private Collection, Edmonton

GEORGES MATHIEU WAS a French abstract painter and art theorist considered one of the originators of European Lyrical Abstraction. He published several manifestos to define his concept of this movement: to achieve autonomy of gesture, using speed of execution to avoid conscious control, eschewing pre-existing forms as a point of reference and avoiding premeditated moves. He also founded the group *L'Imaginaire* to showcase Lyrical Abstraction.

By the late 1960s Mathieu was using a kind of animated, loose geometry, such as the background grid in *Huisne*, and he continued to use surging gestures, such as the arc of the partial circle. A charged ruby-red form and a gestural zigzagging line are superimposed on the grid, and a sooty black shadow-form slips out from under it. Energy is sent out from this centre through more lines of red and black, which generate movement. *Huisne* is a fine example of Mathieu's work—intuitive and playful, it is a striking arabesque of form.

Mathieu's importance was recognized in a 1963 retrospective at the Museum of Modern Art in Paris and in a 1978 retrospective at the Grand Palais, also in Paris.

This work is accompanied by a certificate of authenticity from Comité Mathieu.

ESTIMATE: \$35,000 – 45,000



27 Louise Nevelson

1899 – 1988 American

Sans titre

wood sculpture, on verso signed

16 ½ x 3 ¼ x 2 7/8 in, 41.9 x 8.3 x 7.3 cm

PROVENANCE

Dunkelman Gallery, Toronto

Acquired from the above by the present Important
Private Collection, Montreal, then California

The dimensions of the Plexiglas case are 21 x 7 ¾ x 5 inches.

ESTIMATE: \$6,000 – 8,000



28 Sorel Etrog

RCA 1933 – 2014

Sadko

painted bronze sculpture, signed
and editioned 2/7, circa 1971

23 ½ x 15 ¾ x 15 ½ in, 59.7 x 40 x 39.4 cm

PROVENANCE

Dunkelman Gallery, Toronto

Private Collection, Toronto

LITERATURE

Ihor Holubizky, *Sorel Etrog: Five Decades*,
Art Gallery of Ontario, 2013, the small
wax study reproduced page 20, photos
of Etrog working on the plaster for the
large version of *Sadko* reproduced pages
21 – 24, and the finished large sculpture
in a public installation in Bow Valley
Square in Calgary reproduced page 25

IN 1963, SOREL ETROG immigrated to Canada, and within a short period of time, he established himself as an important artist in the Toronto contemporary art scene. He had been linked to the European avant-garde between the wars and was also influenced by antiquities while studying at the Brooklyn Museum. During his four years of study there, he was inspired by its magnificent collection of primitive art, including Cycladic terracotta votive figures and African fertility goddesses. *Sadko* is from Etrog's *Screws and Bolts* series, first inspired by an eye screw that Etrog picked up on a Toronto street. *Sadko* fuses the sensual art of ancient civilizations with the mechanics of the machine age, in a thought-provoking and modern sculpture. Like the 1927 German film *Metropolis*, it challenges us with the implications of the mechanization of humanity. Etrog's use of hot red automotive paint adds another element of sensuality to this vital and emphatic sculpture. Both this work and the large version were produced during one of Etrog's sojourns in Florence in the early 1970s, when he worked with the Michelucci foundry in Montecatini.

The base measures 15 ¾ x 7 ½ x 2 7/8 inches.

ESTIMATE: \$20,000 – 30,000



29 Henry Moore

CH FBA OM 1898 – 1986 British

Upright Motive D

bronze sculpture on a marble base, signed, editioned 3/9 and on the marble base titled and dated 1968 on the Galerie Agnès Lefort label and stamped with the foundry mark NOACK BERLIN

11 ¾ x 2 ¼ x 2 in, 29.8 x 5.7 x 5.1 cm

PROVENANCE

Galerie Agnès Lefort, Montreal

Waddington & Gorce Inc., Montreal

Acquired from the above by the present Important Private Collection, Montreal, then California

LITERATURE

Alan Bowness, editor, *Henry Moore, Complete Sculpture and Drawings, Volume 4, Sculpture 1964–73*, 1977, reproduced page 53, catalogue #589

Christa Lichtenstern, *Henry Moore: Work—Theory—Impact*, 2008, page 206, the large 1955 bronze *Upright Motive: Maquette No. 1*, in the collection of the Hirshhorn Museum and Sculpture Garden, Washington, DC, reproduced page 206, and the large bronzes *Upright Motive No. 7* and *Upright Motive No. 2*, both 1955–1956, in the collection of Tate Britain, London, reproduced page 204

CHRISTA LICHTENSTERN WROTE that Will Grohmann discussed internationally renowned British sculptor Henry Moore's *Upright Motive* works in his 1960 monograph. He drew on discussions with Moore and his friends, indicating, "They are sometimes known as 'Scottish crosses,' after the tall crosses in Scotland, Ireland and Wales dating from the Middle Ages." The abstracted form of these sculptures has features in common with Irish high crosses and relates to "a particular type of Irish cross where it is as though the body of Christ has become one with the cross," as Lichtenstern writes. However, other writers felt that these sculptures related to Moore's interest in primitive art from non-Western cultures that he saw in the British Museum. Moore also said that the piled shapes in his upright maquettes reminded him of North American totem poles, although this realization seemed more an association after the fact. Clearly the *Upright Motive* works had the kind of universality of association that gave Moore's work such resonance.

Moore produced *Upright Motive* works throughout the 1950s and 1960s, both as small sculptures such as this evocative work and large-scale sculptures installed in public spaces.

The marble base measures 4 x 3 7/8 x 1 7/8 inches.

ESTIMATE: \$15,000 – 25,000



30 William Hodd (Bill) McElcheran

RCA 1927 – 1999

Businessman

bronze sculpture, signed, editioned 2/6

and dated 1988

49 ½ x 20 x 26 in, 125.7 x 50.8 x 66 cm

PROVENANCE

Collection of DuPont Canada, Ontario

LITERATURE

Inge Lindemann, editor, *William Mac (William McElcheran): The Businessman*, 1991, pages 26 – 28 and 31

WILLIAM MCELCHERAN STUDIED painting before sculpture, but gravitated to painters who dealt with sculptural forms. When he crossed into the realm of sculpture, European artists such as Giacomo Manzù, Jacques Lipchitz, Wilhelm Lehmbruck, Ernst Barlach and Gerhard Marcks attracted him. McElcheran was also interested in old master artists such as Donatello, Michelangelo and Gian Lorenzo Bernini, and he loved classicism, which dealt with the heroic, the larger-than-life figure.

Early in his career, McElcheran was involved with Catholicism and made religious sculptures, which often depicted an archetype of the Everyman, through which he related the Passion of Christ to contemporary life. As McElcheran moved away from his religious themes, the Everyman evolved into the businessman image, and he declared, “My businessman replaces the classical hero.” Instead of depicting a classical hero who was larger than life, McElcheran was now searching to “find my image for the anti-ideal, the anti-hero. So the whole idea of my businessman is that he is exactly that sort of Everyman, the ubiquitous non-hero.” This is a classic large-scale McElcheran businessman, an iconic figure that McElcheran both empathizes with and gently satirizes.

The bronze base measures 20 ½ x 23 ¼ x 5 ½ inches.

ESTIMATE: \$25,000 – 35,000





31 William Hodd (Bill) McElcheran

RCA 1927 – 1999

Satisfied

bronze sculpture, initialed, editioned 2/9
and dated 1996

30 x 10 x 10 ¾ in, 76.2 x 25.4 x 27.3 cm

PROVENANCE

Private Collection, Vancouver

LITERATURE

Inge Lindemann, editor, *William Mac (William McElcheran): The Businessman*, 1991,
pages 26 – 28 and 31

WILLIAM MCELCHERAN'S BUSINESSMAN is symbolic of the structures of society. His earth-bound solidity is expressed by his volumetric body cast in bronze, clothed in the classic business costume of coat, tie, hat and briefcase. McElcheran identified the businessman as "not only a result, but at the same time a protector of the industrial age which is based upon the whole theory of the division of labor." He believed we were at the end of that time, moving into a post-industrial age.

Thus McElcheran creates a sense of nostalgia for these men, who are driven to succeed, to acquire, to conform, to attain power, yet are controlled by their own system. We sympathize with them because McElcheran imbued each of his figures with hints of a distinctive personality—he felt that "inside he has little fantasies which he keeps for himself." McElcheran may satirize his businessman, but in a manner that is sympathetic rather than destructive. Archetypes of our times, these businessmen are players on the stage of life, and we empathize with their sense of purpose and their belief in their way of life.

The bronze base measures 11 ¼ x 11 ½ x 1 inches.

ESTIMATE: \$15,000 – 20,000



32 Milton Avery

1893 – 1965 American

Myself in Blue Beret

oil on paper, signed and dated 1951 and on verso signed, titled, dated and inscribed *oil on paper*
21 ½ x 14 ¾ in, 54.6 x 37.5 cm

PROVENANCE

Milton Avery Trust
Donald Morris Gallery, Detroit
Grace Borgenicht Gallery, New York
Waddington & Gorce Inc., Montreal
Acquired from the above by the present Important Private Collection, Montreal, then California, 1987

LITERATURE

Mark Rothko, “Commemorative Essay,” delivered at the New York Society for Ethical Culture, January 7, 1965, reprinted in Adelyn D. Breeskin, *Milton Avery*, 1969, unpaginated
Pamela Gruninger, *Milton Avery on Paper*, Whitney Museum of American Art, Fairfield County, 1982, listed as a monotype, unpaginated

EXHIBITED

Whitney Museum of American Art, Fairfield County Branch,
Milton Avery: Watercolours and Monotypes, September 9 – November 3, 1982

IN 1965, the Abstract Expressionist Mark Rothko said of Milton Avery’s simple and compelling art, “What was Avery’s repertoire? His living room, Central Park, his wife Sally, his daughter March, the beaches and mountains where they summered; cows, fish heads, the flight of birds; his friends and whatever world strayed through his studio: a domestic, unheroic cast. But from these there have been fashioned great canvases, that far from the casual and transitory implications of the subjects, have always a gripping lyricism, and often achieve the permanence and monumentality of Egypt.” Rothko could have added that Avery also depicted himself, frequently in the nonchalant manner that we see here. A photograph by Arnold Newman taken just 10 years after this painting shows Avery sporting a similar beret in front of one of the painter’s signature landscapes. *Myself in Blue Beret* is typically unassuming, but we should not let its lack of fanfare deflect us from close looking.

The colour, composition and cultural iconography of this seemingly quick oil on paper stand out. Against a scumbled brown ground that also serves to convey a flesh tone across the face and neck, Avery has boldly laid down the outline of his head and neck in saturated red and his lips in a lighter red. Rubbed out, blurry areas suggest the ears and perhaps a moustache. Most prominent are the eyes and especially the nose, confidently outlined in dark brown. Most significant, however, are two immediately recognizable symbols of French culture. First, the striped sailor shirt, a *tricot rayé*—the official undershirt of the French Navy in the nineteenth century—which became *the* fashionable avant-garde garb by the early twentieth century. Henri Matisse, for example, wears one in his famous self-portrait from 1906

in the Royal Museum of Fine Arts, Copenhagen. Betokening “French” even more directly is, of course, Avery’s beret.

Why would Avery reiterate these allegiances in 1951? Matisse (1869 – 1954) was very much an “Old Master” by this time, even though the Fauvist self-portrait of 1906 that Avery seems to recall was from the most daring and pictorially innovative phase in his predecessor’s long career. With its characteristic economy of means and unmistakable references, Avery’s self-portrait helps us to reflect on the fact that he was often called “the American Matisse.” Usually this moniker is intended as a compliment—for example, when American Colour Field master Ellsworth Kelly used the analogy to praise Avery’s colour sensibility. But others have claimed that the comparison diminishes Avery’s uniqueness.

As we look at this self-portrait today, we look back more than half a century to a period when Avery was reasserting his fidelity to the modernist precepts of Matisse and like-minded avant-garde pioneers: the passion for colour, for the pleasures of the immediate and the everyday, for painting as painting. These precepts themselves were founded in Europe another 50 years in the past. Immediate and fresh though it is, then, *Myself in Blue Beret* is—as Rothko perceived—also a monument to pivotal eras in the history of European and American art.

We thank Mark Cheetham, Professor of Art History at the University of Toronto and author of *The Rhetoric of Purity: Essentialist Theory and the Advent of Abstract Painting*, for contributing the above essay.

This lot is accompanied by a photo-certificate of authenticity signed by Sally M. Avery, for the Milton Avery Trust.

ESTIMATE: \$60,000 – 80,000



33 Milton Avery

1893 – 1965 American

Brown Bird Brown Sea

colour monotype, signed and dated 1951 and on verso signed, titled, dated and inscribed *monotype*
18 x 24 in, 45.7 x 61 cm

PROVENANCE

Waddington Galleries, Montreal

Acquired from the above by the present Important Private Collection, Montreal, then California

LITERATURE

Barbara Haskell, *Milton Avery*, Whitney Museum of American Art, 1982, page 14

Pamela Gruninger, *Milton Avery on Paper*, Whitney Museum of American Art, Fairfield County, 1982, unpaginated

MILTON AVERY'S SINGULAR combination of figuration and abstraction made him an archetype of American modernism. He had a strong influence on other artists, and Abstract Expressionist Mark Rothko felt that poetry penetrated every part of Avery's work. Works such as this are based on observed nature, translated through Avery's reductive approach into horizontal streaks for the

sky and a rhythmic pattern of peaked waves to denote a wind-ruffled sea. As Barbara Haskell wrote, "His simplified, spare forms were locked together into compositions which, while seemingly effortless, were so finely balanced that to change even one shape or color saturation would destroy the equilibrium of the whole."

In 1949, after suffering a heart attack, Avery spent time at the Research Art Colony in Maitland, Florida. While there, he began to produce monotypes, which are unique works that use printmaking techniques. Pamela Gruninger described Avery's individualistic approach to this medium as follows: "He applied oil washes to glass plates with brushes, rags, crumpled bits of paper, or his fingers, and printed them, not with a press, but usually with the back of a spoon. A base of turpentine on the glass kept his pigments from drying too rapidly." Over the next few years, Avery produced an impressive number of monotypes, including this fine example. The bird in flight, scanning the water with its keen eye, searches for a landing place in the waves. Avery's humorous awareness of the precariousness of this act injects an element of whimsy into his perfect arrangement of form, line, colour and space.

ESTIMATE: \$6,000 – 8,000



34 Antony (Tony) Scherman

1950 –

Still Life

encaustic on canvas, on verso signed and dated 1985
60 x 72 in, 152.4 x 182.9 cm

PROVENANCE

Waddington & Gorce Inc., Montreal
Acquired from the above by the present Important Private
Collection, Montreal, then California

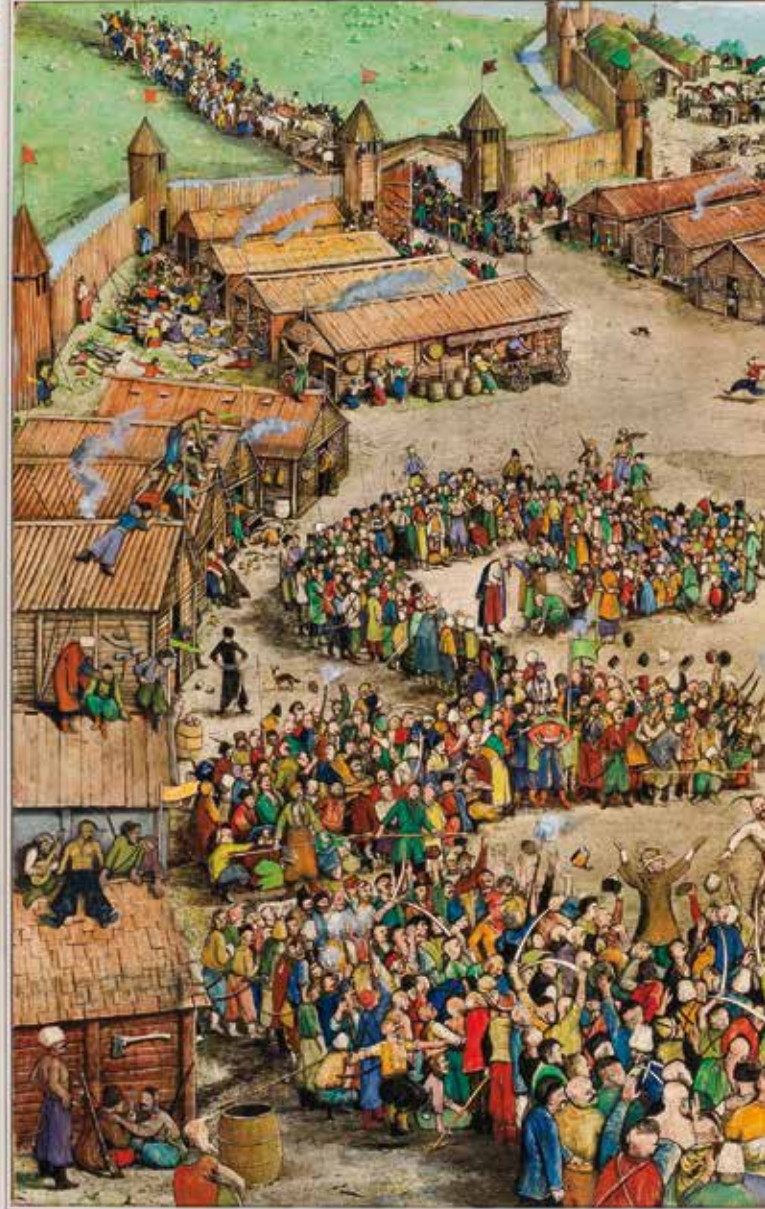
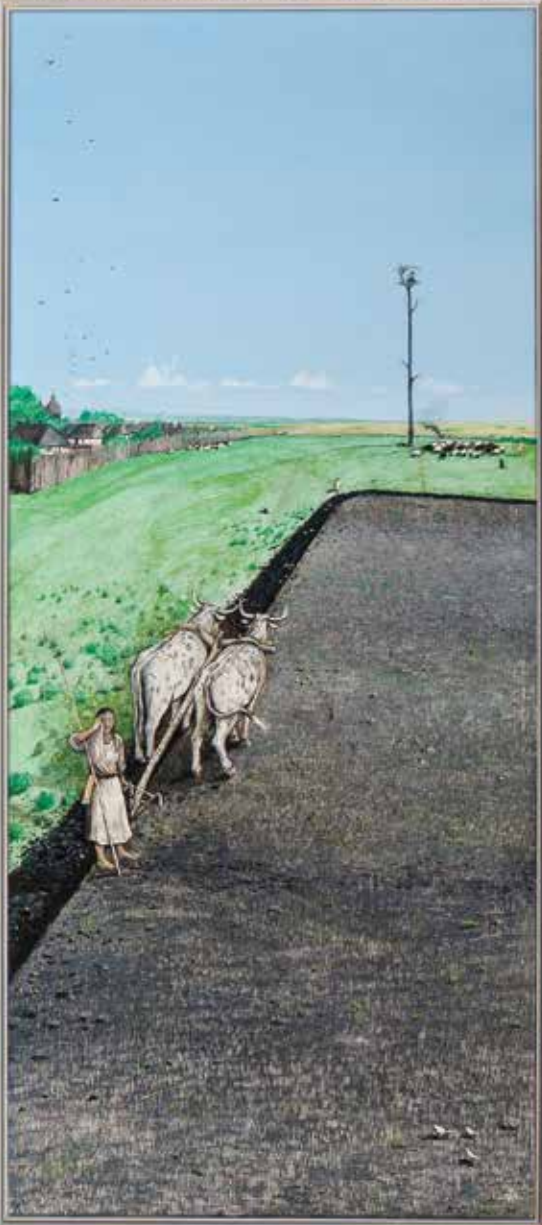
LITERATURE

David Moos, *Tony Scherman: New Mythologies*, 2011, unpaginated

IN THE STILL LIFE part of his oeuvre, Tony Scherman has often depicted delectable fruit, but here his image is dominated by a large joint of meat. Works such as this relate to old master still life paintings from previous centuries, of tables piled with game, fish

and meat displayed on tablecloths, in which artists showcased their exquisite mastery of technique. Scherman employs the same device, using a pale cloth to show off the foodstuffs and objects on the tabletop. But his work is modern in technique, particularly in its sensuously worked and scored encaustic surfaces, such as the luscious coral-pink background contrasted by green streaks. Regarding his use of this medium, Leah Ollman commented, “The pigmented wax is at once succulent and tough, seeming to vacillate between liquid and solid states. It ripples and furrows, drips in long trails, gathers in gritty crusty patches. Rubbed to the point of abrasion in places, it’s glazed to a rich shine in others and occasionally scorched down to the canvas’s raw, naked weave.” Swooping into the scene is an interloper—a bird desirous of snatching a morsel—creating an intriguing narrative.

ESTIMATE: \$15,000 – 25,000







35 William Kurelek

ARCA OC OSA 1927 – 1977

The Ukrainian Woman in the Old Country (Triptych);

1. Free Woman on Ukrainian Frontier
2. Election of a Cossack Chieftain
3. Oppression and Poverty

mixed media on board triptych, initialed and dated 1966 – 1967 and on verso titled on the gallery label 37 ¼ x 83 ½ in, 94.6 x 212.1 cm

PROVENANCE

The Isaacs Gallery Ltd., Toronto
Private Collection, Ontario

LITERATURE

William Kurelek, “Exhibition Statement: The Ukrainian Woman Pioneer in Canada, 1968,” The Isaacs Gallery Ltd., 1968
Bernadette Andrews, “Spring Season Opens at the Art Gallery,” *The Toronto Telegram*, January 13, 1968, page 28
Andrew Kear, *William Kurelek: Life and Work*, Art Canada Institute, 2017

EXHIBITED

The Isaacs Gallery Ltd., Toronto, *The Ukrainian Woman Pioneer in Canada*, January 10 – 29, 1968

ESSAY BY WILLIAM KURELEK:

THE UKRAINIAN WOMAN IN THE OLD COUNTRY

THE IDEA FOR this large work came indirectly from my wife, who is of British origin. Watching me work on this series she observed one day, “Ukrainian settlers were not full-fledged North American pioneers because they didn’t have to fight Indians like the English and French.” That I had to admit—their struggle was only with the elements and the land. Indian treaties enforced by the RCMP kept the peace. However, a little later, thinking back on

the history of the Ukrainian people, it occurred to me: “Sure our people were frontiersmen at one time!” In fact, right about the very same time as the beginnings of French, English and Spanish colonies in the New World, there was an analogous situation in the Ukraine. Even the word UKRAINE means exactly that—“FRONTIER COUNTRY.”

Mongol hordes from Asia mostly under Genghis Khan had depopulated large areas of the region above the Black Sea in the 13th century. The land had reverted to wild grasslands called The Steppes, inhabited by wildlife and roving bands of Tartars. These were the Ukrainian “Injuns.” For some time the survivors of the original population sought shelter in a feudal system under barons of western Slavic countries, but it wasn’t long before the freer spirits among them began to push back into the steppes. There, there was danger almost all the time—one would be plundered, killed, or taken into slavery. But while it lasted, the colonist was a free man and worked his own land.

They lived in villages for mutual protection within a stockade of pointed timbers around which lookouts were posted. But the best defence was attack. The men folk developed into a warrior class called the Cossacks who periodically left behind their womenfolk and children to go on campaigns against the Turks, whose mercenaries the Tartars were. Their organization was democratic and the order of the day quite fluid—their nature a rare mixture of buccaneer and crusader. The Zaporozhian Sich in their fortress on the lower Dnieper River, with its stockade, barrack longhouses and church, where women were strictly forbidden, lived a riotous life on booty they had won until they were in the mood for another campaign.

I have represented this in the large centre panel, in the main part of which I have taken the liberty of including all the steps (four) simultaneously in the election of their leader, the Hetman. One man, one vote was the rule, which was taken literally by each man going over to stand beside his favourite nominee. Then the outgoing Hetman in a prescribed ritual smeared the forehead of

the elected one with mud, signifying that he must dedicate himself to the defence of this land. After that all entered the chapel to pray for his success. Then the campaign. Like a miracle, dissipation vanished into discipline. The reckless bravery and prowess of such an army was phenomenal.

Those who returned from battle eventually saw their women and children again. Meanwhile the women (and old men and children) had shouldered the responsibilities of life on the land. Danger, hard work, a measure of happiness was their lot. This is the subject of the left-hand panel. Three centuries later both sides of the Dnieper were repopulated and foreign occupation, over-crowding and poverty had long overtaken the original colonist. This is what I've tried to represent in the right-hand panel, using the symbolism of the lord's manor and the fighting dogs. The people badly needed living room and opportunity. The Canadian government, seeing the danger of the Western provinces being occupied by the press of American migration, needed a hardy farming people to settle there as British subjects. The Ukrainians were one of those ethnic groups invited. And so this is where the story of *Ukrainian Pioneer Woman in Canada* begins—around about 1890.

ESSAY BY MARK CHEETHAM

WILLIAM KURELEK IS a folk hero in the annals of Canadian art. A proud chronicler and interpreter of his Ukrainian heritage—he grew up during the Depression on farms in the “Western Ukraine” of the Canadian Prairies, the first of seven children—he showed extraordinary skill as a painter and as a frame maker, learning the latter trade in London, England. A dedicated researcher into family and regional history, he presented his work in ways accessible to all, not least in his famous illustrated children's books, such as *A Prairie Boy's Winter* (1974) and *A Prairie Boy's Summer* (1976). His life was difficult in all imaginable ways; this he made a virtue, fashioning himself as a “suffering artist” in the image of Vincent van Gogh. A convert to Catholicism in 1957, like van Gogh, he was intensely religious and brought his belief system to all he created.

The Ukrainian Woman in the Old Country is important in Kurelek's oeuvre. This was the first painting in a 20-part series called *The Ukrainian Woman Pioneer in Canada*, and it was exhibited at the Isaacs Gallery in Toronto in January 1968. It was conceived and exhibited at a time of burgeoning Canadian nationalism and the growing recognition of multiculturalism around the 1967 centennial. The series was commissioned by the Ukrainian Women's Association of Canada, whose 40th anniversary—as well as the 75th anniversary of Ukrainian immigration to Canada—it was intended to mark. The commission fell through, but Kurelek persevered, noting in his exhibition statement that the entire cycle was a tribute to his mother. More expansively, it is a testament to Kurelek's celebration of specific cultural identities within the Canadian whole. Kurelek's detailed account of the historical and personal motivations and associations that attend this complex painting is also reproduced here.

This painting received attention at Kurelek's 1968 exhibition. According to reviewer Bernadette Andrews, “The left panel shows *Free Woman on Ukrainian Frontier, Election of a Cossack*



detail

Chieftain in the centre and to the right, *Oppression and Poverty*.” The themes and setting were what the artist called “a brief reference to Ukrainian history,” which set the stage for the narrative that continued in Canada in 1890. While this description of the panels suggests the overall sweep of the images, what viewers attend to and enjoy most are the myriad details that Kurelek characteristically included in his paintings.

In the manner of the northern Renaissance master Pieter Bruegel the Elder (1525–1569) especially—whose large, meticulously detailed presentations of everyday life Kurelek had first seen in Europe in 1952—some of this detail is anecdotal and amusing. Figures on the roofs of the buildings to the left, for example, clamber for a view of the civic and religious proceedings below. But Kurelek is anything but lighthearted: he shows poverty, contention and confusion alongside the piety and civic dedication of his forebears.

In its visual detail and especially in its self-consciously anachronistic use of the triptych format, the painting also speaks of an earlier, more pious time in both art and society. This painting and the extensive series that it introduced were not nostalgic, however, but were Kurelek's earnest and memorable attempt to record Ukrainian history in Canada as a living reality.

We thank Mark Cheetham, Professor of Art History at the University of Toronto and author of *Remembering Postmodernism: Trends in Canadian Art, 1970–1990*, for contributing the above essay.

This work is in the original frame made by Kurelek. Each panel individually measures (without the frame):

Outside panels: 37 ¼ x 17 ½ inches, 94.6 x 43.5 cm

Middle panel: 37 ¼ x 48 ¼ inches, 94.6 x 122.6 cm

ESTIMATE: \$250,000 – 300,000



36 William Kurelek

ARCA OC OSA 1927 – 1977

Farm Dogs Favourite Pastime in the 30s

mixed media on board, initialed and dated 1972 and on verso titled 17 ¾ x 18 in, 45.1 x 45.7 cm

PROVENANCE

The Isaacs Gallery Ltd., Toronto
Private Collection, Toronto

WILLIAM KURELEK'S DEPICTIONS of rural life on the Prairies included the animals that were part of his family's lives on their Manitoba farm, from the working horses and cows to farm cats

and dogs. Farm dogs were amusing companions, and Kurelek depicted them helping to keep cows out of grain and corn fields, as well as their many amusing leisure activities, such as trying to catch small creatures fleeing the harvesting of grain fields, and, their ultimate favourite, the chasing of cars passing by on the country road we see here. The image of the black car takes us back in time, indicating Kurelek's nostalgia for farm life on the open prairie in the 1930s. The scene unfolds under a magnificent Prairie sky. The bank of clouds gives the impression of following the same path as the road, taking our eye further, while its rising layers give a sense of vastness to this beguiling scene.

This work is in the original frame made by Kurelek.

ESTIMATE: \$30,000 – 50,000



37 William Kurelek

ARCA OC OSA 1927 – 1977

Abandoned Ukrainian Pioneer House— Komarno, Manitoba

mixed media on board, initialed and dated 1964
and on verso titled and dated on a label
20 x 25 in, 50.8 x 63.5 cm

PROVENANCE

Loch Gallery, Winnipeg
Private Collection, Manitoba

WILLIAM KURELEK GREW up in a Ukrainian farming family in Manitoba. From 1934 to 1946 they farmed at Stonewall, north of Winnipeg, and the landscape of the prairie and the rich Ukrainian

culture were deeply a part of his art. During his high-school years in Winnipeg, Kurelek took night classes at the Orthodox Cathedral of St. Mary the Protectress in the language, history and culture of the Ukrainian people. Years later, in September of 1963 and June of 1964, he made driving trips to Stonewall, taking photos and producing paintings of the area, which provided rich material for his future work. The location of this scene, Komarno, is north of Stonewall. Typical of Kurelek, the work shows his great attention to detail, and it is curious that so many objects have been abandoned, especially the drawings on the walls. Kurelek was a storyteller, and here, the departed are the story—the painting is a poignant symbol of the passing of the simple life of the prairie pioneers.

ESTIMATE: \$30,000 – 50,000



38 Gershon Iskowitz

CSGA RCA 1921 – 1988

Painting in Mauve

oil on canvas, on verso signed, titled,
dated 1972 and inscribed B144
90 x 78 in, 228.6 x 198.1 cm

PROVENANCE

Estate of the Artist
Gershon Iskowitz Foundation, Toronto

LITERATURE

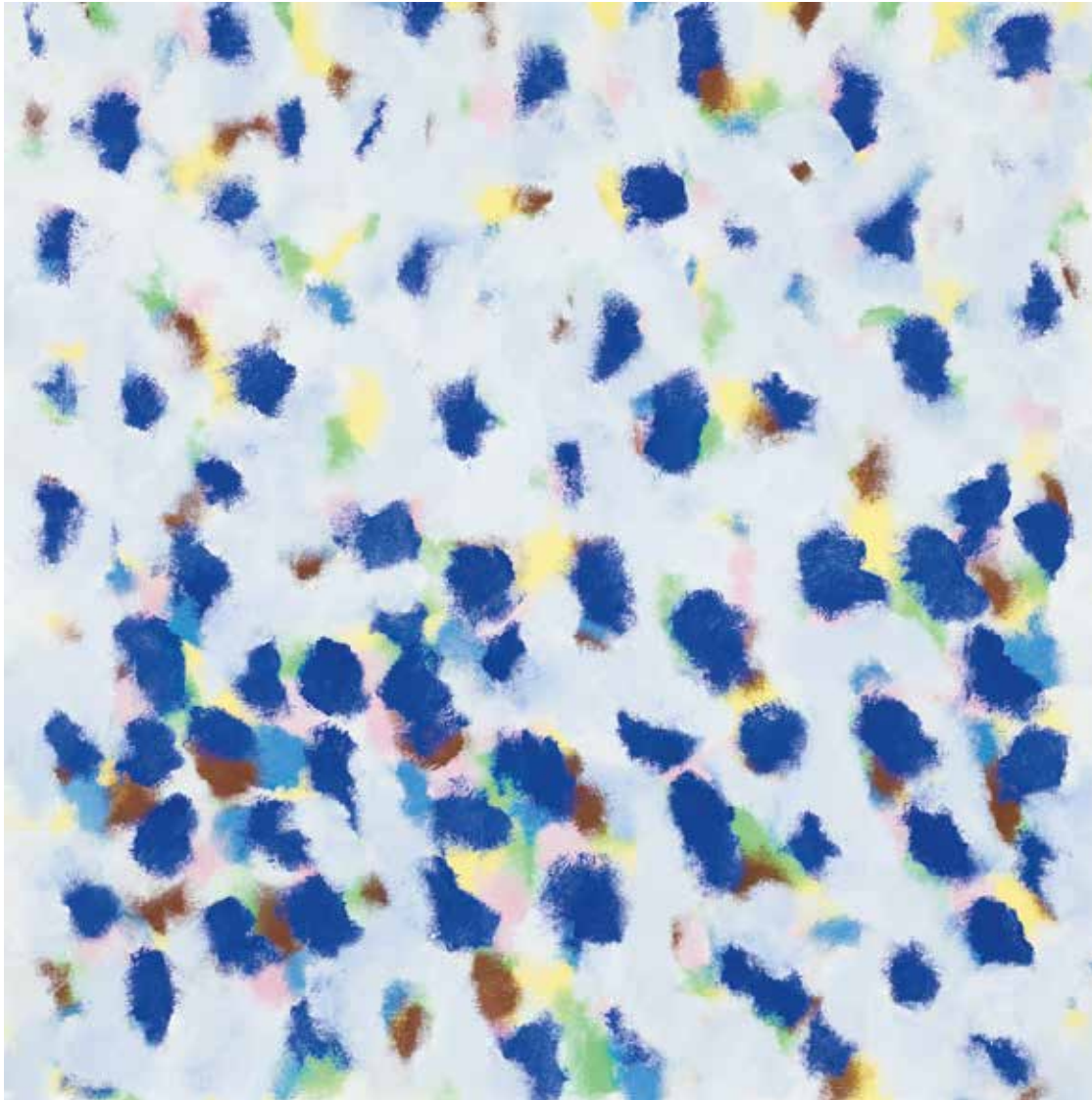
Roald Nasgaard, *Abstract Painting in Canada*, Art Gallery
of Nova Scotia, 2007, page 244

AFTER IMMIGRATING TO Canada in 1949, Gershon Iskowitz became well known in the Toronto art community. However, he existed outside of the strong influence American art critic Clement Greenberg exerted on abstract artists in that city, such as Painters Eleven—likely because Iskowitz’s paintings were really abstracted landscapes. Iskowitz had a studio on Spadina Avenue, started showing with Gallery Moos in 1964, and was a mentor to younger artists in the neighbourhood.

In 1972, Iskowitz was working on a series titled *Uplands*, in which softly brushed cloud-like forms hovered over dappled backgrounds, such as in this work, with its purple and mauve curtain covered with glowing *tachiste* patches over a pale, mottled background. These forms could be seen as flattened abstract landscape elements, inspired by Iskowitz’s earlier flights over prairie landscapes. Roald Nasgaard describes the artist’s work of the early 1970s as a “pulsating dance of vibrant colour,” and that certainly is the case here, with a gorgeous palette of purple, gold and pale blue on cream. *Painting in Mauve* is a joyous and uplifting experience for the eye.

Consignor proceeds from the sale of this lot will benefit the Gershon Iskowitz Foundation.

ESTIMATE: \$50,000 – 70,000



39 Gershon Iskowitz

CSGA RCA 1921 – 1988

Deep Blues #4

oil on canvas, on verso signed, titled and dated 1974

34 x 34 in, 86.4 x 86.4 cm

PROVENANCE

Gallery Moos Ltd., Toronto

Private Collection, Toronto

Sold sale of *Fine Canadian Art*, Heffel Fine Art

Auction House, November 6, 1997, lot 77

Private Collection, Vancouver

LITERATURE

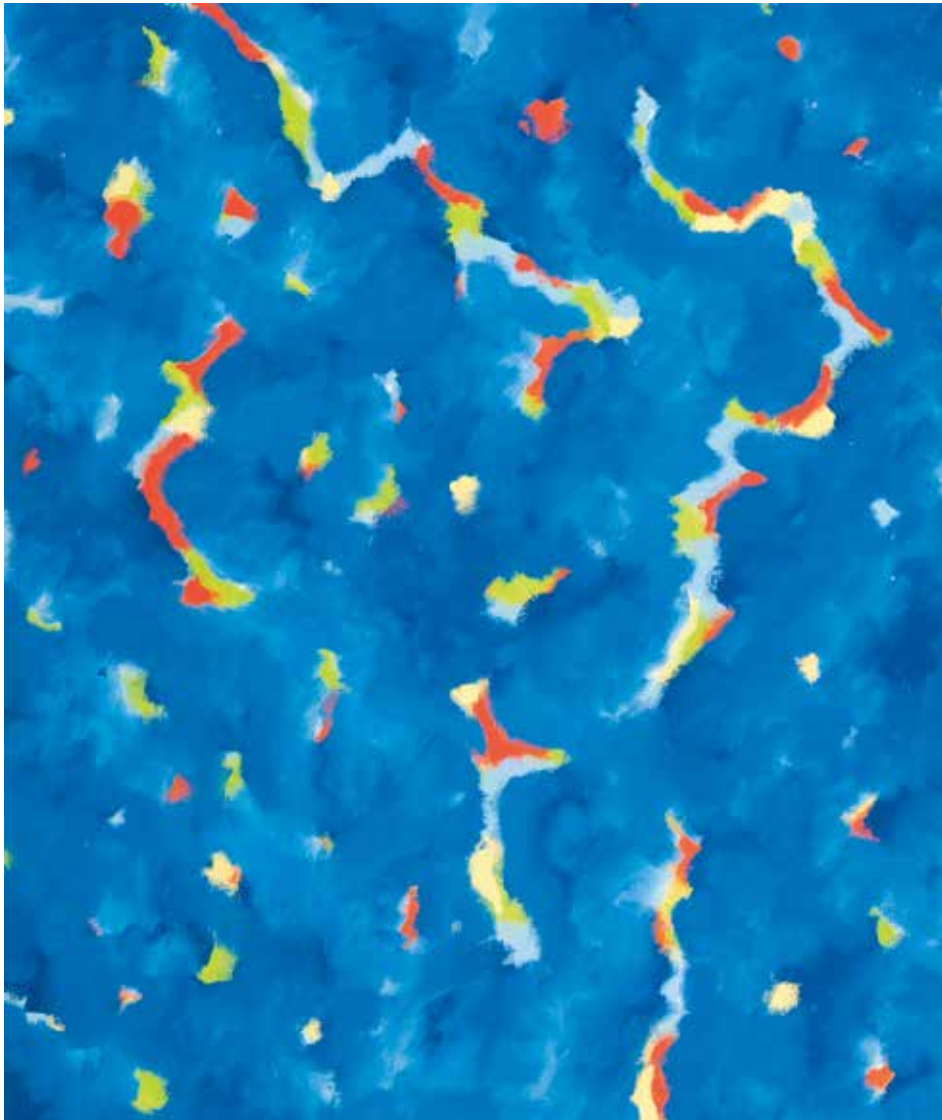
Adele Freedman, *Gershon Iskowitz: Painter of Light*, 1982,
pages 121 and 129

AFTER A PIVOTAL flight by helicopter from Winnipeg to Churchill, Manitoba, in 1967, which inspired the development of

his abstract work, Gershon Iskowitz flew north again in 1971 to James Bay and in 1973 to the Yellowknife area. These trips continued to inspire him, and as Adele Freedman wrote, “He became a connoisseur of space and an intimate of light.” After the 1973 trip, Iskowitz produced paintings dappled with all-over patterning, such as our striking *Deep Blues #4*. It is a work both dreamy and vivacious, with vibrating patches of bright colour hovering over a pearly colour field, which has the connotation of a softly modulated cloud bank. In *Deep Blues #4*, Iskowitz has eschewed dense patterning and let in more space, making this work more open and contemplative, with greater depth of field.

In 1971, Iskowitz represented Canada at the *Venice Biennale*. A Polish immigrant and survivor of Auschwitz, he was proud to do so. For as Freedman wrote, “He had painted its portrait over and over again and internalized its great spaces and dazzling colour. By sheer force of will and imagination he had claimed it for his own.”

ESTIMATE: \$25,000 – 35,000



40 Gershon Iskowitz

CSGA RCA 1921 – 1988

Night Blues—B

oil on canvas, on verso signed, titled and dated 1981

46 x 39 in, 116.8 x 99.1 cm

PROVENANCE

Collection of DuPont Canada, Ontario

LITERATURE

Adele Freedman, *Gershon Iskowitz: Painter of Light*, 1982, page 148, a similar 1981 oil on canvas entitled *Night Greens D* reproduced on the cover and page 154, and a similar oil on canvas entitled *Night Violet A* reproduced page 155

IN THE ABSTRACT work of Gershon Iskowitz, landscape is present, but only by allusion. In 1967, the sight of the open prairie during a helicopter ride from Winnipeg to Churchill, Manitoba,

gave Iskowitz an experience of space and colour that inspired his work from then on. His paintings became curtains of dappled paint, pulsating with vibrant colour. In 1981, Iskowitz reflected on a new direction in his work, one that would contain “a feeling of the night, a feeling of mystery, with lots of depth, unity, and composition.” From this intent arose his *Night* series paintings, in which distinctive serpentine forms twisted in vertical movement over shifting, richly coloured, mottled grounds. Adele Freedman stated that in these works, “Iskowitz left the age of light behind and entered the era of electricity.” In this series, “Night” has a double meaning, since Iskowitz was a nocturnal painter—he would start to work in his studio around midnight. *Night Blues—B*, with its rich blue ground and contrasting serpentine forms energized by red, yellow and peridot, emerged from Iskowitz’s intense nocturnal creativity, its radiance and beauty lighting up the dark.

ESTIMATE: \$20,000 – 30,000



41 **Joyce Wieland**

OC RCA 1931 – 1998

(Parade) On Lower BWY

mixed media collage on canvas, signed
and on verso signed, titled and dated
June, 1963 – 1964

40 x 30 in, 101.6 x 76.2 cm

PROVENANCE

Acquired directly from the Artist by
a Private Collector, Montreal
By descent to a Private Collection,
Montreal

Acquired from the above by the present
Private Collection, Calgary

IN 1962, JOYCE WIELAND and her artist husband Michael Snow moved to New York City, where they stayed until 1971. While there, Wieland began to use new materials and media, such as film and sculptural assemblage. Her paintings, which blended Abstract Expressionist paint handling and Pop Art imagery, often included messages, signs and symbols—such as the stars and hearts we see here. With its strong primary colours and collaged elements popping forward off the surface, this punchy work barely contains its raw vitality within the rectangular format. It is possible that the title refers to the tickertape parades that occurred along Broadway in New York, honouring heads of state, returning veterans, individuals of accomplishment and sports champions. Celebratory parades clearly intrigued Wieland, as after her return to Ontario in 1971, she organized a parade that included a 100-piece marching band to open her exhibition *True Patriot Love* at the National Gallery of Canada.

The McMichael Canadian Art Collection's 2017 exhibition *Passion Over Reason: Tom Thomson and Joyce Wieland* included early 1960s collages such as this, and Wieland's 1962 collage entitled *Heart-on* is in the collection of the National Gallery of Canada.

ESTIMATE: \$20,000 – 30,000



42 Ivan Kenneth Eyre

RCA 1935 –

Stills, Willows

acrylic on canvas, on verso signed and titled
and titled *Stills: Willows* on the exhibition label, 1971
66 1/8 x 72 in, 168 x 182.9 cm

PROVENANCE

Private Collection, Toronto

LITERATURE

Terrence Heath, *Ivan Eyre: Personal Mythologies / Images of the Milieu, Figurative Paintings, 1957 – 1988*, Winnipeg Art Gallery, 1988, reproduced page 80 and listed page 127

EXHIBITED

Winnipeg Art Gallery, *Ivan Eyre: Personal Mythologies / Images of the Milieu, Figurative Paintings, 1957 – 1988*, traveling in 1988 – 1990 to the National Gallery of Canada, Ottawa; Nickle Arts Museum, Calgary; Edmonton Art Gallery; and London Regional Art Gallery

IVAN EYRE WAS born in Tullymet, Saskatchewan, and later moved to Winnipeg, where in 1959 he joined the University of Manitoba School of Art faculty as professor of painting and drawing. He is renowned for his diverse body of work, which includes panoramic landscapes, urban dystopias and figurative works such as this. *Stills, Willows* is imbued with elements of Surrealism and uses imagery that relates to men in classical Greek pottery, creating a hyper-imaginary realm. In 1971, Eyre was using the “invented” human figures from his drawing books, particularly images of bearded men, which he placed in mythological tableaux. In *Stills, Willows* he positioned them in a complex, layered image—in the background in a stylized landscape and in a side panel with a fractured face reminiscent of Cubism. The different sections of the work set up contradictions: the central abstracted interior with objects is contemporary, the side panel like a figure in an ancient frieze, and the background a surreal juxtaposition of landscape and stylized men. *Stills, Willows* is a complex and intriguing work in which Eyre’s bearded man is, as he explained, an “idea only ... he ‘lives’ only within the realm of the painting.”

ESTIMATE: \$30,000 – 50,000



43 Takao Tanabe

oc 1926 –

South Moresby 3/86: Skincuttle Bay

acrylic on canvas, on verso signed, titled and dated 1986
40 x 72 in, 101.6 x 182.9 cm

PROVENANCE

Mira Godard Gallery, Toronto

By descent to the present Private Collection, Ontario

LITERATURE

George F. MacDonald, *Haida Monumental Art: Villages of the Queen Charlotte Islands*, 1983, page 11

Ian M. Thom et al., *Takao Tanabe*, Vancouver Art Gallery, 2005, page 135

AFTER MOVING TO Vancouver Island in 1980, Takao Tanabe began a series of exquisitely atmospheric coastal landscapes. While traveling by boat between the mainland and the Island, he was inspired by long views over the ocean of distant islands and

mountains enshrouded by rain, sea mists and low clouds—constantly changing and transforming. He began painting with a reductive realism that captured the essence of British Columbia’s coastal landscape, using a distinctive cool-toned palette. In this South Moresby view, verdant islands and snow-capped mountains are seen at a distance—enticing and mysterious—and the ocean is tinted a delicate grey-mauve. Tanabe captures the moody weather of BC’s rugged coastline with such visual poetry that Ian Thom called him “the Turner of the Queen Charlottes.”

Tanabe titled this painting with its specific geography—South Moresby Island at Skincuttle Bay in Haida Gwaii. In Skincuttle Bay at Lake Inlet is a reef called Xa’gi, a place connected to the Haida Raven cycle of myths. George MacDonald notes that from this place, known as “an alternating or intermediate state, between light and dark colours ... the Raven lineage came out of the womb of Foam-Woman.”

ESTIMATE: \$60,000 – 80,000



44 Takao Tanabe

oc 1926 –

Flags

oil and Lucite on canvas, on verso signed, titled, dated 1962 and inscribed variously
60 x 27 in, 152.4 x 68.6 cm

PROVENANCE

Confederation Art Gallery and Museum,
Charlottetown
Mira Godard Gallery, Toronto
Private Collection, Toronto

LITERATURE

Ian M. Thom et al., *Takao Tanabe*, Vancouver Art
Gallery, 2005, essay by Roald Nasgaard, page 46

IN THE 1950S, Takao Tanabe studied in New York with the Abstract Expressionist painter Hans Hofmann at the Brooklyn Museum Art School. Throughout that decade and into the 1960s, he explored abstraction. In 1962, Tanabe was living in Vancouver, and it was a year of experimentation in which he moved in several directions, including his work in the *Flag* series. Roald Nasgaard wrote, “The Flag Paintings downplay gesture in favour of hand-drawn geometry and flattened colour planes. Their palettes are near-black, with offsetting bright yellow and white planes, and their compositions conflate foregrounds and window recessions and contradictory perspectival indications, as if feeding on distant memories of Matisse in the mid-1910s.” In *Flags*, Tanabe poses the central floating forms against the black background, giving them the illusion of dimensionality—particularly the top form with its white triangle seeming to fold in space, and its impression of a window created by the blue background, as dimensional as a sky. The hand-drawn lines provide an organic contrast to the geometry of the central forms. *Flags* is an outstanding work from this series, at once formally authoritative and inherently playful.

ESTIMATE: \$15,000 – 25,000



45 Jack Leonard Shadbolt

BCSFA CGP CSPWC OC RCA 1909 – 1998

Crossing Over

acrylic on canvas, signed and dated 1984
and on verso titled on the gallery label
48 ¾ x 68 in, 123.8 x 172.7 cm

PROVENANCE

Bau-Xi Gallery, Vancouver
Collection of DuPont Canada, Ontario

LITERATURE

Scott Watson, *Jack Shadbolt*, 1990, page 204

What I am thinking of is a form which would seem to indicate the very live organic process, not imposed from the outside by the artist through stylization but in which nature itself seems to be yearning to reveal itself as reaching from an inchoate state toward a declaration of abstract structure.

—JACK SHADBOLT

IN THE 1980S the influential West Coast modernist Jack Shadbolt was developing his butterfly paintings—a theme which became sought after by collectors. In this 1984 canvas, Shadbolt depicted chrysalises, a caterpillar or butterfly body, and a colourful wing floating separately in space, their abstracted forms representing the process of transformation from one state to another. This mysterious evolution both contains and releases energy as the butterfly moves through its life cycle to its final state, indicated by the vibration of the forms with their saturated colour against a backdrop of sky and hillside. Moving from dark cobalt blue and green to bright yellow and red, Shadbolt's palette is rich and varied. *Crossing Over* superbly exemplifies both the artist's fascination with the biological processes of flux, disintegration and transformation and his dynamic handling of abstract language.

ESTIMATE: \$30,000 – 40,000



46 Jack Leonard Shadbolt

BCSFA CGP CSPWC OC RCA 1909 – 1998

Abstract Sketch #2 (Big V Abstraction)

acrylic on canvas, signed and dated 1985 and on verso titled, dated on the gallery label and inscribed *Sketch #2*
42 x 52 in, 106.7 x 132.1 cm

PROVENANCE

Bau-Xi Gallery, Vancouver
Private Collection, Toronto

LITERATURE

Scott Watson, *Jack Shadbolt*, 1990, reproduced page x,
titled as *Big V Abstraction*

DURING THE 1980S, numerous currents were swirling in Jack Shadbolt's paintings—insect forms, manifested spectacularly in his *Butterfly* series, First Nations imagery, environmental commentary, and emblematic abstract motifs such as in this painting.

Shadbolt was working boldly with shape—his central geometric form, the V, although strongly defined, has organic rather than hard edges. Brushy clouds of paint drift over and behind the V, while fragmented forms waft freely around it. Although the work's title states "Abstract," the spatial associations of landscape are still present—a dark strip acts as ground, and the softly modulated background reads as sky. Shadbolt's use of colour is charged—hot red and yellow project chromatic excitement, balanced by cooler greens, blues and luscious purple. In works like this, as Scott Watson wrote of Shadbolt, "It was through colour and a syntax of fragmented, floating forms that he intended to achieve a language of metaphorical form." Shadbolt's modernist vision kept him evolving and expanding in a lyrical and potent way, and *Abstract Sketch #2* is a vital and emphatic embodiment of his creative explosion in the 1980s.

ESTIMATE: \$15,000 – 25,000



47 Edward John (E.J.) Hughes

BCSFA CGP OC RCA 1913 – 2007

Fishboats, Rivers Inlet

oil on canvas, signed and dated 1946 and on verso signed, titled, dated, inscribed *E.J. Hughes, Victoria, B.C. / Med. Coat 17 Oct. 46 / Porter Toronto* and with the Dominion Gallery Inventory #D1344 on the gallery label and stamped Dominion Gallery, Montreal
42 x 50 in, 106.7 x 127 cm

PROVENANCE

Dominion Gallery, Montreal
Lever Brothers, New York (acquired for Mr. and Mrs. Keith Porter)
Private Collection, Toronto
Sold sale of *Fine Canadian Art*, Heffel Fine Art Auction House, November 25, 2004, lot 141
Property of an Important Estate, British Columbia

LITERATURE

Doris Shadbolt, "Ed Hughes—Painter of the West Coast," *Canadian Art Magazine*, Spring 1953, reproduced page 102
Doris Shadbolt, *E.J. Hughes*, Vancouver Art Gallery, 1967, reproduced plate 5
Ian M. Thom, *E.J. Hughes*, 2002, reproduced page 72
Greg Joyce, "Living Legend Painter E.J. Hughes Has Masterpiece on Auction Block," *National Post* online, November 3, 2004
"Living Legend Painter E.J. Hughes Has Masterpiece on Auction Block," *The Brantford Expositor*, November 4, 2004
"At 91, His Art Is Soaring: Bidding for Painting by E.J. Hughes Could Go Past \$500,000," *Vancouver Province*, November 5, 2004
Kevin Griffin, "Luck Led E.J. Hughes to Fame," *The Vancouver Sun*, November 20, 2004
James Adams, "\$920,000 Buys Hughes Painting," *The Globe and Mail*, November 26, 2004
"E.J. Hughes Painting Sells for \$800,000," *The Vancouver Sun*, November 26, 2004
"Hughes 'Fishboats' Sets Record at Auction," *The Toronto Star*, November 26, 2004
"Hughes Painting Fetches \$920,000: Oil Work Sells for Triple Its Asking Price," *The Windsor Star*, November 27, 2004
Yvonne Zacharius, "E.J. Hughes 'Amazed' After His Painting Sells for \$920,000," *The Vancouver Sun*, November 27, 2004
"Big Bids for B.C. Art Auction: Hughes' Fish Boats gets \$920,000; \$370,000 for Carr," *Vancouver Province*, November 28, 2004

EXHIBITED

Vancouver Art Gallery, *E.J. Hughes*, October 5 – 29, 1967, traveling to York University, Toronto, November 13 – December 8, 1967
Vancouver Art Gallery, *E.J. Hughes*, January 30 – June 8, 2003, traveling to the McMichael Gallery, Kleinburg, November 29, 2003 – February 15, 2004



EDWARD JOHN (E.J.) HUGHES

In the Stern of the Boat

pencil on paper, 1938
8 7/8 x 6 3/4 in, 20.7 x 17.2 cm
Collection of the Vancouver Art Gallery, Acquisition Fund
Photo: Maegan Hill-Carroll, Vancouver Art Gallery

Not for sale with this lot

E.J. HUGHES HAS long been regarded as one of British Columbia's most significant painters. His highly personal vision of the B.C. landscape has helped to form our perceptions of the province. His work, which occasionally has a somewhat naive appearance, is the result of careful consideration of his subjects and a deliberate approach to image making. Central to Hughes's formation as a painter were two episodes in his life. The first, his training at the Vancouver School of Decorative and Applied Arts (now Emily Carr University of Art + Design), gave him a solid background in technique and allowed him the means to begin his professional career as a muralist and printmaker. This period, 1932 to 1939, was, however, a difficult one financially, and it was the advent of the Second World War that allowed Hughes to complete his artistic development.

While serving as a war artist, Hughes developed his technique of close observation of nature, followed by a highly worked



detail



Salmon gill net boat with drum

Photo: Rex Gary Schmidt

Courtesy of NOAA's Historic Fisheries Collection, #fish5735

preparatory drawing, which he called a cartoon, and finally a completed canvas. During his service, he was able, for the first time, to devote himself completely to being an artist and was supplied with all the materials he needed. He was also able to travel to New York and London and see significant works of art that influenced his approach to painting. In New York he saw the work of Mexican painters and Henri Rousseau, the self-taught French artist greatly admired by modernists such as Pablo Picasso and Henri Matisse. Hughes's service as a war artist also saw his work shift in style, from a fine, smooth handling of paint to a deliberately rougher, more visceral handling of pigment. This gave his work a greater immediacy and force that the highly polished earlier paintings lack. The war work also allowed Hughes to paint canvases of a relatively large scale.

Fishboats, Rivers Inlet was the first painting that Hughes did after returning home after the war. It is a pivotal painting in Hughes's career because it marks the first time he is able to apply the style developed in his war work to the landscape of British Columbia and to employ the technical approach that allowed his most important war canvases to develop. At the end of his service

in 1946, Hughes was allowed to bring some unused canvas with him back to British Columbia, which enabled him to paint larger-scale canvases such as *Fishboats, Rivers Inlet*. Eager to begin his career as a painter of the British Columbia landscape, Hughes turned his attention to a small group of highly realistic drawings that he had done while working with his colleague Paul Goranson as a commercial fisherman in the summer of 1938.

A related drawing of Rivers Inlet from this time period, in the collection of the Vancouver Art Gallery, is a superb distillation of the landscape, but Hughes radically alters this image to create the canvas. Curator Ian Thom writes of the painting:

It is a startlingly original vision of the British Columbia coast, and, in marked contrast to the coastal landscapes of Frederick Varley and W.P. Weston. Hughes's view is almost sculptural, reminiscent of the Nova Scotia paintings of Marsden Hartley and, inevitably of the Mexican Muralists. The landscape is almost bursting with activity and yet is strangely still. The waves, the insistent pattern of the evergreens and the solid clouds, all have a clarity that does not



EDWARD JOHN (E.J.) HUGHES

Rivers Inlet

pencil on paper, 1938

9 x 12 3/4 in, 22.9 x 31.4 cm

Collection of the Vancouver Art Gallery,

Anonymous Gift

Photo: Tomas Svab, Vancouver Art Gallery

Not for sale with this lot

exist in the difficult atmospheric conditions in which fishermen labour. The shifts of light and dark across the surface have the quality of a mosaic, and the stumps and logs in the foreground suggest that we as spectators have no place to stand... There is an artificiality and yet an absolute rightness to this work. We know that we cannot actually see the world with this degree of visual certainty—look, for example, at the serried rows of boats and the perfect silhouette of the fisherman in his pilothouse in the centre of the painting—but we are nevertheless convinced.

Fishboats, Rivers Inlet marked Hughes's debut as a major figure in British Columbia's art world and established him as a landscape painter of the first rank in Canadian art.

ESTIMATE: \$900,000 – 1,200,000



Map of British Columbia coast



48 William Ronald (Bill) Reid

1920 – 1998

The Raven and the First Men

22 karat gold sculpture, signed, editioned 1/5 and dated 1991

2 ¾ x 2 ½ x 2 in, 7 x 6.3 x 5.1 cm

PROVENANCE

Acquired directly from the Artist

Private Collection, Vancouver

Sold sale of *Fine Canadian Art*, Heffel Fine Art

Auction House, November 24, 2005, lot 197

Property of an Important Estate, British Columbia

LITERATURE

Doris Shadbolt, *Bill Reid*, 1986, pages 140, 144 and 145,
the original boxwood carving from which this work results
reproduced pages 142, 144 and 145

Karen Duffek, *Bill Reid: Beyond the Essential Form*, 1986, page 13

“Bill Reid’s ‘Raven and the First Men’ Sculpture Up

for Auction,” *Seattle Post-Intelligencer*, October 27, 2005

Terri Theodore, “Bill Reid’s Well Known Raven and the First

Men Sculpture Goes Up for Auction,” *Canadian Press*,

October 29, 2005

WHILE WORKING FOR the CBC in Toronto, Bill Reid studied jewellery-making from 1948 to 1950 at the Ryerson Institute of Technology. In 1951 he returned to Vancouver and opened his own jewellery workshop, making objects with traditional Haida motifs. Reid received a Canada Council Senior Grant in 1968 that enabled him to spend a year at the Central School of Design in London, England, where he worked on advanced methods of casting in gold and silver. On his return to Canada in 1969, he set up a workshop in Montreal, where the original boxwood version of this image was carved. Reid was groundbreaking in his application of modern techniques to Haida images, and as Karen Duffek writes, “The goldsmithing techniques he commands have enabled him to push beyond the possibilities known to past masters. Through repoussé, casting, soldering ... Reid has extended Northwest Coast jewellery into three dimensions. Past technology only allowed shallow engraving of designs on to the metal’s surface.”

The original 1970 boxwood carving of this subject, entitled *Raven Discovering Mankind in the Clam Shell*, from which this work results, was considered by Reid (and many others) to be his finest work. In 1973 Reid returned to Vancouver to work on the huge yellow cedar version entitled *The Raven and the First Men* for the collection of the UBC Museum of Anthropology, which was completed in 1980. The Raven, the central character in the myth that this work expresses, was, according to Reid’s telling of this important Haida myth, a creature with an unquenchable desire to change things and play tricks on the world. Walking along a deserted beach, and frustrated over the lack of living things to interact with, the Raven called to the empty sky—and to his delight, heard an answering cry at his feet. There was a gigantic clamshell, full of little humans, cowering in terror at his enormous shadow. The story goes on to relate how the Raven pulled the humans out into the world and transformed them into the male and female predecessors of the Haida people. Doris Shadbolt writes of this image:



alternate view

The Raven discovering humankind in a clamshell marks an important point in his career ... because it indicated a significant break with the old tradition. Reid’s verbal retelling of the story behind the carvings is marked by a sense of ridiculous and quixotic mystery which the boxwood carving captures and which seems precisely related to its size. There is humour in the huge and cocky raven squatting possessively on his prize, and in the humanoids outrageously oversized for their clamshell, while dwarfed by their unfeeling discoverer, squirming out of its murky interior or crawling back in presumed apprehension at the prospects outside. We are witnessing the precise moment marking the beginning, not only of biological existence for man but also of human consciousness and feeling.

Reid’s grandmother was from the Raven clan, and he strongly identified with this character. Shadbolt writes that Reid saw the Raven as “the original wunderkind whose world-shaping, wonder-making transformations had nothing to do with pious good intentions but emerged from an improbable but fortuitous creative intuition ... A toughened survivor without illusions, able to cope with all the unpredictable life hurled at him, the Raven—perhaps the first existentialist—presents a world that cannot be reduced to a neat system since it is by nature illogical and unintelligible.” In this rare and precious gold sculpture, which in its scale and exquisite detail parallels the irreplaceable boxwood carving, Reid has embodied this great myth, moving from the past to the present, both Haida and universal.

This important sculpture image is reproduced on the 2005 Bank of Canada \$20 bill. The weight of the gold is 270 grams.

ESTIMATE: \$125,000 – 175,000



49 Edward John (E.J.) Hughes

BCSFA CGP OC RCA 1913 – 2007

Kitwanga (Near Hazelton in Northern British Columbia)

oil on canvas, signed and dated 1981 and on verso signed, titled and inscribed with a description by the artist
24 x 36 ½ in, 61 x 92.7 cm

PROVENANCE

Dominion Gallery, Montreal
Galerie Walter Klinkhoff Inc., Montreal
Corporate Collection, Montreal
Sold sale of *Important Canadian Art*, Sotheby's Canada in association with Ritchie's, November 20, 2006, lot 93, reproduced as the cover lot
Property from an Important Private Collection to Benefit a Charitable Foundation

LITERATURE

Leslie Allan Dawn and Patricia Salmon, *E.J. Hughes: The Vast and Beautiful Interior*, Kamloops Art Gallery, 1994, page 44, the related 1992 watercolour *Totem Poles at Kitwanga, BC* reproduced page 36 and the 1967 graphite drawing *Kitwanga, BC* and the 1967 graphite drawing for the watercolour reproduced page 59
Gerta Moray, *Unsettling Encounters: First Nations Imagery in the Art of Emily Carr*, 2006, the 1912 oil *Gitwangak*, in the collection of the Art Gallery of Ontario, reproduced page 191 and the 1912 watercolour *Gitwangak*, in the collection of the National Gallery of Canada, reproduced page 193
Jacques Barbeau, *The E.J. Hughes Album: The Paintings, Volume 1, 1932 - 1991*, 2011, reproduced page 76 and the 1991 painting *Kitwanga II* reproduced page 87

IN 1967, E.J. HUGHES was awarded a Canada Council grant, which supported his sketching trip through British Columbia's northern interior that same year. In their new Pontiac car, Hughes and his wife drove to Hazelton, on the Skeena River. Hughes's inscription on verso provides more detail:

In the summer of 1967 my wife and I spent two weeks at New Hazelton in northern British Columbia so that I could sketch the marvelous totem poles and mountain scenery of the area. Mrs. Hughes stayed at a motel while I drove out daily to sketch. Nearby were the old town of Hazelton and the village of South Hazelton, where there is now a large Indian Art Center for tourists. A few miles drive to the north and west were the Indian villages of Kispiox, Kitwanga and Kitwancool, each with its still standing totem poles. I sketched in pencil and wrote down colours.

During his visit to Kitwancool, Hughes found that the settlement's totems had been taken down for restoration. But at Kitwanga, which was a trade centre for the northwest First

Nations people, the poles were standing. They had already been taken down, restored and reinstalled in 1926. David Darling and Douglas Cole, in their article "Totem Pole Restoration on the Skeena, 1925-30: Early Exercise in Heritage Conservation," discussed the history of this restoration. The work was carried out in a collaboration between the Canadian National Railway (which had a vested interest in tourism in the area) and the federal government, amid concern about the decay and disappearance of the totems. During this project, 30 poles in the Skeena River area were restored. The poles at Kitwanga were considered to be the best, and nine were restored after permission was given by the chiefs and owners. Also, a new gravel and cinder path was laid between the railway station and the village, which is visible in the foreground of this painting.

Emily Carr had also visited Kitwanga (also known as Gitwangak), in 1912 and 1928. Two of Carr's depictions of Kitwanga / Gitwangak from 1912 reside in museum collections: the oil *Gitwangak*, in the collection of the Art Gallery of Ontario, and the watercolour *Gitwangak*, in the collection of the National Gallery of Canada. On her second trip, in 1928, she reported how the poles differed from how they had appeared in 1912. It was not possible at the time of restoration to reproduce the old colours, so the totems had been soaked in grey paint and the details delineated in bright colours. Although Carr was glad that the poles were being preserved, she did not approve of these colour changes.

Hughes made two graphite sketches of the totems at Kitwanga, which resulted in the 1991 painting *Kitwanga II*, a 1992 watercolour entitled *Totem Poles at Kitwanga, BC*, and this remarkable work from 1981. When Dr. Max Stern of the Dominion Gallery, Hughes's dealer in Montreal, received this work, he was most impressed with the subject and "the quality of the atmosphere rendered." Retired anthropologist and conservator Philip Ward sent a letter of praise from Ottawa, stating, "It is the painting of Kitwanga that really delights me. Mr. Hughes has not only represented the poles accurately, but he has captured the subtle atmosphere of the place. Even the quality of light and the sense of stillness are exactly right..." He went on to say that Hughes depicted the locale exactly as he remembered, and that he had recorded it before the tall pole fell and suffered damage, and before the group of houses behind the pole were replaced by modern bungalows. Thus this work is not only a stunning image, but also an important historical record of Kitwanga.

Hughes's keen eye for detail focused on both the powerful features of the totems and their tranquil and uplifting setting. *Kitwanga (Near Hazelton in Northern British Columbia)* is emphatic proof that Hughes had an extraordinary ability to capture the unique and striking nature of British Columbia scenes no matter where he painted in the province, an ability that made him one of Canada's finest landscape artists.

ESTIMATE: \$150,000 – 250,000



50 Fernando Botero

1932 – Colombian

Femme debout

oil on canvas, signed and dated 1982 and on verso titled on a label and inscribed 7162 – 63 / 18489/4 and with various numbers
60 ¼ x 35 ¼ in, 153 x 89.5 cm

PROVENANCE

Galerie Beyeler, Basel
R.L. Feighn, New York
James Goodman Gallery, New York
Rachel Adler Gallery, New York
Mary-Anne Martin Fine Art, New York
Hokin Gallery, Palm Beach
Opera Gallery, Paris, 2005
Property of an Important Estate, British Columbia

LITERATURE

Marie-Pierre Colle, *Latin American Artists in Their Studios*, 1994, page 44
Ana María Escallón, *Botero: New Works on Canvas*, 1997, pages 12, 13 and 23
Edward Sullivan, *Botero: Monograph & Catalogue Raisonné Paintings 1975–1990*, 2000, reproduced page 326, plate 505
David Elliott, *Fernando Botero*, Moderna Museet, 2001, essay by Mario Vargas Llosa, pages 18 and 19
Carlos Fuentes, *Botero Women*, 2003, pages 57 and 218

“AT THAT EARLY PERIOD,” Fernando Botero recounts of his artistic beginnings, “I discovered the ‘Vargas girls.’ I worked on his stilted, erotic figures. It was an interesting experience at that moment of puberty.” A precocious teenager, he would soon tire of Vargas’s glamorous pin-ups, made famous in *Esquire* magazine, as he discovered “that the beauty of a deteriorated body, too, can offer possibilities of another kind. It was a lesson that changed my aesthetic sensibility.”

Botero has long acknowledged the formative years of his adolescence in Medellín, and his paintings of familiar female subjects—matriarchal mothers, devout nuns, come-hither ladies of the evening—commingle nostalgia and good-natured satire. “My painting has two main sources,” he has said. “On the one hand, there are my views on aesthetics, and on the other hand, the Latin American world where I grew up... I have tried to see the pictures of my childhood, the villages of Colombia, its people, its generals and bishops, etc., through the prism of my tenets about art.”

“When Fernando Botero was a boy, the tradition that equated beauty with abundance was very much alive in Latin America,” the Peruvian laureate Mario Vargas Llosa remarked. “It was fuelled by a whole erotic mythology found in magazine drawings, in obscene bar jokes, in fashion, songs, popular literature and, above all, in the films that Mexican cinema sent to all parts of the continent. The exuberant forms of those artists with their bouffant hairstyles, who sang *boleros*, danced *huarachas* and wore tight clothes which emphasized their breasts and buttocks with knowing vulgarity—these were the delights of our generation and stimulated our first desires—must have remained embedded in the subconscious of the boy from Medellín.” This lush femininity permeates Botero’s women, whose pleasing amplitude conveys myriad pleasures of form and volume.

In defiance of prevailing standards of female beauty, Botero has for more than 60 years modeled figures ostentatiously oversized, their bodies—plump and pillowy—a throwback to

classical forms. “Every artist distorts or deforms nature,” he once declared. “Nobody truly copies reality as we see it... Realism is not the same thing as reality. The purpose of my style is to exalt volumes... because it conveys the sensuality, the exuberance, the profusions of the form that I am searching for.” As he traveled through Europe in the early 1950s, Botero found natural affinities with the old masters—Titian and Diego Velázquez; Peter Paul Rubens and Jean-Auguste-Dominique Ingres—and their exemplary modeling of paint made flesh. But it was in Mexico City, in the shadow of the monumental Mural movement, that he had his own revelation of form. “Toward the end of 1956 I was in Mexico painting without letup,” he recalled. “But one day while drawing a generously proportioned mandolin, just as I was doing the sound hole, I made it very tiny, and the mandolin took on fantastic proportions... After that *Mandolin*, my world began to expand. I went on to figures and soon was creating a formal universe that found its supreme expression in small detail.”

Botero has painted innumerable women in his eponymous style ever since, from the early *Mona Lisa* series to the matronly ladies and pretty coquettes who moved through a bygone Colombian world. With lace-gloved hand on hip, the present *Femme debout* stands in coy contrapposto, her shapely figure balanced on dainty, high-heeled slippers. She flaunts her curves in a sheer, polka-dotted black gown trimmed in warm tones of salmon pink and golden yellow—companionable colours that harmonize as well in her long blonde hair, decorated with a girlish bow, her painted nails and beaded jewellery, and her rosy *maquillage*. Almost life-sized, she commands nearly all of the painting’s space, her body tightly framed by a tilting mirror and a simple still life arrangement: a glass bottle and Botero’s signature oranges, one on the tabletop and the others, less conventionally, on the ground.

Botero has likened his oranges to Rufino Tamayo’s iconic watermelons, explaining, “The orange is a sphere. It is the most simple and perfect form. I am also fascinated by its color. The important thing is to give it a personal seal. Do the same thing, but differently. This is what I call the fire test of painting, ‘the orange test.’” Here, the oranges add a pleasing element of serendipity, their shape and colour a gentle foil to the rounded figure and roseate complexion of the winsome *Femme debout*.

“In this essentially matriarchal world, the men look to the women for company and protection rather than pleasure,” Vargas Llosa concluded. “Botero’s women, with their perms, their scarlet nails and their boneless, luxuriant forms, are not only a stylised fantasy of the ‘ideal woman’ in the Latin American world of the 1940s and 1950s. Their thick figures embody, above all, the mother/woman, the supreme taboo, which gives life, suckles the species and is the backbone of the home. Rather than a whore, a nun, or a saint, Botero’s fat woman is—has been, or will be—a mother... It is this function that prevails above all others and which, in an explicit or implicit way, determines the attitude, both chaste and timid, that men adopt towards her.” The womanly affectations of *Femme debout* belie her essential maternal *gravitas* and, no less, the esteem with which Botero regards her, the eternal Everywoman of an olden Colombian world.

We thank Abigail McEwen, Associate Professor, Latin American Art at the University of Maryland, for contributing the above essay.

This lot is accompanied by a certificate of authenticity signed by the artist as well as a certificate of authenticity from the Opera Gallery dated November 15, 2005.

ESTIMATE: \$500,000 – 700,000

51 Fernando Botero

1932 – Colombian

Toro

oil on canvas, signed and dated 2002 and on verso titled on the Musée Maillol exhibition label
58 ½ x 48 ½ in, 148.6 x 123.2 cm

PROVENANCE

Galleria d'Arte Contini, Venice, 2005
Property of an Important Estate, British Columbia

LITERATURE

Ernest Hemingway, *Death in the Afternoon*, 1960, page 91
Ana María Escallón, "From the Inside Out: An Interview with Fernando Botero," *Botero: New Works on Canvas*, 1997, page 12
Cristina Carrillo de Albornoz Fisac, "The Perils of Popularity," *The Art Newspaper*, no. 120, December 2001, page 45
Dina Vierny et al., *Botero: oeuvres récentes*, Fondation Dina Vierny—Musée Maillol, 2003, reproduced page 77

EXHIBITED

Fondation Dina Vierny / Musée Maillol, Paris, *Fernando Botero: Exhibition*, November 7, 2003 – March 15, 2004

"MY FIRST PASSION was the bulls," Fernando Botero recalls. "One day, my uncle Joaquín enrolled me in a training school for bullfighters. Run by Aranguito, a *banderillero*, it operated in the Macarena bull ring in Medellín. I would go to the bull ring two or three times a week and hang out there. I got to be good at dodging imaginary horns and at *toreo de salón*, that is, cape and *muleta* work without a bull. I went to see the great matadors of the time—Manolete, Lorenzo Garza, Arruza, and the others. But the day they brought in a real, live bull for us to work with, my passion cooled." Botero declined the precarious profession of the *torero*, but he nevertheless found in bullfighting a profound and enduring subject, its ritualized spectacle of life and death memorialized in a now iconic series of paintings and sculptures.

Although Botero drew scenes from the *corrida* as a boy, he returned to the bullring in the 1980s in full cognizance of the art-historical canon into which he entered. "In 1983, after attending a bullfight in Medellín, I retraced my steps along the road on which I had started," he explained. "I thought to myself: 'This is a worthy subject with a long tradition—Goya, Manet, Picasso,' and so I did my version of the bullfight." Francisco Goya's dramatic *Tauromaquia* etchings (1816) chronicled the history of Spanish bullfighting from the Middle Ages to his own time. The prints inspired Édouard Manet's ominous paintings of the bullring, notably the poignant *Dead Toreador* (1864), as well as Pablo Picasso, for whom the bull served as a symbolic alter ego, mythologized and existential. Botero's revival of the bullfight is steeped in this iconographic tradition, from its basis in Spanish patrimony and pageantry to its sobering meditations on the human condition. He drew further parallels between the bullring and the canvas: "A great matador such as Juan Belmonte defined the classical in bullfighting as 'what cannot be done better' and I think that this definition can be applied also in art," Botero observed. "The classics are the Greeks, the artists of the Renaissance, Velázquez, Vermeer."

Traditionally, the *corrida* unfolds in three stages (*tercios*), announced by drums and trumpets, in which the matador and

bull progressively engage each other. In the opening *tercio de varas*, the matador tests the bull with his cape, often with flamboyant showmanship, before the entrance of the *picadores* on horseback, who attempt to pierce the thick shoulder muscle of the bull with their lances. During the *tercio de banderillas*, the *banderilleros* ("flagmen") sink pairs of colourful, barbed sticks into the bull's neck and shoulder, further weakening him. In the signature *tercio de muerte*, the matador returns with a small red cape—the *muleta*—and incites the bull to charge, orchestrating a series of passes that displays his swirling artistry and bravado before he arrives at the ultimate moment of truth. "Bullfighting is the only art in which the artist is in danger of death," wrote Ernest Hemingway, a noted aficionado, "and in which the degree of brilliance in the performance is left to the fighter's honor."

Botero's *corrida* works encompass every aspect of the subject: the three stages of the bullfight and their specialized personnel; the theatre of the arena and its maddening crowds; the cultural links to flamenco dance; and the classical mythology of the Minotaur. The intensity and solemnity of the bullring are manifest in his portraits of famed *toreros*—no less, in a self-portrait in which he dons the *traje de luces*, the traditional costume. Their expressions convey fear and confidence, pride and passion; they are accompanied by elegant *majas*, waving their fans, flamenco guitarists and gypsies, and by death itself, in the fateful form of skeletons peering over their shoulders. Botero holds the *toro* in special regard, portraying him with magisterial power and supreme dignity in the arena. In *The Rape of Europa* (1995), he stages the Greek legend—in which Zeus, disguised as a bull, seduces the maiden Europa—in a Spanish bullring; the mythological lovers later inspired a series of large-scale sculptures in bronze.

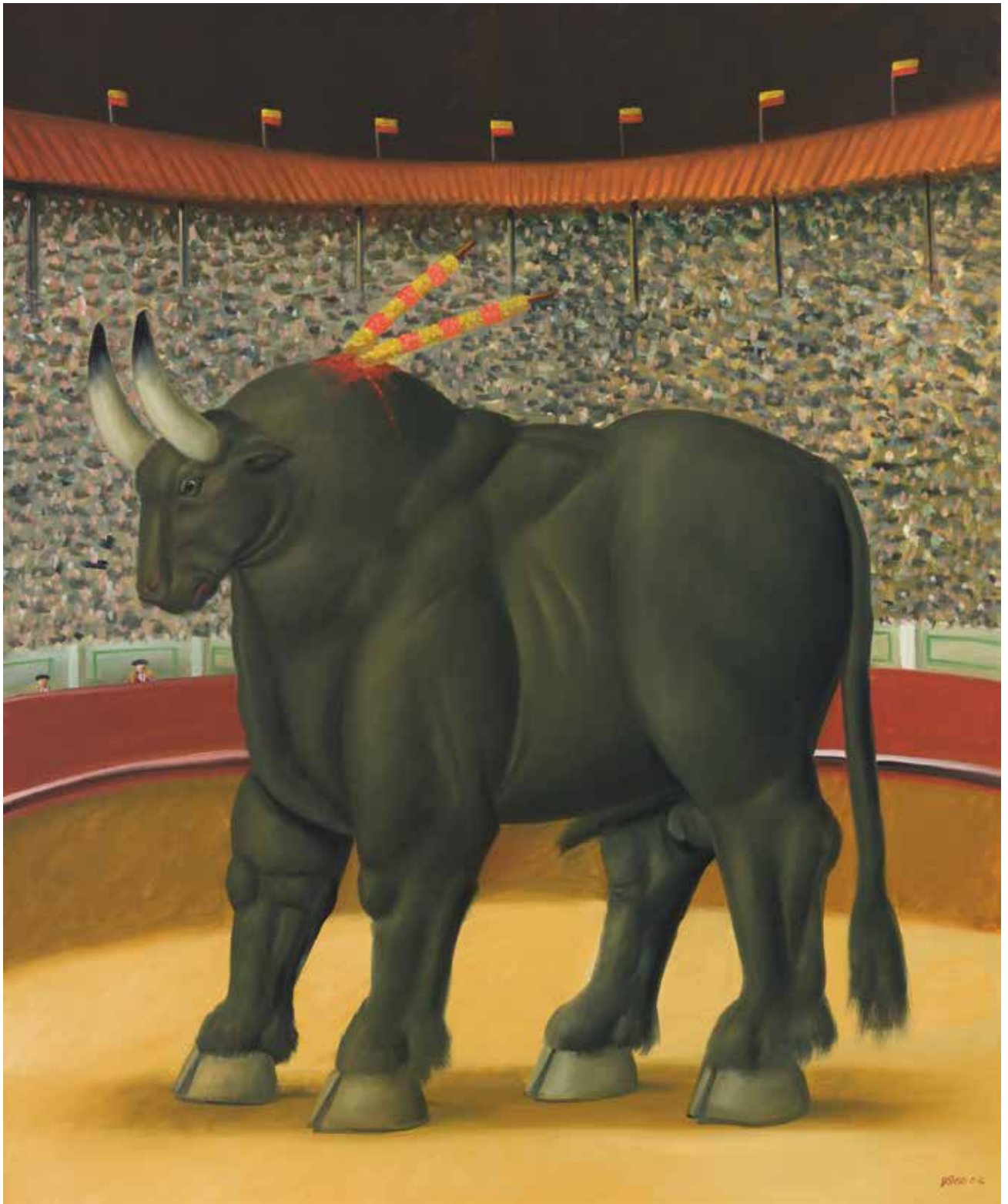
The present *Toro* stands wounded and yet defiant, his muscular body vexed by pain as he stands ready in place, nostrils flaring. Botero portrays him in the second act of the bullfight: two brightly striped *banderillas* puncture his thick neck (the *morriño*), leaving a stain of blood that glistens against his satiny black coat. Two *toreros*, distinguished by the black hats (*monteras*) they wear, stand behind the brick-red *barrera* that surrounds the sand arena. The crowd, blurry and muted, teems in the background, framed by the *barrera* and the sloping, traditionally tiled roof.

A sensitive colourist, Botero works here in a subdued palette of cadmium red and yellow ochre, doubtless in recognition of the Spanish flag and the *corrida*'s storied national past; the bull has long served as a symbol of Castilian culture. Strapping and statuesque, Botero's bull commands the ring with a stately *gravitas*, his body tense in anticipation of his next charge. Disproportionately oversized, in Botero's characteristic style, he embodies the virility and high-keyed passion of the *corrida*; a noble adversary, he cedes nothing as he approaches his fate. "My great source of pleasure, almost as intense as painting, is to watch a bullfight every day—on video if need be," Botero once reflected. "Bullfighting, in an increasingly grey world, is one of the few fields that still has colour."

We thank Abigail McEwen, Associate Professor, Latin American Art at the University of Maryland, for contributing the above essay.

This lot is accompanied by a certificate of authenticity signed by the artist as well as a copy of a certificate of authenticity from the Galleria d'Arte Contini dated December 20, 2005.

ESTIMATE: \$450,000 – 650,000





52 Fernando Botero

1932 – Colombian

Seated Man

oil on canvas, signed and dated 2004
and on verso titled and dated on a label
48 x 37 ½ in, 121.9 x 95.2 cm

PROVENANCE

Opera Gallery, Paris, 2006
Property of an Important Estate, British Columbia

LITERATURE

Fernando Botero, *Fernando Botero: Paintings and Drawings*, 1992, essay by Werner Spies, page 158
Ana María Escallón, *Botero: New Works on Canvas*, 1997, pages 27, 33, 39 and 55
Cristina Carrillo de Albornoz Fisac, “The Perils of Popularity,” *The Art Newspaper*, no. 120, December 2001, page 45
John Sillevs, *The Baroque World of Fernando Botero*, 2006, page 29

“I’M THE MOST Colombian of Colombian artists,” Fernando Botero insists, radiating pride in his country. “I paint Colombia the way I want it to be. It’s an imaginary Colombia—like Colombia but, at the same time, not like it... It’s a kind of nostalgia.” Botero left his hometown of Medellín at the age of 19, setting off for Europe and immersing himself in the history of Western art, lingering over the Trecento and Quattrocento—Giotto, Masaccio, Piero della Francesca—and the languid sensuality of Peter Paul Rubens and Jean-Auguste-Dominique Ingres. Yet even as his exploration of tactile values and volume placed him within the lineage of the old masters he admired, his iconography remained indelibly Latin American, his subjects—clergymen and cartel runners, generals and circus masters—drawn from his adolescence. “In a sense, the more parochial you are, the more universal you can become,” Botero has said. “You must be true to your roots; only then can you reach people all over the world.”

As curator John Sillevs has observed, “Botero has given us a very accurate portrayal of the South American way of life in the twentieth century, a unique panorama of personalities in a given period of history. His artistic universe is constructed with memories of his childhood, and as a young man. The families in the provincial towns in Latin America lived their lives with strict rules: the men were well groomed, they wore a suit, a tie, and a hat when outdoors, and the women also were ladylike, with gloves, handbags, and flowery dresses. The children were well behaved and disciplined. The pleasures of daily life were—and are—predictable: an outing in the country with a picnic basket, a visit to a bullfight, a walk through the narrow streets with colorful houses in colonial style, or a romantic night of ballroom dancing... It means working hard to keep up appearances in a society where even vice has a certain conformity. The men in Botero’s paintings may be good fathers and kind husbands, but they are also *macho* individuals who are familiar with the girls in the local brothels.”

A stock character of this bucolic world, *Seated Man* embodies the comfortable placidity—and banality—of everyday life in the sleepy, candy-coloured Colombian villages that Botero holds dear. He leans back in a stiff wooden chair, one stout leg crossed

awkwardly over the other; his arms splay forward, puffy fingers dangling off the armrests. His expressionless gaze, framed by a five o’clock shadow, suggests an accustomed weariness at the close of the working day. Tightly cropped, the composition compresses the man in space and stillness. Its slightly downward perspective exaggerates the wide expanse of the floor, cutting off the barely opened door as well as the ground beneath the figure’s left foot. In his olive suit and smart fedora, the man seamlessly assimilates into the bare, hazel-coloured room; the emerald green of his tie, echoed in the doorway, and the peeping red sock—a familiar Boterian embellishment—relieve the tonal monochrome of the tableau.

An outstanding colourist, Botero approaches his work with a sense of “plastic adventure,” allowing colour—here, an enveloping environment of green—to “[evolve] in the course of the painting” through a process of improvisation and refinement. “Color is basic in my work because it illuminates the painting and, in the end, the picture finds its resolution the moment the color is resolved,” he explains. “One thinks it is the composition, but actually what defines the picture is the color. When each element of the painting finds its place, peace is felt... Peace because the color balance induces a special tranquility: nothing is moving nor should. The meaning of the painting resides in that desire to find the perfect place for each color, because it is an integral element that takes its place and fulfills its own necessity.”

This chromatic equilibrium is enriched by the commensurably static, and unapologetically voluminous, approach to form for which Botero is justly celebrated. “I am looking for calm in the forms and a sensation of volume,” he allows. “The artist’s function is to exalt life through sensuality, to be communicated even if it is sometimes dull and devoid of interest. One way—not the only one—of doing it is through the idea of volume.” Botero has long resisted the suggestion that he paints “fat people,” summoning instead the classical proportions of his Florentine masters and the vaunted plasticity and solidity of their forms. “I believe that I have taken the idea of volume to the point of paroxysm,” he continues. “And that exaggeration has become part of modern art because our time tries to carry things to their ultimate conclusion.” Latter-day descendants of Piero, his pneumatic figures revel in their parodic amplitude, their monumentality a throw-back to the sensuality and refined equanimity of yore.

A portrait of old-fashioned respectability and bourgeois mores, *Seated Man* is poised between age-old painterly traditions and Colombian modernity. In his respectable suit and recumbent posture, he exudes the genteel values that characterized Botero’s childhood, his bearing at once familiar and quaintly droll in its profound rotundity. “A painter has no *raison d’être* if he does not create his own world,” Botero once declared, and in the muted mien of *Seated Man* he presents a microcosm of his imaginary Colombia, richly and magically real.

We thank Abigail McEwen, Associate Professor, Latin American Art at the University of Maryland, for contributing the above essay.

This lot is accompanied by a certificate of authenticity signed by the artist as well as a certificate of authenticity from the Opera Gallery dated September 25, 2006.

ESTIMATE: \$400,000 – 600,000



53 Karel Appel

1921 – 2006 Dutch

Untitled

oil on canvas, signed and dated 1956
and on verso inscribed *ALR 49/14/11*
50 x 30 in, 127 x 76.2 cm

PROVENANCE

Property from an Important Private Scandinavian Collection
Sold sale of *Contemporary Art, Day Sale*, Sotheby's London,
February 10, 2006, lot 174
Opera Gallery, Paris, 2006
Property of an Important Estate, British Columbia

LITERATURE

"Karel Appel Defines His Painting," ORTF (Collection:
L'Amour De L'Art), 1968, <https://fresques.ina.fr/europe-des-cultures-en/fiche-media/Europe00055/karel-appel-defines-his-painting.html>, accessed
August 31, 2018

EXHIBITED

Henie-Onstad Kunstsenter, Hovikodden, Norway, *Bilder fra Inger og Andreas L. Riis' samling*, 1986
Carl-Henning Pedersen & Else Alfelts Museum, Herning,
Denmark, *Karel Appel*, 2004

KAREL APPEL WAS the most prominent Dutch member of the post-World War II group of abstract artists who took the name CoBrA, which was active largely in Paris from 1948 through the early 1950s. Jean Dubuffet from France and Asger Jorn from Denmark were other prominent members. The memorable name is simply an acronym of the first letters of their native cities: Copenhagen, Brussels and Amsterdam. With his CoBrA peers, Appel sought a liberatory art, one no longer suppressed by the extreme censorship and persecution of mid-twentieth-century European fascism. The fetters of World War II and earlier art in the European tradition were to be broken; instead, CoBrA artists sought authenticity and direct expression in the aesthetic creations of children and what were then seen as "primitive" peoples' art and crafts. A 1949 issue of the journal *Cobra*, for example, was devoted to folk art.

Appel's *Untitled* typifies his exuberant painting of the 1950s, a period that saw him exhibiting widely and to great acclaim (including the UNESCO Prize at the 1954 *Venice Biennale*). Its vibrant colours and thick, tactile application of pigments embody his version of painterly freedom. Appel rejected the creation of spatial illusion stemming from Cubism. Any sense of three dimensions here comes instead from the buildup of pigment. In the left centre of the canvas, for example, heavy, dark channels of oil paint stand on top of only slightly thinner passages of earth red, white and blue. We feel this painting as much as see it.

When we describe this painting as "abstract," we mean that it is not overtly reproducing the appearance of our everyday world. But "abstract" was and remains a broad and flexible category. Because abstract expression had long been seen as a vehicle to both authenticity and freedom, it was the signature visual

language of CoBrA. Never dogmatic, Appel did not subscribe to any doctrine of "pure" abstraction divorced from the realities of life. Thus, it is appropriate that this painting hints at that most traditional of art genres, portraiture. Do we not see a head with eyes, a nose and mouth at the top of the image? Might the dark green form at the lower right be a protruding knee, suggesting a torso above it? Appel painted many portraits, some quite abstract in the sense that the subject is not identifiable, some explicitly—if wildly—descriptive, such as the *Portrait of Sir Herbert Read*, 1962, in the collection of the Montreal Museum of Fine Arts.

Perhaps it is this quality of depicting the human, but also of simply reveling in paint, that makes this canvas stand out. Appel himself suggested such an interpretation of his work. In an interview broadcast in 1968, he denied that he was truly an "expressionist," as was often said. His aspirations went well beyond stylistic labels. "For me man is an infinitely creative space," he claimed. "And because of that I am always looking to expand my work, you know, to find space." The powerful execution of *Untitled* makes it feel much larger than its physical dimensions.

We thank Mark Cheetham, Professor of Art History at the University of Toronto and author of *Abstract Art Against Autonomy: Infection, Resistance, and Cure since the 60s*, for contributing the above essay.

This lot is accompanied by a certificate of authenticity from the Opera Gallery, dated September 25, 2006.

ESTIMATE: \$250,000 – 350,000



54 Asger Jorn

1914 – 1973 Danish

Rifki florbloster

oil on canvas, signed and on verso signed, titled,
dated 1944 and inscribed variously
31 ½ x 39 ½ in, 80 x 100.3 cm

PROVENANCE

Knud Petersen, Copenhagen
Børg Munch Nielsen, Copenhagen
Lilly Petersen, Hellerup
Sold sale of *Post-War and Contemporary Art, Day Sale*,
Christie's London, February 5, 2004, lot 148
Secher & Scott, Denmark, 2007
Property of an Important Estate, British Columbia

LITERATURE

Guy Atkins, *Jorn in Scandinavia, 1930–1953: A Study of Asger
Jorn's Artistic Development from 1930 to 1953 and a Catalogue
of His Oil Paintings from that Period*, 1968, reproduced
pages 154 and 355, catalogue #336

AS A YOUNG artist, Asger Jorn was inspired by the Russian artist Wassily Kandinsky. In 1936 he drove his motorbike from Copenhagen to Paris, hoping to study under the legendary artist. To Jorn's surprise, Kandinsky did not run his own academy, so Jorn enrolled in Fernand Léger's Académie de l'art contemporain. As a result of this, he worked for Le Corbusier at the World Exhibition in 1937. This experience conclusively confirmed to the artist that he would disavow the principles of Purism—the aesthetic of logic, mathematical order and geometric form practised by Le Corbusier. By the 1940s, Jorn was expressing his activist side. Alongside other artists, Jorn published the journal *Helhesten* (Ghost Horse), which produced nine issues from 1941 to 1944. The journal covered artistic themes such as African masks, Nordic folk art, Surrealism and children's drawing—all intended to provoke and resist the German occupational power.

Rifki florbloster is an important work from 1944, produced near the end of World War II. This still life of flowers (*florbloster*

means “flower blossom”) is somewhere between abstraction and figuration, similar to the work of American artists Jackson Pollock and Willem de Kooning in the mid-1940s. *Rifki florbloster* is a pivotal work that clearly incorporates aspects of what Jorn was studying at the time for his journal *Helhesten*—most visibly, children's drawings, African masks and folk art. *Rifki florbloster* can be seen as a painting that foresees the upcoming joy of liberation in 1945, and it marks the beginning of Jorn's furious spontaneity in life and in his art.

In 1948, the same year Jorn had his first solo exhibition in Paris, at the Galerie Breteau, he and his Dutch and Belgian counterparts, including artist Karel Appel (lot 53 in this sale), founded CoBrA, an acronym for the artist's native cities of Copenhagen, Brussels and Amsterdam. They were as much opposed to the structural tactics of movements like De Stijl as they were to the Academy. The group's doctrine was a complete freedom of expression in the use of brushwork and colour—breaking from the stringent forms and confined palettes that dominated the avant-garde art scene.

This work is registered at Museum Jorn and is included in the catalogue raisonné by Guy Atkins as #336.

ESTIMATE: \$125,000 – 175,000



55 William Paterson Ewen

AANFM RCA 1925 – 2002

Amsterdam

oil on canvas, signed and on verso titled, dated 1961

and inscribed *Coll. D. + M. Beaulieu*

36 x 46 in, 91.4 x 116.8 cm

PROVENANCE

Gallerie Gilles Gheerbrant, Montreal

Private Collection, Montreal

LITERATURE

Matthew Teitelbaum, *Paterson Ewen: The Montreal Years*,

Mendel Art Gallery, 1987, page 27

NEAR THE END of 1954, Paterson Ewen painted his first abstract work. He was involved with the Automatists, then gravitated towards the Plasticiens in Montreal, although he never entirely embraced either movement. In 1961, Ewen was experimenting

a lot with abstraction, and generated his *Lifestream*, *Alert* and *Blackout* series. This richly hued work is strongly textured—it is streaked and scraped, creating a strong pattern of lines across the surface. Ewen used irregular geometric squares in his colour fields, some of which submerge into the upper gold section, while one, caught on the edge between the two fields, transforms into black in the green section, suggesting space and creating tension. Matthew Teitelbaum wrote of these works, “Playfulness was inherent. Deep eruptive textures were created by dragging sawblades across the surface; paint was pulled into ridges, and smudged into crevices.” Intimations can be seen here of Ewen’s work to come, the *Phenomena* series, in both the way in which the surface is textured and the line that originates above the top of the picture plane and drags through both fields, like a fork of lightning.

ESTIMATE: \$40,000 – 60,000



56 William Paterson Ewen

AANFM RCA 1925 – 2002

Untitled

oil on canvas, signed and dated 1956
27 x 30 in, 68.6 x 76.2 cm

PROVENANCE

Private Collection, Connecticut
Sold sale of *Canadian Post-War & Contemporary Art*, Heffel
Fine Art Auction House, November 26, 2009, lot 9
Private Collection, Montreal

LITERATURE

Matthew Teitelbaum, *Paterson Ewen: The Montreal Years*,
Mendel Art Gallery, 1987, page 20, reproduced page 38

EXHIBITED

Parma Gallery, New York, *Modern Canadian Painters*, 1956
Mendel Art Gallery, Saskatoon, *Paterson Ewen: The Montreal Years*,
November 20, 1987 – January 3, 1988, traveling in 1988 to
the London Regional Art Gallery; the Art Gallery of Windsor;
Concordia Art Gallery, Montreal; and St. Mary's University Art
Gallery, Halifax

DURING THE TIME of strongly polarized philosophical and aesthetic battles that raged within the Quebec art scene during the late forties and early fifties, Paterson Ewen was blessed with strong connections to both the English and French artistic communities and the various groups that were active at that time. From his earliest days as an art student under the influence of progressive representational artists like Goodridge Roberts, to his membership in the Association des artistes non-figuratifs de Montréal and his awareness of the Automatist and Plasticien groups, he absorbed their many philosophies and visual strategies without becoming defined by any one of them. It was in 1954 that he first began to show abstract works, and by 1956, when this painting was produced, he had developed his own philosophy and approach to abstraction.

Ewen stated, "I'm trying to use the knowledge I've acquired to create a painting as original—as personal—as possible, that will express a point of view in terms of plastic discovery and will have an artistic order. I've chosen this direction because I feel the basic values of all painting are non-figurative."

ESTIMATE: \$25,000 – 35,000



57 Jack Bush

ARCA CGP CSGA CSPWC OSA P11 1909–1977

The Trumpet Player

oil on canvas, on verso signed, titled, dated 1947
and inscribed C-147 / 5252L / CARLAW
49 x 36 ¼ in, 124.5 x 92.1 cm

PROVENANCE

Collection of the Artist
Estate of Jack Bush

EXHIBITED

Thielsen Gallery, London, *Jack Bush: Transition Years*,
1940–1956, April 26–May 31, 2013

THE TRUMPET PLAYER is one of Jack Bush's rare large-format paintings on canvas from his early years, and it is matchless in terms of conveying a melancholic mood within a painting that relates to music. Exuberance and energy tend to be the feelings conjured by Bush's musical paintings—both figurative and abstract. Take, for instance, the two small oil panels from 1950 entitled *Musician* and *Wild Bill*. These two paintings capture a quick moment in time when the spirit of a performance is palpable. By comparison, the intimate and pensive moment that *The Trumpet Player* represents is entirely unique. The uncertainty of this musician's state of mind invites the viewer to ask what happened just before this moment, or what might be in the making? *The Trumpet Player* is graceful and enduring, due in large part to this pregnant pause.

The man in *The Trumpet Player* appears to be either onstage between sets or backstage, with his instrument placed on the floor next to him as he rests. The suggestion of a stage and the contrapposto pose of the sitter are reminiscent of an art academy's emphasis on live model studies. Bush's sketchbooks show that he attended life-drawing classes for many years, including in the 1940s.

Trumpet players such as Louis Armstrong and Dizzy Gillespie were major movers in fostering the popularity of jazz music at the time that this painting was made. Music was important to Bush as a source of inspiration for his art and for personal delight. Bush even took his family to a burlesque show to see Armstrong perform live. Dixieland music was a mainstay, and other great musicians whose recordings were played in the Bush household included Cab Calloway and Teddy Wilson. Playing records helped Bush to set the kind of tone he desired for painting, and he could do so without even leaving his studio.

The avant-garde *Zeitgeist* of New York was inextricably linked to a jazz scene. Bush always made a point of attending live performances whenever he traveled to New York. It was a scene many artists found compelling, both for the music and for its inventive and impromptu methods. The latter appealed to the scene of free-wielding abstract artists that seemed to simultaneously evolve in New York. With *The Trumpet Player*, Bush aimed to express the atmosphere of jazz, loose and full of expression, but without sentimentality.

The year 1947 was pivotal for Bush; it was a time when he commenced psychotherapy, and when he first ventured into

abstract painting as a result. All the while, through ups and downs, music played. *The Trumpet Player* represents a shining constant in the life of the artist—that is, his love of jazz. A piano was situated in Jack Bush's studio at home on Eastview Crescent in North Toronto. He taught himself how to play at a time when YouTube did not exist and, furthermore, he learned in the key of E flat. Bush evidently welcomed a challenge. His wife Mabel also played piano, and they encouraged their three sons to play instruments. Their youngest son, Terry, successfully made music his career.

The Trumpet Player is a special painting that acknowledges the artist's love of music and, unlike his later abstract paintings inspired by music, it suggests a particular social context; we might imagine a narrative where the artist and his wife enjoyed a session at one of the jazz clubs they attended in the 1940s, especially in New York. Ultimately, *The Trumpet Player* stands as a wonderful reflection of its time and of the symbiotic relationship of art and music.

We thank Dr. Sarah Stanners for contributing the above essay. Dr. Stanners brought the definitive Jack Bush retrospective to fruition with Marc Mayer at the National Gallery of Canada and the Art Gallery of Alberta (2014–2015). She launched *Jack Bush: In Studio* (2016) at the McMichael Canadian Art Collection, where she served as Chief Curator from 2015 to 2018, overseeing 27 exhibitions and 8 publications on Canadian art. Dr. Stanners is now director of the Jack Bush Catalogue Raisonné and holds a status-only appointment as assistant professor at the University of Toronto, Department of History of Art.

This work will be included in Sarah Stanners's forthcoming *Jack Bush Paintings: A Catalogue Raisonné*.

ESTIMATE: \$40,000 – 60,000



58 Alfred Pellán

CAS OC PY QMG RCA 1906 – 1988

Femme à la perle

oil on canvas, signed and dated 1938 and on verso signed, titled on the artist's label and various exhibition labels, inscribed variously and stamped twice with the artist's stamp
32 x 21 in, 81.3 x 53.3 cm

PROVENANCE

Estate of Dr. Robert H. Hubbard, Ottawa
Private Collection, Burlington, Ontario
Sold sale of *Important Canadian Art*, Sotheby's
Canada, November 27, 1996, lot 210
Private Collection, Toronto

LITERATURE

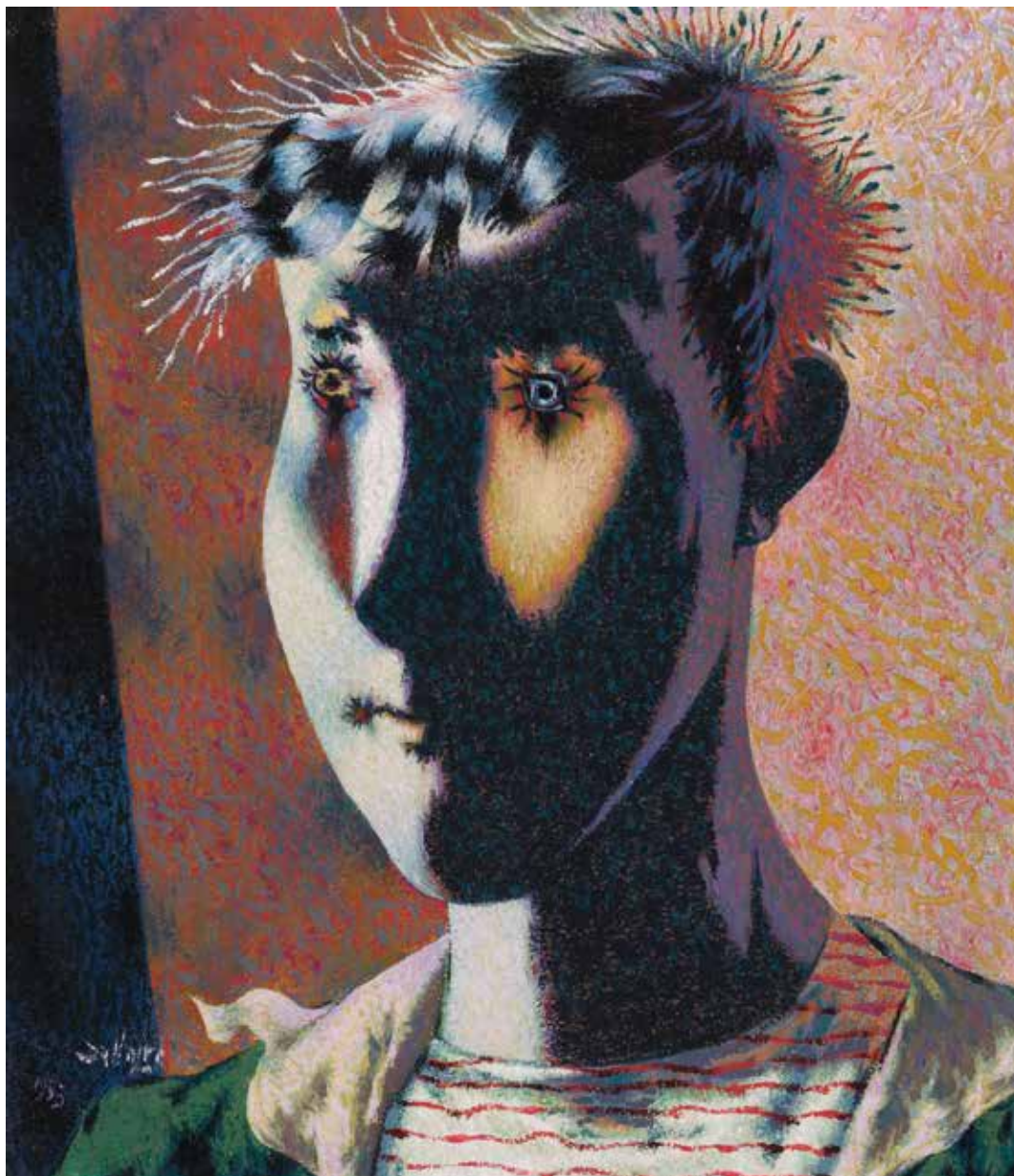
R.H. Hubbard, *The Development of Canadian Art*, National Gallery of Canada, Ottawa, 1964, page 120

EXHIBITED

26th Venice Biennale, 1952, catalogue #76
National Gallery of Canada, Ottawa, *Paintings in Ottawa Collections*, April 10 – May 6, 1959
National Gallery of Canada, Ottawa, *Alfred Pellán Retrospective, 1960 – 1961*, traveling to the Montreal Museum of Fine Arts; Musée du Québec, Quebec City; and the Art Gallery of Toronto

ALFRED PELLÁN'S *Femme à la perle* (Woman with a Pearl) was executed in 1938, during the important and exhilarating period when he lived and worked in Paris. After a critically acclaimed first solo show at the Académie Ranson in 1935, he worked as a graphic designer for the renowned haute couture designer Elsa Schiaparelli. In 1937, one of his paintings was acquired by the Galerie nationale du Jeu de Paume, and another by the Musée de Grenoble. He was included in major group shows, such as *Paris Painters of Today* in Washington, DC in 1939, alongside Pablo Picasso, André Derain and Salvador Dalí. This stunning portrait, a surrealistic interpretation of the feminine figure, was part of the personal collection of Dr. Robert H. Hubbard, who was Curator of Canadian Art at the National Gallery of Canada from 1947 to 1954, and Chief Curator from 1954 to 1978. In his book *The Development of Canadian Art*, Hubbard wrote that Pellán's "return from Paris to Montreal in 1940 raised a storm in the calm waters of representational painting in Canada... [His works] reflect the genial influence of Miró and Léger, but already his art had a brilliance and conviction of its own."

ESTIMATE: \$30,000 – 50,000



59 Jean-Philippe Dallaire

QMG 1916 – 1965

Head of a Young Boy

oil on board, signed and dated 1953 and on verso signed, titled and titled on the gallery label, dated February 15, 1953 and stamped with the Dominion Gallery stamp
13 ³/₈ x 11 ⁵/₈ in, 34 x 29,5 cm

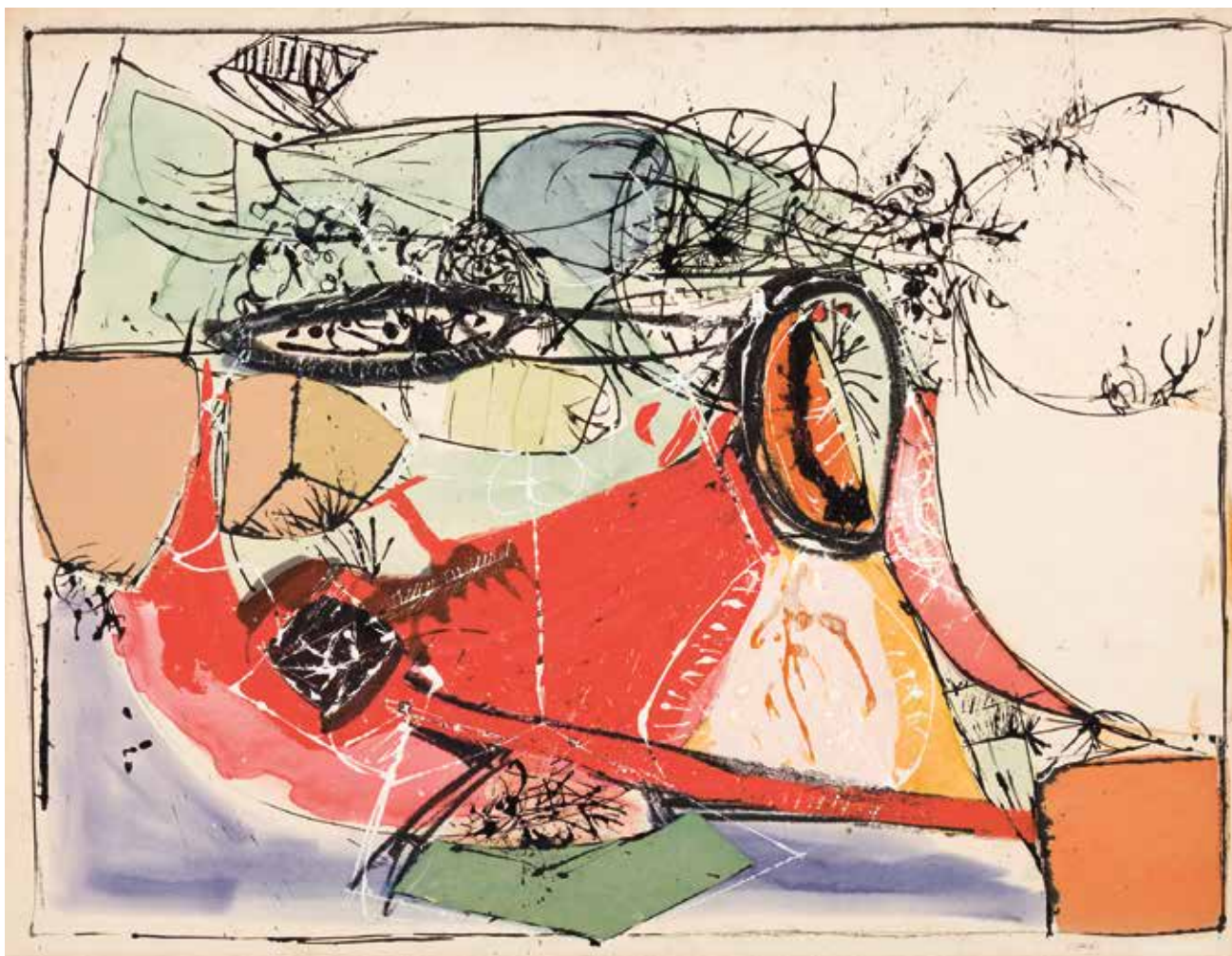
PROVENANCE

Dominion Gallery, Montreal
Private Collection, United Kingdom

QUEBEC ARTIST Jean-Philippe Dallaire was known for his modernist paintings that combined figuration and abstraction and showed influences from Symbolism, Cubism and Surrealism.

His artistic career was diverse—he worked as a mural painter, draughtsman, illustrator at the National Film Board, teacher at the École des beaux-arts in Quebec City and tapestry designer. In the early part of his career, Dallaire produced realistic portraits, but his work evolved beyond that as he absorbed European influences. *Head of a Young Boy* exhibits overtones of Surrealism and a Cubist-influenced use of form, as Dallaire splits the face into separate planes and uses the shadow on the right side to create a profile form. His work exhibits a delightfully playful aspect, which shows here in his starburst treatment around the eyes and the electrified strands of hair, which stick up like the tentacles of an anemone. *Head of a Young Boy* is an intriguing work by this great Quebec modernist.

ESTIMATE: \$20,000 – 30,000



60 Oscar Cahén

CGP CSGA CSPWC OSA P11 1915 – 1956

Untitled

watercolour, pastel and ink collage on paper board, on verso inscribed with the Cahén Archives #FAMM-058 SL, circa 1954 – 1955
29 x 39 in, 73.7 x 99 cm

PROVENANCE

Private Collection, Toronto
Sold sale of *Canadian Post-War & Contemporary Art*, Heffel
Fine Art Auction House, November 26, 2009, lot 8
Private Collection, Toronto

LITERATURE

David Burnett and Marilyn Schiff, *Contemporary Canadian Art*,
Art Gallery of Ontario, 1983, page 49
Jaleen Grove et al., *Oscar Cahén*, Beaverbrook Art Gallery, 2017,
reproduced page 82 and listed page 304, catalogue raisonné #58

EXHIBITED

Ringling Museum of Art, Sarasota, Florida, *Oscar Cahén: First
American Retrospective Exhibition*, September 30 – November 10,
1968, catalogue #42

OSCAR CAHÉN ARRIVED in Canada from England in 1940 and worked as an illustrator in Montreal. His career as a painter, stimulated by his friendship with Harold Town and Walter Yarwood, truly began with his arrival in Toronto in 1946, and he became one of the bright stars of Painters Eleven. His earliest works from that period reflect the influence of both Abraham Rattner and British artist Graham Sutherland. This provocative work from the 1950s exhibits the strong, sharp, graphic strokes and bright palette that came to characterize his images. Cahén's training and skill as a graphic designer added to his ability to handle a broad range of media. He was able to move between figurative and purely abstract work with ease and assurance. David Burnett and Marilyn Schiff wrote, "His work... was not gestural in the sense of the broad, sweeping brushwork of contemporary American Abstract Expressionism, but more closely structured along the lines of contemporary European and British painting. It reflects... a talent that was not and could not be restricted to one particular mode of approach."

ESTIMATE: \$40,000 – 60,000



61 Alfred Pellán

CAS OC PY QMG RCA 1906 – 1988

Still Life on Red Background

gouache on card, signed and dated 1960
and on verso titled on the gallery label
16 x 20 in, 40.6 x 50.8 cm

PROVENANCE

Masters Gallery Ltd., Calgary
Private Collection, Vancouver

LITERATURE

Guy Robert, *Pellán: Sa vie et son oeuvre / His Life and His Art*,
1963, page 56

ONE OF QUEBEC'S great artists, Alfred Pellán had a unique style. His work was influenced by the period of time he spent in Paris between the years 1926 and 1940, when he was a part of that

city's dizzyingly innovative art milieu. Here he was dazzled by the work of such artists as Pablo Picasso, Pierre Bonnard, Henri Matisse, Joan Miró and Vincent van Gogh. Pellán explored many directions in his work, but was particularly affected by Cubism and Surrealism, although he refused to be affiliated with any particular school of art. As he stated, "The pictorial approach is essentially free. Painting is based on emotion and the way in which it tends to reveal itself depends upon the unpredictable ways of plastic and poetic invention." Pellán was known for his intense, vibrating palette, vivaciously exemplified by *Still Life on Red Background*. He draws the profusion of flowers with abandon—richly hued forms explode outward in every direction, propelled forward by the flat space of the fiery colour-field backdrop. *Still Life on Red Background* expresses the essence of Pellán's passionate and free nature.

ESTIMATE: \$10,000 – 15,000



62 Christian Marcel Barbeau

AANFM AUTO CAS QMG RCA SAAVQ SAPQ 1925 – 2016

Dents de sable à cran d'acier or Le langage des sources

oil on canvas on board, signed and dated 1947
and on verso signed, titled and dated
12 x 16 in, 30.5 x 40.6 cm

PROVENANCE

Estate of the Artist
Acquired from the above by the present Private
Collection, Ontario

LITERATURE

Ninon Gauthier, *Catalogue raisonné de l'oeuvre
de Marcel Barbeau*, 1990, catalogue #PE47

EXHIBITED

Galerie Dresdner, Toronto, 1981
Galerie Dresdner, Toronto, 1986
Galerie Jean-Claude Bergeron, Ottawa, 2000

IN 1948, A few months prior to the publication of the *Refus global* manifesto, of which he was a signatory, Marcel Barbeau undertook the destruction of many paintings he had executed a year earlier. Although his friend the poet Claude Gauvreau considered these works revolutionary, Barbeau concluded they were not radical enough. *Dents de sable à cran d'acier* (Sand Teeth with Steel Notch) is one of a few rare works from 1947 that survived the purge. Also titled *Le langage des sources* (The Language of Origins), this work showcases Barbeau's deft handling of the palette knife. Spirited and intense, it displays the Automatists' radical and expressive approach to abstraction. All across its luminous white background, touches of black, crimson, orange and cobalt are pulled onto the canvas in swift diagonal swathes. The resulting surface is undeniably liberated and expressive, and showcases Barbeau's remarkable range and quality of gestures. The dynamic composition keeps the viewer's eye moving from one touch of colour to the next, and the artist's energy is palpable throughout. *Dents de sable à cran d'acier* bears witness to a thrilling period in Barbeau's career.

ESTIMATE: \$25,000 – 35,000

63 Jean-Paul Armand Mousseau

AANFM AUTO CAS QMG 1927 – 1991

Rayures orange mauve

oil on canvas, on verso titled, dated 1957 on the Studio Mousseau Soucy Associés label and inscribed *Collection F. Berd*

34 x 24 in, 86.4 x 61 cm

PROVENANCE

F. Berd, Quebec
Galerie Simon Blais, Montreal
Private Collection, Ontario

LITERATURE

Roald Nasgaard, *Abstract Painting in Canada*, Art Gallery of Nova Scotia, 2007, page 78

SATURATED FIELDS OF colour are deftly arranged in the sumptuous expanse of Jean-Paul Mousseau's *Rayures orange mauve*, a masterful painting from 1957. Pure blocks of vibrant purple, fiery reddish-orange and crimson envelop the viewer with the scope of the work's internal drama. Applied in wide and gestural swathes of the brush, these luxurious colours actively reveal the artist's work. The central orange area is wrought with the tension created by the juxtaposition of the purple and crimson bands, resulting in a push-and-pull effect. This mid-1950s piece belongs to a body of work that art historian Roald Nasgaard describes as "large-scale, loose geometric compositions redolent with internal pictorial space and light, Mondrianesque like the Plasticiens, but loose and painterly, closer to Hofmann or Rothko." A signatory of the *Refus global* manifesto, Mousseau was also the youngest member of the Automatist group. His works have been shown in many major museums, such as the Montreal Museum of Fine Arts, and have found their place in many important private and public collections.

ESTIMATE: \$20,000 – 30,000





64 Jacques Hurtubise

ARCA SAPQ 1939 – 2014

Caroline

acrylic on canvas, signed and dated 1965
and on verso signed, titled and dated
32 x 45 ¾ in, 81.3 x 116.2 cm

PROVENANCE

Acquired directly from the Artist by the present
Private Collection, Montreal, circa 1965

LITERATURE

Guy Robert, *Artistes de Montréal*, National Gallery of Canada,
1965, reproduced and listed, unpaginated
Lorna Farrell-Ward, *Jacques Hurtubise*, Vancouver Art Gallery,
1981, unpaginated

EXHIBITED

National Gallery of Canada, Ottawa, *Artistes de Montréal / Artists
from Montreal*, 1965, traveling in 1965–1966 to the Norman
Mackenzie Art Gallery, Regina; Saskatoon Art Centre; Winni-
peg Art Gallery; Dalhousie Art Gallery, Halifax; Mount Allison
University, Sackville; Beaverbrook Art Gallery, Fredericton;
and the Memorial University of Newfoundland, St. John's,
catalogue #18

I don't know what you call the splash. It's soft edge—it's not soft edge. It's a "splasy hard edge," put it that way. Because when I make a splash, in '65, they are flat colors. The splashes are flat. There is no texture to it. There is nothing. I wanted them flat. So it was the fight between a flat plane and a flat splash.

JACQUES HURTUBISE USED these words to describe his unique approach to handling gestural movement within a two-dimensional space. Indeed, the remarkably spontaneous and expressive splashes of Hurtubise's works are not what they seem. As explained in the quote above, these spills are not accidental, but instead deliberate and expertly contoured constructions, which were part of the artist's practice from the mid-1960s. In *Caroline*, the orange hard-edge splash vibrates intensely against the solid white background. The overall composition is balanced by the pitch-black half of the canvas. By using simple forms and a reduced but saturated palette, Hurtubise produced a work with an intense optical impact.

ESTIMATE: \$25,000 – 35,000



65 Betty Roodish Goodwin

CPE 1923 – 2008

Chair

mixed media on Mylar, signed
and dated 1989

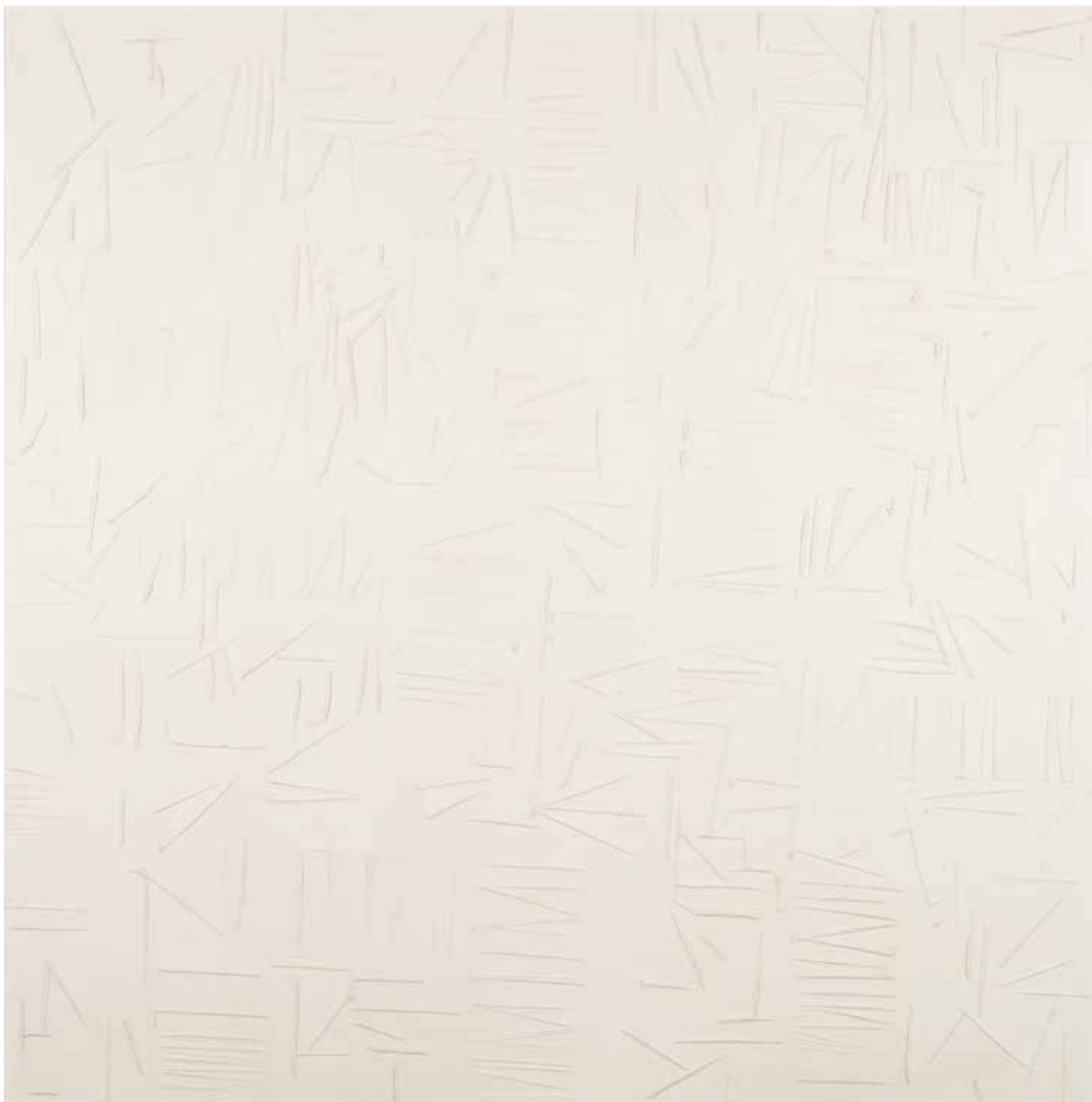
17 $\frac{3}{4}$ x 11 $\frac{3}{4}$ in, 45.1 x 29.8 cm

PROVENANCE

Acquired directly from the Artist by
the present Private Collection,
Montreal, circa 1990

BETTY GOODWIN'S OEUVRE is known for its evocative imagery and for certain recurring themes. She often explored the subject of absence, as in *Chair*. Specifically, this compelling piece alludes to *desaparecidos*—victims of enforced disappearance, primarily in Latin America—symbolized here with the titular empty chair and outlined figure at the top of the work. Sensitive to all aspects of the human condition, Goodwin did not shy away from more difficult subjects, but rather treated them with a touching vulnerability. Subtle yet eloquent, this work showcases her deft handling of pictorial space within a dynamic composition. Her pigments have an evanescent quality to them, a result of applying her colours in diaphanous veils onto a sheet of Mylar. Her energetic and visceral brushwork imbues the work with a sense of urgency. Faint touches of crimson and cyan appear almost transparent, in contrast to the gestural and sketch-like black oil stick lines used for the chair figure. Incredibly powerful and sensitive, *Chair* resonates with its theme of resilience and humanity.

ESTIMATE: \$12,000 – 16,000



66 Ronald Langley Bloore

OC R5 RSC 1925 - 2009

Untitled—Abstract

oil on board, on verso titled *Painting* on the exhibition label, dated August 1960 and inscribed *NFS*
47 ½ x 47 ½ in, 120.6 x 120.6 cm

PROVENANCE

Galerie Dresdnere, Toronto
Private Collection, Toronto
Sold sale of *Canadian Post-War & Contemporary Art*, Heffel
Fine Art Auction House, September 29, 2007, lot 5
Private Collection, Toronto

LITERATURE

Ted Fraser, *R.L. Bloore—Sixteen Years: 1958 - 1974*,
Art Gallery of Windsor, 1975, reproduced
“Three Abstract Painters: Bush/Ronald/Bloore,” *Artscanada*,
March/April 1977, pages 13 and 14
Theodore Allen Heinrich, “Ronald Bloore: New Byzantine
Lights and Other Paintings,” *Artscanada*, March/April 1977,
pages 12 - 17

EXHIBITED

Art Gallery of Windsor, *R.L. Bloore—Sixteen Years: 1958 - 1974*,
October 26 - November 23, 1975, traveling in 1975 to the
London Art Gallery; Agnes Etherington Art Centre, Kingston;
Musée d'art contemporain, Montreal; Winnipeg Art Gallery;
Vancouver Art Gallery; and Norman Mackenzie Art Gallery,
Regina, catalogue #7

RONALD BLOORE WAS a member of the Regina Five group, all of whom were abstract painters from Saskatchewan. Bloore was well known for the purity and austerity of his white monochrome paintings, and *Untitled—Abstract* is a classic example of this group of works. In his 1977 essay “Ronald Bloore: New Byzantine Lights and Other Paintings,” Theodore Heinrich writes about the artist’s work from the early 1960s, “Two tendencies strongly present in even the earliest of the abstract or non-figurative works... the denial of the participation of the brush and the insistence on relief, however shallow... It is this relief... that gives Bloore’s painting its most distinctive character and makes one wonder whether all along he hasn’t suppressed a desire to be a sculptor... It has, despite not being arranged in the regular rows of normal writing, a surface densely packed in an overall pattern with a ‘cuneiform’ inscription of the kind the idle form on bar tables with matches or toothpicks.”

ESTIMATE: \$30,000 - 40,000



67 Charles Gagnon

ARCA 1934 – 2003

Whitelove / Shift Whitelove / Decalage

oil on canvas, on verso signed twice, titled, dated 1969 and inscribed *Montreal*
58 ½ x 68 ½ in, 148.6 x 174 cm

PROVENANCE

Galerie Godard Lefort, Montreal
Acquired from the above by the present Important Private Collection, Montreal, then California

LITERATURE

Roald Nasgaard, *Abstract Painting in Canada*, Art Gallery of Nova Scotia, 2007, page 204

THIS OIL ON canvas is exemplary of Charles Gagnon's 1960s work. This period began with his return to Montreal from New York, after studying at the Parsons School of Design and the New York School of Interior Design. Although his compositions became more simplified and his palette reduced, the artist's painterly energy is palpable. Here, he covers the surface of the work with a richly textured field of white and grey, "framed"

by an off-white outline. Gagnon's range and quality of his brush-strokes is remarkable, resulting in a work that is far from homogeneous. He reveals the myriad different tonalities of white and grey with gestural strokes of varying length, width and thickness. Gagnon produced only a few works every decade, and his painting was always a purposeful act—nothing was left to chance—resulting in an extremely coherent and powerful oeuvre. With few, if any, roots in either the Automatist or Plasticien movements, his body of work is truly unique. In the words of Roald Nasgaard: "Gagnon's work is a confirmation that painting can at once be abstract, representational, figurative and conceptual."

ESTIMATE: \$30,000 – 50,000

68 Yves Gaucher

ARCA 1934 – 2000

TH-11-ND

acrylic on canvas, on verso signed, titled and titled *TH-11-ND-68* on the gallery labels and dated 1968
60 x 48 in, 152.4 x 121.9 cm



PROVENANCE

Galerie Agnès Lefort, Montreal
Waddington & Gorce Inc., Montreal
Acquired from the above by the present Important Private
Collection, Montreal, then California

LITERATURE

William Townsend, editor, *Canadian Art Today*, 1970, essay by
David Silcox, “Yves Gaucher,” page 27
Roald Nasgaard, *Yves Gaucher: A Fifteen-Year Perspective*,
1963–1978, Art Gallery of Ontario, 1979, reproduced
page 88 and listed page 141
Roald Nasgaard, *Abstract Painting in Canada*, Art Gallery of Nova
Scotia, 2007, page 198

EXHIBITED

Art Gallery of Ontario, Toronto, *Yves Gaucher: A Fifteen-Year
Perspective, 1963–1978*, March 17–April 29, 1979, traveling
in 1979 to the Glenbow Museum, Calgary, catalogue #35

PART OF YVES GAUCHER’S *Grey on Grey* series, *TH-11-ND* is a
delicate and sophisticated acrylic on canvas. This series, spanning
from December 1967 to October 1969 and totaling more than 60
paintings, was described by art historian Roald Nasgaard as “one

of the grand achievements of post-World War II abstract painting.”
Collectively, these works create an environmental installation. Indi-
vidually, they are exquisitely contemplative monochromes. Each
painting showcases a different tonality of the colour grey, which is
roller-painted onto the canvas. Across the fields of grey, crisp white
or grey lines of varying length run horizontally. *TH-11-ND* is typical
of this series—each line is placed strategically so as to keep the view-
er’s eye moving across its broad and rhythmic surface. Solemn and
engulfing, this work reveals the subtle luminosity of the grey itself, a
tone that Gaucher once said “contains all colors and all emotional
states.” This immersive field of sumptuous colour is a testament to
the artist’s technical skill and refined visual sensibility.

ESTIMATE: \$15,000 – 25,000

Thank you for attending our sale of *Post-War & Contemporary Art*.
Our *Canadian, Impressionist & Modern Art* Auction will commence at
7:00 pm. Please view additional Lots in our November Online Auc-
tion at www.heffel.com, which closes Thursday, November 29, 2018.
Lots can be viewed in our galleries in Vancouver, Calgary, Toronto or
Montreal. Lot preview locations are designated with each item in our
online catalogue.

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With the largest and most experienced team of fine art specialists in Canada, it is our mission to provide transparent and superior client service to sellers and buyers of fine art globally.



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ERYN BROBYN
Consignment Specialist



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KRISTIAN MARTIN
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RYAN PARK
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**MARIE-HÉLÈNE
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RANIA CHADDAD
Client Services and
Administration



JASMIN DAIGLE
Manager of Online
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Consignment Specialist



ROSALIN TE OMRA
Director of Art
Research



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Management,
Consignment Specialist



JARED TILLER
Client Services and
Internal Logistics,
Consignment Specialist



MOLLY TONKEN
Client Services and
Administration,
Consignment Specialist

CALGARY

TERMS AND CONDITIONS OF BUSINESS

THESE *TERMS AND CONDITIONS OF BUSINESS* represent the terms upon which the Auction House contracts with the Consignor and, acting in its capacity as agent on behalf of the Consignor, contracts with the Buyer. These *Terms and Conditions of Business* shall apply to the sale of the Lot by the Auction House to the Buyer on behalf of the Consignor, and shall supersede and take precedence over any previously agreed *Terms and Conditions of Business*. These *Terms and Conditions of Business* are hereby incorporated into and form part of the *Consignment Agreement* entered into by the Auction House and the Consignor.

A. DEFINED TERMS

1. Auction House

The Auction House is Heffel Gallery Limited, or an affiliated entity;

2. Consignor

The Consignor is the person or entity named in the Consignment Agreement as the source from which the Property or Lot has been received for auction;

3. Seller's Commission

The Seller's Commission is the amount paid by the Consignor to the Auction House on the sale of a Lot, which is calculated on the Hammer Price, at the rates specified in writing by the Consignor and the Auction House on the Consignment Agreement Form, plus applicable Sales Tax and Expenses;

4. Property

The Property is any Property delivered by the Consignor to the Auction House to be placed in the auction sale held by the Auction House on its premises, online or elsewhere and, specifically, that Property described by Lot number in the Auction House catalogue for the auction sale. The Auction House will have the authority to partition the Property into Lots (the "Lots" or "Lot");

5. Reserve

The Reserve is a confidential minimum price for the sale of the Lot, agreed to between the Consignor and the Auction House. The Reserve will not exceed the low estimate;

6. Knocked Down

Knocked Down means the conclusion of the sale of the Lot being auctioned by the Auctioneer;

7. Expenses

Expenses shall include all costs incurred, directly or indirectly, in relation to the consignment and sale of the Lot;

8. Hammer Price

The Hammer Price is the price at which the Auctioneer has Knocked Down the Lot to the Buyer;

9. Buyer

The Buyer is the person, corporation or other entity or such entity's agent who bids successfully on the Lot at the auction sale;

10. Purchase Price

The Purchase Price is the Hammer Price and the Buyer's Premium, applicable Sales Tax and additional charges and Expenses, including expenses due from a defaulting Buyer;

11. Buyer's Premium

The Buyer's Premium is the amount paid by the Buyer to the Auction House on the purchase of a Lot, which is calculated on the Hammer Price as follows: a rate of twenty-five percent (25%) of the Hammer Price of the Lot up to and including \$25,000; plus twenty percent (20%) on the part of the Hammer Price over \$25,000 and up to and including \$5,000,000; plus fifteen percent (15%) on the part of the Hammer Price over \$5,000,000, plus applicable Sales Tax;

12. Sales Tax

Sales Tax means the Federal and Provincial sales, excise and other taxes applicable in the jurisdiction, applicable to the sale of the Lot;

13. Registered Bidder

A Registered Bidder is a bidder who has fully completed the registration process, provided the required information to the Auction House and has been assigned a unique paddle number for the purpose of bidding on Lots in the auction;

14. Proceeds of Sale

The Proceeds of Sale are the net amount due to the Consignor from the Auction House, which shall be the Hammer Price less Seller's Commission at the Published Rates, Expenses, Sales Tax and any other amounts due to the Auction House or associated companies;

15. Live and Online Auctions

These *Terms and Conditions of Business* apply to all live and online auction sales conducted by the Auction House. For the purposes of online auctions, all references to the Auctioneer shall mean the Auction House and Knocked Down is a literal reference defining the close of the auction sale.

B. THE BUYER

1. The Auction House

The Auction House acts solely as agent for the Consignor, except as otherwise provided herein.

2. The Buyer

a) The Buyer is the highest Registered Bidder acknowledged by the Auctioneer as the highest bidder at the time the Lot is Knocked Down;

- b) The Auctioneer has the right, at their sole discretion, to reopen a Lot if they have inadvertently missed a Bid, or if a Registered Bidder, immediately at the close of a Lot, notifies the Auctioneer of their intent to Bid;
- c) The Auctioneer shall have the right to regulate and control the bidding and to advance the bids in whatever intervals they consider appropriate for the Lot in question;
- d) The Auction House shall have absolute discretion in settling any dispute in determining the successful bidder;
- e) The Buyer acknowledges that invoices generated during the sale or shortly after may not be error free, and therefore are subject to review;
- f) Every Registered Bidder shall be deemed to act as principal unless the Auction House has acknowledged in writing at least twenty-four (24) hours prior to the date of the auction that the Registered Bidder is acting as an agent on behalf of a disclosed principal and such agency relationship is acceptable to the Auction House;
- g) Every Registered Bidder shall fully complete the registration process and provide the required information to the Auction House. Every Registered Bidder will be assigned a unique paddle number (the "Paddle") for the purpose of bidding on Lots in the auction. For online auctions, a password will be created for use in the current and future online sales only. This online registration procedure may require up to twenty-four (24) hours to complete;
- h) Every Registered Bidder acknowledges that once a bid is made with their Paddle, or Paddle and password, as the case may be, it may not be withdrawn without the consent of the Auctioneer, who, in their sole discretion, may refuse such consent; and
- i) Every Registered Bidder agrees that if a Lot is Knocked Down on their bid, they are bound to purchase the Lot for the Purchase Price.

3. Buyer's Price

The Buyer shall pay the Purchase Price (inclusive of the Buyer's Premium) and applicable Sales Tax to the Auction House. The Buyer acknowledges and agrees that the Auction House may also receive a Seller's Commission.

4. Sales Tax Exemption

All or part of the Sales Tax may be exempt in certain circumstances if the Lot is delivered outside of the jurisdiction of sale of the Lot. It is the Buyer's obligation to demonstrate, to the satisfaction of the Auction House, that such delivery or removal results in an exemption from the relevant Sales Tax legislation. Shipments out of the jurisdiction of sale of the Lot(s) shall only be eligible for exemption from Sales Tax if shipped directly from the Auction House with shipping contracted by the Auction House. All claims for Sales Tax exemption must be made prior to or at the time of payment of the Purchase Price. Sales Tax will not be refunded once the Auction House has released the Lot. The Buyer agrees and shall fully indemnify the Auction House for any amount claimed by any taxing authority due as Sales Tax upon the sale of the Lot, including any related costs, legal fees, interest and penalties.

5. Payment of the Purchase Price

- a) The Buyer shall:
 - (i) unless they have already done so, provide the Auction House with their name, address and banking or other suitable references as may be required by the Auction House; and
 - (ii) make payment by 4:30 p.m. on the seventh (7th) day following the auction by: a) Bank Wire direct to the Auction House's account, b) Certified Cheque or Bank Draft or c) a Personal or Corporate Cheque. All Certified Cheques, Bank Drafts and Personal or Corporate Cheques must be verified and cleared by the Auction House's bank prior to all purchases being released. The Auction House honours payment by Debit Card or by Credit Card limited to VISA, MasterCard or Union Pay. Credit Card payments are subject to acceptance and approval by the Auction House and to a maximum of \$5,000 if the Buyer is providing their Credit Card details by fax, or to a maximum of \$25,000 per Lot purchased if paying Online or if the Credit Card is presented in person with valid identification. In all circumstances, the Auction House prefers payment by Bank Wire transfer.
- b) Title shall pass, and release and/or delivery of the Lot shall occur, only upon payment of the Purchase Price by the Buyer and receipt of cleared funds by the Auction House.

6. Descriptions of Lot

- a) All representations or statements made by the Auction House, or in the Consignment Agreement, or in the catalogue or other publication or report as to the authorship, origin, date, age, size, medium, attribution, genuineness, provenance, condition or estimated selling price of the Lot are statements of opinion only. The Buyer agrees that the Auction House shall not be liable for any errors or omissions in the catalogue or any supplementary material produced by the Auction House;
- b) All photographic representations and other illustrations presented in the catalogue are solely for guidance and are not to be relied upon in terms of tone or colour or necessarily to reveal any imperfections in the Lot;
- c) Many Lots are of an age or nature which precludes them from being in pristine condition. Some descriptions in the catalogue or given by way of condition report make reference to damage and/or restoration. Such information is given for guidance only and the absence of such a reference does not imply that a Lot is free from defects, nor does any reference to particular defects imply the absence of others;
- d) The prospective Buyer must satisfy themselves as to all matters referred to in a), b) and c) of this paragraph by inspection, other investigation or otherwise prior to the sale of the Lot. The Buyer acknowledges that the Buyer has not relied on the Auction House, its statements or descriptions in regard to determining whether or not to purchase a Lot. The Buyer understands it is incumbent upon the Buyer to inspect the Lot and hire any necessary experts to make the determination as to the nature, authenticity, quality and condition of any Lot. If the prospective Buyer is unable to personally view any Lot, the Auction House may, upon request, e-mail or fax a condition report describing the Lot to the prospective Buyer. Although the Auction House takes great care in executing such condition reports in both written and verbal format,

condition reports are only matters of opinion, are non-exhaustive, and the Buyer agrees that the Auction House shall not be held responsible for any errors or omissions contained within. The Buyer shall be responsible for ascertaining the condition of the Lot; and

- e) The Auction House makes no representations or warranties to the Buyer that the Buyer of a Lot will acquire any copyright or other reproduction right in any purchased Lot.

7. Purchased Lot

- a) The Buyer shall collect the Lot from the Auction House by 4:30 p.m. on the seventh (7th) day following the date of the auction sale, after which date the Buyer shall be responsible for all Expenses until the date the Lot is removed from the offices of the Auction House;
- b) All packing, handling and shipping of any Lot by the Auction House is undertaken solely as a courtesy service to the Buyer, and will only be undertaken at the discretion of the Auction House and at the Buyer's risk. Prior to all packing and shipping, the Auction House must receive a fully completed and signed Shipping Authorization Form for Property and payment in full of all purchases; and
- c) The Auction House shall not be liable for any damage to glass or frames of the Lot and shall not be liable for any errors or omissions or damage caused by packers and shippers, whether or not such agent was recommended by the Auction House.

8. Risk

- a) The purchased Lot shall be at the Consignor's risk in all respects for seven (7) days after the auction sale, after which the Lot will be at the Buyer's risk. The Buyer may arrange insurance coverage through the Auction House at the then prevailing rates and subject to the then existing policy; and
- b) Neither the Auction House nor its employees nor its agents shall be liable for any loss or damage of any kind to the Lot, whether caused by negligence or otherwise, while any Lot is in or under the custody or control of the Auction House. Proceeds received from the insurance shall be the extent of the Auction House's liability for any loss, damage or diminution in value.

9. Non-payment and Failure to Collect Lot(s)

If the Buyer fails either to pay for or to take away any Lot by 4:30 p.m. on the seventh (7th) day following the date of the auction sale, the Auction House may in its absolute discretion be entitled to one or more of the following remedies without providing further notice to the Buyer and without prejudice to any other rights or remedies that the Auction House or the Consignor may have:

- a) To issue judicial proceedings against the Buyer for damages for breach of contract together with the costs of such proceedings on a full indemnity basis;
- b) To rescind the sale of that or any other Lot(s) sold to the Buyer;
- c) To resell the Lot or cause it to be resold by public or private sale, or by way of live or online auction, with any deficiency to be claimed from the Buyer and any surplus, after Expenses, to be delivered to the Buyer;

- d) To store the Lot on the premises of the Auction House or third-party storage facilities with Expenses accruing to the account of the Buyer, and to release the Lot to the Buyer only after payment of the Purchase Price and Expenses to the Auction House;
- e) To charge interest on the Purchase Price at the rate of five percent (5%) per month above the Royal Bank of Canada base rate at the time of the auction sale and adjusted month to month thereafter;
- f) To retain that or any other Lot sold to or consigned by the Buyer at the same or any other auction and release the same only after payment of the aggregate outstanding Purchase Price;
- g) To apply any Proceeds of Sale of any Lot then due or at any time thereafter becoming due to the Buyer towards settlement of the Purchase Price, and the Auction House shall be entitled to a lien on any other property of the Buyer that is in the Auction House's possession for any purpose;
- h) To apply any payments made by the Buyer to the Auction House towards any sums owing from the Buyer to the Auction House without regard to any directions received from the Buyer or their agent, whether express or implied;
- i) In the absolute discretion of the Auction House, to refuse or revoke the Buyer's registration in any future auctions held by the Auction House; and
- j) All the above rights and remedies granted to the Auction House may be assigned to the Consignor at the Auction House's discretion. Further, the Auction House may disclose to the Consignor the Buyer's identity, contact information and other such information as the Consignor may need in order to maintain a claim against the Buyer for non-payment.

10. Guarantee

The Auction House, its employees and agents shall not be responsible for the correctness of any statement as to the authorship, origin, date, age, size, medium, attribution, genuineness or provenance of any Lot or for any other errors of description or for any faults or defects in any Lot, and no warranty whatsoever is given by the Auction House, its employees or agents in respect of any Lot, and any express or implied conditions or warranties are hereby excluded.

11. Attendance by Buyer

- a) Prospective Buyers are advised to inspect the Lot(s) before the sale, and to satisfy themselves as to the description, attribution and condition of each Lot. The Auction House will arrange suitable viewing conditions during the preview preceding the sale, or by private appointment;
- b) Prospective Buyers are advised to personally attend the sale. However, if they are unable to attend, the Auction House will execute bids on their behalf subject to completion of the proper Absentee Bid Form, duly signed and delivered to the Auction House forty-eight (48) hours before the start of the auction sale. The Auction House shall not be responsible or liable in the making of any such bid by its employees or agents;
- c) In the event that the Auction House has received more than one Absentee Bid Form on a Lot for an identical amount and at auction those absentee bids are the highest bids for that

Lot, the Lot shall be Knocked Down to the person whose Absentee Bid Form was received first; and

- d) At the discretion of the Auction House, the Auction House may execute bids, if appropriately instructed by telephone, on behalf of the prospective Buyer, and the prospective Buyer hereby agrees that neither the Auction House nor its employees nor agents shall be liable to either the Buyer or the Consignor for any neglect or default in making such a bid.

12. Export Permits

Without limitation, the Buyer acknowledges that certain property of Canadian cultural importance sold by the Auction House may be subject to the provisions of the *Cultural Property Export and Import Act (Canada)*, and that compliance with the provisions of the said act is the sole responsibility of the Buyer. Failure by the Buyer to obtain any necessary export license shall not affect the finality of the sale of the Lot or the obligations of the Buyer.

C. THE CONSIGNOR

1. The Auction House

- a) The Auction House shall have absolute discretion as to whether the Lot is suitable for sale, the particular auction sale for the Lot, the date of the auction sale, the manner in which the auction sale is conducted, the catalogue descriptions of the Lot, and any other matters related to the sale of the Lot at the auction sale;
- b) The Auction House reserves the right to withdraw any Lot at any time prior to the auction sale if, in the sole discretion of the Auction House:
 - (i) there is doubt as to its authenticity;
 - (ii) there is doubt as to the accuracy of any of the Consignor's representations or warranties;
 - (iii) the Consignor has breached or is about to breach any provisions of the Consignment Agreement; or
 - (iv) any other just cause exists.
- c) In the event of a withdrawal pursuant to Conditions C.1.b (ii) or (iii), the Consignor shall pay a charge to the Auction House, as provided in Condition C.8.

2. Warranties and Indemnities

- a) The Consignor warrants to the Auction House and to the Buyer that the Consignor has and shall be able to deliver unencumbered title to the Lot, free and clear of all claims. You, as the Consignor, are the owner of the Lot or a joint owner of the Lot acting with the express permission of all of the other co-owners, or, if you are not the owner of the Lot:
 - (i) You have the permission of the owners to sell the property under the terms of this Agreement and the Buyer's Agreement;
 - (ii) You will disclose to the owner(s) all material facts in relation to the sale of the Lot;
 - (iii) You are irrevocably authorized to receive the proceeds of sale on behalf of the owner(s) of the Lot;
 - (iv) You have or will obtain the consent of the owner(s) before you deduct any commission, costs or other amounts from the proceeds of sale you receive from the Auction House;
 - (v) You have conducted appropriate customer due diligence on the owner(s) of the Lot in accordance with any and all

applicable anti-money laundering and sanctions laws, consent to us relying on this due diligence and will retain for a period of not less than five (5) years the documentation and records evidencing the due diligence;

- (vi) You will make such documentation and records (including originals, if available) evidencing your due diligence promptly available for immediate inspection by an independent third-party auditor upon our written request to do so. The Auction House will not disclose such documentation and records to any third parties unless (1) it is already in the public domain, (2) it is required to be disclosed by law, or (3) it is in accordance with anti-money laundering laws; and
- (vii) You and your principal (if any) are not aware of, nor are you knowingly engaged in any activity designed to facilitate tax evasion or tax fraud.
- b) At the time of handing over the Property to us, you have met all import and export requirements of all applicable law. You are not aware that anyone else has failed to meet these requirements;
- c) The Property and any proceeds of sale paid to you pursuant to this Agreement will not be used for any unlawful purpose and are not connected with any unlawful activity;
- d) The Consignor shall indemnify the Auction House, its employees and agents and the Buyer for breach of its representations, warranties and obligations set forth herein and against all claims made or proceedings brought by persons entitled or purporting to be entitled to the Lot;
- e) The Consignor shall indemnify the Auction House, its employees and agents and the Buyer against all claims made or proceedings brought due to any default of the Consignor in complying with any applicable legislation, regulations and these Terms and Conditions of Business; and
- f) The Consignor shall reimburse the Auction House in full and on demand for all costs, Expenses, judgment, award, settlement, or any other loss or damage whatsoever made, including reasonable legal fees incurred or suffered as a result of any breach or alleged breach by the Consignor of Conditions or its obligations as set forth in this Agreement.

3. Reserves

The Auction House is authorized by the Consignor to Knock Down a Lot at less than the Reserve, provided that, for the purposes of calculating the Proceeds of Sale due to the Consignor, the Hammer Price shall be deemed to be the full amount of the agreed Reserve established by the Auction House and the Consignor.

4. Commission and Expenses

- a) The Consignor authorizes the Auction House to deduct the Seller's Commission and Expenses from the Hammer Price and, notwithstanding that the Auction House is the Consignor's agent, acknowledges that the Auction House shall charge and retain the Buyer's Premium;
- b) The Consignor shall pay and authorizes the Auction House to deduct all Expenses incurred on behalf of the Consignor, together with any Sales Tax thereon including but not limited to:
 - (i) the costs of packing the Lot and transporting it to the Auction House, including any customs, export or import duties and charges;

- (ii) if the Lot is unsold, the costs of packing it and returning it to the Consignor, including any customs, export or import duties and charges;
 - (iii) the costs of any restoration to the Lot that has been agreed by the Consignor in advance;
 - (iv) the costs of any framing and/or unframing, and any mounting, unmounting and/or remounting, if applicable for the Lot;
 - (v) the costs of any third-party expert opinions or certificates that the Auction House believes are appropriate for the Lot;
 - (vi) the costs of any physically non-invasive tests or analyses that the Auction House believes need to be carried out to decide the quality of the Lot, its artist or that it is authentic; and
 - (vii) the costs of photographing the Lots for use in the catalogue and/or promoting the sale of the Lot or auction.
- c) The Auction House retains all rights to photographic and printing material and the right of reproduction of such photographs.

5. Insurance

- a) Lots are only covered by insurance under the Fine Arts Insurance Policy of the Auction House if the Consignor so authorizes;
- b) The rate of insurance premium payable by the Consignor is \$15 per \$1,000 (1.5%) of the greater value of the high estimate value of the Lot or the realized Hammer Price or for the alternative amount as specified in the Consignment Receipt;
- c) If the Consignor instructs the Auction House not to insure a Lot, THE AUCTION HOUSE SHALL HAVE NO LIABILITY OF ANY KIND FOR ANY LOSS, THEFT, DAMAGE, DIMINISHED VALUE TO THE LOT WHILE IN ITS CARE, CUSTODY OR CONTROL, and the Lot shall at all times remain at the risk of the Consignor, who hereby undertakes to:
- (i) indemnify the Auction House against all claims made or proceedings brought against the Auction House in respect of loss or damage to the Lot of whatever nature, howsoever and wheresoever occurred, and in any circumstances even where negligence is alleged or proven;
 - (ii) reimburse the Auction House for all Expenses incurred by the Auction House. Any payment which the Auction House shall make in respect of such loss or damage or Expenses shall be binding upon the Consignor and shall be accepted by the Consignor as conclusive evidence that the Auction House was liable to make such payment; and
 - (iii) notify any insurer of the existence of the indemnity contained in these Terms and Conditions of Business.
- d) The Auction House does not accept responsibility for Lots damaged by changes in atmospheric conditions and the Auction House shall not be liable for such damage nor for any other damage to picture frames or to glass in picture frames; and
- e) The value for which a Lot is insured under the Fine Arts Insurance Policy of the Auction House in accordance with Condition C.5.b above shall be the total amount due to the Consignor in the event of a successful claim being made against the Auction House. The actual proceeds received from the Auction House's insurance shall be and shall represent the sole liability of the Auction House for any damages, loss, theft or diminished value of the Lot. Under no circumstances shall the Auction House be liable for any special,

consequential, incidental or indirect damages of any kind or lost profits or potential lost profits.

6. Payment of Proceeds of Sale

- a) The Auction House shall pay the Proceeds of Sale to the Consignor thirty-five (35) days after the date of sale, if the Auction House has been paid the Purchase Price in full by the Buyer;
- b) If the Auction House has not received the Purchase Price from the Buyer within the time period specified, then the Auction House will pay the Proceeds of Sale within seven (7) working days following receipt of the Purchase Price from the Buyer; and
- c) If before the Purchase Price is paid in full by the Buyer, the Auction House pays the Consignor an amount equal to the Proceeds of Sale, title to the property in the Lot shall pass to the Auction House.

7. Collection of the Purchase Price

If the Buyer fails to pay to the Auction House the Purchase Price within thirty (30) days after the date of sale, the Auction House will endeavour to take the Consignor's instructions as to the appropriate course of action to be taken and, so far as in the Auction House's opinion such instructions are practicable, will assist the Consignor in recovering the Purchase Price from the Buyer, save that the Auction House shall not be obligated to issue judicial proceedings against the Buyer in its own name. Notwithstanding the foregoing, the Auction House reserves the right and is hereby authorized at the Consignor's expense, and in each case at the absolute discretion of the Auction House, to agree to special terms for payment of the Purchase Price, to remove, store and insure the Lot sold, to settle claims made by or against the Buyer on such terms as the Auction House shall think fit, to take such steps as are necessary to collect monies from the Buyer to the Consignor and, if appropriate, to set aside the sale and refund money to the Buyer.

8. Charges for Withdrawn Lots

The Consignor may not withdraw a Lot prior to the auction sale without the consent of the Auction House. In the event that such consent is given, or in the event of a withdrawal pursuant to Condition C.1.b (ii) or (iii), a charge of twenty-five percent (25%) of the high presale estimate, together with any applicable Sales Tax and Expenses, is immediately payable to the Auction House, prior to any release of the Property.

9. Unsold Lots

- a) Unsold Lots must be collected at the Consignor's expense within the period of ninety (90) days after receipt by the Consignor of notice from the Auction House that the Lots are to be collected (the "Collection Notice"). Should the Consignor fail to collect the Lot from the Auction House within ninety (90) days from the receipt of the Collection Notice, the Auction House shall have the right to place such Lots in the Auction House's storage facilities or third-party storage facilities, with Expenses accruing to the account of the Consignor. The Auction House shall also have the right

to sell such Lots by public or private sale and on such terms as the Auction House shall alone determine, and shall deduct from the Proceeds of Sale any sum owing to the Auction House or to any associated company of the Auction House including Expenses, before remitting the balance to the Consignor. If the incurred Expenses by the Auction House exceed the sums received from the sale of the Lot, the Buyer shall be liable for the difference between the sums received and the Expenses. If the Consignor cannot be traced, the Auction House shall place the funds in a bank account in the name of the Auction House for the Consignor. In this condition the expression "Proceeds of Sale" shall have the same meaning in relation to a private sale as it has in relation to a sale by auction;

- b) Lots returned at the Consignor's request shall be returned at the Consignor's risk and expense and will not be insured in transit unless the Auction House is otherwise instructed by the Consignor at the Consignor's expense; and
- c) If any Lot is unsold by auction, the Auction House is authorized as the exclusive agent for the Consignor for a period of ninety (90) days following the auction to sell such Lot by private sale or auction sale for a price that will result in a payment to the Consignor of not less than the net amount (i.e., after deduction of the Seller's Commission and Expenses) to which the Consignor would have been entitled had the Lot been sold at a price equal to the agreed Reserve, or for such lesser amount as the Auction House and the Consignor shall agree. In such event, the Consignor's obligations to the Auction House hereunder with respect to such a Lot are the same as if it had been sold at auction. The Auction House shall continue to have the exclusive right to sell any unsold Lots after the said period of ninety (90) days, until such time as the Auction House is notified in writing by the Consignor that such right is terminated.

10. Consignor's Sales Tax Status

The Consignor shall give to the Auction House all relevant information as to their Sales Tax status with regard to the Lot to be sold, which the Consignor warrants is and will be correct and upon which the Auction House shall be entitled to rely.

11. Photographs and Illustrations

In consideration of the Auction House's services to the Consignor, the Consignor hereby warrants and represents to the Auction House that the Consignor has the right to grant to the Auction House, and the Consignor does hereby grant to the Auction House, a non-exclusive, perpetual, fully paid up, royalty-free and non-revocable right and permission to:

- a) reproduce (by illustration, photograph, electronic reproduction, or any other form or medium whether presently known or hereinafter devised) any work within any Lot given to the Auction House for sale by the Consignor; and
- b) use and publish such illustration, photograph or other reproduction in connection with the public exhibition, promotion and sale of the Lot in question and otherwise in connection with the operation of the Auction House's business, including without limitation by including the illustration, photograph or other reproduction in promotional catalogues, compilations,

the Auction House's Art Index, and other publications and materials distributed to the public, and by communicating the illustration, photograph or other reproduction to the public by telecommunication via an Internet website operated by or affiliated with the Auction House ("Permission"). Moreover, the Consignor makes the same warranty and representation and grants the same Permission to the Auction House in respect of any illustrations, photographs or other reproductions of any work provided to the Auction House by the Consignor. The Consignor agrees to fully indemnify the Auction House and hold it harmless from any damages caused to the Auction House by reason of any breach by the Consignor of this warranty and representation.

D. GENERAL CONDITIONS

1. The Auction House as agent for the Consignor is not responsible for any act, omission or default by the Consignor or the Buyer.
2. The Auction House shall have the right at its absolute discretion to refuse admission to its premises or attendance at its auctions by any person.
3. The Auction House has the right at its absolute discretion to refuse any bid, to advance the bidding as it may decide, to withdraw or divide any Lot, to combine any two or more Lots and, in the case of dispute, to put up any Lot for auction again. At no time shall a Registered Bidder retract or withdraw their bid.
4. The Auctioneer may open the bidding on any Lot below the Reserve by placing a bid on behalf of the Auction House. The Auctioneer, on behalf of the Auction House, may continue to bid up to the amount of the Reserve, either by placing consecutive bids or by placing bids in response to other bidders.
5. For advertising and promotional purposes, the Consignor acknowledges and agrees that the Auction House shall, in relation to any sale of the Lot, make reference to the aggregate Purchase Price of the Lot, inclusive of the Buyer's Premium, notwithstanding that the Seller's Commission is calculated on the Hammer Price.
6. Any indemnity hereunder shall extend to all actions, proceedings, costs, claims and demands whatsoever incurred or suffered by the person for whose benefit the indemnity is given, and the Auction House shall hold any indemnity on trust for its employees and agents where it is expressed to be for their benefit.
7. Any notice given hereunder shall be in writing and if given by post shall be deemed to have been duly received by the addressee within three (3) business days delivered by a recognized overnight delivery service with a signature required.
8. The copyright for all illustrations and written matter relating to the Lots shall be and will remain at all times the absolute property of the Auction House and shall not, without the prior written consent of the Auction House, be used by any other person.
9. The Auction House will not accept any liability for any failure or errors that may occur in the operation of any online, telephonic, video or digital representations produced and/or broadcasted during an auction sale.

10. This Agreement shall be governed by and construed in accordance with British Columbia Law and the laws of Canada applicable therein. Any dispute, controversy or claim arising out of, relating to, or in connection with this Agreement, or the breach, termination, or validity thereof (“Dispute”), shall be submitted to for mediation in Vancouver, British Columbia, Canada. If the Dispute is not settled by mediation within sixty (60) days from the date when mediation is initiated, then the Dispute shall be submitted for final and binding arbitration to the British Columbia International Commercial Arbitration Centre, with such Dispute to be resolved pursuant to its Rules and procedure. The arbitration shall be conducted by one arbitrator, who shall be appointed within thirty (30) days after the initiation of the arbitration. The language used in the arbitration proceedings will be English. The arbitration shall be confidential, except to the extent necessary to enforce a judgment or where disclosure is required by law. The arbitration award shall be final and binding on all parties involved. Judgment upon the award may be entered by any court having jurisdiction thereof or having jurisdiction over the relevant party or its assets.
11. Unless otherwise provided for herein, all monetary amounts referred to herein shall refer to the lawful money of Canada.
12. All words importing the singular number shall include the plural and vice versa, and words importing the use of any gender shall include the masculine, feminine and neuter genders and the word “person” shall include an individual, a trust, a partnership, a body corporate, an association or other incorporated or unincorporated organization or entity.
13. If any provision of this Agreement or the application thereof to any circumstances shall be held to be invalid or unenforceable, the remaining provisions of this Agreement, or the application thereof to other circumstances, shall not be affected thereby and shall be held valid to the full extent permitted by law.

The Buyer and the Consignor are hereby advised to read fully the Agreement which sets out and establishes the rights and obligations of the Auction House, the Buyer and the Consignor and the terms by which the Auction House shall conduct the sale and handle other related matters.

PROPERTY COLLECTION NOTICE

HEFFEL GALLERY LIMITED maintains a strict *Property Collection Notice* policy that governs the Property collection terms between the Auction House and the Consignor, Buyer and Clients being provided professional services from the Auction House. The Collection Notice is pursuant to the Auction House’s published *Terms and Conditions of Business* with specific reference to Conditions B.7, B.9, B.12, C.5, C.9 and D.9.

A. PROPERTY COLLECTION REQUIREMENT

1. Buyer
 - a) Sold Property must be collected or have a completed and signed *Shipping Authorization Form for Property* submitted to the Auction House within seven (7) days post auction sale date and a shipping dispatch date not greater than thirty (30) days post auction sale date;
2. Consignor
 - a) Unsold Property must be collected by the Consignor within ninety (90) days post auction sale date;
3. Client being provided additional professional services
 - a) Property delivered and deposited with the Auction House by the Client for the purpose of appraisal, assessment, research, consultancy, photography, framing, conservation or for other purpose must be collected within thirty (30) days after delivery receipt of the Property to the Auction House.

B. TREATMENT OF PROPERTY COLLECTION NOTICE DEFAULT AND OF UNCLAIMED PROPERTY

1. All Property in default to the *Property Collection Notice*, as defined in Condition A, will be resolved as follows:
 - a) Property in default of the *Property Collection Notice* will require a completed and signed Auction House or third party Storage Agreement for Property submitted to the Auction House within seven (7) days of default;
 - b) Property listed in the signed and completed *Storage Agreement for Property* may be moved off-site from the Auction House offices or preview galleries to warehouse storage at the Property Owner’s expense;
 - c) Remaining unclaimed Property will be subject to the *Unclaimed Property Act (British Columbia)* [SBC 1999] 1999-48-19 to 32 and consequential amendments and repeal.

These *Property Collection Notice* terms shall supersede and take precedence over any previously agreed terms.

CATALOGUE ABBREVIATIONS AND SYMBOLS

AAM	Art Association of Montreal <i>founded in 1860</i>	PSA	Pastel Society of America
AANFM	Association des artistes non-figuratifs de Montréal	PSC	Pastel Society of Canada
AAP	Association des arts plastiques	PY	Prisme d'yeux
ACM	Arts Club of Montreal	QMG	Quebec Modern Group
AGA	Art Guild America	R5	Regina Five 1961 - 1964
AGQ	Association des graveurs du Québec	RA	Royal Academy
AHSA	Art, Historical and Scientific Association of Vancouver	RAAV	Regroupement des artistes en arts visuels du Québec
ALC	Arts and Letters Club	RAIC	Royal Architects Institute of Canada
AOCA	Associate Ontario College of Art	RBA	Royal Society of British Artists
ARCA	Associate Member Royal Canadian Academy of Arts	RCA	Royal Canadian Academy of Arts <i>founded in 1880</i>
ASA	Alberta Society of Artists	RI	Royal Institute of Painters in Watercolour
ASPWC	American Society of Painters in Water Colors	RMS	Royal Miniature Society
ASQ	Association des sculpteurs du Québec	ROI	Royal Institute of Oil Painters
AUTO	Les Automatistes	RPS	Royal Photographic Society
AWCS	American Watercolor Society	RSA	Royal Scottish Academy
BCSA	British Columbia Society of Artists	RSC	Royal Society of Canada
BCSFA	British Columbia Society of Fine Arts <i>founded in 1909</i>	RSMA	Royal Society of Marine Artists
BHG	Beaver Hall Group, Montreal 1920 - 1922	RSPP	Royal Society of Portrait Painters
CAC	Canadian Art Club	RWS	Royal Watercolour Society
CAS	Contemporary Arts Society	SA	Society of American Artists
CC	Companion of the Order of Canada	SAAVQ	Société des artistes en arts visuels du Québec
CGP	Canadian Group of Painters 1933 - 1969	SAP	Société des arts plastiques
CH	Companion of Honour Commonwealth	SAPQ	Société des artistes professionnels du Québec
CPE	Canadian Painters-Etchers' Society	SC	The Studio Club
CSAA	Canadian Society of Applied Art	SCA	Society of Canadian Artists 1867 - 1872
CSGA	Canadian Society of Graphic Artists <i>founded in 1905</i>	SCPEE	Society of Canadian Painters, Etchers and Engravers
CSMA	Canadian Society of Marine Artists	SSC	Sculptors' Society of Canada
CSPWC	Canadian Society of Painters in Water Colour <i>founded in 1925</i>	SWAA	Saskatchewan Women Artists' Association
EGP	Eastern Group of Painters	TCC	Toronto Camera Club
FBA	Federation of British Artists	TPG	Transcendental Painting Group 1938 - 1942
FCA	Federation of Canadian Artists	WAAC	Women's Art Association of Canada
FRSA	Fellow of the Royal Society of Arts	WIAC	Women's International Art Club
G7	Group of Seven 1920 - 1933	WS	Woodlands School
IAF	Institut des arts figuratifs	YR	Young Romantics
IWCA	Institute of Western Canadian Artists	φ	Indicates that Heffel Gallery Limited owns an equity interest in the Lot
LP	Les Plasticiens	📄	Denotes that additional information on this lot can be found on our website at www.heffel.com
MSA	Montreal Society of Arts		
NAD	National Academy of Design		
NEAC	New English Art Club		
NSSA	Nova Scotia Society of Artists		
OC	Order of Canada		
OIP	Ontario Institute of Painters		
OM	Order of Merit British		
OSA	Ontario Society of Artists <i>founded in 1872</i>		
P11	Painters Eleven 1953 - 1960		
PDCC	Print and Drawing Council of Canada		
PNIAI	Professional Native Indian Artists Incorporation		
POSA	President Ontario Society of Artists		
PPCM	Pen and Pencil Club, Montreal		
PRCA	President Royal Canadian Academy of Arts		

CATALOGUE TERMS

These catalogue terms are provided for your guidance:

CORNELIUS DAVID KRIEGHOFF

In our best judgment, a work by the artist.

ATTRIBUTED TO CORNELIUS DAVID KRIEGHOFF

In our best judgment, a work possibly executed in whole or in part by the named artist.

STUDIO OF CORNELIUS DAVID KRIEGHOFF

In our best judgment, a work by an unknown hand in the studio of the artist, possibly executed under the supervision of the named artist.

CIRCLE OF CORNELIUS DAVID KRIEGHOFF

In our best judgment, a work of the period of the artist, closely related to the style of the named artist.

MANNER OF CORNELIUS DAVID KRIEGHOFF

In our best judgment, a work in the style of the named artist and of a later date.

AFTER CORNELIUS DAVID KRIEGHOFF

In our best judgment, a copy of a known work of the named artist.

NATIONALITY

Unless otherwise noted, all artists are Canadian.

SIGNED / TITLED / DATED

In our best judgment, the work has been signed/titled/dated by the artist. If we state “dated 1856” then the artist has inscribed the date when the work was produced. If the artist has not inscribed the date and we state “1856”, then it is known the work was produced in 1856, based on independent research. If the artist has not inscribed the date and there is no independent date reference, then the use of “circa” approximates the date based on style and period.

BEARS SIGNATURE / BEARS DATE

In our best judgment, the signature/date is by a hand other than that of the artist.

DIMENSIONS

Measurements are given height before width in both inches and centimetres.

PROVENANCE

Is intended to indicate previous collections or owners.

CERTIFICATES / LITERATURE / EXHIBITED

Any reference to certificates, literature or exhibition history represents the best judgment of the authority or authors named. Literature citations may be to references cited in our Lot essay. These references may also pertain to generic statements and may not be direct literary references to the Lot being sold.

ESTIMATE

Our Estimates are intended as a statement of our best judgment only, and represent a conservative appraisal of the expected Hammer Price.

HEFFEL'S CODE OF BUSINESS CONDUCT, ETHICS AND PRACTICES

HEFFEL TAKES GREAT pride in being the leader in the Canadian fine art auction industry and has an unparalleled track record. We are proud to have been the dominant auction house in the Canadian art market from 2004 to the present. Our firm's growth and success has been built on hard work and innovation, our commitment to our Clients and our deep respect for the fine art we offer. At Heffel we treat our consignments with great care and respect, and consider it an honour to have them pass through our hands. We are fully cognizant of the historical value of the works we handle and their place in art history.

Heffel, to further define its distinction in the Canadian art auction industry, has taken the following initiative. David and Robert Heffel, second-generation art dealers of the Company's founding Heffel family, have personally crafted the foundation documents (as published on our website www.heffel.com): *Heffel's Corporate Constitutional Values* and *Heffel's Code of Business Conduct, Ethics and Practices*. We believe the values and ethics set out in these documents will lay in stone our moral compass. Heffel has flourished through more than three decades of change, proof that our hard work, commitment, philosophy, honour and ethics in all that we do serve our Clients well.

Heffel's Employees and Shareholders are committed to *Heffel's Code of Business Conduct, Ethics and Practices*, together with *Heffel's Corporate Constitutional Values*, our *Terms and Conditions of Business* and related corporate policies, all as amended from time to time, with respect to our Clients, and look forward to continued shared success in this auction season and ongoing.

HEFFEL GALLERY LIMITED

David K.J. Heffel

President, Director
and Shareholder (through Heffel Investments Ltd.)

Robert C.S. Heffel

Vice-President, Director
and Shareholder (through R.C.S.H. Investments Ltd.)

ANNUAL SUBSCRIPTION FORM

Please complete this Annual Subscription Form to receive our twice-yearly *Auction Catalogues* and *Auction Result Sheet*.

To order, return a copy of this form with a cheque payable to:
Heffel Gallery Limited, 2247 Granville Street
Vancouver, BC, Canada V6H 3G1
Tel 604-732-6505 · Fax 604-732-4245 · Toll free 1-888-818-6505
mail@heffel.com · www.heffel.com

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Canadian Art at Auction Index Online—tax included

Please contact Heffel Gallery Limited (“Heffel”) to set up

- One-Block of 25 Search Results \$50
- One-Year Subscription (35 searches per month) \$250
- Two-Year Subscription (35 searches per month) \$350

Billing Information

NAME

ADDRESS

CITY

POSTAL CODE

E-MAIL ADDRESS

RESIDENCE TELEPHONE

BUSINESS TELEPHONE

CREDIT CARD NUMBER

EXPIRY DATE

SIGNATURE

DATE

- I agree to receive e-mails from Heffel. You can withdraw consent at any time. Your consent is sought by Heffel, on its own behalf and on behalf of Galerie Heffel Québec Ltée.

COLLECTOR PROFILE FORM

Please complete our Collector Profile Form to assist us in our ability to offer you our finest service.

Artists of Particular Interest in Purchasing

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

Artists of Particular Interest in Selling

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

ABSENTEE BID FORM

SALE DATE

BILLING NAME

ADDRESS

CITY

PROVINCE/STATE, COUNTRY

POSTAL CODE

E-MAIL ADDRESS

DAYTIME TELEPHONE

EVENING TELEPHONE

FAX

CELLULAR

I request Heffel Gallery Limited (“Heffel”) to enter bids on my behalf for the following Lots, up to the maximum Hammer Price I have indicated for each Lot. I understand that if my bid is successful, the purchase price shall be the Hammer Price plus the Buyer’s Premium calculated at a rate of twenty-five percent (25%) of the Hammer Price of the Lot up to and including \$25,000; plus twenty percent (20%) on the part of the Hammer Price over \$25,000 and up to and including \$5,000,000; plus fifteen percent (15%) on the part of the Hammer Price over \$5,000,000, plus applicable Sales Tax. I understand that Heffel executes Absentee Bids as a convenience for its clients and is not responsible for inadvertently failing to execute bids or for errors relating to their execution of my bids. On my behalf, Heffel will try to purchase these Lots for the lowest possible price, taking into account the Reserve and other bids. If identical Absentee Bids are received, Heffel will give precedence to the Absentee Bid Form received first. I understand and acknowledge all successful bids are subject to the *Terms and Conditions of Business* printed in the Heffel catalogue.

I agree to receive e-mails from Heffel. You can withdraw consent at any time. Your consent is sought by Heffel, on its own behalf and on behalf of Galerie Heffel Québec Ltée.

SIGNATURE

DATE

DATE RECEIVED (FOR OFFICE USE ONLY)

CONFIRMED (FOR OFFICE USE ONLY)

Please view our *General Bidding Increments* as published by Heffel.

Lot Number	Lot Description	Maximum Bid
numerical order	artist	Hammer Price \$ CAD (excluding Buyer’s Premium)

1

2

3

4

5

6

To be sure that bids will be accepted and delivery of Lots not delayed, bidders not yet known to Heffel should supply a bank reference letter at least 48 hours before the time of the auction. All Absentee Bidders must supply a valid VISA, MasterCard or Union Pay number and expiry date.

MASTERCARD OR VISA #

EXPIRY DATE

NAME OF BANK

BRANCH

ADDRESS OF BANK

NAME OF ACCOUNT OFFICER

TELEPHONE

I authorize the above financial institution to release information to Heffel and to discuss with them particulars of my financial condition and typical transactions conducted.

SIGNATURE

DATE

To allow time for processing, Absentee Bids should be received at least 24 hours before the sale begins. Heffel will confirm by telephone or e-mail all bids received. If you have not received our confirmation within one business day, please re-submit your bids or contact us at:

HEFFEL GALLERY LIMITED

13 Hazelton Avenue, Toronto, ON, Canada M5R 2E1
Tel 416-961-6505 · Fax 416-961-4245
mail@heffel.com · www.heffel.com

SHIPPING AUTHORIZATION FORM FOR PROPERTY

Please contact the Shipping Department at 1-888-818-6505 for questions regarding shipping.

Please return this signed form via e-mail to shipping@heffel.com or via fax to 416-961-4245.

Property Information

SALE DATE, IF APPLICABLE

Lot Number and/or Property Description	Insured Value
--	---------------

in numerical order	artist / title	(mandatory)
--------------------	----------------	-------------

1		
---	--	--

2		
---	--	--

3		
---	--	--

4		
---	--	--

Shipment Destination

PROPERTY OWNER'S NAME

SHIPPING ADDRESS

CITY PROVINCE/STATE, COUNTRY

POSTAL CODE E-MAIL ADDRESS

DAYTIME TELEPHONE EVENING TELEPHONE

SOCIAL SECURITY NUMBER FOR U.S. CUSTOMS (U.S. RESIDENTS ONLY)

Loss and Damage Liability Coverage

Please review Heffel's *Terms and Conditions for Shipping* for further information regarding insurance coverage

- Please insure my Property for the Insured Value listed above while in transit
- Please do NOT insure my Property while in transit
- Please remove and discard glass (Heffel's insurance does not cover glass)

Packing and Carrier Options

PLEASE SELECT A PACKING METHOD

- Soft packed
Works will be glass taped, plastic wrapped, cardboard wrapped and labeled.
- Hard packed (custom crate)
Custom crates are available when required or upon request. Works will be glass taped, plastic wrapped, cardboard wrapped, or divided foam packed in a custom wooden crate and labeled.

PLEASE SELECT A CARRIER

Consolidated ground shipment (when available) to:

- Heffel Vancouver Heffel Montreal
- Heffel Toronto Heffel Calgary

OR

Direct to shipment destination via Heffel approved third-party carrier:

- FedEx Other _____

Shipping Quotation

- Yes, please send me a quotation for the shipping options selected above.
- No shipping quotation necessary, please forward the Property as indicated above.

Payment Information

CREDIT CARD NUMBER

EXPIRY DATE

Authorization for Collection

- I do not require shipping or packing services and have reviewed Section B.4 of Heffel's *Terms and Conditions of Business*.
I authorize for my Property to be retrieved on my behalf by:

AUTHORIZED THIRD PARTY'S FULL NAME

Please note: the Property Owner's signature is required below

SIGNED WITH AGREEMENT TO THE ABOVE, HEFFEL'S TERMS AND CONDITIONS OF BUSINESS AND HEFFEL'S TERMS AND CONDITIONS FOR SHIPPING

DATE

HEFFEL GALLERY LIMITED

13 Hazelton Avenue, Toronto, ON, Canada M5R 2E1
Tel 416-961-6505 · Fax 416-961-4245
mail@heffel.com · www.heffel.com

TERMS AND CONDITIONS FOR SHIPPING

Heffel Gallery Limited (“Heffel” or “Auction House”) provides professional guidance and assistance to have Property packed, insured and forwarded at the Property Owner’s expense and risk pursuant to Heffel’s *Terms and Conditions of Business* and *Property Collection Notice*, as published in the auction sale catalogue and online. The Property Owner is aware and accepts that Heffel does not operate a full-service fine art packing business and shall provide such assistance for the convenience only of the Property Owner.

Heffel agrees to ship your Property (the “Property”), as described by sale and Lot number or such other designation on the front side of this *Shipping Authorization Form for Property*, subject to the following terms and conditions:

1. If the Property has been purchased at an auction or private sale conducted by Heffel, Heffel will not pack and ship, release, or accept liability for physical loss of or damage to the Property, until payment in full of the purchase price for the Property, including the Buyer’s Premium and any applicable sales tax has been received and accepted in good, cleared funds by Heffel.
2. All packing and shipping services offered by Heffel must be preceded by a completed and signed Shipping Authorization Form for Property which releases Heffel from any liability that may result from damage sustained by the Property during packing and shipping.
3. The Property Owner agrees that Heffel’s liability for any loss or damage to the Property shall be limited according to the following terms:
 - a) Lots are only covered by insurance under the Fine Arts Insurance Policy of Heffel if the Property Owner so authorizes;
 - b) Such liability as Heffel accepts in respect of the Property shall commence from the time of the collection from any Heffel site and shall cease on delivery to the address specified on the *Shipping Authorization Form for Property*;
 - c) The rate of the insurance premium payable by the Property Owner is \$15 per \$1,000 (1.5% of the value). The value of insurance is determined by the High Estimate value, or Purchase Price, or Appraised Value or for the alternative amount as listed and defined under Insured Value while in transit as specified in the *Shipping Authorization Form for Property*. Heffel will charge a flat rate fee of \$40 should the value be less than \$2,500;
 - d) The value for which a Lot is insured under the Fine Arts Insurance Policy of Heffel in accordance with Condition 3.c above shall be the total amount due to the Property Owner in the event of a successful claim being made against the Auction House;
 - e) With regard to loss or damage, however caused, not covered by Heffel’s Insurance Underwriters, the Property Owner hereby releases Heffel, its employees, agents and contractors with respect to such damage;
 - f) Heffel does not accept responsibility for Lots damaged by changes in atmospheric conditions and Heffel shall not be liable for such damage nor for any other damage to picture frames or to glass in picture frames;
 - g) In no event will Heffel be liable for damage to glass, frames or ceramics;
 - h) If your Property is damaged in transit, please contact the Shipping Department promptly and provide photographs of the damage, retain the shipping box and materials and gather all relevant information;
 - i) If the Property Owner instructs Heffel not to insure a Lot, it shall at all times remain at the risk of the Property Owner, who hereby undertakes to:
 - (i) Indemnify Heffel against all claims made or proceedings brought against Heffel in respect of loss or damage to the Lot of whatever nature, howsoever and wheresoever occurred, and in any circumstances even where negligence is alleged or proven;
 - (ii) Reimburse Heffel for all Expenses incurred by Heffel. Any payment which Heffel shall make in respect of such loss or damage or Expenses shall be binding upon the Property Owner and shall be accepted by the Property Owner as conclusive evidence that Heffel was liable to make such payment; and

(iii) Notify any insurer of the existence of the indemnity contained in these *Terms and Conditions for Shipping*.

4. All such works are packed at the Property Owner’s risk and then must be transported by a Heffel approved third-party carrier. Prior to export, works may be subject to the *Cultural Property Export and Import Act (Canada)*, and compliance with the provisions of the said act is the sole responsibility of the Property Owner.
5. Heffel shall have the right to subcontract other parties in order to fulfill its obligation under these *Terms and Conditions for Shipping*
6. As per section B.4 of Heffel’s *Terms and Conditions of Business*, all or part of the Sales Tax may be exempt in certain circumstances if the Lot is delivered outside of the jurisdiction of sale of the Lot. Shipments out of the jurisdiction of sale of the Lot(s) shall only be eligible for exemption from Sales Tax if shipped directly from the Auction House with shipping contracted by the Auction House. All claims for Sales Tax exemption must be made prior to or at the time of payment of the Purchase Price. Sales Tax will not be refunded once the Auction House has released the Lot. The Buyer agrees and shall fully indemnify the Auction House for any amount claimed by any taxing authority due as Sales Tax upon the sale of the Lot, including any related costs, attorney fees, interest and penalties.

PACKING OPTIONS

Soft packed

Works will be glass taped, plastic wrapped, cardboard wrapped and labeled. All fees are exclusive of applicable taxes.

- Works up to 40 united inches (height + width + depth = united inches) — \$30 per work
- Works 40 to 75 united inches — \$50 per work
- Works 75 to 150 united inches — \$100 per work
- Works 150 to 250 united inches — minimum \$150 per work

Hard packed (Custom Crate)

Custom crates are available when required or upon request. Works will be glass taped, plastic wrapped, cardboard wrapped, or divided foam packed in a custom wooden crate and labeled. All fees are exclusive of applicable taxes.

- Works up to 40 united inches (height + width + depth = united inches) — \$150 per crate
- Works 40 to 75 united inches — \$300 – \$500 per crate
- Works 75 to 150 united inches — \$500 – \$750 per crate
- Works 150 to 250 united inches — minimum \$750 per crate

International shipments as per international wooden packing restrictions may require ISPM 15 rules certified crating material to be used. Additional minimum \$200 per crate.

SHIPPING TRANSPORTATION CARRIER OPTIONS

Heffel may periodically offer consolidated ground shipments between Heffel’s offices in Vancouver, Calgary, Toronto and Montreal.

Consolidated rates, in addition to the Packing Options outlined above, between our offices are as follows. All fees are exclusive of applicable taxes.

Regional (maximum range of two provinces)

- Works up to 40 united inches (height + width + depth = united inches) — \$35 per work
- Works 40 to 75 united inches — \$50 per work
- Works 75 to 150 united inches — \$100 per work
- Works 150 to 250 united inches — minimum \$150 per work

National

- Works up to 40 united inches (height + width + depth = united inches) — \$35 per work
- Works 40 to 75 united inches — \$75 per work
- Works 75 to 150 united inches — \$150 per work
- Works 150 to 250 united inches — minimum \$250 per work

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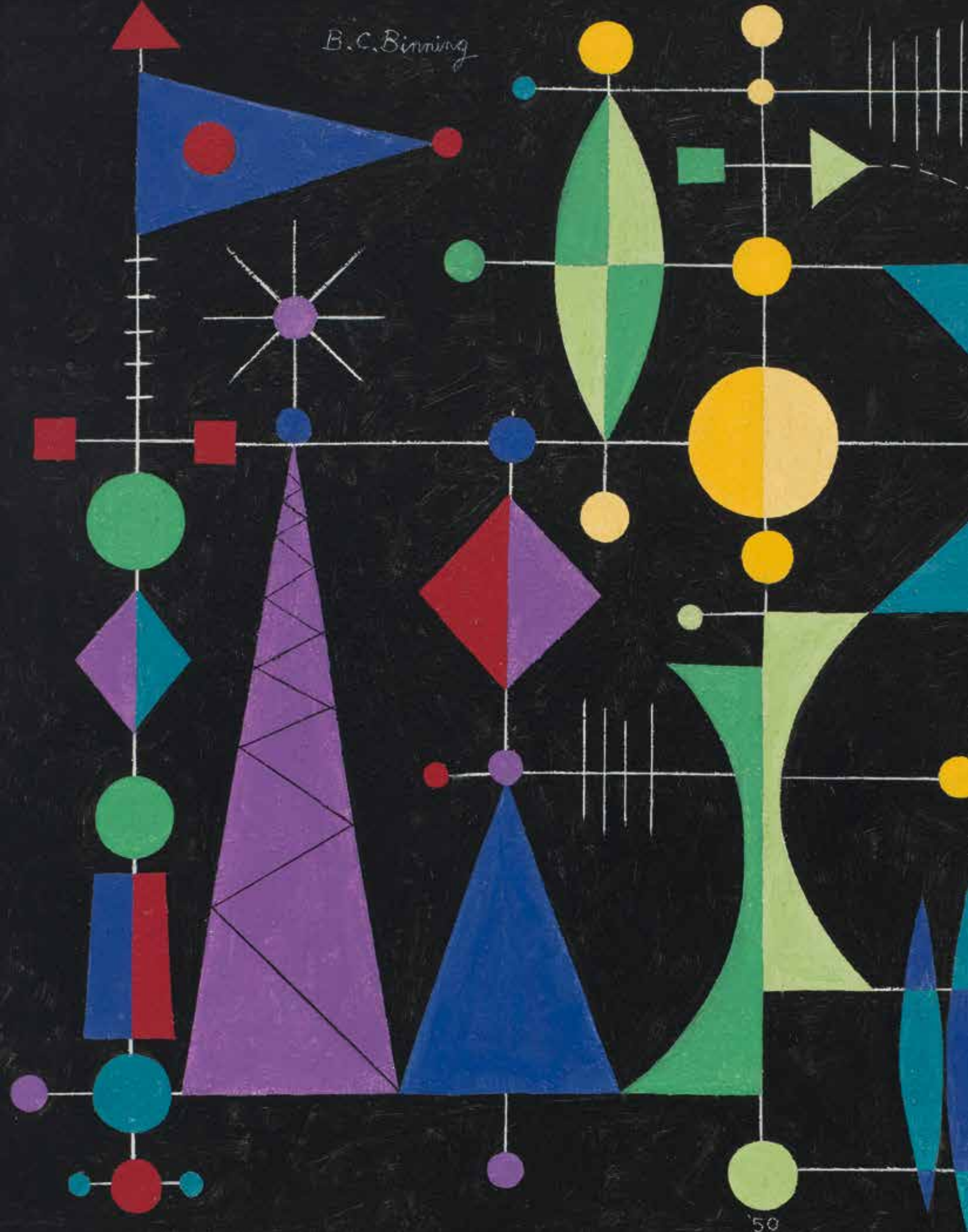
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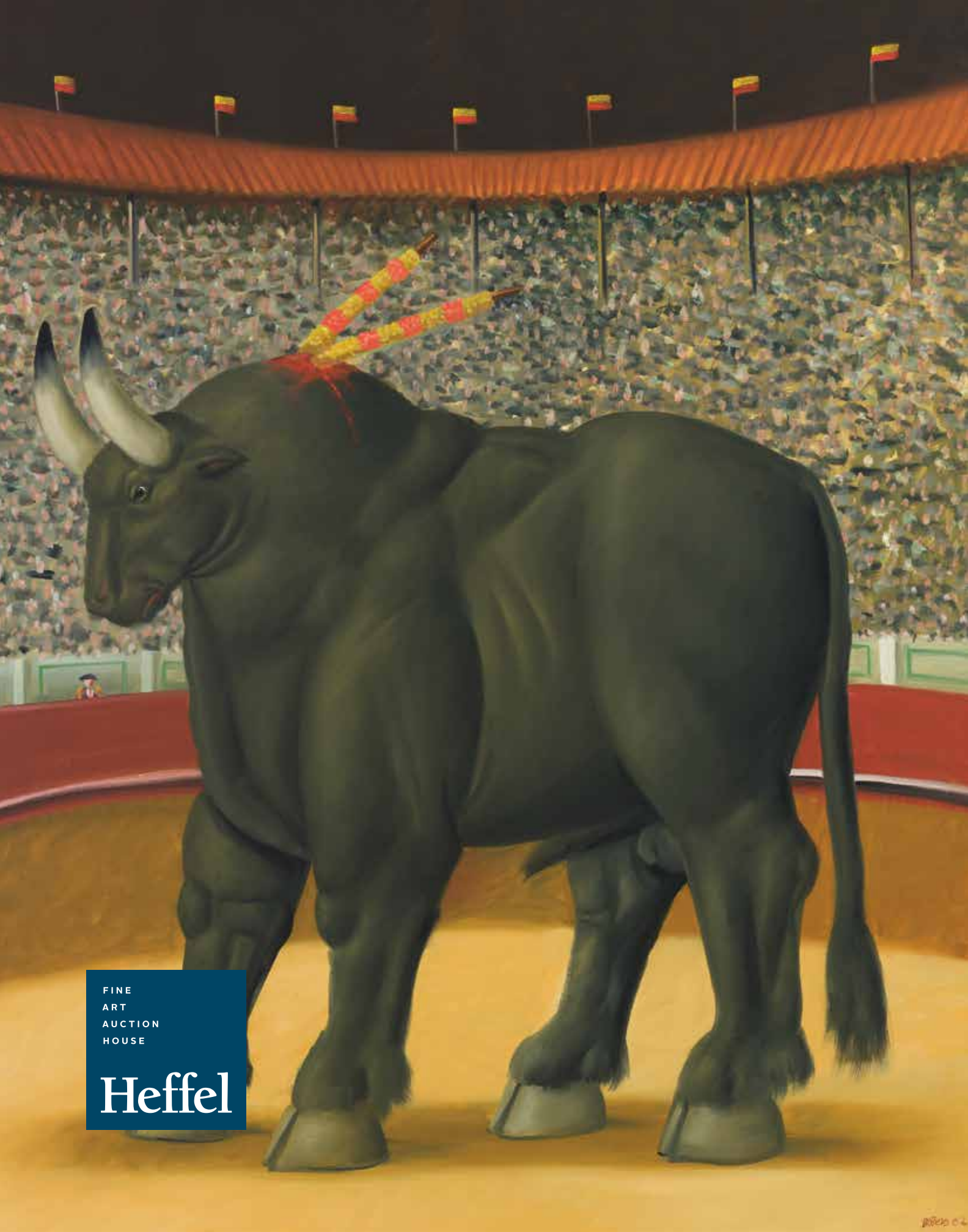






B.C. Binning





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