



CANADIAN, IMPRESSIONIST & MODERN ART

SALE WEDNESDAY, NOVEMBER 20, 2019 · 7 PM · TORONTO

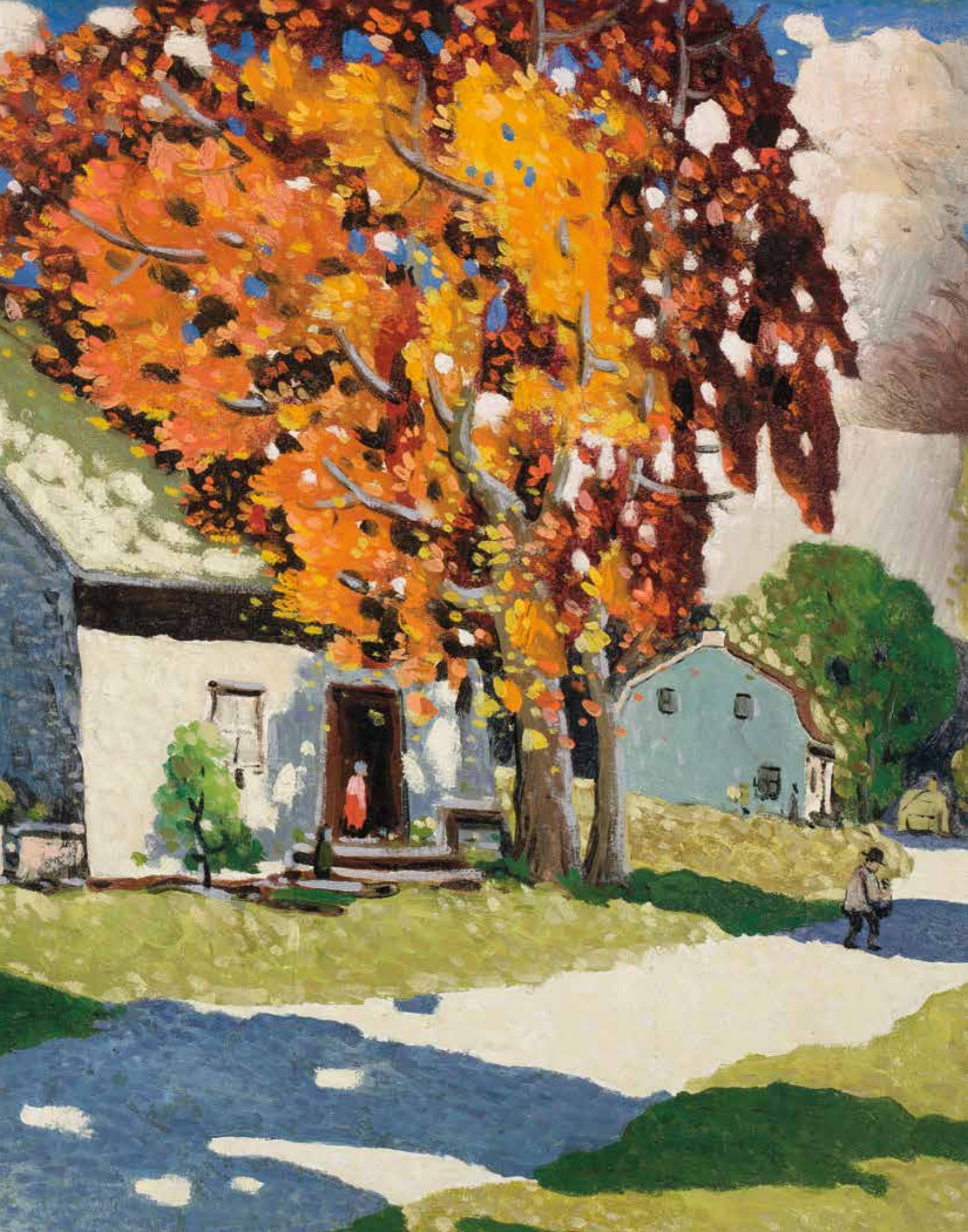
FINE
ART
AUCTION
HOUSE

Heffel





EMILY CARR





M. CARR.





CANADIAN, IMPRESSIONIST & MODERN ART

AUCTION

Wednesday, November 20, 2019

5 PM Post-War & Contemporary Art

7 PM Canadian, Impressionist & Modern Art

Design Exchange

The Historic Trading Floor (2nd floor)

234 Bay Street, Toronto

Located within TD Centre

PREVIEWS

Heffel Gallery, Calgary

888 4th Avenue SW, Unit 609

Thursday, October 17 through

Saturday, October 19, 11 am to 6 pm

Heffel Gallery, Vancouver

2247 Granville Street

Saturday, October 26 through

Tuesday, October 29, 11 am to 6 pm

Galerie Heffel, Montreal

1840 rue Sherbrooke Ouest

Thursday, November 7 through

Saturday, November 9, 11 am to 6 pm

Design Exchange, Toronto

The Exhibition Hall (3rd floor), 234 Bay Street

Located within TD Centre

Friday, November 15 through

Tuesday, November 19, 10 am to 6 pm

Wednesday, November 20, 10 am to 1 pm

Heffel Gallery Limited

Additionally herein referred to as “Heffel”
or “Auction House”

CONTACT

Toll Free 1-888-818-6505
mail@heffel.com, www.heffel.com

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13 Hazelton Avenue, Toronto, Ontario M5R 2E1
Telephone 416-961-6505, Fax 416-961-4245

OTTAWA

451 Daly Avenue, Ottawa, Ontario K1N 6H6
Telephone 613-230-6505, Fax 613-230-6505

MONTREAL

1840 rue Sherbrooke Ouest, Montreal, Quebec H3H 1E4
Telephone 514-939-6505, Fax 514-939-1100

VANCOUVER

2247 Granville Street, Vancouver, British Columbia V6H 3G1
Telephone 604-732-6505, Fax 604-732-4245

CALGARY

888 4th Avenue SW, Unit 609, Calgary, Alberta T2P 0V2
Telephone 403-238-6505, Fax 403-265-4225

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CONSIGNMENTS

consignments@heffel.com

APPRAISALS

appraisals@heffel.com

ABSENTEE AND TELEPHONE BIDDING

bids@heffel.com

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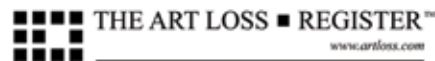
Heffel Gallery Limited regularly publishes a variety of materials beneficial to the art collector. An Annual Subscription entitles you to receive our Auction Catalogues and Auction Result Sheets. Our Annual Subscription Form can be found on page 109 of this catalogue.

CATALOGUE PRODUCTION

Essay Contributors—Jean-Louis Andral, Alec Blair,
Marie-Hélène Busque, Mark Cheetham, Lucie Dorais,
Daniel Gallay, Michèle Grandbois, Charles C. Hill,
Gregory Humeniuk, Lindsay Jackson, Gerta Moray
and Rosalin Te Omra
Text Editing, Catalogue Production—Julia Balazs, Kate Galicz,
David Heffel, Robert Heffel, Naomi Pauls, Tania Poggione and
Rosalin Te Omra
Director of Imaging—Martie Giefert
Digital Imaging—Ward Bastian, Jasmin Daigle and Jared Tiller
Catalogue Layout and Production—Clara Wong
Catalogue Design—Peter Cocking

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PREVIEW AND AUCTION LOCATION



Preview and Auction Location

DESIGN EXCHANGE 

Preview: The Exhibition Hall (3rd floor)

Auction: The Historic Trading Floor (2nd floor)

234 Bay Street, Toronto

Located within TD Centre

Saleroom Telephone 1-888-212-6505

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The Buyer and the Consignor are hereby advised to read fully the *Terms and Conditions of Business* and *Catalogue Terms*, which set out and establish 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. This information appears on pages 100 through 108 of this publication.

Please consult our online catalogue for information specifying which works will be present in each of our preview locations at:

www.heffel.com/auction/lotsbypreview_E.aspx

Please note that we produce a live webcast of our sale commencing at 4:30 PM ET. We do not offer real-time online bidding for our live auctions, but we do accept absentee and prearranged telephone bids. Information on absentee and telephone bidding appears on pages 5 and 110 of this publication.

We recommend that you test your streaming video setup 30 minutes prior to our sale at:

www.heffel.tv

All Lots and additional images depicting the frame and verso are available at:

www.heffel.com

Our Estimates are in Canadian funds. Exchange values are subject to change and are provided for guidance only. Buying 1.00 Canadian dollar will cost approximately 0.78 US dollar, 0.71 euro, 0.63 British pound, 0.77 Swiss franc, 84 Japanese yen or 6.1 Hong Kong dollars as of our publication date.

AUCTION DETAILS

Selling at Auction

Heffel offers individuals, collectors, corporations and public entities a full-service firm for the successful de-acquisition of their artworks. Interested parties should contact us to arrange for a private and confidential appointment to discuss their preferred method of disposition and to analyse preliminary auction estimates, pre-sale reserves and consignment procedures. This service is offered free of charge.

If you are from out of town or are unable to visit us at our premises, we would be pleased to assess the saleability of your artworks by mail, courier or e-mail. Please provide us with photographic or digital reproductions of the artworks front and verso and information pertaining to title, artist, medium, size, date, provenance, etc. Representatives of our firm travel regularly to major Canadian cities to meet with Prospective Sellers.

It is recommended that property for inclusion in our sale arrive at Heffel at least 90 days prior to our auction. This allows time to photograph, research, catalogue and promote works and complete any required work such as re-framing, cleaning or conservation. All property is stored free of charge until the auction; however, insurance is the Consignor's expense.

Consignors will receive, for completion, a *Consignment Agreement* and *Consignment Receipt*, which set forth the terms and fees for our services. 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*, plus applicable Sales Tax. Consignors are entitled to set a mutually agreed *Reserve* or minimum selling price on their artworks.

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If you are unable to attend our auction in person, you can bid by completing the *Absentee Bid Form* found on page 110 of this catalogue. Please note that all *Absentee Bid Forms* should be received by Heffel at least 24 hours prior to the commencement of the sale.

Bidding by telephone, although limited, is available. Please make arrangements for this service well in advance of the sale. Telephone lines are assigned in order of the sequence in which requests are received. We also recommend that you leave an *Absentee Bid* amount that we will execute on your behalf in the event we are unable to reach you by telephone.

Payment must be made by: a) Bank Wire direct to the Auction House's account, b) Certified Cheque or Bank Draft, c) a Personal or Corporate Cheque, d) Debit Card and Credit Card only by VISA, MasterCard or Union Pay or e) Interac e-Transfer. Bank

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General Bidding Increments

Bidding typically begins below the low estimate and generally advances in the following bid increments:

\$50-\$300	\$25 increments
\$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

Framing, Conservation and Shipping

As a Consignor, it may be advantageous for you to have your artwork re-framed and/or cleaned and conserved to enhance its saleability. As a Buyer, your recently acquired artwork may demand a frame complementary to your collection. As a full-service organization, we offer guidance and in-house expertise to facilitate these needs. Buyers who acquire items that require local delivery or out-of-town shipping should refer to our *Shipping Authorization Form for Property* on page 111 and our *Terms and Conditions for Shipping* on page 112 of this publication. Please feel free to contact us to assist you in all of your requirements or to answer any of your related questions. Full completion of our shipping form is required prior to purchases being released by Heffel.

Written Valuations and Appraisals

Written valuations and appraisals for probate, insurance, family division and other purposes can be carried out in our offices or at your premises. Appraisal fees vary according to circumstances. If, within five years of the appraisal, valued or appraised artwork is consigned and sold through Heffel, the client will be refunded the appraisal fee, less incurred "out of pocket" expenses.





SALE WEDNESDAY, NOVEMBER 20, 2019 · 7 PM · TORONTO

CANADIAN, IMPRESSIONIST & MODERN ART CATALOGUE

FEATURING WORKS FROM

The Art Gallery of Ontario

The Collection of Steve Martin

A Private Collection, Paris

A Prominent European Private Collection

& other Important Private and Corporate Collections



101 Walter Joseph (W.J.) Phillips

ASA CPE CSPWC RCA 1884 – 1963

Karlukwees, BC

colour woodcut on paper, signed and signed
in the block, titled and editioned 2/100, 1929
10 ½ x 12 ½ in, 26.7 x 31.8 cm

PROVENANCE

Private Collection, Winnipeg
Masters Gallery Ltd., Calgary and Vancouver
Private Collection, Vancouver

LITERATURE

Duncan Campbell Scott, *Walter J. Phillips*, 1947,
reproduced page 27

Carlyle Allison, *The Art of W.J. Phillips*, 1970,
the 1927 watercolour and graphite sketch
entitled *Karlukwees, Village Island* and the
woodcut reproduced, unpaginated

Michael J. Gibbon, *Walter J. Phillips: A Selection of His
Works and Thoughts*, National Gallery of Canada, 1978,
reproduced front cover, the 1927 watercolour and
graphite sketch entitled *Karlukwees, BC* reproduced
page 64, the larger finished watercolour reproduced
page 65 and a photograph of Walter J. Phillips holding
an impression of the woodcut reproduced page 62

Roger Boulet, *The Tranquility and the Turbulence*, 1981,
page 101, the related 1926 watercolour *Myth of the
Thunderbird (Karlukwees)* reproduced page 101, the 1927
watercolour and graphite sketch entitled *Karlukwees,
Village Island* and the woodcut reproduced pages 125 and 126

Roger Boulet, *Walter J. Phillips: The Complete Graphic Works*,
1981, reproduced page 319

EXHIBITED

National Gallery of Canada, Ottawa, *Walter J. Phillips*,
1978, same image

Art Gallery of Greater Victoria, *To the Totem Forests:
Emily Carr and Contemporaries Interpret Coastal Villages*,
August 5 – October 31, 1999, same image, catalogue #55.26.59

IN 1927, WALTER J. PHILLIPS took a sketching trip to the West Coast, visiting his sister at Alert Bay and then traveling by boat to the villages of Tsatsisnukomi, Mamalilicoola and Karlukwees, a small settlement on Village Island, at the entrance to Knight Inlet. He wrote, “We found another village—Karlukwees—more



W.J. Phillips holding up his famous colour woodcut *Karlukwees, BC*, circa 1942

interesting than the others. The clean white beach had borrowed its shape from the new moon...Karlukwees provided many subjects for painting. In fact, never have I seen a more delectable sketching ground. I regretted leaving the coast, and I long to return.” This exquisite woodcut is considered to be the finest in Phillips’s woodcut oeuvre. Technically superb, with a composition perfectly in balance, the delicate impression of falling snow cloaking the village in stillness creates an unforgettable atmosphere of peace. The woodcut is also a poignant record of the village, as little remains of it today. In 1929, *Karlukwees, BC* was awarded a gold medal for best colour woodcut by the Society of Arts and Crafts, Boston. The National Gallery of Canada has two impressions of this woodcut in its collection.

This is a fine early impression from the edition.

ESTIMATE: \$25,000 – 35,000



102 Sybil Andrews

CPE 1898 – 1992

Racing

linocut in 4 colours, signed, titled and editioned 16/60, 1934
10 ¼ x 13 ½ in, 26 x 34.3 cm

PROVENANCE

DeVooght Gallery, Vancouver, 1978
Masters Gallery Ltd., Calgary
Private Collection, Calgary
By descent to the present Private Collection,
British Columbia

LITERATURE

Peter White, *Sybil Andrews*, Glenbow Museum, 1982,
reproduced front cover and page 57
Lora S. Urbanelli, *The Grosvenor School: British Linocuts
Between the Wars*, Museum of Art, Rhode Island School
of Design, 1988, reproduced page 44
Stephen Coppel, *Linocuts of the Machine Age*, 1995,
reproduced page 115, catalogue #SA 32
Clifford S. Ackley, editor, *Rhythms of Modern Life:
British Prints 1914 – 1939*, Museum of Fine Arts,
Boston, 2008, reproduced page 127
Hana Leaper, *Sybil Andrews Linocuts: A Complete Catalogue*,
Osborne Samuel Gallery, 2015, reproduced page 79

EXHIBITED

Glenbow Museum, Calgary, *Sybil Andrews*, 1982,
same image, catalogue #32

SYBIL ANDREWS WAS born in Bury St. Edmunds, England, and in 1922, went to London to study art at the Heatherley School of Fine Art. Three years later, at the Grosvenor School of Modern Art, she met Claude Flight, who taught her to print using linoleum blocks. Andrews produced an extraordinary body of work, with themes that encompassed the dynamism of the modern age through her depiction of people, animals and machines in motion. Sport was a subject that fascinated Andrews and the Grosvenor School artists, and it was an ideal vehicle for Andrews to convey her modernist aesthetic. In this remarkable print, Andrews expressed the experience of speed that fascinated the modern world in the 1930s. Its importance is reflected in the fact that this work was chosen for the front cover of Peter White's 1982 catalogue raisonné of her linocuts, produced by the Glenbow Museum. Andrews is recognized internationally for her linocuts, and *Racing* is one of her most sought-after prints. An impression of *Racing* is in the collection of the Museum of Modern Art, New York.

This is a fine early impression on buff oriental laid tissue. This work has full margins and strong, bold colours.

ESTIMATE: \$25,000 – 35,000

103 Sybil Andrews

CPE 1898 – 1992

Fall of the Leaf

linocut in 5 colours, signed, titled
and editioned 57/60, 1934
14 ¼ x 10 ⅛ in, 36.2 x 25.7 cm

PROVENANCE

Private Collection, Ontario
By descent to the present Private Collection,
Ontario

LITERATURE

Peter White, *Sybil Andrews*, Glenbow Museum,
1982, reproduced pages 42 and 57

Stephen Coppel, *Linocuts of the Machine Age*,
1995, reproduced page 115, catalogue #SA 30

Clifford S. Ackley, editor, *Rhythms of Modern
Life: British Prints 1914 – 1939*, Museum
of Fine Arts, Boston, 2008, reproduced
page 172

Hana Leaper, *Sybil Andrews Linocuts:
A Complete Catalogue*, Osborne Samuel
Gallery, 2015, reproduced page 77

EXHIBITED

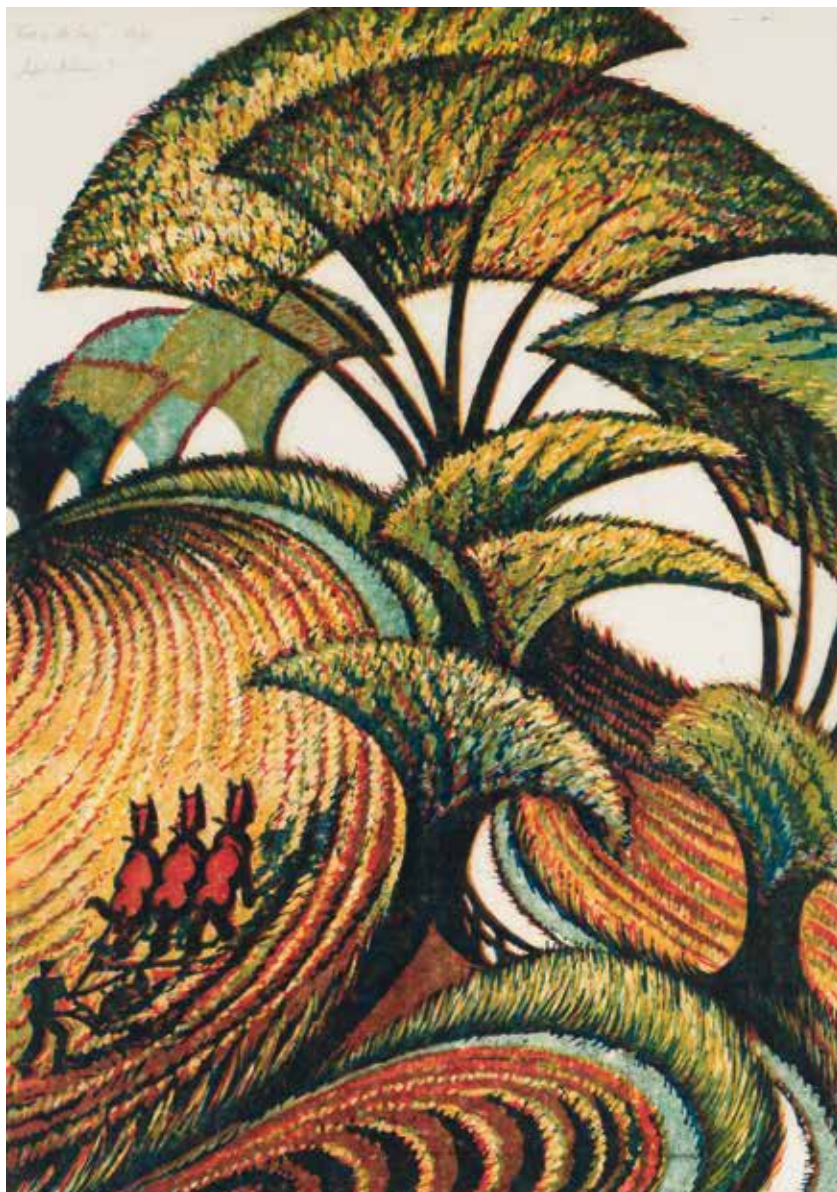
Glenbow Museum, Calgary, *Sybil Andrews*,
1982, same image, catalogue #30

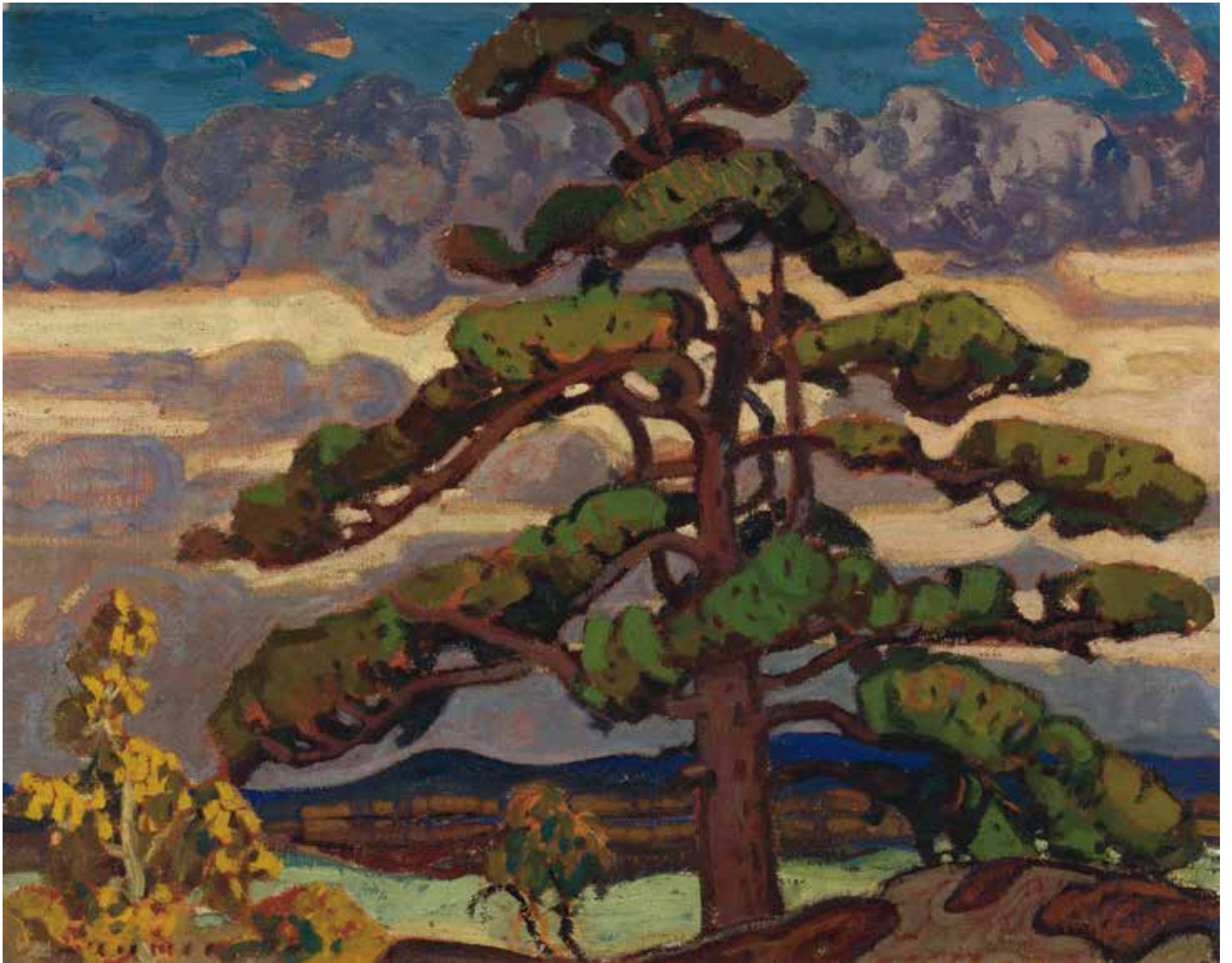
Museum of Fine Arts, Boston, *Rhythms
of Modern Life: British Prints 1914 – 1939*,
January 3 – June 1, 2008, traveling to the
Metropolitan Museum of Art, New York,
September 23 – December 7, 2008, same
image, catalogue #100

THE 1930S AND the economic difficulties of the Depression brought about social awareness of the changes affecting industry and labour. In the mid-1930s, Sybil Andrews was depicting rural farm workers, whom she observed near her native Bury St. Edmunds in England. The roots of Andrews's modernist approach were in the European movements of Cubism, Futurism and Vorticism. Dynamic movement in modern life was a part of Futurism, and Andrews embraced this dynamism in her highly stylized linocuts, as in *Fall of the Leaf*, with its sweeping swirls of ploughed land, the curving rise of the hill and the spreading, fan-like trees. Dramatically patterned and strongly coloured, *Fall of the Leaf* makes an indelible impact. There is a kind of nobility in the farmer toiling with his team of horses, and a finely tuned aesthetic in the perfectly furrowed fields. Andrews depicts a scene roiling with energy, yet pulls all the elements of her image into a harmonic whole.

This is a fine impression with strong colours on thickish oriental laid paper.

ESTIMATE: \$20,000 – 30,000





104 Arthur Lismer

AAM CGP CSGA CSPWC G7 OSA RCA 1885 – 1969

The Pine Tree, Georgian Bay

oil on canvas, signed and on verso inscribed A.Y Jackson
24 x 30 in, 61 x 76.2 cm

PROVENANCE

Private Collection, Winnipeg
By descent to the present Private Collection, Ontario

LITERATURE

Lois Darroch, *Bright Land: A Warm Look at Arthur Lismer*,
1981, page 104

SOME OF ARTHUR LISMER'S most renowned paintings are of Georgian Bay scenes with pine trees, such as *A September Gale*, *Georgian Bay* from 1921 and *Pine Wrack* from 1933, two canvases in the collection of the National Gallery of Canada. For Lismer, Georgian Bay was his special painting place—he stayed there often during summers, renting cottages in locations such as McGregor Bay. Lois Darroch wrote that at Georgian Bay, “Lismer’s sense of the everlasting came through a feeling for a life force . . . Storm or stillness, sun or shadow, rock or tree, every animate or inanimate thing vibrated for him.” He was in tune with the area’s wild weather, primordial rock formations and tenacious trees. For the Group of Seven and their colleague Tom Thomson, the pine tree was an icon of the Canadian landscape. Here, a magnificent mature pine dominates Lismer’s image, set against a stunning backdrop of darkened clouds, a luminous strip of peridot-toned water and a sky suffused with the yellow glow of sunset. Lismer’s vigorous, raw brushwork ensures that *The Pine Tree, Georgian Bay* transcends the picturesque and embodies the inspiring life force he felt at Georgian Bay.

ESTIMATE: \$80,000 – 120,000



105 James Edward Hervey (J.E.H.) MacDonald

ALC CGP G7 OSA RCA 1873 – 1932

Georgian Bay, After the Storm

oil on board, on verso titled *Georgian Bay* and titled variously on the gallery labels, dated circa 1915 – 1916 on the Downstairs Gallery label, and circa 1916 on the A.K. Prakash & Associates label and inscribed *J. MacD./'15 or '16/ Georgian Bay, McCallum's Island*
8 x 10 in, 20.3 x 25.4 cm

PROVENANCE

Roberts Gallery, Toronto
Private Collection, Ontario
Downstairs Gallery, Edmonton
A.K. Prakash & Associates, Toronto
Private Collection, Vancouver

LITERATURE

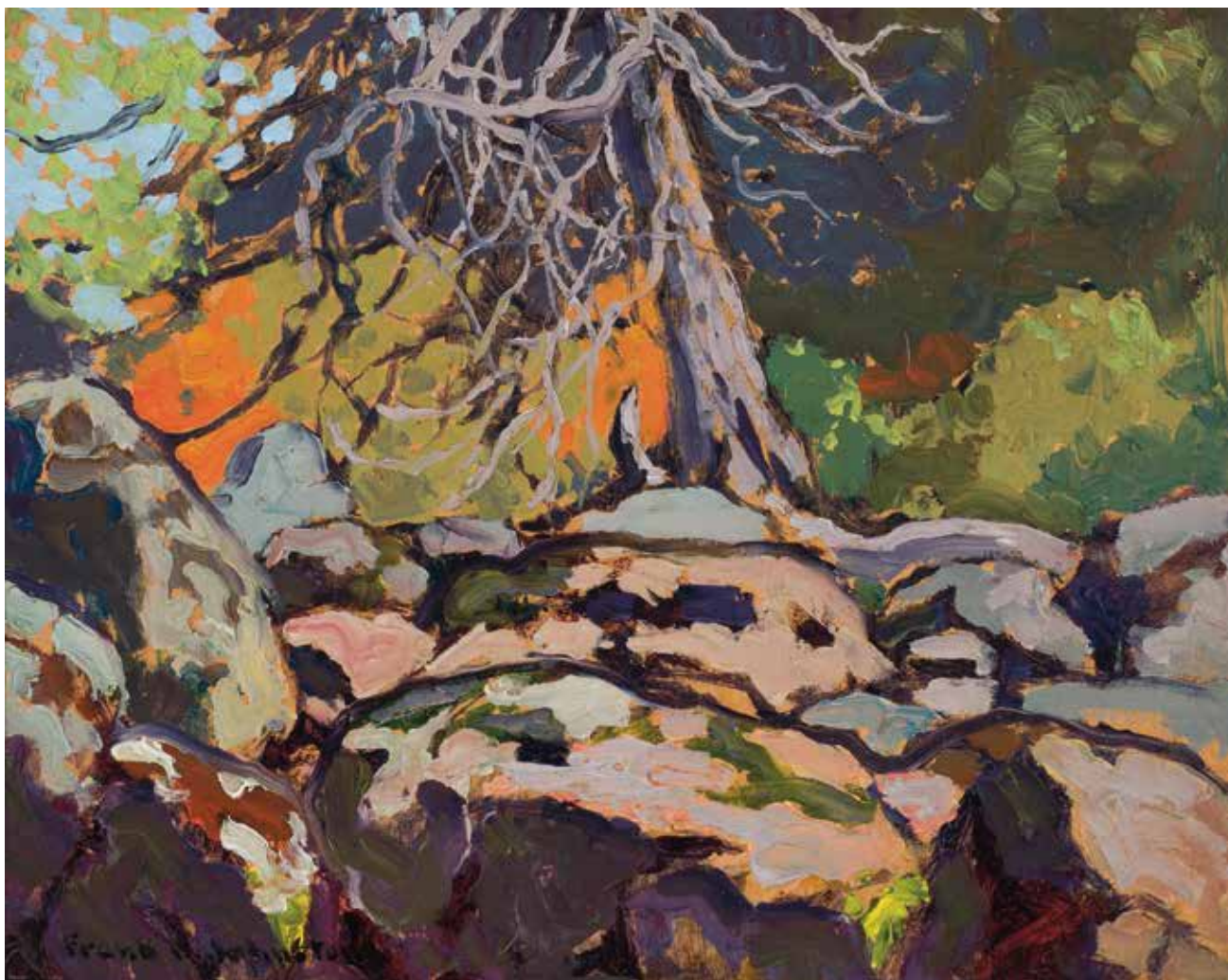
Nancy E. Robertson, *J.E.H. MacDonald, RCA, 1873 – 1932*,
Art Gallery of Toronto and National Gallery of Canada,
1965, reproduced page 49

EXHIBITED

Art Gallery of Toronto, *J.E.H. MacDonald, RCA, 1873 – 1932*,
November 13 – December 12, 1965, traveling to the National
Gallery of Canada, Ottawa, January 7 – February 6, 1966,
catalogue #63

BEFORE ALGOMA, LAKE SUPERIOR, and the Rocky Mountains were sources of inspiration for the artists who formed the Group of Seven, Georgian Bay was their principal landscape muse. Their home base in this area was often the cottage of ophthalmologist Dr. James MacCallum. MacCallum's patronage allowed Tom Thomson to become a full-time artist, and his co-financing of the Studio Building in Toronto provided working space and even living space to many of the Group. He not only opened his cottage to these artists (as referenced on verso), he also commissioned J.E.H. MacDonald, Arthur Lismer, A.Y. Jackson and Thomson to produce murals for its interior in 1915 to 1916, which are now housed in the National Gallery of Canada. The striking geography and dramatic weather of Georgian Bay sparked masterworks large and small from these artists. As expressed here by MacDonald, forceful, gestural brush-strokes communicate the area's ruggedness, and its immensity is articulated by the breaking light in the far distance, dwarfed by the imposing storm front dominating the composition. The immediacy this painting suggests is largely due to MacDonald's impressive skills as an on-the-spot painter.

ESTIMATE: \$75,000 – 100,000



106 Frank Hans (Franz) Johnston

ARCA CSPWC G7 OSA 1888 – 1949

Lake of the Woods

oil on board, signed Frank H. Johnston and on verso titled, dated 1921 and inscribed variously

10 ½ x 13 ¼ in, 26.7 x 33.7 cm

PROVENANCE

Les Trevor, 1970

Roberts Gallery, Toronto, inventory #7786

Private Collection, Calgary

Private Collection, Ontario

LITERATURE

Group of Seven Fiftieth Anniversary, 1920 – 1970, Arts and Letters Club, 1970, reproduced, unpaginated

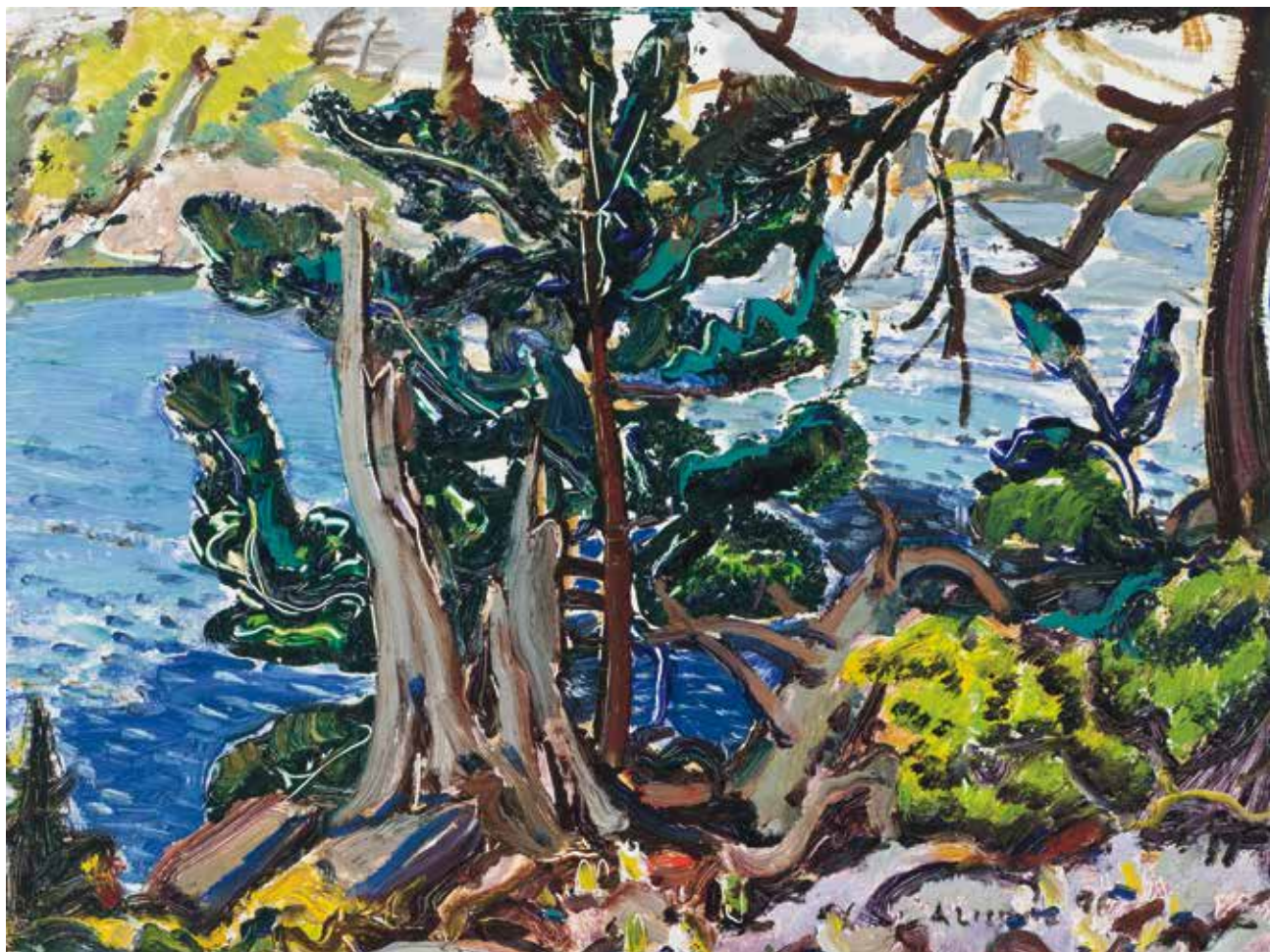
EXHIBITED

Arts and Letters Club, Toronto, *Group of Seven Fiftieth Anniversary, 1920 – 1970*, 1970, titled as *Northland, Autumn*

THIS VIGOROUS DEPICTION of a landscape at Lake of the Woods was produced during Frank Johnston's sought-after Group

of Seven period. Johnston left Toronto in 1921 to become principal of the Winnipeg School of Art, and he stayed there for four years. Each summer he and his family rented a cottage on the shores of Lake of the Woods, across the bay from artist LeMoine FitzGerald and his family. Here Johnston was free to paint, evolving from the discoveries made during his participation in the Group's earlier sketching trips to Algoma, in 1918, 1919 and 1920. This work embodies the Group's fresh approach to landscape in Johnston's vivacious and bold treatment of this hillside. From the rough and sculptural rock formations to the writhing branches of the tree at their apex, Johnston captures nature in its raw and unfettered state, emphasized by his textured brush-strokes. His palette goes beyond the strictly natural, with rich purples, pale blues and flesh tones in the rocks, along with touches of bright orange and peridot, suggesting the luxuriousness of a summer day.

ESTIMATE: \$25,000 – 35,000



107 Arthur Lismer

AAM CGP CSGA CSPWC G7 OSA RCA 1885 – 1969

Shoreline, Georgian Bay / Pool in the Rocks (verso)

double-sided oil on board, signed and dated 1946 and on verso signed, titled on the gallery labels, dated August 14, 1948 and inscribed *Gift from the Artist, 1951* on a label and \$85 12 x 15 ¾ in, 30.5 x 40.3 cm

PROVENANCE

A gift from the Artist to Robert Buchanan and Theodosia Dawes Bond Thornton, Montreal, for lending *Pines, Georgian Bay* to the National Film Board for Lismer's biographical film, April 15, 1950
Estate of Theodosia Dawes Bond Thornton, Montreal
Sold sale of *Fine Canadian Art*, Heffel Fine Art Auction House, November 25, 2010, lot 161
Private Collection, Vancouver

LITERATURE

Evan Turner, *Eleven Artists in Montreal, 1860 – 1960*, Montreal Museum of Fine Arts, 1960
Theodosia Dawes Bond Thornton, *Personal Art Collection Catalogue*, reproduced, unpaginated, catalogue #R23
Lois Darroch, *Bright Land: A Warm Look at Arthur Lismer*, 1981, page 15

EXHIBITED

Montreal Museum of Fine Arts, *Eleven Artists in Montreal, 1860 – 1960*, September 8 – October 2, 1960, catalogue #79

ONLY A HUNDRED miles from the more gentle landscapes of southern Ontario was Georgian Bay, which Lois Darroch described as “like being on a different continent—the radiant air, the rocks, the endless expanse of turbulent water and sky, the magnificent sturdy stance of pine trees pitted against the wind.” This country was a revelation for Arthur Lismer; he found it glorious and called it “a paradise for painters.” This striking double-sided work encompasses two aspects of the Georgian Bay landscape: the visceral molded rocks of the Canadian Shield on the islets and at the shoreline, whose stony hollows and clefts collect small pools, and the iconic pine, here with a profusion of growth at its roots. To capture the vitality of this landscape, Lismer adapted his painting techniques. His paint became thick and highly textured, as seen on both sides of this work. Paint stands in ridges, moves in squiggles and long flowing lines, counterpointed by short, raised strokes on the forest floor that resemble thick, standing moss, transferring the vibrancy of Georgian Bay directly to our senses.

ESTIMATE: \$30,000 – 40,000



108 Arthur Lismer

AAM CGP CSGA CSPWC G7 OSA RCA 1885 – 1969

View of Bedford Basin

oil on board, signed and on verso titled on the labels, dated Xmas 1916 and inscribed *To J.E. Roy from AL* and 18
9 x 12 in, 22.9 x 30.5 cm

PROVENANCE

Acquired directly from the Artist by J.E. Roy
Manuge Gallery Limited, Halifax
Estate of Charles E. MacCulloch
Private Collection, Montreal

EXHIBITED

Dalhousie Art Gallery, Halifax, *Arthur Lismer: Nova Scotia, 1916 – 1919*, December 2, 1982 – January 9, 1983, catalogue #3

IN 1916, ARTHUR LISMER was appointed principal of the Victoria School of Art and Design in Halifax, and the Lismer family

rented a house in Bedford, a suburb 10 miles from the city at the mouth of the Sackville River. While living there, Lismer painted landscape subjects close at hand and views of Halifax Harbour, which was a fascinating sight at the time, since it was a wartime port filled with battleships and minesweepers. To the north of Halifax Harbour, a passage called the Narrows led to Bedford Basin, where the warships gathered to form a convoy to cross the Atlantic. Sometimes Lismer observed the basin filled with these ships, which would mysteriously depart during the night, leaving it empty and peaceful, as we see in this vivacious sketch. Lismer's composition captures the beauty of this bay in gorgeous tones of blue, seen through a screen of foliage in the foreground flashing fall colours and presided over by a glowing cerulean sky marked by wisps of clouds in flight. His brushwork is unfettered and textural, capturing a feeling of a fresh, breezy day painted on the spot.

ESTIMATE: \$20,000 – 30,000



109 Frederick Horsman Varley

ARCA G7 OSA 1881 – 1969

Sunset Near Doon, Ontario

oil on board, signed and with the artist's thumbprint and on verso titled, dated circa 1947 on the Masters Gallery label and stamped with the Varley inventory #711

11 ¾ x 15 ¼ in, 29.8 x 38.4 cm

PROVENANCE

Waddington & Gorce Inc., Montreal

Masters Gallery Ltd., Calgary

By descent to the present Private Estate, Calgary

LITERATURE

Peter Varley, *Frederick H. Varley*, 1983, page 186

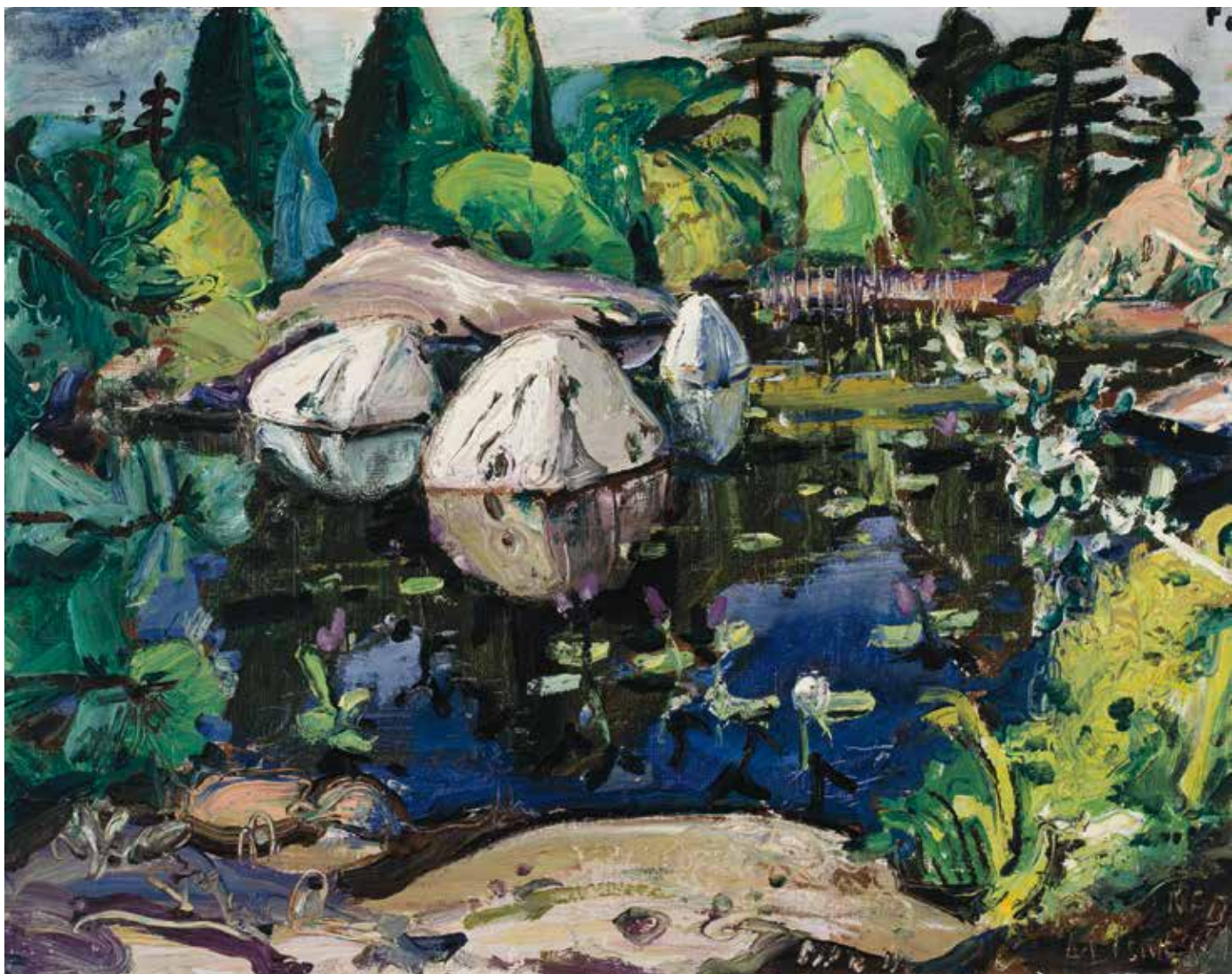
FREDERICK VARLEY WAS based in Toronto when he went to Doon, south of Kitchener, in the summers of 1948 and 1949 to teach at the Doon School of Fine Arts. In the winter of 1948 to

1949, he stayed on at an inn near the school to continue painting. Peter Varley wrote that his father's "affection for the rolling country of harvest hay grew stronger with time. Here, after so many years locked in cities, his happiness and zest for life returned." Varley taught his classes *en plein air*, while producing a body of work himself. This work is aflame with colour, recalling the extraordinary sunset works he produced in the Arctic in 1938. The range of hues shows Varley's consummate ability to handle contrasts—from icy blues, cool greens and rich purples to hot orange and red. Particularly striking is the whorl of white cloud in the sky, lit by the orb of the sun descending in a blaze of colour.

This work is #711 in the Varley Inventory listing, titled as *From the Pinnacle*, likely a reference to Pinnacle Hill near Doon.

There is an unfinished sketch on verso.

ESTIMATE: \$20,000 – 30,000



110 Arthur Lismer

AAM CGP CSGA CSPWC G7 OSA RCA 1885 – 1969

Blue Pool with Rocks

oil on canvas, signed and inscribed indistinctly
and on verso titled, circa 1951
16 ¼ x 20 in, 41.3 x 50.8 cm

PROVENANCE

A gift from the Artist to Allan and Sylvia Wargon, Ontario
By descent to the present Private Collection, Ontario

LITERATURE

Allan Wargon, director, *Lismer*, National Film Board of Canada,
1951, featuring this painting, <https://www.nfb.ca/film/lismer>

BLUE POOL WITH ROCKS belongs to a group of paintings that Arthur Lismer produced depicting small pools gathered in the rock formations of Georgian Bay. Intimate and still, they are like wild gardens, blooming with water lilies, their surfaces pierced by

pointed rocks that resemble natural sculptures. Lismer's rich palette, textural brushwork and inventive incising of lines with his brush handle make this work sparkle, and viewers can imagine themselves sitting on a smoothly rounded rock shelf at the edge of the pool, lost in contemplation of the shifting reflections and soft rippling of the water. Georgian Bay was a great inspiration to Lismer, from its windswept bays and storm-shaped pines to meditative scenes such as this; it was there that Lismer claimed to have found himself as an artist. This shining example of Lismer's Georgian Bay works is featured in the National Film Board film *Lismer*, in which we see the artist working on this painting from his first brush-strokes on a blank canvas through to near completion. Gifted by the artist in the early 1950s to Allan Wargon, who wrote and directed the NFB film, *Blue Pool with Rocks* is now being offered for sale for the first time.

ESTIMATE: \$30,000 – 50,000



111 Arthur Lismer

AAM CGP CSGA CSPWC G7 OSA RCA 1885–1969

Georgian Bay

oil on canvas board, signed and dated 1946 and on verso titled, dated and inscribed *Property of Henrietta Banting / Purchased from the Framing Gallery 1964*
12 × 16 in, 30.5 × 40.6 cm

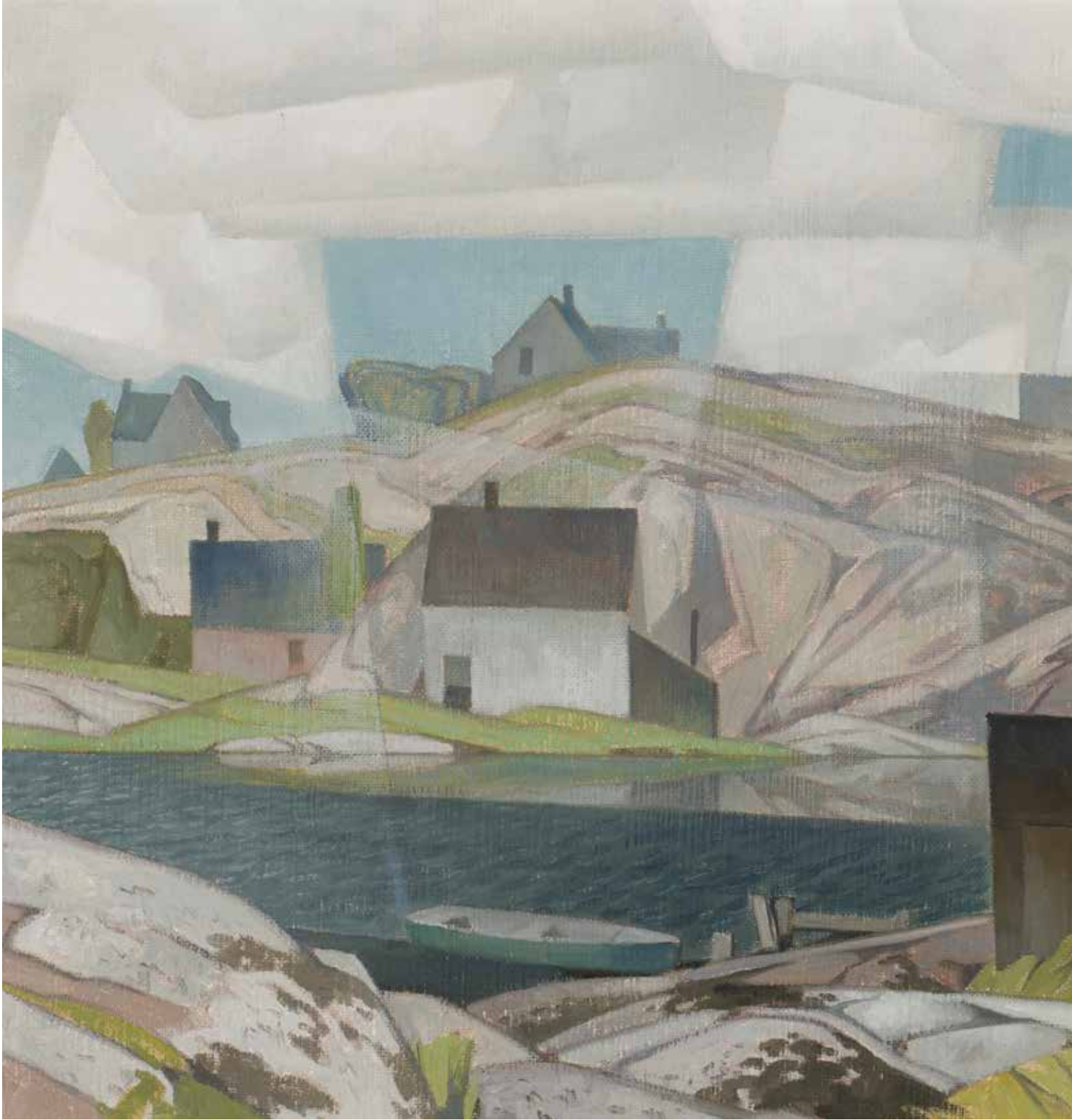
PROVENANCE

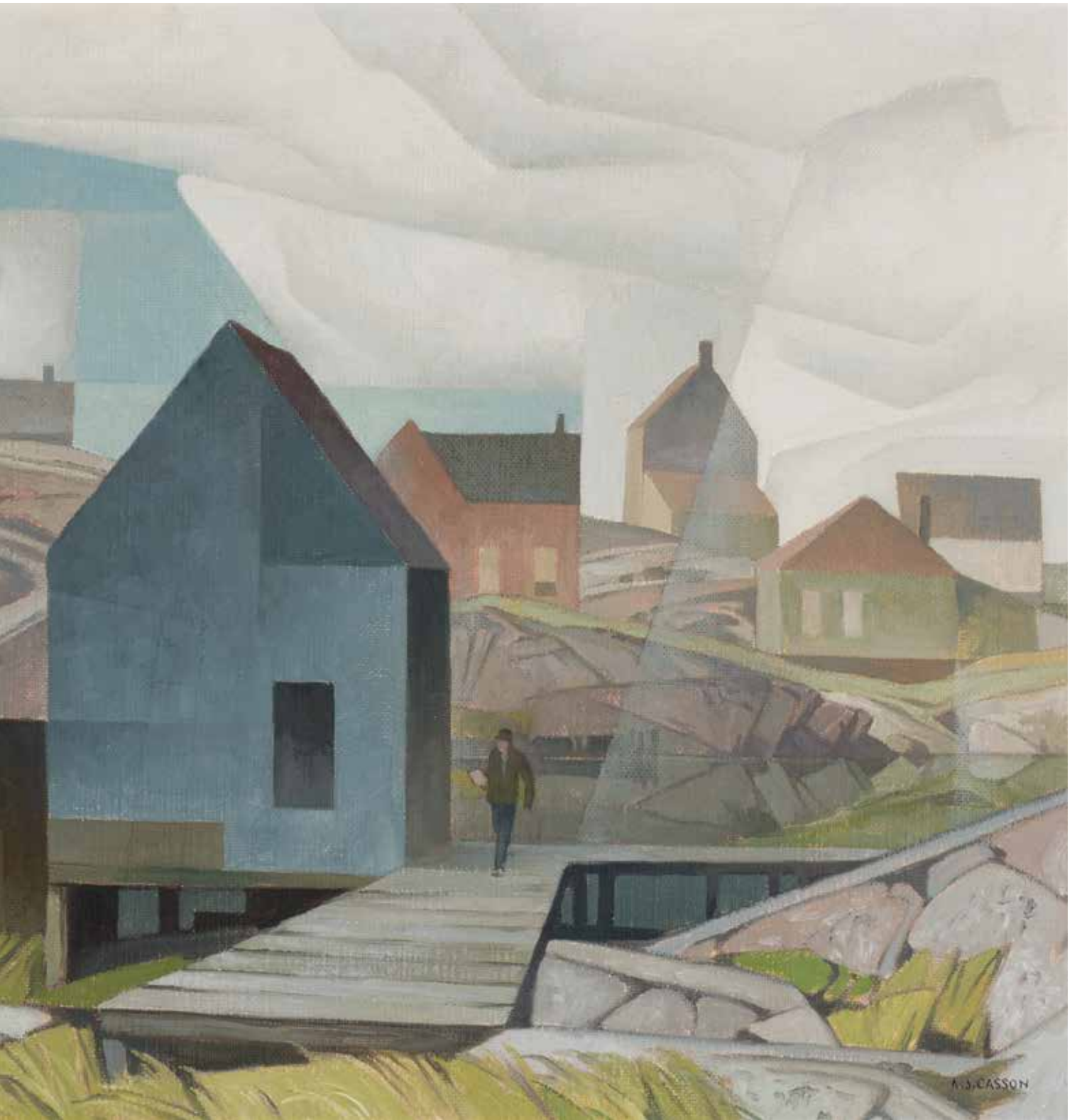
The Framing Gallery, Toronto
Acquired from the above by Dr. Henrietta Banting,
Toronto, 1964
Sold sale of *Canadian Art*, Joyner Fine Art,
May 16, 1989, lot 91
Private Collection, Toronto

WHILE ARTHUR LISMER was exceptionally capable of depicting the grand vistas and expressions of nature's magnitude for

which the Group of Seven are renowned, his tightly framed compositions of dockside detritus and tangles of undergrowth serve as an interesting and important counterpoint. These compositions constitute a sizable portion of his body of work, and he focused on them throughout his long and multi-faceted career, producing numerous examples during his time in Ontario, British Columbia and Nova Scotia. In this especially successful study, one senses his fascination with the organic jumble of form and colour at play in the vegetation and rock, expressed via his bold palette and demonstrative textures. As with much of Lismer's work, *Georgian Bay* exudes a celebratory and jubilant tone—one of an artist who never failed to revel in the joys of creativity. This painting also boasts a fascinating provenance, having once been owned by Lady Henrietta Banting—doctor, cancer researcher, pioneering advocate for women in medicine, and wife of artist and scientist Sir Frederick Banting.

ESTIMATE: \$25,000 – 35,000





A.S. CASSON



112 Alfred Joseph (A.J.) Casson

CGP CSPWC G7 OC POSA PRCA 1898 – 1992

Morning on the Inlet

oil on board, signed and on verso titled on the artist's label and inscribed *Byng Inlet looking towards Britt* on the gallery label and 32, circa 1959
24 × 45 in, 61 × 114.3 cm

PROVENANCE

Roberts Gallery, Toronto
Private Collection, Toronto

LITERATURE

Margaret Gray, Margaret Rand and Lois Steen,
A.J. Casson, 1976, pages 14, 28 and 50
“Buyers Clamour for New A.J. Casson Paintings,”
This Is Robert Fulford, CBC Radio Canada,
November 19, 1968, <https://www.cbc.ca/archives/entry/buyers-clamour-for-new-aj-casson-paintings>,
accessed August 29, 2019

EXHIBITED

Roberts Gallery, Toronto, *A.J. Casson, 1959*

IN THE 1930S, A.J. Casson often spent his weekends sketching small Ontario towns. His full-time employment as a commercial artist limited the range of his excursions, but he made excellent use of the time he had available. Casson's engagement with the architecture and way of life of these towns continued through most of his career, as is evident in *Morning on the Inlet* from circa 1959. As noted on verso, this painting depicts the town of Britt, Ontario, as seen from across Byng Inlet, located on the eastern shore of Georgian Bay. A subject of interest for Casson at the time, this is also the likely subject matter of his *Old Lumber Village* from the same period, sold by Heffel in November of 2017. At its height, Byng Inlet was home to the second-largest sawmill operation in Ontario, open until 1927. It was the main source of employment for the surrounding area, and when it closed, many communities such as Britt shrank or disappeared altogether. Casson's depictions of these towns are lyrical, but also carry a note of nostalgia for a time vanishing into the past.

This work springs from a key period of Casson's career he teasingly referred to as his “Box Period.” It is a decidedly unique chapter, with a heightened and theatrical tone. Its striking style exists somewhere between Edward Hopper and Georges Braque—while being gentler in experiment than Braque and more romantic than Hopper. The strength of the forms helps lend a sense of the monumental to these compositions, which blends with an overall tone of tranquility, possibly engendered in Casson by his father's Quaker heritage. Thought by many to be the period in which Casson's voice as an artist can be heard most

clearly, it was in part fueled by his decision to retire from his full-time role as vice-president and art director of Sampson-Matthews Limited, then one of Canada's leading commercial design firms. Then, with a handshake agreement, he chose Jack Wildridge of Toronto's Roberts Gallery to be his exclusive representation. Their long relationship began with a solo exhibition in 1959, in which this work was shown. Casson, for the first time in his life, was able to commit all of his time and effort to painting, and the public was eager to acquire his work.

Much can be said about Casson's more than 30-year career as a commercial artist and how it informed his style. The geometric elements of this particular composition are a clear result, but his career informed him even more fundamentally as an artist. He explained: “In commercial work there are restrictions—a job is given to you. It's a certain size, 8 × 10 maybe. It's a certain subject matter, depending on the product. Then whoever's in charge has figured you can use maybe four colours. Damned good training. It's a discipline.” Like a poet learning to excel within the form of a sonnet or haiku, Casson learned to thrive within restriction. This restriction extended to his palette as well, and he stated, “One day I saw the Velasquez painting of Phillip IV of Spain. The only discernible colours were black, brown, silver and rose. That started me on simple, restricted colour schemes.” This painting, for example, appears to have no more than six colours in it, each perfectly balanced. Notable, too, are the figure and the boat—both in harmony with their environment, an environment that often dwarfed the human circumstance with a terrible beauty when rendered by his peers. Here, the mood is a placid one, and while no clear narrative is suggested, the moment is instinctually understood to be peaceful.

Behind Casson's strongly executed and highly refined style, there is also an element of pleasure to his paintings. During the Depression, many people did not have the money to spend on paintings, and even if they did, venues in which an artist could exhibit were very limited. Since he had steady employment, this cultivated a practice of painting for pleasure rather than based on what might or might not sell. Talking about what this time instilled in him, Casson said, “When you painted something, you didn't think, ‘This one will go.’ You painted because you enjoyed and loved painting.” It is something Casson also felt was true of how he hoped his work would be received. In a CBC Radio interview at one of his Roberts Gallery openings in 1968, Casson said plainly, “If you're painting, you feel that if someone has a painting at home, and likes it, and loves it...that's the main thing.” Fortunately, while engaging in his own lifelong exploration of art, Casson was able to provide us all with a legacy of beauty that is unlimited.

ESTIMATE: \$250,000 – 350,000



113 Kathleen Moir Morris

AAM ARCA BHG 1893 – 1986

Market in Winter, Berthierville, Quebec

oil on board, signed, circa 1924

9 x 12 ¼ in, 22.9 x 31.1 cm

PROVENANCE

Mr. and Mrs. David Taylor, Montreal

By descent to a Private Estate, British Columbia

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

November 26, 2009, lot 204

Private Collection, Toronto

EXHIBITED

Galerie Walter Klinkhoff Inc., Montreal, *Kathleen Morris*,

Loan Exhibition, June 1976, catalogue #56

KATHLEEN MORRIS WAS a member of the Beaver Hall Group in Montreal, formally in existence from 1920 to 1922. The women members of the group stayed in contact and continued to exhibit

together. Morris's streetscapes were painted directly from life in all seasons, in Montreal, Quebec City, Ottawa and outlying towns such as picturesque Berthierville, where she and her mother usually spent six weeks each year. Morris was particularly known for her depiction of colourful market scenes and horse-drawn taxi stands, and this is a fine example of this sought-after subject matter. In winter, Morris would be transported by sleigh to her chosen destination, where she painted bundled in furs. Her brushwork here is bold and assured, and her colour palette strong, contrasting the bright colours of the horses' blankets and pastel house facades with the cool, even light of an overcast winter day. Examples of this subject are in the collections of the National Gallery of Canada and the Montreal Museum of Fine Arts.

This oil sketch was later used by Morris to produce the important large-format canvas of this scene, formerly in the private collection of Kenneth G. Heffel.

ESTIMATE: \$30,000 – 50,000



114 Kathleen Moir Morris

AAM ARCA BHG 1893 – 1986

Street Scene in Ottawa

oil on board, signed and on verso titled, dated circa 1935 on a gallery label and inscribed 437 G
10 × 13 ½ in, 25.4 × 34.3 cm

PROVENANCE

Winchester Galleries, Victoria
Private Collection, Toronto

EXHIBITED

Galerie Walter Klinkhoff Inc., Montreal, *Kathleen Morris (1893 – 1986), Retrospective Exhibition*, September 2003

KATHLEEN MORRIS WAS born into Montreal's Protestant elite and became part of Montreal's Beaver Hall Group in 1920. At a time when women were struggling to assert their professional status, this group of women, with their impressive lists of exhibitions and acquisitions by museums, was groundbreaking. From

1922 to 1929 Morris lived in Ottawa, and she painted an accomplished body of work based on urban scenes there. Eric Brown, director of the National Gallery of Canada, was an early supporter and acquired a work for the gallery's collection. Supported by her mother, who was a defender of women's rights, Morris overcame a disability that impaired her speech and coordination. Undaunted, she painted outdoors in winter to capture scenes like this, and her passion for life was admirable. Morris used an intriguing bird's-eye view in this scene, using open space as a contrast to the urban density. Her brush-strokes are lush and textural, and the winter sky is an intriguing ochre-green hue, capturing the unusual winter light. Captivating details like the horse-and-sleigh teams and people on the streets add visual richness to this fine sketch.

ESTIMATE: \$30,000 – 50,000



115 Marc-Aurèle de Foy Suzor-Coté

CAC RCA 1869 – 1937

Street, Winter, Arthabaska

oil on panel, signed and on verso titled
and dated circa 1912 on the labels
6 ½ x 9 ½ in, 16.5 x 24.1 cm

PROVENANCE

Lou Ritchie, Montreal
Estelle Hopmeyer, Montreal
West End Gallery, Quebec
Dr. Norman Tepper, Montreal
Galerie Jean-Pierre Valentin, Montreal
A.K. Prakash & Associates, Toronto
Private Collection, Ontario

LITERATURE

The Year Book of Canadian Art, Arts and Letters Club, 1913,
a similar 1910 canvas reproduced page 155
Louise Beaudry, *Couleur et lumière: Les paysages de Cullen et de
Suzor-Côté*, Fondation de la maison des arts de Laval, 1991,
reproduced page 29 and listed page 43
Laurier Lacroix, *Marc-Aurèle de Foy Suzor-Coté: Light and Matter*,
National Gallery of Canada and Musée du Québec, 2002, a
similar 1910 canvas entitled *A Street in a Canadian Village, Win-
ter*, in the collection of the Toronto Club, reproduced page 199
Katerina Atanassova, *Forging the Path: The Forerunners (1870 –
1920)*, McMichael Canadian Art Collection, 2010
A.K. Prakash, *Impressionism in Canada: A Journey of Rediscovery*,
2015, reproduced plate #14.10, page 472

Katerina Atanassova et al., *Canada and Impressionism: New Hori-
zons, 1880 – 1930*, National Gallery of Canada, 2019, the 1913
canvas entitled *Village in Winter* reproduced page 202

EXHIBITED

Fondation de la maison des arts de Laval, Quebec, *Couleur
et lumière: Les paysages de Cullen et de Suzor-Côté*, 1991,
catalogue #37
McMichael Canadian Art Collection, Kleinburg, *Forging the Path:
The Forerunners (1870 – 1920)*, October 2, 2010 – January 23, 2011

ARTHABASKA WAS AN iconic subject for Canadian Impression-
ist Marc-Aurèle Suzor-Coté. He was born into one of the elite
families in the village of Arthabaska, on the south shore of the
St. Lawrence between Montreal and Quebec City. After his art
education in Paris at the École des Beaux-Arts, during his first
trip to France from 1891 to 1894, he returned to Quebec and
opened a studio in Montreal, and also built a studio on his parents'
property at Arthabaska. He had a great feeling for the country-
side there, its hills, woods, rustic homes and sugar bushes, and
returned often to paint the area in all lights and seasons—partic-
ularly in winter, as in this vital *pochade*. Suzor-Coté's vigorous,
textured brushwork makes this work special; through his use of
long paint-strokes, it seems as if the snow is flowing along with
the figure on the sled. Rays of sun striking patches of snow light
up the work, adding to the atmosphere. Suzor-Coté was a tech-
nical virtuoso, but more than that, as Laurier Lacroix wrote, "He
gives us not just a specific geography, but also the spirit of a place."

ESTIMATE: \$25,000 – 35,000



116 Clarence Alphonse Gagnon

CAC RCA 1881 – 1942

Lac de Charlevoix au crépuscule

oil on panel, on verso titled, dated circa 1921 on the labels, inscribed with the Dominion Gallery inventory #B3752 and certified by the Lucile Rodier Gagnon inventory #64
6 ½ x 9 ¼ in, 16.5 x 23.5 cm

PROVENANCE

Estate of the Artist

Acquired from the above by William R. Watson, Montreal

Acquired from the above by Mrs. Percy Flynn, Quebec City

Acquired from the above by the Dominion Gallery, Montreal,
September 25, 1964

Acquired from the above by David J. Molson, Quebec,
October 27, 1964

Acquired from the above by Paul Kastel, Montreal, circa 1985

Private Collection, Toronto

Private Collection, Vancouver

Private Collection, Ontario

LITERATURE

A.K. Prakash, *Impressionism in Canada: A Journey of Rediscovery*,
2015, reproduced page 585

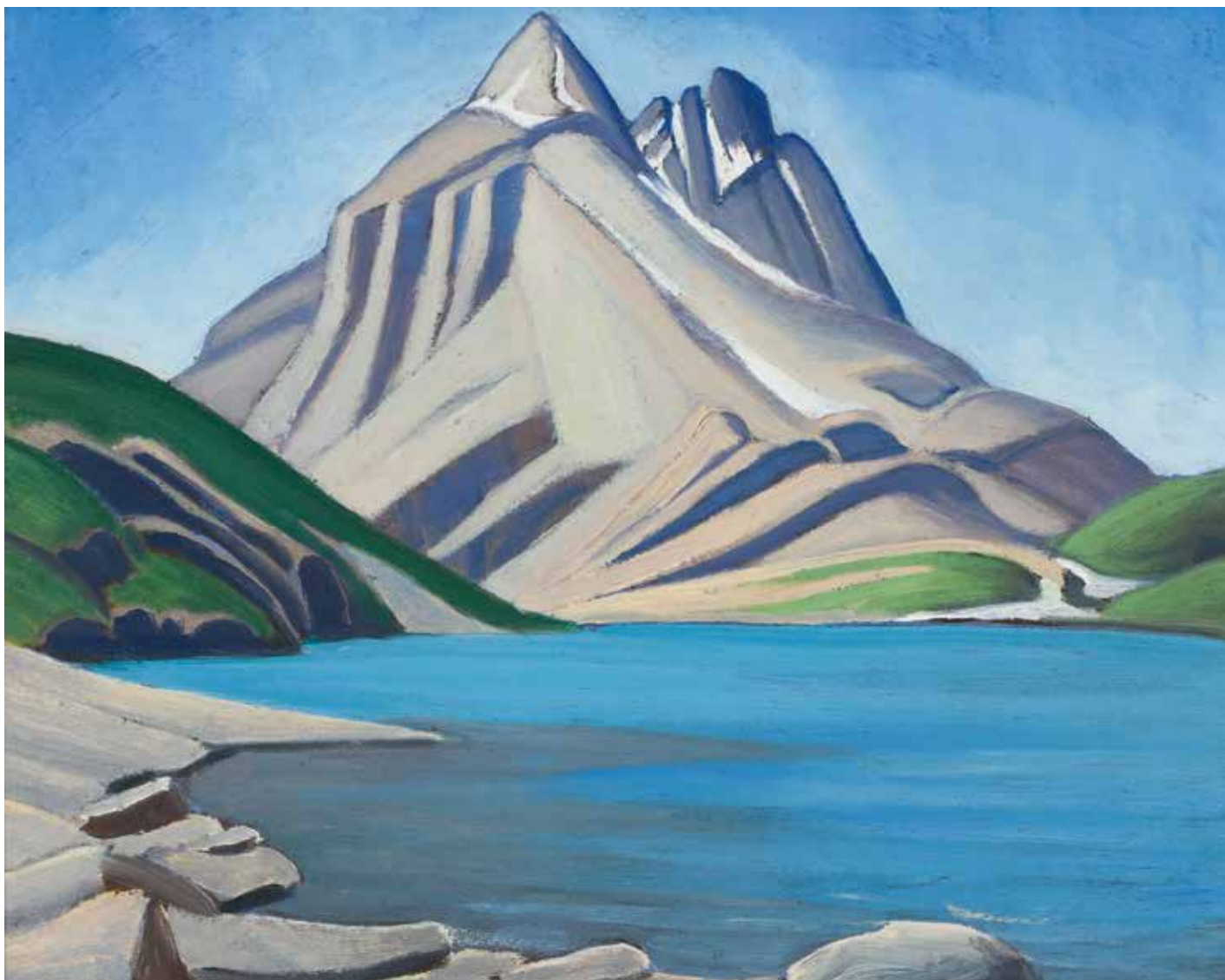
EXHIBITED

Art Gallery of Ontario, Toronto

FROM 1919 TO 1924, Clarence Gagnon lived in Baie-Saint-Paul in the Quebec countryside, a location he had great affection for. He often made outdoor sketching trips, on skis in the winter and on foot in the summer, bringing his paintbox, sketchbook and folding stool. Other well-known artists such as A.Y. Jackson, Albert H. Robinson and Edwin Holgate sometimes joined him, as Baie-Saint-Paul was held in high regard for its picturesque views.

Gagnon was greatly concerned with the quality of his materials, and during this time he was grinding his own pigments, ordered from the Paris firm of Morin et Tanet—thus the rich blues, greens, purples and delicate mauves we see here. The artist's exquisite feel for the ephemeral effects of atmosphere is revealed in the pastel highlights in the clouds and the snowfields on the mountaintops, and in thin glimmers of gold throughout the image. In this *pochade*, Gagnon captures the beauty of the striking view at this rural house—from the lake, whose hues move from mauve to peridot green, to the hills and mountains beyond.

ESTIMATE: \$25,000 – 35,000



117 Lawren Stewart Harris

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

Mountain Sketch LXX

oil on board, on verso signed, titled, inscribed with the Doris Mills inventory #7/70 and stamped Dominion Gallery, circa 1928
12 x 15 in, 30.5 x 38.1 cm

PROVENANCE

Stevens Art Gallery, Montreal, January 14, 1947
Estate of Theodosia Dawes Bond Thornton, Montreal
Sold sale of *Fine Canadian Art*, Heffel Fine Art Auction House,
May 26, 2010, lot 132
Steve Martin, Los Angeles, California

LITERATURE

Lawren Harris to Emily Carr, June 1930, in Emily Carr Correspondence, January 1928 – December 1932, MG 30 D215, National Archives of Canada

Doris Mills, *L.S. Harris Inventory*, 1936, Rocky Mountain Sketches, Group 7, catalogue #70, listed, location noted as the Studio Building, a drawing of this work illustrated by Hans Jensen page 40

Theodosia Dawes Bond Thornton, *Personal Art Collection Catalogue*, reproduced, unpaginated, catalogue #R4 Bess Harris and R.G.P. Colgrove, editors, *Lawren Harris*, 1969, pages 91 and 109

Paul Duval, *Lawren Harris: Where the Universe Sings*, 2011, a similar sketch of the same scene, entitled *Rocky Mountain Sketch*, reproduced page 306

Cynthia Burlingham et al., *The Idea of North: The Paintings of Lawren Harris*, Art Gallery of Ontario and Hammer Museum, 2015, essay by Steve Martin, pages 17 and 18

EXHIBITED

Dominion Gallery, Montreal

THE MOUNTAIN PAINTINGS of Lawren Harris are among the most celebrated icons of Canadian art. These works, such as the luminous *Mountain Sketch LXX*, are the culmination of the artist's unrelenting desire to portray underlying truths and enduring values in the world around us. Art, according to Harris, is "an adventure toward an illusive, yet insistent reality" and "one of the ways in which man endeavours to find himself in the universe." Harris was an ambitious and restless artist, searching for ways to express such ideas he referred to as "insistently forming." Constantly evolving, Harris regularly reinvented his practice, and for a career spanning six decades, he seldom maintained an approach to his painting, whether in style or subject, for more than a few years.

By the end of the 1920s, he had reached the pinnacle of his representative treatment of landscape, achieving the clarity of vision that resulted in his most powerful paintings, which conveyed both the Canadian environment and deeper, more universal, ideas. As he wrote to fellow artist Emily Carr in 1930, "[Profoundness] is the interplay in unity of the resonance of mother earth and the spirit of eternity. Which, though it sounds incongruous, means nature and the abstract qualities fused in one work." Evident in this work offered here, Harris was able to achieve this cohesion of ideas successfully and impressively.

This sketch, portraying the rocky shore and idyllic waters of Lake MacArthur looking towards the peaks of Odaray Mountain, provides a faithful representation of the scene on a summer day in the Rocky Mountains of British Columbia's Yoho National Park. But these particulars are not the motivator for the work, but simply the vehicle that Harris uses to explore much larger ideas. Harris declared further to Carr, "Representation means nothing—the spirit everything—but we cannot get the spirit without the use of representation ... [and] we come to love the representational because it provides a home for the spirit—and we sensed the spirit first and always through the life and forms of nature."

Harris's infatuation with the mountains seems inevitable when tracing the ascension of his interests: moving from the immediate and earthly attentions of urban scenes, snow-laden forests and abundant lakeshores to the broadening horizons of Algoma's hilltop vistas, and eventually the solemn, ethereal expanses over Lake Superior. It was in the mountains, however, where Harris finally found a landscape that allowed him to ascend into these higher planes himself—where the landforms seemed to aspire to the same heights as his ideas. Here he reached the empyrean of his landscape ambitions, surrounded finally by the subject matter that matched the altitude of his ideas.

Mountain Sketch LXX comes from the collection of comedian, actor, author, musician and, most pertinently, art curator Steve Martin. Previously part of the esteemed collection of Theodosia Dawes Bond Thornton, the pedigree of this work is demonstrated by its history in the collections of knowledgeable, passionate and dedicated devotees of the artist. In 2015, Martin co-curated *The Idea of North*, an exhibition that aimed not only to (re)introduce Harris to the United States, but also to recognize the artist's achievements as a modernist painter in addition to his significant contributions to Canadian cultural identity.

Martin's own collection of works, including this painting and another Harris recently donated to the Museum of Fine Arts in Boston (*Northern Painting 25*), played a significant role as a

catalyst for the exhibition, fostering interest in those not familiar with Harris's works and demonstrating a desire to rectify the so-far impermeable nature of Canada's borders to the fame of one of its greatest artists.

This work immediately recalls the monumental *Mountain Forms*, a highlight of *The Idea of North*, with an analogous, centred, triangular peak, very nearly breaching the top of the composition. But, in contrast to that dramatic canvas, this work allows for more intimacy, with an immediacy achieved by placing the observer at the shores of the placid lake. There is tension inherent in this tranquility, as the beauty and serenity of the alpine landscape is simultaneously full of the power and volatility of such awe-inspiring landscapes. Duality such as this is central to the work of Harris. Martin writes of these landscapes, "The absence of organic things ... created a paradoxical effect: the pictures came to life," and "The mountain views want to oscillate—if paint would allow them to." The interplay of these apparent contradictions captures the brilliance found in many of Harris's finest works: the ability to reveal the life in the barren and the energy in the still.

Through works such as *Mountain Sketch LXX*, Harris succeeds in achieving one of the promises he described in the creative practice: the opportunity "both to find ourselves in our environment and to give that environment new and more far-reaching meaning."

We thank Alec Blair, Director / Lead Researcher, Lawren S. Harris Inventory Project, for contributing the above essay.

ESTIMATE: \$300,000 – 500,000



118 Emily Carr

BCSFA CGP 1871 – 1945

Street, Alert Bay

oil on canvas, signed M. Emily Carr, 1912

32 x 23 3/8 in, 81.3 x 59.4 cm

PROVENANCE

Dominion Gallery, Montreal, on consignment
from Emily Carr, titled as *Alert Bay, Mother in
Foreground* (A64), August 4, 1944
Acquired from Emily Carr by Dominion Gallery, Montreal,
titled as *Street, Alert Bay*, October 28, 1944
Captain A.P. Van Stolk, Montreal, October 28, 1944
Dominion Gallery, Montreal, December 15, 1944
Laing Galleries, Toronto, April 1, 1945
Private Collection, Florida, circa 1959
By descent to the present Private Collection, Toronto

LITERATURE

“Miss Carr Replies,” *The Daily Province* (Vancouver),
April 8, 1912, page 5
Paintings and Watercolours by Emily Carr, Dominion Gallery,
1944, reproduced front cover and listed
“Works by Emily Carr at Dominion Gallery,” *The Gazette*
(Montreal), October 21, 1944, reproduced
Iris Smallwood, “Author, Artist, Emily Carr Is Also
Fascinating Person,” *The Standard* (Montreal),
November 25, 1944, reproduced
“Emily Carr,” *Canadian Art*, vol. 2, no. 3, March 1945,
pages 115 – 119, reproduced
Emily Carr, *Growing Pains*, 1946, page 309
Marius Barbeau, *Totem Poles According to Location*,
National Museum of Canada, 1950, vol. 2, reproduced
page 678, titled as *Alert Bay in 1912*, listed page 873
Marius Barbeau, *Totem Poles According to Crests and Topics*,
National Museum of Canada, 1951, vol. 1, *Totem Poles*,
a description of the whale totem, page 289
Maria Tippet, *Emily Carr: A Biography*, 1979,
pages 75, 76 and 92
Paula Blanchard, *The Life of Emily Carr*, 1987,
pages 120 and 121
Doris Shadbolt, *Emily Carr*, 1990, the 1912 oil on canvas
entitled *Alert Bay (with Welcome Figure)*, a view of this
street from the opposite direction, reproduced page 106
Ian M. Thom, *Emily Carr in France*, Vancouver Art Gallery,
1991, page 28
Gerta Moray, *Northwest Coast Native Culture and the Early Indian
Paintings of Emily Carr, 1899 – 1913*, PhD thesis, University
of Toronto, 1993, vol. 1, Carr’s trip to Alert Bay and images

discussed pages 251, 254, 257, 273 – 278 and 369 – 372;
vol. 2, listed page 15, reproduced E.1/35, unpaginated
Charles C. Hill et al., *Emily Carr: New Perspectives on a
Canadian Icon*, National Gallery of Canada, 2006,
pages 63 and 107, reproduced page 145, illustration #105
Gerta Moray, *Unsettling Encounters: First Nations Imagery
in the Art of Emily Carr*, 2006, a photograph of this street
by C.F. Newcombe in 1913 reproduced page 88; the 1909
watercolour entitled *An Indian Village* with a view of this
street reproduced page 155; the circa 1908 watercolour
entitled *Alert Bay*, of this street from the opposite direction,
reproduced page 165; the circa 1912 oil on canvas entitled
Totem Pole, in the McMichael Canadian Art Collection,
with a close-up of the first totem, reproduced page 173;
Carr’s Alert Bay visit discussed pages 86 – 89, 94 – 95
and 124; and her studio works after the trip discussed
pages 133 – 135

Sarah Milroy and Ian Desjardin, editors, *From the Forest
to the Sea: Emily Carr in British Columbia*, Art Gallery
of Ontario and Dulwich Picture Gallery, 2014, culture
in Alert Bay discussed pages 52 – 57; a photograph of
this street reproduced page 52; and the oil on canvas
Totem Pole (Alert Bay) reproduced page 53

EXHIBITED

Dominion Hall, Vancouver, *Paintings of Indian Totem Poles
and Indian Life by Emily Carr*, opened April 16, 1913
National Gallery of Canada, Ottawa, *Exhibition of Canadian
West Coast Art—Native and Modern*, December 2 – 31, 1927,
traveling in 1928 to the Art Gallery of Toronto and Art
Association of Montreal, listed as either catalogue #3,
titled as *Alert Bay, West Coast*, or as catalogue #11, 22 or 23,
titled as *Alert Bay*
Dominion Gallery, Montreal, *Paintings and Watercolours by
Emily Carr*, October 19 – November 9, 1944, titled as
Street, Alert Bay / Une rue, Baie Alert, catalogue #2
McMichael Canadian Art Collection, Kleinburg,
extended loan, 1979 – 1981
National Gallery of Canada, Ottawa, *Emily Carr*,
June 29 – September 3, 1990, catalogue #25
National Gallery of Canada, Ottawa, *Emily Carr: New Perspectives
on a Canadian Icon*, June 2 – September 4, 2006, traveling
in 2006 – 2008 to the Vancouver Art Gallery; Art Gallery
of Ontario, Toronto; Montreal Museum of Fine Arts; and
Glenbow Museum, Calgary, catalogue #32
Vancouver Art Gallery, extended loan, 2007 – 2017
Vancouver Art Gallery, *In Dialogue with Carr: Douglas Coupland,
Evan Lee, Liz Magor and Marianne Nicolson*, July 1, 2010 –
January 3, 2011



FIGURE 1: **EMILY CARR**
Alert Bay, Street Scene with Mother in Foreground

watercolour on paper, 1909
 14 ¾ x 10 ¾ in, 37,5 x 27,3 cm
 Private Collection
 Courtesy of the National Gallery of Canada
 Dominion Gallery fonds, box 425, file 2

Not for sale with this lot

A WOMAN WRAPPED in a shawl sits on a blanket in the foreground, keeping a close eye on a toddler. Across the beaten-earth street are two frame houses with sash windows and two tall heraldic poles. Additional figures sit and watch or walk along the street towards a welcome figure that stands at the head of the road, in front of several white buildings. The painting depicts a street in the village of Alert Bay, on Cormorant Island off the northeast coast of Vancouver Island, and the houses faced the waters of Broughton Strait.

Emily Carr's own account of the importance of her discovery of the totems or crest poles at Sitka, Alaska, in 1907 is well known. That trip would be the catalyst for her future mission to



FIGURE 2: Alert Bay, BC
 Courtesy of the Royal BC Museum and Archives, PN 16532

document the monumental arts of the coastal First Nations. But it was at Alert Bay in 1908 and 1909 that Carr produced her first cohesive body of watercolours depicting Indigenous house fronts, poles and village streets.

In her doctoral thesis and resultant book, *Unsettling Encounters: First Nations Imagery in the Art of Emily Carr*, Gerta Moray has provided the most intelligent and detailed analysis of Carr's early paintings. Alert Bay, or Yalis, grew up after 1870 when a commercial fish saltery was established. Soon a sawmill and cannery were built, attracting Kwakwaka'wakw families from the 'Namgis First Nation and nearby islands who provided the necessary workforce. The village became a thriving centre of economic activity, and it

was visited weekly by the Union Steamship Company and coastal tourists.

Moray has observed that Carr's 1908 and 1909 watercolours of Alert Bay did not focus on individual poles but on village life, as seen in the watercolour of 1909 (figure 1). Here the houses along the northeast end of the street lead to the cannery buildings upper right (figure 2), as identified by Peter Macnair, retired curator of ethnology at the Royal British Columbia Museum. The human element is of equal interest to the monumental sculptures in these early street views, giving a sense of the scale and topography of the village. Nonetheless it is the magnificent Whale Totem at the left that dominates and attracts the viewer's attention and that retained Carr's interest. In 1947 Chief Daniel Cranmer informed ethnologist Marius Barbeau that the whale crest belonged to the 'Namgis chief L'akwagiyilaw, the carver of the pole, and that it was erected around 1900 to 1905, shortly before Carr's first visits to Alert Bay.

Frustrated by her inability to achieve a visual language equal to the subjects that attracted her, Carr left for Paris in the summer of 1910. In France she would make a major breakthrough under the tutelage of the English painter Henry Phelan Gibb. In her own words, she now understood the formal links between the abstraction of Kwakwaka'wakw carvings and the "New Art" she had come to seek. She stated, "I...pulled some of my Indian sketches from the bottom of my trunk & re-painted them cooperating [sic] the bigger methods I had absorbed over here with the bigger material of the west." Moray argues that one of the watercolours Carr reinterpreted in France was a canvas of the Whale Totem, *Alert Bay Totem Pole* (figure 3), a detail of the 1909 Alert Bay watercolour (figure 1). The painting sings in her new palette.

When she exhibited her French paintings in Vancouver in April 1912, Carr reiterated her debt to Kwakwaka'wakw artists in a letter to the *Daily Province*, stating, "Art is art, nature is nature... Our native Indians do not copy nature, yet their carvings inspired by nature are wonderful;... Pictures should be inspired by nature, but made in the soul of the artist."

Carr returned to her Vancouver studio, but she was unable to regain her former teaching job. In her autobiography *Growing Pains* she wrote, "Having so few pupils, I had much time for study. When I got out my Northern sketches and worked on them I found that I had grown. Many of these old Indian sketches I made into large canvases." As Moray notes, almost all of Carr's 1912 Alert Bay canvases can be linked to watercolours painted in 1908 or 1909.

Street, Alert Bay was painted in the spring of 1912 and follows the 1909 watercolour quite faithfully. Carr cropped the foreground, bringing the larger figures closer to the viewer. The view is less distanced and more immediate. She retained, though recostumed, the standing woman at the base of the Whale Totem, and added the two figures at the end of the street. The palette has been completely changed. Colour and line are clearer and

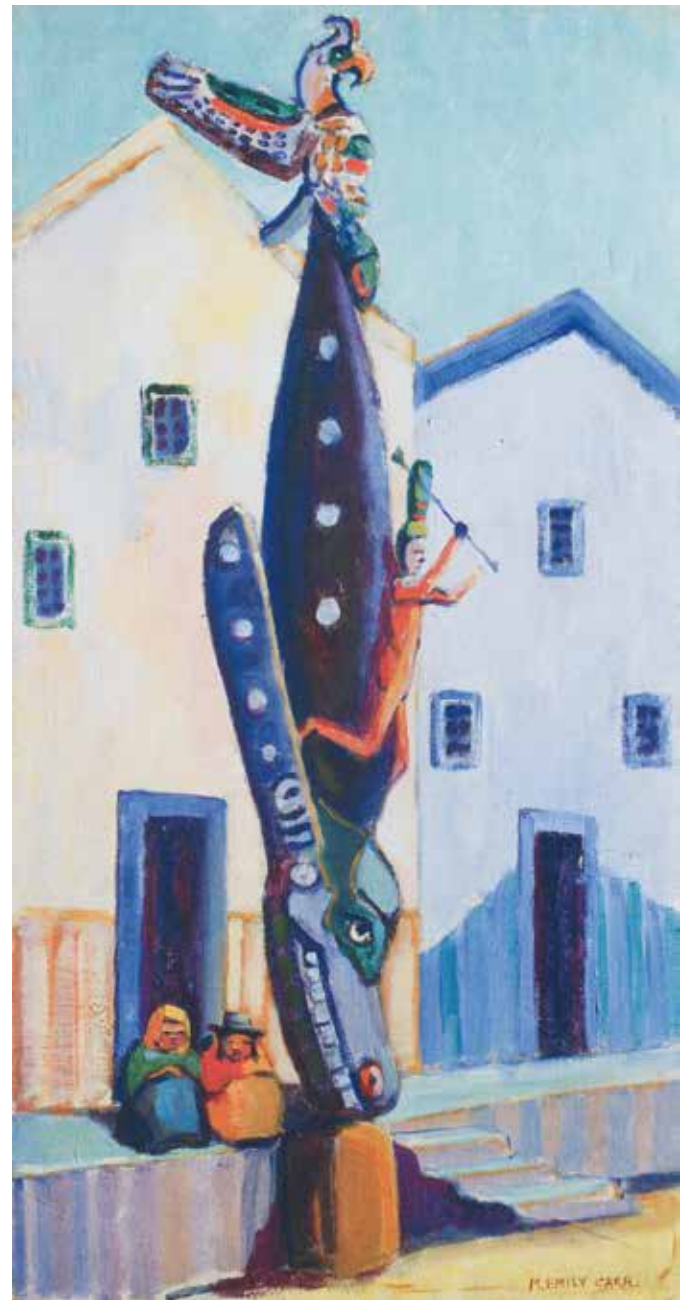


FIGURE 3: EMILY CARR

Alert Bay Totem Pole

oil on canvas, 1911 or 1912

27 x 14 1/4 in, 68.6 x 35.9 cm

Courtesy of McMichael Canadian Art Collection

Gift of Dr. and Mrs. Max Stern, Dominion Gallery, Montreal, 1974.18.4

Not for sale with this lot

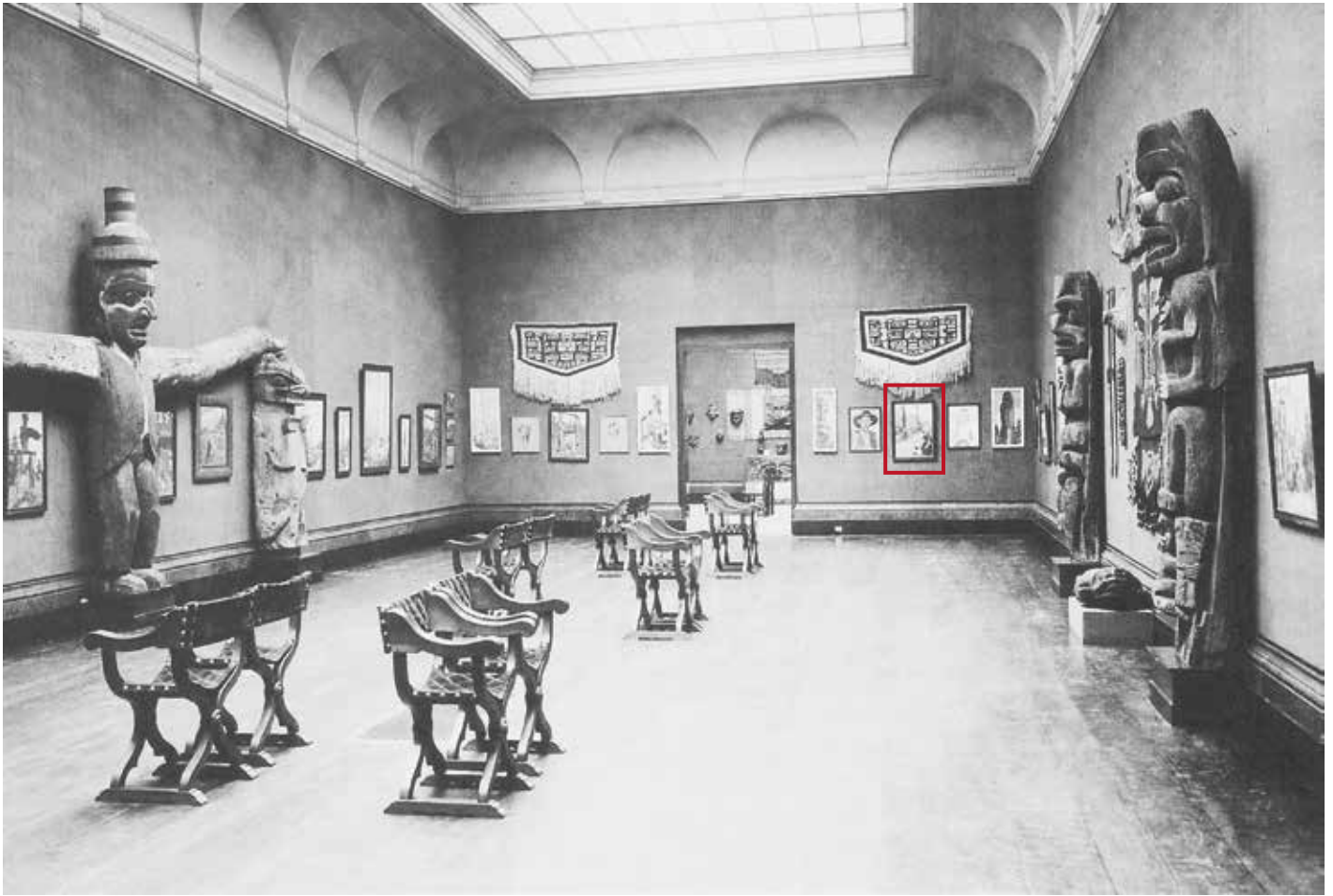


FIGURE 4: *Exhibition of Canadian West Coast Art—Native and Modern*, Art Gallery of Toronto, February 1928 (our painting showing right of door)

the canvas is full of light. The white and ochre street, framed by blues and greens, moves the eye through the picture plane to the cannery buildings and clouds upper right. Laundry hangs on lines on both sides, the reds and oranges linking the two ends of the composition. The house fronts, painted in modulated tones of cream-yellow, blue, pinks and ochres, almost have the transparency of watercolour. The coloured pattern of the seated woman's shawl is echoed in the monumental Whale Totem and the door and window frames. The shadow of the Whale Totem is treated as blue horizontal bands, responding to the adjacent house.

Carr returned to Alert Bay in the summer of 1912 and more ambitiously traveled up the Skeena River and over to Haida Gwaii. In April 1913 she held a major exhibition of some 200 paintings of "Indian totem poles and Indian life," as she described the subject matter, at Drummond Hall in Vancouver. No list of what Carr showed has been located but we know she did include paintings

of Alert Bay, dismissed by the writer in the *Daily Province* for "cater[ing] to travellers." Most likely this remarkable canvas was included, bearing witness to Carr's evolution in paint.

The economic recession that began in British Columbia in 1913 was aggravated by the war that broke out in 1914. Carr had planned the construction of a house on her father's Victoria property before the recession hit, but the demands of tenants and other means of making a living forced her to stop painting for a number of years. When she returned to painting in the early 1920s, she depicted the landscapes around Victoria, abandoning her native subjects. But in October 1926 she contacted Marius Barbeau, ethnologist at the National Museum in Ottawa, who was then lecturing in Vancouver on the cultures of the First Nations of British Columbia. This resulted in a visit from Eric Brown, director of the National Gallery, and the selection of Carr's paintings for the *Exhibition of Canadian West Coast Art—Native and Modern*,

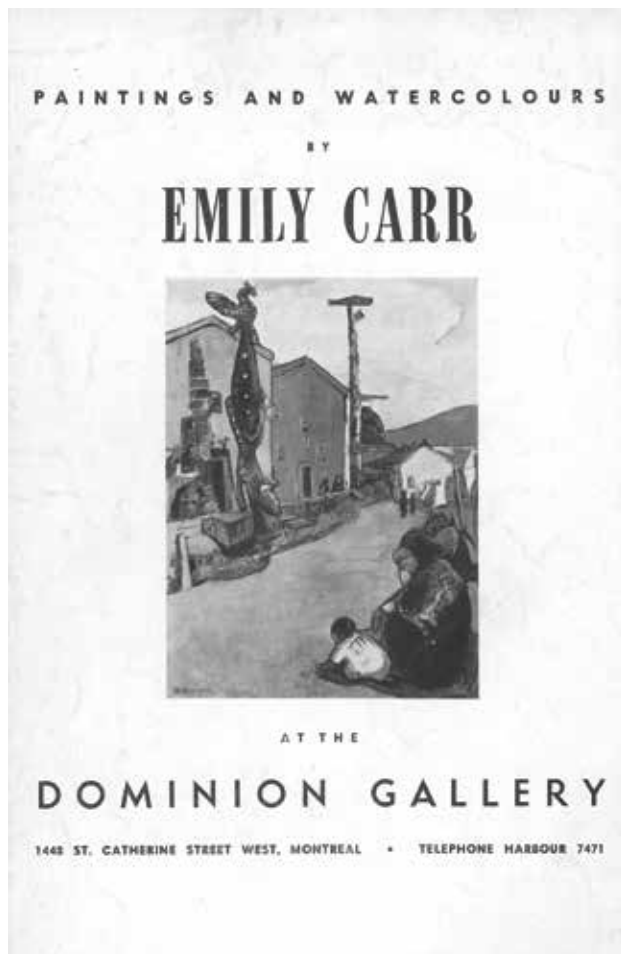


FIGURE 5: Dominion Gallery, Montreal, *Paintings and Watercolours* by Emily Carr, 1944, catalogue cover
 Courtesy of the National Gallery of Canada

to be shown in Ottawa in December 1927 and subsequently in Toronto and Montreal. Among the 45 oils and 20 watercolours Carr sent to Ottawa were six paintings of Alert Bay, including one titled *Alert Bay, Village Street*. Four of these Alert Bay paintings were selected for the exhibition, merely identified by location in the catalogue (figure 4). Recognizing the importance of her work, Barbeau arranged to have 34 of Carr's paintings photographed, including *Street, Alert Bay* (CMC 70038), before the exhibition was sent on to the Art Gallery of Toronto. Nineteen of these were later reproduced in his massive tome *Totems*, published by the National Museum of Canada in 1950 to 1951.

The West Coast exhibition brought Carr to the attention of a national audience and relaunched her career. However, this did not result in a great increase in sales. The bulk of the pre-1914 watercolours and canvases remained with the artist. In the summer of 1944, Dr. Max Stern of Montreal's Dominion Gallery

visited Carr in Victoria. Delighted by her paintings, her low asking prices and the potential for sales, he had Carr ship to Montreal over 80 paintings and watercolours on consignment. A solo exhibition of 59 oils and watercolours was held in October 1944, with *Street, Alert Bay* illustrated on the cover of the catalogue, which was published in English and French for the gallery's clientele (figure 5). On October 28, this painting was sold to Captain A.P. van Stolk of the Netherlands consulate in Montreal, in exchange for a Benin bronze (now in the Montreal Museum of Fine Arts) plus a sum of money, but van Stolk returned it to the Dominion Gallery in December.

Blair Laing of Laing Galleries in Toronto, undoubtedly having heard of the success of the Dominion Gallery's exhibition and who was in regular touch with Carr's co-executor Lawren Harris, purchased *Street, Alert Bay* and *Cape Mudge Pole* for his gallery in April 1945 following Carr's death. Laing subsequently acquired additional paintings and watercolours by Carr from the Dominion Gallery, and held an exhibition of her work to coincide with the presentation of her memorial exhibition at the Art Gallery of Toronto in October 1945. This painting was later acquired from Laing Galleries, around 1959, by the family of the current owner.

We thank Charles C. Hill, former curator of Canadian art from 1980 to 2014 at the National Gallery of Canada and co-author of *Emily Carr: New Perspectives on a Canadian Icon*, for contributing the above essay.

ESTIMATE: \$2,000,000 – 3,000,000



119 Emily Carr

BCSFA CGP 1871 – 1945

Drift Highland

oil on paper on board, signed and on verso titled on the gallery label, inscribed *Gurney's Office* and with the Dominion Gallery inventory #A126 and stamped with the Dominion Gallery stamp, circa 1935
22 ½ × 36 in, 57.2 × 91.4 cm

PROVENANCE

Dominion Gallery, Montreal
Private Collection, Winnipeg
By descent to the present Private Collection, Ontario

LITERATURE

Doris Shadbolt, *Emily Carr*, 1990, page 185
Emily Carr, *Hundreds and Thousands: The Journals of Emily Carr*, 2006, pages 154, 292 and 329

EMILY CARR COULD have been describing this scene when she wrote, “It’s one of those days that blare. Sky high and blue, sun dictatorial, wind uncertain, puffing here, huffing there...” *Drift Highland* represents Carr’s emergence from the forest into the open, where her subjects became logged-off hillsides, views to the ocean and driftwood thrown up on beaches. The cliffs of Beacon Hill Park and Dallas Road in Victoria and the gravel pits of Metchosin were her chief locations for these subjects.

Skies began to dominate, and with them, a feeling of freedom and exuberance. Depicting patterns of energy in the landscape was important to Carr, and she wrote in her journal on April 4, 1934, “I woke up this morning with ‘unity of movement’ in a picture strong in my mind. I believe Van Gogh had that idea... It seems to me that clears up a lot. I see it very strongly out on the beach and cliffs... Now it seems to me the first thing to seize on in your layout is the direction of your main movement, the sweep of the whole thing as a unit.” It is intriguing that she also said, “People often connect my work with Van Gogh—compare it...

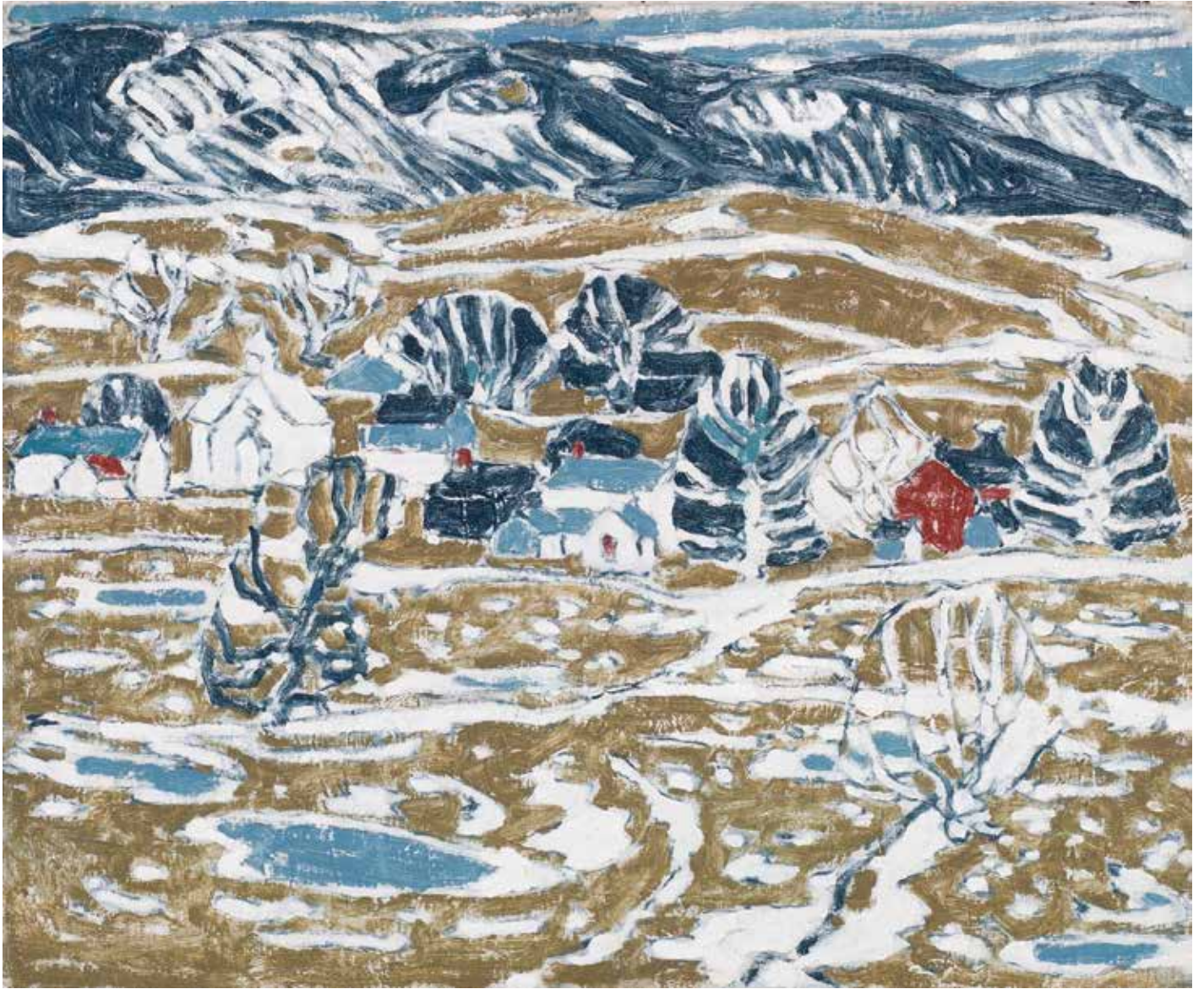
he felt the ‘go’ and movement of life; his things ‘shimmered.’” Some of Carr’s skies included tight whorls like Vincent van Gogh’s, such as the circa 1934 – 1935 oil on paper *Metchosin*, and in *Drift Highland* the culmination of the work is a large and loose whorl in the sky.

In *Drift Highland*, Carr has a number of different rhythms going on. In the foreground is the earth, and a tangle of logged stumps and driftwood thrown far up from the beach. Their contrasting shapes, from curly branches to solid logs, and directions—horizontal, diagonal and vertical—generate a sense of movement in their inert, sculptural forms. Then comes the horizontal sea, rolling languorously, flowing and serene, then the glorious sky, rising in a dramatic movement from the horizon, mists and clouds pulling upwards and curling over into a mighty whorl of motion.

Carr’s expression of this great movement was facilitated by her discovery of the medium of oil on paper in the 1930s. She began to paint on manila paper using oils thinned with turpentine and even gasoline. This new medium allowed her to retain the richness of oil, but gave her the fluidity of watercolour. It facilitated her use of sweeping brush-strokes, which could spontaneously express the energy she perceived in the landscape. As Doris Shadbolt wrote, “Great sweeps of the arm could now be used as a means of capturing movement while the colour path of the brush retained its shape and direction without having to wait for the paper to dry. And so the strokes became forms of energy in themselves, units of direction, speed or strength.” Carr used different effects, as seen in *Drift Highland*, ranging from light washes to denser pigmentation.

Drift Highland is a fine example of Carr’s perception of the energy generated by all of nature, from land, sea and sky, which transformed her consciousness and her art. This experience of the universal was one she sought to experience, and express, again and again.

ESTIMATE: \$150,000 – 250,000



120 David Brown Milne

CGP CSGA CSPWC 1882 – 1953

Snow Patches, Boston Corners

oil on canvas, on verso titled and dated 1916 / 1917

on the gallery label

20 x 24 1/4 in, 50.8 x 61.3 cm

PROVENANCE

Mira Godard Gallery, Toronto

Private Collection, Toronto

LITERATURE

Ian M. Thom, *David Milne, Boston Corners: 1916 – 1918*,

Mira Godard Gallery, 1988, reproduced page 31

David Milne Jr. and David P. Silcox, *David B. Milne:*

Catalogue Raisonné of the Paintings, Volume 1: 1882 – 1928,

1998, reproduced page 180, catalogue #107.79

EXHIBITED

Mira Godard Gallery, Toronto, *David Milne, Boston Corners:*

1916 – 1918, March 17 – April 7, 1988, catalogue #20

BOSTON CORNERS, IN New York State, is a small town adjacent to the Berkshire Hills that we see in the central part of this canvas. The hamlet had fewer than 100 people when Patsy and David Milne moved there in 1916. This was a dramatic change in scene from his previous years in vibrant New York City, but then Milne was from Bruce County in rural southwestern Ontario, and was in essence a landscape artist. He left Canada at age 21 to study at the Art Students League of New York (1903 to 1905). Here he came to know both American and European Impressionism, Post-Impressionism and Fauvism, movements that would shape his own unique approach to art-making.

Milne was successful in New York—his work was exhibited and noticed approvingly: *City Rain* of 1911 – 1912 (sold by Heffel in spring of 2017) is an excellent example. The best measure of this early acclaim was his participation in two of North America's most important exhibitions of avant-garde art in the early twentieth century: the famous *Armory Show* in 1913 (seen in New York, Boston and Chicago) and the Panama-Pacific International

Exposition, held in San Francisco in 1915. Building on this momentum, his painting in the two years spent in Boston Corners (1916 to 1918) is some of the most esteemed of his highly productive career.

The visual excitement with which Milne imbues this pastoral scene emanates from the painting to this day. While colour is characteristically muted, it is also orchestrated in a satisfying and original combination of blues, browns and the whites of the snow patches in his title, and highlighted by several bold dabs of red. These bursts of colour describe chimneys on the village's houses. At the same time, and typical of Milne's daring modernism in the early twentieth century, they work with other colours and shapes to form an intricate, abstract whole across the surface. Both human and natural forms are rendered with Milne's signature use of outline and negative space. In the fan-shaped trio of conifers in the middle of the painting, for example, Milne uses an Egyptian manner of outlining trees; this treatment can be seen in the plaster cast of *The Expedition to the Land of Punt from the Temple of Queen Hatshepsut*, at the Royal Ontario Museum in Toronto.

Milne painted constantly during his years at Boston Corners. Some works draw us up very close to natural forms (*Drying Waterfall*, 1916, sold by Heffel in spring of 2013, is a good example). *Snow Patches, Boston Corners* exemplifies his other habit, which was to depict a sweeping scene, a panorama of landscape and town. Remarkably, Milne conveyed intimacy through both modes of seeing. We know that he walked and skied these hills; his quick touch conveys that sense of vitality. Although he was first appreciated in the USA and then in Canada, Milne's reputation is increasingly international. The major exhibition *David Milne: Modern Painting* showed at the famed Dulwich Picture Gallery in London, England, in 2018, helping to establish the international reputation that Milne's work deserves.

We thank Mark Cheetham, Professor of Art History at the University of Toronto and author of *Landscape into Eco Art: Articulations of Nature Since the '60s*, for contributing the above essay.

ESTIMATE: \$250,000 – 350,000



121 David Brown Milne

CGP CSGA CSPWC 1882 – 1953

House and Shed (Palgrave)

oil on canvas, signed and on verso titled and inscribed

731/106 (circled) / '06 (circled), 1932

14 x 16 in, 35.6 x 40.6 cm

PROVENANCE

Sale of the Artist to Vincent Massey, Toronto, 1934

Laing Galleries, Toronto, 1958

Mrs. J.S. Lightcap, Winnipeg, 1958

Gift of the Estate of Mrs. J.S. Lightcap to the Winnipeg
Foundation, 1992

Sold sale of *Important Canadian Art*, Sotheby's Canada
in association with Ritchie's, November 18, 2003, lot 148

The Art Emporium, Vancouver

A.K. Prakash & Associates, Toronto

Private Collection, Ontario

LITERATURE

David Milne Jr. and David P. Silcox, *David B. Milne: Catalogue
Raisonné of the Paintings, Volume 2: 1929 - 1953*, 1998,
reproduced page 562, catalogue #302.2

EXHIBITED

Winnipeg Art Gallery, *Canadian Historical Art from the Collection*,
February 24 – June 17, 1990, titled as *House and Sky*

Winnipeg Art Gallery, *David Milne: Interior with Paintings;
A Selection of Works from the Permanent Collection of the
Winnipeg Art Gallery*, January 18 – March 29, 1998,
traveling to Western Canada, catalogue #9

FROM 1930 TO 1933, David Milne was living in Palgrave, a small village in the Caledon Hills, 35 miles northwest of Toronto. During that time, his subjects were all a short walk from his house, and although he was painting steadily, his images were of no more than about a dozen subjects, depicted in different lights, times of day, weather and seasons. The subject of this exceptional painting is Ollie Matson's house and yard, painted from Milne's upstairs studio window, with the view to the west that extended beyond the town for about 20 miles. More than half of the work is sky, one of Milne's fascinations. He concerned himself with the relationship between the sky and the land—with the charged equilibrium of this meeting at the horizon between the town anchored to the earth and a sky full of dramatic, looming clouds. The palette is typically Milne—black with a handful of colours, used to fine effect here.

Although these were lean years for Milne due to the Depression, in 1934, two years after this work was produced, Milne sold all of his Palgrave paintings to Alice and Vincent Massey.

ESTIMATE: \$60,000 – 80,000



122 Emily Carr

BCSFA CGP 1871 – 1945

Strait of Juan de Fuca

oil on paper on paperboard, signed and on verso titled *Straight [sic] of Juan de Fuca* on the gallery labels, dated circa 1935 on the Peter Ohler Fine Arts label and inscribed with the Dominion Gallery inventory #F2644 on the Dominion Gallery label 22 × 34 in, 55.9 × 86.4 cm

PROVENANCE

Dominion Gallery, Montreal
Private Collection, Montreal
Sold sale of *Canadian Art*, Joyner Waddington's, June 3, 2003, lot 77
Peter Ohler Fine Arts Ltd., Vancouver
Private Collection, Vancouver

LITERATURE

Doris Shadbolt, *The Art of Emily Carr*, 1979, a similar circa 1936 oil on paper entitled *Strait of Juan de Fuca*, in the collection of the Edmonton Art Gallery, reproduced page 176
Emily Carr, *Hundreds and Thousands: The Journals of Emily Carr*, 2006, pages 55 and 165

EXHIBITED

Galerie Walter Klinkhoff Inc., Montreal, *Emily Carr Retrospective Exhibition*, September 14 – 28, 2002, catalogue #9

IN HER JOURNAL on November 3, 1932, after walking her dogs and taking tea on the beach in Victoria and contemplating the sunset, Emily Carr recorded a thought that opened up a new subject for her. She wrote, “Why don't I have a try at painting the rocks and cliffs and sea? Wouldn't it be good to rest the woods?” From this idea emerged a series of transcendent views of sky and water executed in and around Victoria during the 1930s, including this stunning oil on paper work.

The discovery of her new medium of oil on paper thinned with turpentine or gasoline opened the way for an expression of the elements of light and air in the landscape that was deeply liberating for her. At the turn of the century, Carr had worked with watercolour in the English tradition, but after her trip to France in 1911, Post-Impressionist colour transformed her treatment of this medium. Her watercolour depictions of First Nations sites

saw her continue to evolve, as she demonstrated a much greater facility for three-dimensional form. But when she abandoned this medium at the beginning of the 1930s for oil on paper, it was a revolutionary step. She found that oil on paper possessed the fluidity of watercolour, but could be more colourful and flexible, with a range of effects. In this work, Carr lays down both denser areas of paint, such as the foreground rocks, and lighter, more transparent and ethereal applications in water and sky.

From Dallas Road and the east-facing slopes of Beacon Hill Park near her home, she could see stunning views like this over the sea to mountain ranges on the mainland. Foreground rocks and the distant strip of mountains act as anchors, a contrast to what is really the subject of this painting—sea and sky. In her journal entry of April 24, 1934, Carr revealed the sensitivity of her perceptions of landscapes such as this and her fervent desire to capture the immaterial:

It seems as if those shimmering seas can scarcely bear a hand's touch. That which moves across the water is scarcely a happening, hardly even as solid a thing as a thought, for you can follow a thought. It's more like a breath, involuntary and alive, coming, going, always there but impossible to hang on to. Oh! I want to get that thing. It can't be done with hands of flesh and pigments. Only spirit can touch this.

Through sweeping movements of her brush, Carr captures the swing of the tides and the heave of the sea, then moves up into the firmament, which curves up and to the left, creating a dome-like effect. Movement to the left in both the sky and the sea give the impression of a circular motion continuing off the edge of the image. In the centre of the sky is a brilliant glow that comes up from behind the mountains. Light scatters across the sea, glinting in the waves, and Carr suggests sunrays with short vertical strokes in both sky and water. In *Strait of Juan de Fuca*, Carr is ultimately successful in capturing the gloriously intangible: not just the aliveness of water and air, but the manifestation of her yearning for an experience of the spiritual in nature.

Other similar oil on paper works circa 1935–1936 are in museums, such as *Sky*, in the collection of the National Gallery of Canada; *Strait of Juan de Fuca*, in the McMichael Canadian Art Collection; and *Strait of Juan de Fuca*, in the collection of the Art Gallery of Alberta.

ESTIMATE: \$250,000 – 350,000

123 Emily Carr

BCSFA CGP 1871 – 1945

Spring

oil on paper on canvas, signed and on verso

titled on the Laing Galleries label

24 x 18 ¼ in, 61 x 46.4 cm

PROVENANCE

Laing Galleries, Toronto

Sold sale of *Important Canadian Art*, Sotheby's Canada

in association with Ritchie's, November 20, 2006, lot 156

Private Collection, Ontario

LITERATURE

Emily Carr, *Hundreds and Thousands: The Journals of Emily Carr*, 2006, pages 49, 56 and 57

Last night I dreamed that I came face to face with a picture I had done and forgotten, a forest done in simple movement, just forms of trees moving in space. That is the third time I have seen pictures in my dreams, a glint of what I am striving to attain... Every day I long for the woods more, to get away and commune with things. Oh, Spring! I want to go out and feel you and get inspiration.

—EMILY CARR

TO EMILY CARR, getting out into the woods to sketch was a spiritual experience—for her, the trees expressed “glory and strength and power, tenderness and protection.” She loved to feel the continuous process of life always unfolding in the forest. In *Spring*, she expressed this in the central explosion of growth, in which a tree trunk—dead, but still standing—appears to be embraced by the young evergreens around it. The whole scene is in a swirl

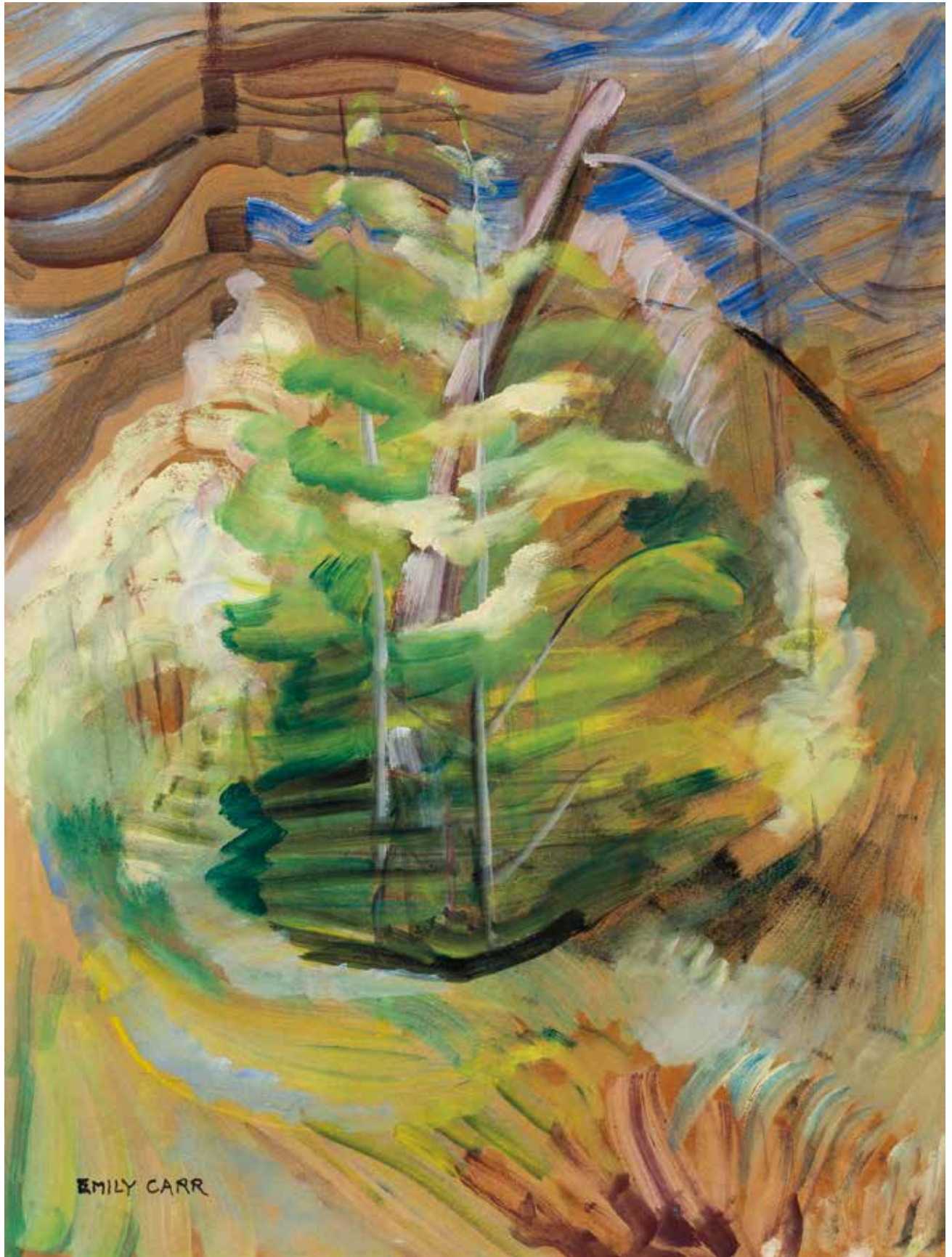
of motion, starting from the strokes of brown in the lower right, moving up on the diagonal in a circular manner around the motif of glowing green vegetation in the centre, and then rising to the large evergreen at the top and a glimpse of sky behind.

For Carr, there was a covert language in the woods—she sought to enter into the life of the trees, to feel “the secret internal yearnings, wonderings, seekings, findings.” When she went into the woods alone, she perceived the imperative of growth there—vegetation bursting out of the ground, lifting up towards air and light, “each one knowing what to do, each one demanding its own rights on earth. Feel this growth,” she wrote, “the surging upward, this expansion, the pulsing life, all working with the same idea, the same urge to express the God in themselves...”

Carr's use of oil on paper in the 1930s helped her to express the freedom and movement she perceived in the woods. Thinned with turpentine or gasoline, her new medium had the fluidity of watercolour yet the richness of oil, and its consistency enabled her to paint on manila paper with sweeping brush-strokes. It allowed her to express a dematerialized landscape that revealed its inner reality—a vibrating energy. This work is particularly rich in colouration—greens range from emerald to light-filled peridot and yellow, and blues fluctuate from strokes of teal and washes of pale blue to an electric tone in the sky. The use of pink adds to the exultant, light-filled atmosphere. Carr's brush-strokes, in their variation from vertical to horizontal, carry movement like ladders from bottom to top, creating rolling, rising and circling rhythms.

Spring is an outstanding and joyous oil on paper work, pulsating with life and inspiring us to “draw deeply from the good nourishment of the earth but rise into the glory of the light and air and sunshine,” as Carr exhorted herself to do.

ESTIMATE: \$150,000 – 250,000





124 Maurice Galbraith Cullen

AAM RCA 1866 – 1934

Spring, The Cache River, Mount Tremblant, Quebec

oil on canvas, signed and on verso titled and certified by the Cullen inventory #1566, circa 1928
25 ¾ x 36 ¼ in, 65.4 x 92.1 cm

PROVENANCE

Presented to Jackson Dodds by his friends
at the Bank of Montreal, April 1942
Private Collection, Nova Scotia
Sold sale of *Fine Canadian Art*, Heffel Fine Art
Auction House, November 24, 2006, lot 24
Private Collection, Toronto

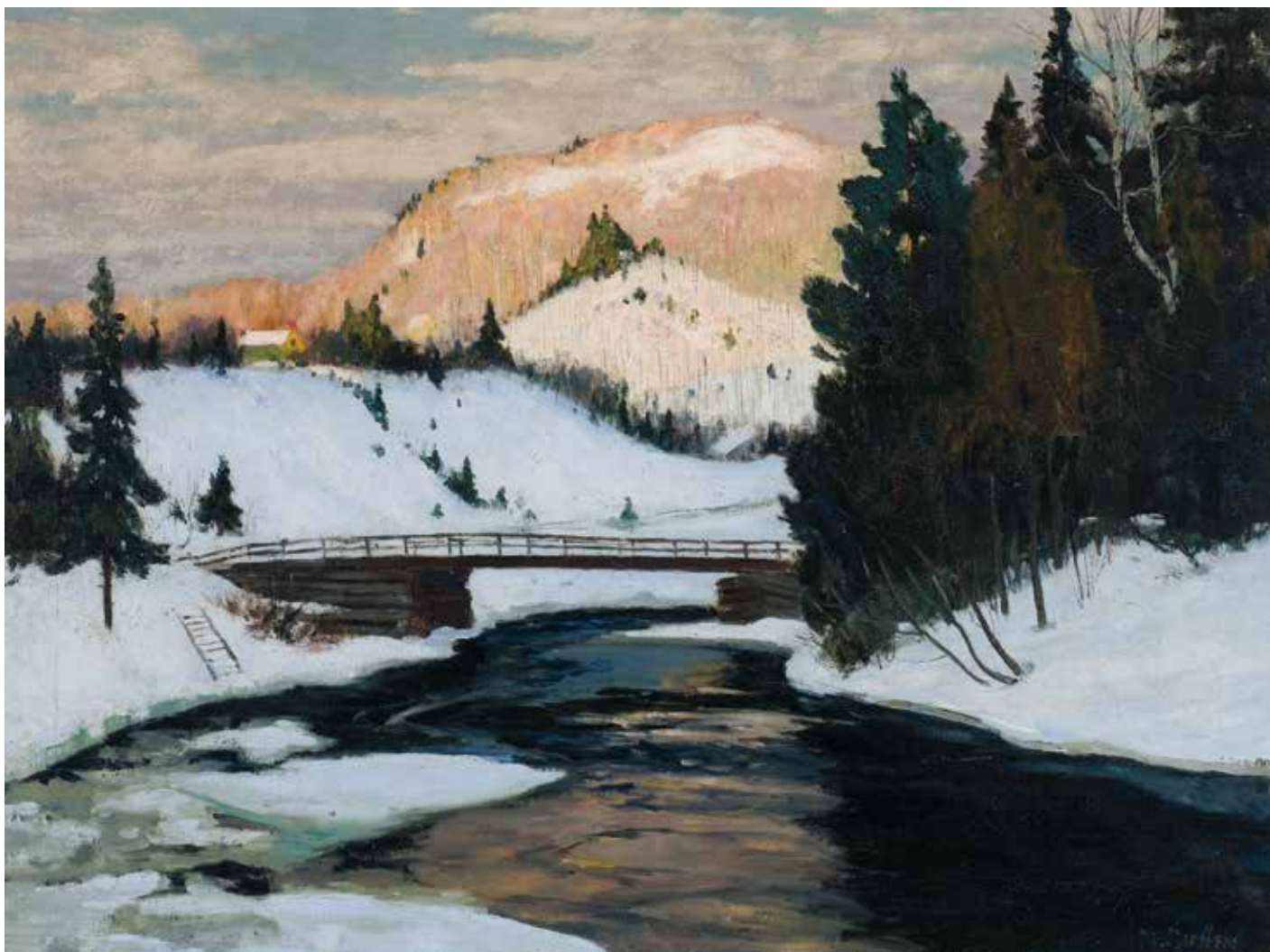
LITERATURE

Paul Duval, *Canadian Impressionism*, 1990, page 42

MAURICE CULLEN IS one of Canada's great Impressionist painters, having been exposed to this important movement

through his training in France at the École des Beaux-Arts and the Académie Julian, where he absorbed the freshness of the Impressionist palette and techniques. Cullen had a profound connection to the Laurentians, and established a cabin on the shore of Lac Tremblant in the early 1920s so that he could paint there. Paul Duval writes that the Laurentians were Cullen's "first and final love... He spent much of his life in the Laurentians, mostly alone in winter, studying and painting the pristine light and forms of a virgin world... Cullen's attachment to Lac Tremblant and the Cache River that emptied into it was as passionate as that of Monet's to Giverny." Cullen often painted the Cache River, and this fine winter scene with deep water and delicately coloured tones in the ice and snow is wrapped in the dramatic, brooding quality of the surrounding landscape. There is no human presence in these works, other than Cullen's reverent eye communicating his profound experience.

ESTIMATE: \$60,000 – 80,000



125 Maurice Galbraith Cullen

AAM RCA 1866 – 1934

Evening Light—Ste. Marguerite

oil on canvas, signed and titled on a plaque and on verso
certified by the Cullen inventory #1323

24 x 32 ¼ in, 61 x 81.9 cm

PROVENANCE

Laing Galleries, Toronto, 1959

Private Collection, Toronto

LITERATURE

A.Y. Jackson, *A Painter's Country: The Autobiography of A.Y. Jackson*, 1958, pages 15 and 16

CANADIAN IMPRESSIONIST Maurice Cullen influenced many younger artists, and A.Y. Jackson, who was a bridge between Impressionism and the Group of Seven, wrote, “It was through Cullen and Morrice that we in Montreal first became aware of the fresh and invigorating movements going on in the art circles of France ... To us he was a hero.” The Laurentians were an

important painting place for Cullen, and in 1922 he built a cabin on Lac Tremblant. His depictions of wilderness scenes in winter along waterways such as the Cache, the Diable and the Rivière du Nord are legendary. He understood northern light and colour intimately from his treks through the countryside, and he displayed a consummate use of icy blues in shadowed snow on riverbanks and green and amber tones in thawing ice. Cullen’s inclusion of the bridge, the stairway to the river and habitations on the banks infuses this wintery scene with the warmth of human presence, and his contrast between the darkened river valley with its glowing snow shot through with pale pastels and the hills behind, lit by the sun and radiant with tones of pink and gold, is exquisite.

Numerous works by Cullen are included in the exhibition *Canada and Impressionism: New Horizons*, currently on at the Kunsthalle München in Germany until November 2019. The show will travel to the Fondation de l’Hermitage in Switzerland and Musée Fabre in France in 2020, then on to the National Gallery of Canada in the fall of 2020.

ESTIMATE: \$40,000 – 60,000



126 Robert Wakeham Pilot

CGP OSA PRCA 1898 – 1967

Quebec in Winter

oil on canvas, signed and on verso titled, dated circa 1938
on the gallery label and inscribed 15976 and 5449A
28 x 36 in, 71.1 x 91.4 cm

PROVENANCE

Galerie Walter Klinkhoff Inc., Montreal
Private Collection, Montreal
Sold sale of *Canadian Fine Art*, Joyner/Waddington's,
May 27, 2008, lot 55
Private Collection, Toronto

IN A LINE of painters working in an Impressionist style in Canada, such as Maurice Cullen and James Wilson Morrice, Robert Pilot was the last important painter to follow this

movement. His sensitive handling of atmosphere was outstanding, as seen here in the cool winter light filtered through dappled clouds that evenly suffuses the scene. This is a classic scene for Pilot—the view from above Dufferin Terrace, Quebec City, to Lévis, across the St. Lawrence River—and includes one of Pilot's favourite motifs, the charming gazebo on the terrace. In scenes such as this, his depiction of the urban life of old Quebec captures a nostalgic feeling of another era. Pilot expunged cars; what was important to him was the historic architecture, the expansive view, and the life of the people who were enjoying themselves strolling along the walkway and playing in the snow. Pilot's handling of snow is masterful—in the textures of slush on the road and the light layer of snow coating the scene and softly melting at the edges, he captures the distinctive look of winter in Quebec.

ESTIMATE: \$60,000 – 80,000



127 Lawren Stewart Harris

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

Houses Group No. IX

oil on board, signed and on verso titled on the artist's label and inscribed with the Doris Mills inventory #3/9 and *Pines & House, near Brooklyn [sic], Ontario* and *Bess Harris Collection* and with the artist's symbol
10 ½ x 13 ¾ in, 26.7 x 34.9 cm

PROVENANCE

Bess Harris Collection
Laing Galleries, Toronto
Acquired from the above by the present Private Collection,
Toronto, September 1, 1972

LITERATURE

Doris Mills, *L.S. Harris Inventory*, 1936, Houses Sketches, Group 3, catalogue #9, listed, location noted as the Studio Building
Paul Duval, *Lawren Harris: Where the Universe Sings*, 2011, page 102

DURING HIS EARLY student years in Berlin, Lawren Harris had depicted the working-class neighbourhoods of that city. On his return to Toronto, his interest in urban subjects continued, and again he focused on working-class areas. He also produced more lighthearted “house portraits” of rural Ontario, and here depicts a habitation in Brooklin, a community in the town of Whitby. This bucolic scene exudes the kind of peace to be found in a rural area such as this; the pines spread their branches side by side, the house basks in the sun, and long ribbons of clouds float across the sky. Harris’s brushwork is easy and fluid, and his colour choices are rich, particularly the orange of the door, window frames and chimneys. *Houses Group No. IX* is Harris’s visual ode to the Ontario countryside, as embodied in his poem “Little Houses”:

Dreamers ever leave you, little houses
In smug little villages and on easy hillsides,
Along lazy rivers and in sleepy valleys
Little houses tucked in little yards,
Behind low, white fences or busy green hedges...

ESTIMATE: \$90,000 – 120,000



128 Lawren Stewart Harris

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

Waterfall, Algoma

oil on board, signed and on verso inscribed to *Barker Fairley from Lawren Harris / Property of Nan Purdie / B.7.*, circa 1919
10 ¼ x 13 ¾ in, 26 x 35.2 cm

PROVENANCE

Collection of Barker Fairley, Toronto

Collection of Nan Purdie

Sold sale of *Important Paintings, Drawings, Watercolours, Engravings and Two Bronzes by Canadian Artists*, Christie's in Canada, November 15, 1972, lot 62, titled as *The Waterfall*
Penell Gallery, Toronto

Acquired from the above by the present Private Collection,
Vancouver, 1975

LITERATURE

J.E.H. MacDonald, "ACR 10557," *The Lamps*, Arts and Letters Club, December 1919, pages 37 – 38

Lawren Stewart Harris, *The Story of the Group of Seven*, 1964, pages 19 – 20

THIS POWERFUL WORK originally comes from the collection of Barker Fairley, a contemporary of Lawren Harris and the Group of Seven—a fellow member of the Arts and Letters Club, a professor of German at the University of Toronto and a significant painter in his own right. He was a champion and supporter of the Group, promoting them in the early 1920s in his writing and collecting a significant number of works from these artists. Fairley's close connection to the Group is evident in his presence in the most celebrated photo of the Group (minus Frank Carmichael), at the Arts and Letters Club in 1920, and the inclusion of his portrait by F.H. Varley in the inaugural Group show that same year.

An inscription in Harris's hand on the verso of *Waterfall, Algoma* suggests this work was a personal gift from the artist to Fairley. This close association, and the intimate knowledge Fairley had of the work of the Group, demonstrates the importance of this painting and its significance in the constantly evolving career and vision of Harris. While many of the key works from Fairley's collection were donated to the University of Toronto Faculty Club, this work entered the collection of Nan Purdie, Fairley's second wife.

This painting depicts a formidable and dramatic waterfall from the Algoma region of northern Ontario, and it was most likely painted on one of the famed Algoma Central Railway expeditions of 1918 or 1919. The rental of a boxcar in the autumn of these years allowed for the exploration of, as Harris described it, this "veritable paradise for the creative adventurer in paint," and opportunities for the bold *plein air* painting of a new realm of "wild richness and clarity of colour." Along with J.E.H. MacDonald, Frank Johnson and A.Y. Jackson, Harris would venture up and down the tracks of the Algoma Central Railway in a handcar, or along the rivers by canoe to explore and paint the "paradise" they found themselves in. These trips were organized and financed by



Group of Seven artists (clockwise from front) A.Y. Jackson, Frederick Varley, Lawren Harris, Barker Fairley (not a member), Frank Johnston, Arthur Lismer and J. E. H. MacDonald, Arts and Letters Club, 1920

Harris, and they provided the abundance of material and novel subjects that, in part, catalyzed the creation of the Group and their inaugural 1920 exhibition at the Art Gallery of Toronto.

Though the location is not recorded, the subject of this work bears a strong resemblance to the powerful falls along the Montreal River that MacDonald painted from several different angles, including in his prominent canvases *Falls, Montreal River* (collection of the Art Gallery of Ontario) and *The Wild River* (collection of the Faculty Club, University of Toronto). Significantly, the sketch for the latter was also in Fairley's collection, now donated to the Faculty Club. According to MacDonald, in 1919 the artists spent two days by the "great Falls of the Montreal River, and they had many a good hour on smaller streams," suggesting ample interest in such a magnetic and animated subject.

For Harris, these trips also provided replenishment following personal hardship. Having lost his brother in the war, and dealing with the death of fellow artist Tom Thomson, Harris said his recovery was greatly aided by the trips to what he described as "paradise," where you "forget entirely to give your health or state of mind even a passing thought." The vital energy of a waterfall, especially one as commanding as this, must have been extremely attractive to Harris, embodying the process of refreshment, and reaffirming the wilderness as a place of solace and renewal. Although it does not exhibit the solemnity and stillness of later works, in this painting Harris can be seen grappling with the vigour, chaos and power of the natural world, and the exhilaration and restoration it provided.

We thank Alec Blair, Director / Lead Researcher, Lawren S. Harris Inventory Project, for contributing the above essay.

ESTIMATE: \$90,000 – 120,000

129 George Agnew Reid

OSA PRCA 1860 – 1947

The Visit of the Clockcleaner

oil on canvas, signed and dated 1892

30 ¼ x 46 ¼ in, 76.8 x 117.5 cm

PROVENANCE

Philip Jamieson, Toronto

E.T. Malone, Toronto

Private Collection, Toronto

LITERATURE

“The Study and Work of Mr. G.A. Reid,” *The Lake Magazine*, vol. 1, no. 7, February 1893, pages 427 – 428

Dominion of Canada Industrial Exhibition, Department of Fine Arts, Canadian National Exhibition, 1903, listed, unpaginated

Margaret L. Fairbairn, “The Art of George A. Reid,” *The Canadian Magazine*, vol. 22, no. 1, November 1903, page 6

Muriel Miller Miner, *G.A. Reid: Canadian Artist, Catalogue Raisonné*, 1946, pages 65, 92 and 202

Christine Boyanski, *Sympathetic Realism: George A. Reid and the Academic Tradition*, Art Gallery of Ontario, 1985, pages 35 and 36

Katerina Atanassova et al., *Canada and Impressionism: New Horizons*, National Gallery of Canada, 2019, reproduced page 87

Claudia Mitchell and April Mandrona, *Our Rural Selves: Memory and the Visual in Canadian Childhoods*, 2019, reproduced page 22

EXHIBITED

Oliver Coate & Co., Toronto, *George Reid Exhibition*, December 1892, catalogue #150

Royal Canadian Academy, Montreal, February – March 1893, catalogue #121

World’s Columbian Exposition, Chicago, May 1 – October 30, 1893, catalogue #91

Canadian National Exhibition, Toronto, *Dominion of Canada Industrial Exhibition*, August 27 – September 12, 1903, titled as *Visit of the Clockmaker*, catalogue #113

Art Gallery of Toronto, *A Loan Collection of Paintings Contributed by Private Collectors and Public Institutions in the City of Toronto*, January 6 – February 8, 1920

IN 1893, THE submission of *The Visit of the Clockcleaner* crystallized George A. Reid’s reputation at the World’s Columbian Exposition held in Chicago. This work, together with two other notable submissions, *The Foreclosure of the Mortgage*, 1893, and *Lullaby*, 1892, brought widespread acclaim from the public and critics alike. As one critic noted, “The artist has poetized in nearly every case the home life with its joys and sorrows, its little daily round.” In another review, a *New York Times* critic praised Reid’s technique: “The artist’s control of the light and utilizing of the figures to contribute to the general effect are masterly.”

The Clockcleaner is a memorial to Joseph Shuter, a flute player, amateur clock-cleaner and a distant cousin of Reid’s. Upon

Shuter’s passing, he willed a grandfather clock to Reid, which inspired the subject of this painting. The clock is a British long-case clock that was no longer being produced in the late 1890s, as American-made mechanical clocks became popular. Thus the artisanal craftsman and this clock are a poignant link to the past. Muriel Miller Miner, a leading scholar on Reid, describes the story thus: “When this clock came to Reid, he visualized a picture in tribute to this characterful man who played such a colourful role in his early days on the farm. Thereupon, he began sketching ideas for this picture and hunted out a model as much like Shuter as possible. Remembering how the old man loved youngsters, Reid decided there must be children in the picture.” The children in this painting are Reid and three of his eight siblings. Children are often the focus of Reid’s canvases from this period, evoking a sense of nostalgia. These fleeting childhood moments were quintessentially Victorian, innocent and poetic. They aimed to capture domesticity and celebrate the routine of “home life.”

The Clockcleaner was recently cited in the National Gallery of Canada’s esteemed publication for the widely anticipated exhibition *Canada and Impressionism: New Horizons*. Currently at the Kunsthalle München, in Germany, until November 2019, the show will travel to the Fondation de l’Hermitage in Switzerland and Musée Fabre in France in 2020, then on to the National Gallery of Canada in the fall of 2020. These “new horizons” were the focus of several well-regarded artists of the day. Loren Lerner, in her catalogue essay, describes this significant shift: “In the city the places most loosely associated with middle-class children were the home and family garden, as well as the lake and riverside sites of summer vacations. These spaces offered protection, leisure and escape from the tumult of the city.”

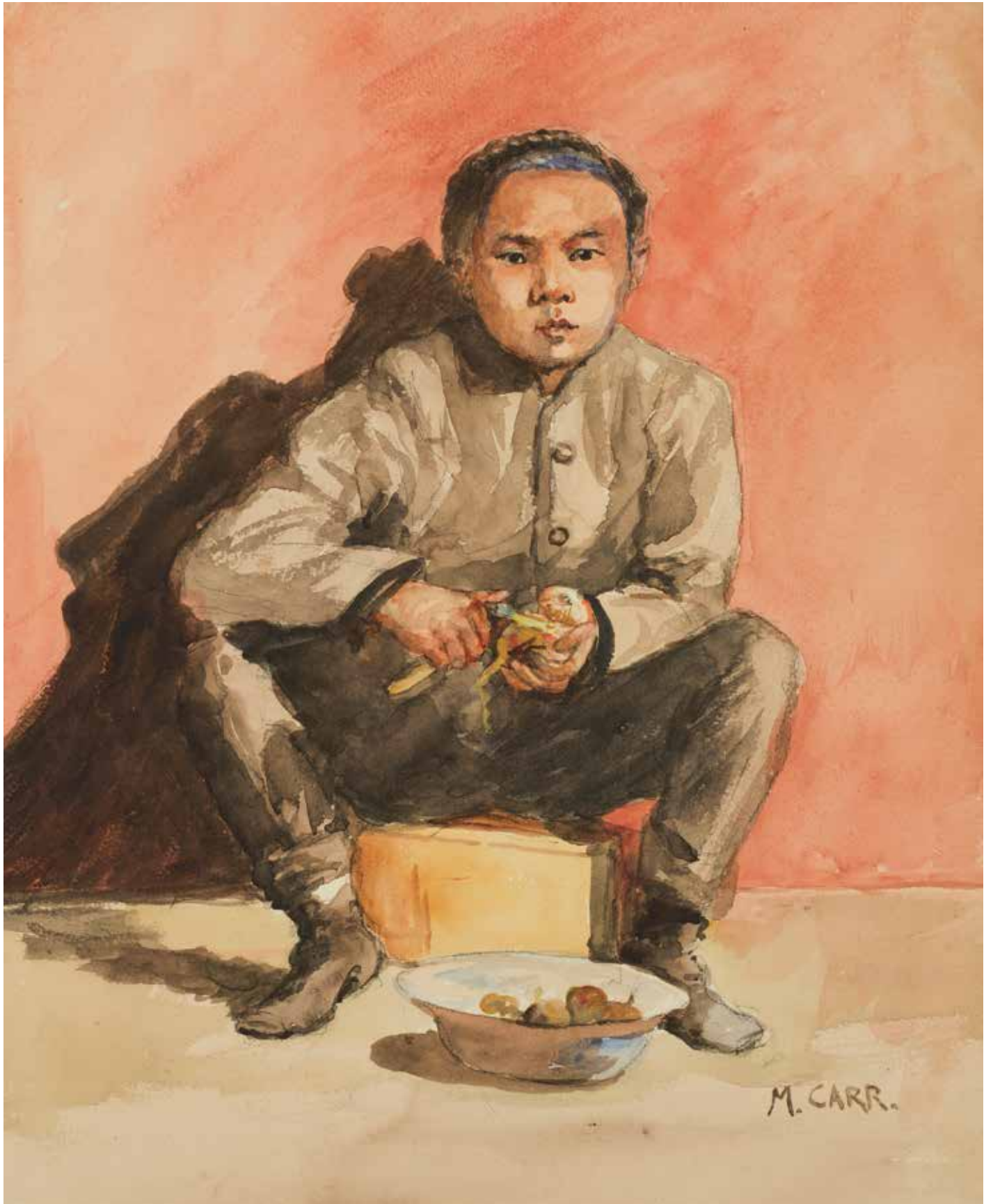
Specifically relating to *The Clockcleaner*, Lerner notes, “Reid introduces only a few Impressionist aspects, such as the glow from the window reflected on the faces and clothing of the subjects.” This technique of light, though subtle, was certainly avant-garde for its time. As Miner affirms, artists like Reid “weren’t afraid to pick up something new if they found it satisfying,” particularly when it concerned the innovations of the Impressionists. Moreover, for Reid, working in a genre or “story-telling” manner immediately resonated with the public. They visualized themselves in these familial subjects, making Reid’s paintings increasingly fashionable.

Reid’s impressive accomplishments continued throughout his extensive career. He was an early member of the Royal Academy of Arts and later became principal of the Central Ontario School of Art and Design, now the prestigious Ontario College of Art and Design.

The Visit of the Clockcleaner, along with other canvases like it, helped to shape a Canadian nationalist identity that was still in its infancy. With an impeccable exhibition history and provenance, this masterful painting is a tribute to Reid’s understated brilliance as both an academic painter and an early interpreter of the Impressionist movement in Canada.

ESTIMATE: \$100,000 – 150,000





130 Emily Carr

BCSFA CGP 1871 – 1945

Chinese Boy

watercolour on paper, signed and on verso titled
on the gallery label, 1906 – 1910
14 x 11 in, 35.6 x 27.9 cm

PROVENANCE

Keenlyside Gallery, Vancouver
Private Collection, Toronto
Sold sale of *Important Canadian Art*, Sotheby's Canada,
May 19, 1993, lot 187
Private Collection, Montreal

LITERATURE

Emily Carr, *The Book of Small*, 1966, pages 16 and 104 – 106
Anthony B. Chan, *Gold Mountain*, 1983, pages 35 – 44
Paul Wood, editor, *Untold Stories of British Columbia*, 2003,
essay by Gerta Moray, "The Invisibility of Lee Nan, Chinese
Artist in British Columbia"
Gerta Moray, *Unsettling Encounters: First Nations Imagery in
the Art of Emily Carr*, 2006, portraits of First Nations people
reproduced pages 85, 150 – 153 and 159

THIS SYMPATHETIC AND psychologically fine-tuned portrait by Emily Carr is an example of the paintings she made during her Vancouver period of 1906 to 1910, on her return from England. At the St. Ives artists' colony there, she had practised *plein air* painting of the local landscape and the fisher folk, and she now turned a naturalist lens on the multicultural variety of Vancouver's population. She began her project to document Indigenous villages and totem poles, and she painted portraits of members of the Salish community.

Less well-known is that she was also interested in Vancouver's Chinese community. During Carr's childhood most middle-class families employed Chinese servants since "white" domestic help was scarce. Chinese immigration to British Columbia had begun after the 1849 California gold rush that drew an influx of population to the Northwest Coast, including Carr's own family—her father had made his wealth as a mining outfitter in San Francisco before settling in Victoria, which at the time had Canada's largest



EMILY CARR

Portrait of an Oriental Male

watercolour and pencil on paper
14 x 10 in, 35.6 x 25.4 cm

Collection of the Royal BC Museum, Victoria

Courtesy of the Royal BC Museum and Archives, PDP05525

Not for sale with this lot



detail



detail

Chinatown, a few blocks to the east of his import warehouse on Wharf Street. The Chinese community included wealthy entrepreneurs who could bring their families, but most were single men and boys recruited to work in mines, on the railroad and in service industries. Coming from an ancient civilization of their own, they only assimilated to the degree necessary for their goal, which typically was to send money home and finally return to China. Carr describes this situation in her story “Servants” in her memoir of her childhood, *The Book of Small*.

Carr’s painting shows a young boy dressed in a Chinese collarless jacket with black-trimmed sleeves, his *queue* (braid) coiled over his head. He is posed frontally as he pauses in the task of peeling an apple. He looks ahead but does not meet our eyes, wrapped in his thoughts and in a world of his own. No doubt he reminded Carr of her family’s 12-year-old Chinese houseboy,

Bong, who in her story of her childhood “The Cow Yard” sings to the family’s cow to dispel his homesickness. Carr places herself in the tale as “Small,” who also loves to sing to the cow, but out of happiness. When her sisters call her away and scold her for making such a noise, Small remains, observing, “Bong, sitting on his three-legged stool, sang to the cow—a Chinese song in falsetto voice. The cow took her nose out of the mash bucket, threw back her great ears, and listened. She pulled a tuft of sweet hay from her rack, and stood quite still, chewing softly, her ears right about, so that she might not miss one bit of Bong’s song.” Both Carr’s watercolour and her story manifest her intense attention to individuals (and also to animals) and their specific predicaments, an empathy that she traces back to her childhood experiences.

Carr early on rejected the snobbery, hypocrisy and racism she found in the nouveau riche circles of Victoria and Vancouver.



EMILY CARR

Billie's Badness

watercolour on paper

5 7/8 x 6 7/8 in, 14.2 x 17.5 cm

Collection of the Royal BC Museum, Victoria

Courtesy of the Royal BC Museum and Archives, PDPO9020

Not for sale with this lot

She expressed a down-to-earth sympathy for socially marginalized groups and often also satirized her own less-than-dignified predicament (see illustration *Billie's Badness*). She was exceptionally open to others, respecting their humanity. This attitude is reflected in *Chinese Boy*, just as it is in her paintings of First Nations sitters at the time. She presents her subjects not primarily as examples of ethnographic interest but as individuals with an inner life, and she hints at their agency and autonomous worlds.

Carr was consistent in her outgoing openness, and in the 1930s she developed a friendship with a young Chinese artist in Victoria. Lee Nam came from Guangdong and painted foliage and birds in the Lingnan style. Carr admired his work and gave him a show in the short-lived Peoples' Gallery that she operated in her apartment house. Their contact was fruitful in encouraging her transition from the dark, heavy oil paintings of forests to the

freedom of her airily brushed oil on paper works of the 1930s. That later freedom is appropriately prefigured in the freedom from the prejudices of her time that enabled her to create this remarkable and intense portrait.

We thank Gerta Moray, author of *Unsettling Encounters: First Nations Imagery in the Art of Emily Carr*, for contributing the above essay.

ESTIMATE: \$100,000 – 150,000



131 **Alexander Young (A.Y.) Jackson**

ALC CGP G7 OSA RCA RSA 1882 – 1974

Laurentian Hills, Early Spring

oil on canvas, signed and on verso signed, titled, inscribed 275.00 and OSA 1931, Ottawa 1932, Eatons Montreal, CNE 1931, numbered with the Art Gallery of Ontario accession #L69.19 on the AGO labels and stamped 00120 on the Confederation Centre Art Gallery and Museum label, 1931 21 1/8 x 26 3/4 in, 53.7 x 67.9 cm

PROVENANCE

J. Merritt Malloney Gallery, Toronto
 J.S. McLean, Toronto, 1934
 Gift from the J.S. McLean Collection to the Ontario Heritage Foundation, 1969
 Donated by the Ontario Heritage Foundation to the Art Gallery of Ontario, Toronto, 1988, AGO accession #L69.19

LITERATURE

Ontario Society of Artists: Sixtieth Annual Exhibition, Art Gallery of Toronto, 1932, titled as *Laurentians, Early Spring*, page 10, reproduced page 11

M.O. Hammond, “Canadian Artists Have Large Place in Fine View,” *The Globe* (Toronto), March 5, 1932, titled as *Laurentians, Early Spring*, reproduced page 13
 “Arts Club Members Exhibit Paintings,” *The Gazette* (Montreal), November 1, 1932, titled as *In the Laurentian Hills*, page 6
Annual Exhibition of Canadian Art, National Gallery of Canada, 1933, titled as *Laurentians, Early Spring*, listed page 13
 Graham McInnes, *A Short History of Canadian Art*, 1939, titled as *The Laurentians—Early Spring*, reproduced facing page 66
 A.Y. Jackson, introduction, *Paintings and Drawings from the Collection of J.S. McLean*, National Gallery of Canada, 1952, titled as *Laurentian Hills*, listed, unpaginated
 J.S. McLean, “On the Pleasures of Collecting Paintings,” *Canadian Art*, vol. 10, no. 1, autumn 1952, titled as *Laurentian Hills*, reproduced page 5
 William J. Withrow, *The J.S. McLean Collection of Canadian Painting*, Art Gallery of Ontario, 1968, listed, unpaginated
 Dennis Reid, *Group of Seven*, National Gallery of Canada, 1970, reproduced page 154, catalogue #161
 Dennis Reid, *A Concise History of Canadian Painting*, 1st edition, 1973, page 150, reproduced page 151

Dennis Reid, *A Concise History of Canadian Painting*, 2nd edition, 1988, reproduced page 154
 Anna Hudson, *A Collector's Vision: J.S. McLean and Modern Painting in Canada*, Art Gallery of Ontario, 1999, pages 14 and 72, reproduced page 47
 Catherine Mastin, editor, *The Group of Seven in Western Canada*, Glenbow Museum, 2002, mentioned page 121
 Dennis Reid, *A Concise History of Canadian Painting*, 3rd edition, 2012, reproduced page 162, figure 10.12

EXHIBITED

Art Gallery of Toronto, *Ontario Society of Artists: Sixtieth Annual Exhibition*, March 4 – April 1932, titled as *Laurentians, Early Spring*, catalogue #88
 The Fine Art Galleries, T. Eaton Co. Ltd., Toronto, *Exhibition of Canadian Paintings*, circa 1932, titled as *Laurentian Hills*, catalogue #34
 The Fine Art Galleries, T. Eaton Co. Ltd., Montreal, *Arts Club of Montreal*, October 31 – November 12, 1932, titled as *Laurentian Hills*, catalogue #29
 National Gallery of Canada, Ottawa, *Annual Exhibition of Canadian Art*, February 7 – March 6, 1933, titled as *Laurentians, Early Spring*, catalogue #135
 J. Merritt Malloney Gallery, Toronto, *A.Y. Jackson*, February – March 10, 1934, titled as *Laurentians, Early Spring*, catalogue #12
 National Gallery of Canada, Ottawa, *Paintings and Drawings from the Collection of J.S. McLean*, February 23 – March 24, 1952, titled as *Laurentian Hills*, catalogue #29
 Art Gallery of Ontario, Toronto, *The J.S. McLean Collection of Canadian Painting*, September 19 – October 20, 1968, traveling in 1968 to 1969 to the Confederation Centre Art Gallery and Museum, Charlottetown; Beaverbrook Art Gallery, Fredericton; London Public Library and Art Museum; Winnipeg Art Gallery; Mendel Art Gallery, Saskatoon; Norman Mackenzie Art Gallery, Regina; Edmonton Art Gallery; and Vancouver Art Gallery, catalogue #32
 National Gallery of Canada, Ottawa, *The Group of Seven*, June 19 – September 8, 1970, traveling to the Montreal Museum of Fine Arts, September 22 – October 31, 1970, catalogue #161
 Art Gallery of Ontario, Toronto, *A Collector's Vision: J.S. McLean and Modern Painting in Canada*, May 20 – September 5, 1999, traveling in 2000 – 2002 to the Appleton Museum, Florida; Canada House, London, England; and the Art Gallery of Nova Scotia, Halifax

FEW PAINTINGS IN the history of Canadian art have been reproduced in every edition of Dennis Reid's standard survey, *A Concise History of Canadian Painting*. Many fewer have been available on the open market. Like William Ronald's *Gypsy* (1959, sold by Heffel on May 24, 2017, lot 32), the appearance at auction of A.Y. Jackson's *Laurentian Hills, Early Spring* is a rare opportunity to acquire a historically pivotal work with a distinguished provenance that has only been in one private collection.

When J.S. McLean bought *Laurentian Hills, Early Spring* in 1934, this important collector acquired a key work by Jackson when it was still contemporary. A businessman by profession, McLean was the president and founder of Canada Packers Ltd., and his acumen and drive also informed his desire to acquire the best of contemporary Canadian art. He became one of the

period's foremost collectors of Canadian art, along with C.S. Band, R.S. McLaughlin and Vincent Massey. Ultimately, and as with Band's collection, much of McLean's collection went to the Art Gallery of Ontario.

Views of rural Quebec were a mainstay of Jackson's contributions to the Ontario Society of Artists, Royal Canadian Academy and Group of Seven exhibitions from the early 1920s through the middle 1940s. These views particularly included the Laurentian Mountains—running across southern Quebec from the Ontario border, through Charlevoix County and downriver from Quebec City to Labrador. In March 1931, Jackson broke new ground with his art through his comprehensive knowledge of the region's light and landscape.

Jackson's most daring compositions have the least incidental or anecdotal content. By the onset of his artistic maturity in the later 1920s, when Jackson was in his later 40s, he perceived and created form anew. This goes to the heart of Dennis Reid singling out *Laurentian Hills, Early Spring* when he wrote that Jackson achieved something “more complex in its rhythmic structure, and even richer in earth colours” than the artist had before. Like Harris's *Maligne Lake, Jasper Park* (1924, collection of the National Gallery of Canada, #3541), *Laurentian Hills, Early Spring* was influential in how the artist developed and also in how that development was understood.

The composition is divided into distant horizontal zones of foreground, middle ground and background sky. The foreground's furrows of white and brown are wavy orthogonals creating lateral rhythm and orthogonal thrust. The bisected hills' horizontal patches of snow and trees in the middle distance decelerate our gaze. Maintaining the warm, earthy browns, while adding sap green and cool blue, Jackson constructs volume and light more than he describes topography and vegetation. The top zone simplifies again—the sky's warm pale ochre ground infuses the dusty violet sky patched with clouds and the cool ultramarine heaven above.

Never programmatic, Jackson was responsive to his setting. In *Laurentian Hills, Early Spring*, Jackson captured the energized spring light in unique harmony as it played off the furrows of soil and snow in the foreground, the residual patches of snow and forest in the middle distance, and the distant Laurentians, rendered blue in atmospheric perspective. The complex rhythmic structure Reid discusses goes beyond landscape, and includes Jackson as leaping forward as a composer of forms and as a colourist.

In the *Toronto Evening Telegram*, Kenneth Wells observed the consolidation of Jackson's powers in his review of Jackson's 1934 exhibition at the J. Merritt Malloney Gallery. It was one of the most important solo exhibitions to be held in Toronto in years, and Wells isolates Jackson's formal accomplishments when he called his art one of seeing nature as a “series of architecturally arranged forms, and of painting them with a sculptor's appreciation of those forms.” Instead of getting carried away with painterly affectation, Jackson understood the possibilities and limits of paint and unified the essentials.

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

ESTIMATE: \$100,000 – 150,000



132 Alexander Young (A.Y.) Jackson

ALC CGP G7 OSA RCA RSA 1882 – 1974

Alberta Foothills

oil on canvas, signed and on verso titled, dated 1942 [sic], inscribed 4 (circled), numbered with the Art Gallery of Ontario accession #L75.65 on the AGO inventory labels and stamped twice with the Jules Loeb Collection #88, 1943
25 x 32 in, 63.5 x 81.3 cm

PROVENANCE

Dominion Gallery, Montreal, 1946
Roberts Gallery, Toronto, 1959
Jules Loeb, Ottawa and Toronto
Gift from the Jules Loeb Collection to the Ontario Heritage Foundation, 1976
Donated by the Ontario Heritage Foundation to the Art Gallery of Ontario, Toronto, 1988, AGO accession #L75.65

LITERATURE

A.Y. Jackson: Thirty Years of Painting, Dominion Gallery, 1946, titled as *Alberta Foot-hills*, unpaginated
Pierre Théberge, *The Mr. and Mrs. Jules Loeb Collection / La collection M. et Mme Jules Loeb*, National Gallery of Canada, 1970, unpaginated
Contemporary Canadian Art from the Collection of the Art Gallery of Ontario, Fort Lauderdale Museum of Art, 1979, listed, unpaginated

EXHIBITED

Dominion Gallery, Montreal, *A.Y. Jackson: Thirty Years of Painting*, May 4 – 18, 1946, titled as *Alberta Foot-hills*, catalogue #9
Dominion Gallery, Montreal, *Exhibition of Paintings and Sketches by A.Y. Jackson*, April 24 – May 8, 1948, catalogue #15
National Gallery of Canada, Ottawa, *The Mr. and Mrs. Jules Loeb Collection / La collection M. et Mme Jules Loeb*, October 15 – November 15, 1970, traveling in 1970 to 1971 to Sir George

Williams University, Montreal; Winnipeg Art Gallery; University of British Columbia, Vancouver; Mendel Art Gallery, Saskatoon; Art Gallery of Windsor; Université de Sherbrooke, Quebec; and Beaverbrook Art Gallery, Fredericton, catalogue #23

Fort Lauderdale Museum of Art, Florida, *Contemporary Canadian Art from the Collection of the Art Gallery of Ontario*, March 6 - 25, 1979, catalogue #13

JULES AND FAY LOEB'S distinguished collection of Canadian art from the middle of the nineteenth century to the 1980s was formed in a halcyon period of broad and deep interest in historic Canadian art. A.Y. Jackson's *Alberta Foothills* entered their collection, its only documented private collection, when they were most actively acquiring historical Canadian art in the later 1950s and the 1960s. In 1970 and 1971, *Alberta Foothills* was included in an exhibition of the collection organized for a national tour by Pierre Théberge, then curator of contemporary Canadian art and later director at the National Gallery of Canada.

Alberta Foothills' motif of land rolling into mountains at sunrise relates to many of Jackson's paintings of the Laurentian Mountains from more than a decade earlier. A crest of grass and stubble running across the bottom fifth of the painting establishes the viewer's point of view. Then, rising and receding horizontal zones bisected by a diagonal road, ploughed fields, the distant pink and blue mountains, and the light morning sky activate the composition. Its sparse and formal concision is an important extension of Jackson's formal developments from the early 1930s. *Alberta Foothills* is one of Jackson's most sophisticated canvases from the 1940s, one that demands and rewards mindful viewing.

Alberta, and southern Alberta in particular, gave Jackson the opportunity to invest a new landscape with the wisdom of his experience. After decades of painting in and around Georgian Bay and Algoma in Ontario, and the Laurentians in Quebec, he perceived the Alberta landscape as different. Its flats were flatter, its distances more distant, and the peaks of its mountains loftier. How could he engage with this new landscape?

The approach he took was neither arbitrary nor determined. Through successive painting trips from 1937 to 1943, when he painted *Alberta Foothills*, Jackson renewed the scale of his painting and caught up with the landscape. The most accomplished works, like *Alberta Foothills*, eliminated any depiction of people or animals, as well as the artificial and natural points of reference that give his earlier paintings their resonance. After 30 years and intimate knowledge of his preferred landscapes, Jackson met the southwestern Alberta landscape with knowledge gleaned elsewhere to paint it as it had never been painted before.

The preparatory graphite study and oil sketch for *Alberta Foothills* give invaluable insight into its development and Jackson's thoughts. They also show how two key deviations made *Alberta Foothills* a great work of art. *Near Pincher Creek* (1943, graphite on paper, McMichael Canadian Art Collection, #1974.7.116.RV) is Jackson's initial view, with a couple of horses on the prairie in centre left and a bisecting road, bordered by a fence on both sides. A composition on the drawing's verso, dated September 23, 1943, conclusively supports the painting's 1943 date as published in the Dominion Gallery's 1946 catalogue. When Jackson worked up



ALEXANDER YOUNG (A.Y.) JACKSON

Pincher Creek, Alberta

oil on board, circa 1937

10 ½ x 13 ½ in, 26.7 x 34.3 cm

Not for sale with this lot

the graphite study into his oil sketch, *Pincher Creek, Alberta* (sold by Heffel on November 19, 2008, lot 203), he brought the horses closer to the viewer, almost parallel with the picture plane, and eliminated the fence on the far side of the road.

Between his brother Ernest's home in Lethbridge that he used as a base, and where he likely made the oil sketch, and the Studio Building in Toronto where he painted the canvas, the horses and fence vanished, the picture brightened, and the distant mountains and sky were enlivened by a concert of pink and blue, infused with white.

Jackson painted with the wisdom of his experience. As he learned to make great paintings in the Laurentians, he had to learn to make great paintings in Alberta. Paring his composition and tightening his palette, Jackson advanced the pictorial subject from graphite sketch to oil study to finished canvas. The breakthrough he made with *Alberta Foothills* would culminate in his marvellous circa 1948 canvas *Alberta Rhythm* (private collection).

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

ESTIMATE: \$100,000 – 150,000



133 Alexander Young (A.Y.) Jackson

ALC CGP G7 OSA RCA RSA 1882 – 1974

Laurentian Winter

oil on canvas, signed and on verso titled and dated circa 1930 on the gallery and exhibition labels and numbered with the accession #99/32 on the Art Gallery of Ontario Permanent Collection label 18 ¼ x 24 ¼ in, 46.4 x 61.6 cm

PROVENANCE

G. Blair Laing Limited, Toronto
Gift of the Estate of Jennings David Young, Toronto, to the Art Gallery of Ontario, Toronto, 1999, AGO accession #99/32

LITERATURE

Naomi Jackson Groves, *A.Y.'s Canada*, 1968, page 76

EXHIBITED

Arts and Letters Club, Toronto, *Artist's 90th Birthday*,
September 24 – October 6, 1972

THIS IS A quintessential A.Y. Jackson rural Quebec winter scene, including one of the artist's favourite motifs of a farmhouse

and old barn, its structure made sway-backed over time by the contours of the land. Jackson loved Quebec's old barns and sought them out. L'Islet and Charlevoix Counties, where Jackson often painted, had the most distinctive barns, from ones with steep-pitched roofs to the two-storeyed or banked barn and the mansard-roof barn, made of wood because it was better for ventilation. However, as Naomi Jackson Groves commented, "They want to last... but alas, nothing lasts forever, except maybe the Laurentian hills. By the mid-thirties, Jackson was beginning to worry about the disappearance of the traditional barns... 'Barns are getting scarce,'" he lamented from Saint-Tite-des-Caps in 1937. By 1960, hardly a dozen remained in Quebec, according to R.-L. Séguin, who wrote a monograph on the subject. The setting of *Laurentian Winter* is striking—hills roll up behind the buildings, extending out into the blue haze of the distant Laurentians—and Jackson's marvellous awareness of rhythm pervades the work, even up into the undulation of clouds in the sky.

ESTIMATE: \$50,000 – 70,000



134 Alexander Young (A.Y.) Jackson

ALC CGP G7 OSA RCA RSA 1882 – 1974

Hills at Ste. Adèle, Que.

oil on canvas, signed and on verso signed, titled, dated 1958 and inscribed with the Naomi Jackson Groves inventory #1526
25 x 32 in, 63.5 x 81.3 cm

PROVENANCE

Private Collection, Ontario

LITERATURE

Dennis Reid, *Alberta Rhythm: The Later Work of A.Y. Jackson*,
Art Gallery of Ontario, 1982, page 10

IN 1955, A.Y. JACKSON left the Studio Building in Toronto, famous in the annals of the Group of Seven, and moved to a new home / studio in Manotick, near Ottawa. He continued his pattern of sketching trips, now principally to the Lake Superior, Georgian Bay and Gatineau areas. This fine studio canvas was likely based on a sketch done in spring 1957, as Jackson was documented as

painting in Sainte-Adèle in the Laurentians, northwest of Montreal, from March 18 to April 3, 1957. A particularly interesting feature of this splendid work is the rhythmic patterning in the hillside patches of earth emerging from melting snow, echoed by areas of exposed rock in the blue-shadowed hills beyond, and by the patch of blue sky exposed through the ragged clouds. Jackson had an intuitive understanding of the landscapes he depicted, expressed with a masterful handling of compositional elements. As his fellow Group member Arthur Lismer stated, “There is something cosmic in his interpretation of the movement of earth and sky and weather forms in his paintings ... Always it seems that he grasps the fundamental unity of spirit and technique.”

ESTIMATE: \$60,000 – 80,000



135 James Wilson Morrice

CAC RCA 1865 – 1924

Venice, Regatta

oil on canvas, signed and on verso inscribed *Venice/*
No. 26T3 / 745 / 1395 and stamped Jules Chauvin,
dorures et tableaux, circa 1898 – 1901
20 ¼ x 29 ¾ in, 51.4 x 74.6 cm

PROVENANCE

Private Collection, Paris

SOON AFTER JAMES WILSON MORRICE permanently moved to Paris in 1890, he started to travel in search of new subjects, with one constant: they had to be near water. From 1896 to 1907, Saint-Malo, in Brittany, and Venice were his favourite places, but Venice—where water is everywhere—inspired twice as many works. When he first exhibited his Venice paintings in Paris and Belgium following his 1901 visit, critics commented that the artist, like so many others, was still under the spell of James McNeill Whistler.

Venice at the Golden Hour (figure 1) dates from this period; and in Morrice's grid-like composition, facades meet street and water at right angles. In the early evening, the last rays of the sun caress the ancient buildings, whose rich reflections are barely disturbed by the shimmering water of the Grand Canal. The boatman standing in his laden *sandolo* is so much a part of the scene—and the grid—that he does not distract the artist comfortably seated at his favourite café on the opposite Riva del Vin. This is a calm, slightly melancholic vision that is quintessentially Morrice. *Venice, Regatta* also features facades bordering the Grand Canal, but everything else is different: buildings line both sides of the waterway, it is an earlier time of day, the view is from the water rather than from above, and we look in vain for Morrice's typical geometric composition. We are quite far from the rich but dark, tapestry-like *Venice at the Golden Hour*.

The spectators in their gondolas, probably tourists (at least those closest to us), are watching a historic regatta, a medieval tradition revived in the 1840s, held (still) on the first Sunday of September. Starting near the Public Gardens and passing the Ducal Palace, the boats follow the Grand Canal westward to the train station and back again to the finish line, where the Rio di Ca'



FIGURE 1: JAMES WILSON MORRICE

Venice at the Golden Hour

oil on canvas, circa 1901 – 1902

25 ¾ x 18 ¼ in, 65.4 x 46.3 cm

Montreal Museum of Fine Arts, Gwendolen Rutherford Caverhill Bequest, 1949.1005

Courtesy of Montreal Museum of Fine Arts

Not for sale with this lot



FIGURE 2: Palazzo Contarini delle Figure (L) and Palazzo Erizzo Nani Mocenigo (R)
Photo: Matthias Scholz, Alamy Stock Photo



FIGURE 3: DANTE PAOLOCCI
Regatta on Grand Canal, Venice, Italy
drawing

L'illustrazione Italiana, year 22, no. 32, August 18, 1895
Photo: Biblioteca Ambrosiana / De Agostini Picture Library via Getty Images

Not for sale with this lot

Foscari meets the wide waterway. Prizes were handed out from a temporary floating structure, the *macchina*, almost directly across from the sixteenth-century classical Palazzo Contarini delle Figure (figure 2), decked out for the occasion. The artist stands beside the *macchina*, but the regatta is hardly the subject. Here at the finish line, we barely see one *gondolino* (a two-oared racing gondola) near the centre of the painting, with its eight competitors nowhere in sight. This painting is all about the joyous atmosphere of a festive, sunny day in Venice; but it is far from Morrice's usual way of picturing the city.

It is hard to imagine this *flâneur* working while standing in a gondola or on a narrow landing; there is no quay—even less a *caffè*—at this point on the Grand Canal, and the angle of vision is much wider than in reality. We know that after World War I, Morrice sometimes based his compositions on printed images such as postcards or book illustrations. Could he have done it earlier? We believe so, as we have found a black and white 1895 Italian magazine illustration by the Roman artist Dante Paolocci (figure 3), not only with the proper alignment of facades, but also with the striped docking posts on the left, even including the gondolier with his long oar! As well, there are other obvious and discrete borrowings.

The illustrator's view—from the Palazzo Balbi at left, to the distant bell-tower of San Bartolomeo di Rialto (shown in *Venice at the Golden Hour*), and then along the right bank to the Palazzo Contarini, reminds us of a *veduta* by Venice's own Canaletto, which was widely known through a 1742 engraving. Paolocci brings the composition up to date, emphasizing the fashionably dressed spectators (likely tourists) rather than the race, although his two *gondoline*, barely visible, are obviously racing. His purpose is not to describe *La Regata*, which is explained in an accompanying article, but to invite the readers of *L'Illustrazione* to join the fun in Venice.

Morrice's adaptation owes nothing to marketing. His crowd is quieter, further back and faceless; clever use of colours, more than gestures, conveys its animation, bringing to mind the Venetian watercolours of his friend Maurice Prendergast (figure 4). The artist's palette is restricted to a rich turquoise blue, a pinkish red, some straw yellow, plus black for the gondolas and white, of course, over an olive-brown underpainting. From the creamy Contarini, our eye follows three Mocenigo family palaces, then more, moving from a delicate pink to bright white: pure paint melting under the sun, while the buildings on the left side, and the spectators, are already in the shade. On the right side, a solid patch of water, miraculously empty, and the corresponding new facades bring us further away from the black and white

illustration. The right half of the Contarini, its roofline and its water-level openings could not be deduced from the print, which does not even show the smaller palazzo Erizzo Nani Mocenigo to its right, which is correctly rendered. There was certainly at least one other model; old photographs were easily found in the bookseller boxes lining the Quai des Grands-Augustins—where Morrice lived, and where he had perhaps discovered the 1895 magazine.

Venice, Regatta is Morrice's only known canvas stamped by the Jules Chauvin art materials shop in Paris. Could this be the work referred to twice in his Sketchbook #1 (Montreal Museum of Fine Arts, Dr.1973.24)? On page 58 verso, we find 10. *Venise Chauvin* in a list of paintings he noted after spring 1902; if so, then "*Chauvin—purchaser W Saint-Cire [Cyr]*," on page 68 verso, could record a sale of the regatta painting around that time. The blue and pink palette, the sunny setting, and the brushwork certainly belong to his Impressionist phase, closer to his Brittany pictures of 1898 onward than to his Venetian paintings (*La petite plage de Saint-Malo*, sold by Heffel on November 22, 2017, lot 107). No drawing or *pochade* relates to it, or indeed to any regatta, in Morrice's abundant Venetian production; perhaps none was needed, given the printed model. While pieces of the puzzle are still missing, Morrice's Venetian *regata* may have inspired his later series of regattas, started in 1902 with *Study for "Regatta, Saint-Malo"* (sold by Heffel on November 27, 2014, lot 149).

We thank Lucie Dorais, who is compiling a catalogue raisonné on the work of James Wilson Morrice, for contributing the above essay, and Sandra Paikowsky, Professor Emerita at Concordia University, First Distinguished Fellow of the Gail and Stephen A. Jarislowsky Institute for Studies in Canadian Art, and co-author of *The Visual Arts in Canada: The Twentieth Century*, for assisting with research.

Dorais commented, "I am extremely thankful for Sandra Paikowsky's great help on the research for this essay; she transmitted her love of Morrice to me and my fellow undergraduate students at Sir George Williams University (now Concordia)."

The exhibition *Canada and Impressionism: New Horizons*, which includes several Venetian subjects by Morrice, is currently on at the Kunsthalle München in Germany, until November 2019. The show will travel to the Fondation de l'Hermitage in Switzerland and Musée Fabre in France in 2020, then on to the National Gallery of Canada in the fall of 2020.

This work will be included in Dorais's forthcoming catalogue raisonné of the artist's work.

ESTIMATE: \$700,000 – 900,000



FIGURE 4: MAURICE BRAZIL PRENDERGAST

The Grand Canal, Venice

watercolour and graphite on paper, circa 1898 – 1899

18 1/8 × 14 1/4 in, 46 × 36.2 cm

Terra Foundation for American Art, Daniel J. Terra Collection, 1999.123

Courtesy of Terra Foundation for American Art, Chicago

Not for sale with this lot



φ 136 **Pablo Picasso**

1881 – 1973 Spanish

Femme au chapeau

oil on canvas, signed and dated 13 juin 41 and on verso dated '41, inscribed *P. Picasso/Tête/61 x 38* (indistinct)/5284/No. 066 (indistinct) on the remnants of a gallery label and numbered 58/1660/41155 on the stretcher; and with the André Chenue transport label
24 x 14 7/8 in, 61 x 38 cm

PROVENANCE

Collection of the Artist, 1941 – 1956
Galerie Louise Leiris, Paris (Daniel-Henry Kahnweiler)
January 1956
Kootz Gallery, New York, 1956
Anonymous sale, Klipstein & Kornfeld, Bern, Switzerland,
1962, lot 949
Heinz Berggruen, Paris, 1962
Collection Pierina de Gavardie, Paris, 1962
Sold sale of *Impressionist and Modern Art Evening Sale*,
Christie's London, June 25, 2002, lot 18
A Prominent European Private Collection

LITERATURE

Pablo Picasso, Note manuscrite de Picasso, Archives Succession Pablo Picasso, January 11, 1956, written request asking Jaime Sabartés, Picasso's personal secretary/administrator, to issue a list of 10 paintings, this painting listed as *Femme au chapeau* (*La Tête de 1941*), at Kahnweiler's "for Kootz"
Kootz Gallery records, 1923 – 1966, Series 3: Artists Photograph Files, Archives of American Art, Smithsonian Institution, Washington, DC, <https://www.aaa.si.edu/collections/kootz-gallery-records-9163>, accessed September 9, 2019
Kootz Gallery, *Picasso: First Showing in America, Paintings and Sculptures*, 1956, titled as *Tête*, reproduced, unpaginated
Samuel Kootz to Pablo Picasso, letter dated March 19, 1956, identifying *Femme au chapeau* (*la Tête de 1941*), (Zervos, vol. 11, no. 189, illustrated page 79) as sold, Picasso Museum Archives, Paris
Christian Zervos, editor, *Pablo Picasso*, vol. 11, *Oeuvres de 1940 et 1941*, 1960, #189, reproduced full page on page 79
Picasso Project, *Picasso's Paintings, Watercolors, Drawings and Sculpture: A Comprehensive Illustrated Catalogue, 1885–1973, Nazi Occupation 1940–1944*, 1999, #41-082, reproduced page 35
Anne Baldassari, *Picasso: Life with Dora Maar, Love and War, 1935–1945*, 2006, page 248 and reproduced full page, #126, page 227
Jean-Louis Andral et al., *Picasso in the Nahmad Collection*, Grimaldi Forum Monaco, 2013, listed page 166 and reproduced page 167

EXHIBITED

Kootz Gallery, New York, *Picasso: First Showing in America, Paintings and Sculptures*, March 12 – April 7, 1956
Grimaldi Forum Monaco, *Picasso in the Nahmad Collection*, July 12 – September 15, 2013



Portrait of Dora Maar with Cigarette Holder, 1946

Photo: Izis Bidermanas, © Louise Izis

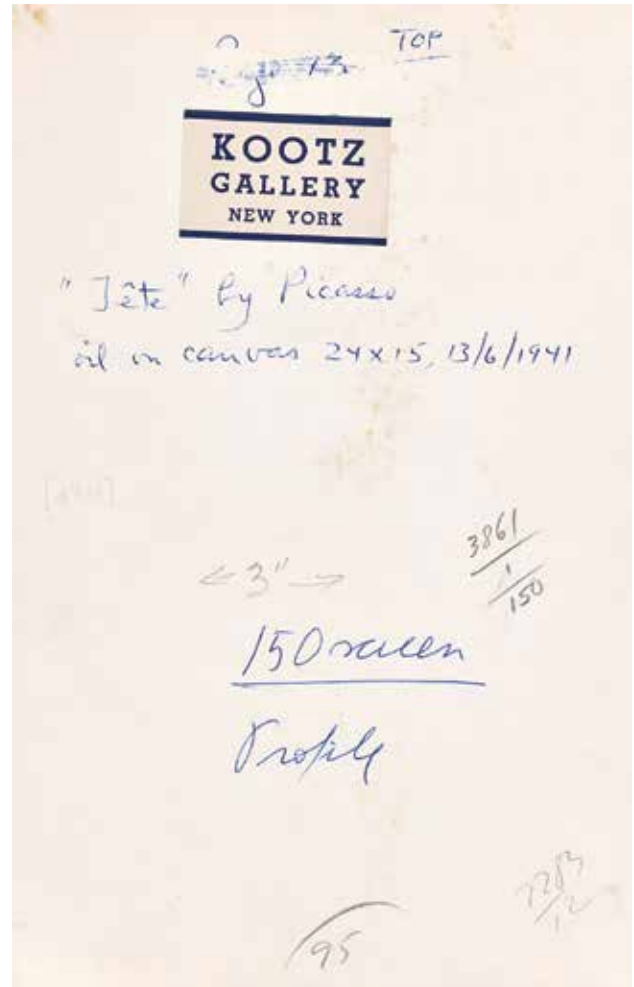
Courtesy of RMN–Grand Palais (Musée national Picasso–Paris)/Art Resource, New York

ESSAY BY JEAN-LOUIS ANDRAL TRANSLATED FROM THE ORIGINAL FRENCH TEXT

THE THEMES PABLO PICASSO tackled during his long creative period were always closely linked to his own life:¹ familiar decorative elements from his studios, figures with whom he was able to develop intellectual or emotional ties. “None of these subjects—derived from his lived experience or related to a more or less imaginary existence—” writes Michel Leiris, “failed to nurture a clear connection to the body or heart of the artist, to situate themselves in strict fashion in relation to his biography. His intimacy with the things he painted was so significant that it was as if their lives continued in parallel with his and as if, far from staying in place like mile markers one passes and leaves behind, they continued to escort him on his journey, rubbing against him, intertwining with him, and transforming into numerous avatars.”² Hence the many portraits of *femmes dans un fauteuil* (women in an armchair) by the Malagueño, who successively had as models—confining ourselves to the artist's companions—Fernande Olivier, Eva Gouel, Olga Khokhlova, Marie-Thérèse Walter, Dora Maar, and Françoise Gilot, before Jacqueline Roque



A photograph of Pablo Picasso's *Femme au chapeau (Tête)*, 1956
 Courtesy of Archives of American Art, Smithsonian Institution, Washington, D.C.
 Kootz Gallery records, 1923 – 1966
 Box 1, folder 55: Picasso, Pablo, artwork, circa 1940 – 1949



Verso photograph of Pablo Picasso's *Femme au chapeau (Tête)*, 1956
 Courtesy of Archives of American Art, Smithsonian Institution, Washington, D.C.
 Kootz Gallery records, 1923 – 1966
 Box 1, folder 55: Picasso, Pablo, artwork, circa 1940 – 1949

in turn rounded off the list of the artist's muses who were particularly fond of this pose, often used by Paul Cézanne before him, as it permits a sort of objectification of the woman, set between the back and armrests as in a display case, allowing for a continued renewal of the figure's relationship to the space. To Françoise Gilot, who was surprised that in these works, "the model is so often caught between austere vertical and parallel lines, aggressive armchairs reminiscent of straightjackets or coffins," Picasso responds that the latter were "necessary; they are the architectural structures that stabilize the composition. Is it not natural for the model to sit while posing for the painter?"³ So the armchair is there for the naturalness of the pose in these paintings, which must be considered as in so many other portraits. And the seat is necessary, Picasso adds, "due to the laws of gravity. Bodies are not suspended in the air. They must be standing, sitting, or lying

down. I therefore have recourse to supports to satisfy the intimate logic of the pose."⁴

The notable Dora Maar, whom the artist met at the end of 1935 or beginning of 1936, gradually finds herself in this theme of the seated figure framed in a bust that, as Maurice Jardot notes, takes on "obsessional importance, just before and during the war," in Picasso's work. And, he continues, "these seated women and these busts of women that abound under the occupation owe their indisputable aggressiveness to the fact that, in the best examples, a prodigiously reinvented head, sometimes subtly shaped and coloured, appears on a body represented in a manner acceptable to everyone. And the larger this discrepancy, the stronger the aggressiveness."⁵ In Paris, on June 13, 1941, Picasso finished a 61 × 38 cm portrait of Dora Maar sitting in an armchair, the most recent in a string of others completed in previous years.

Here she is seated in a white armchair that is more comfortable than the metal one, found in the painter's studio and on which the same model sits in other portraits of that time. This continuity in furniture and clothing from one painting to another is quite characteristic of the art of Picasso, who, to enrich his variations on a theme—and that of the woman in an armchair is no exception—often makes use, as a composer does, of previously played melodic lines, but using them in a completely different harmonic setting, always finding new formal and chromatic solutions. Hence, for example, the blue corsage worn here by Dora Maar, which we find on the *Femme au corsage bleu* belonging to the Nahmad Collection, and in other paintings from the same year, 1941.⁶ In this series of depictions of women, to punctuate the painting and enliven the upper portion, he often makes use of a then very fashionable accessory, the hat. Indeed, one could devote an entire study to the classification of feminine head coverings present in Picasso's works. Hence, in our painting, this pretty tricorne that returns at times adorned with a feather and with which he crowns Dora Maar at least three times between June and July 1941.⁷

This extraordinary portrait, with its brutal manner and subtle irony, is particularly representative of those “pathetic, hallucinatory figures”⁸ of women during the occupation that Christian Zervos describes as “monsters.”

We thank Jean-Louis Andral, art historian, critic and chief curator and director of the Picasso Museum in Antibes, for contributing the above essay. This text is a free adaptation of his essay “La femme assise,” which appeared in *Picasso dans la collection Nahmad*, Grimaldi Forum Monaco, 2013, pages 143 to 157.

1. “I paint the way some people write their autobiography,” quoted in Françoise Gilot and Carlton Lake, *Life with Picasso* (New York: McGraw-Hill, 1964), 123.
2. Michel Leiris, *Hommage à Pablo Picasso* (Paris: Grand Palais, 1966), exhibition catalogue, 11.
3. Françoise Gilot, *Matisse et Picasso* (Paris: Éditions Robert Laffont, 1991; Bibliothèque 10/18, 2006), 167. Citations refer to the 10/18 edition.
4. Pablo Picasso, quoted in *ibid.*, 170.
5. Maurice Jardot, *Picasso, peintures 1900 – 1955* (Paris: Musée des Arts Décoratifs, 1955), exhibition catalogue, no. 98.
6. *Femme assise dans un fauteuil*, 1941, oil on canvas, 130 × 97 cm, and *Femme assise dans un fauteuil*, 5 October 1941, oil on canvas, 116 × 89 cm, in Christian Zervos, ed., *Pablo Picasso*, vol. 11, *Oeuvres de 1940 et 1941* (Paris: Éditions Cahiers d'Art, 1960), 283, 321.
7. *Femme dans un fauteuil*, 19 June 1941, 139 × 97 cm; *Femme dans un fauteuil*, 19 June 1941, oil on canvas, 100 × 81 cm; and *Femme dans un fauteuil*, oil on canvas, 92 × 73 cm, in *ibid.*, 191, 192, 193. Latter work dated from 25 July 1941, MOMA, New York. Number IV from the catalogue of the exhibition presented at Galerie Louis Carré from June 14 to July 14, 1956, the latter canvas is dated there from 25 June 1941, which brings it closer in the logic of creation to his two earlier works of 19 June.
8. Zervos, *Pablo Picasso*, vol. 10, *Oeuvres de 1939 et 1940* (Paris: Éditions Cahiers d'Art, 1959), xii.



Pablo Picasso's *Femme au chapeau*, exhibited at the Kootz Gallery, New York, March 12 – April 7, 1956
 Courtesy of Archives of American Art, Smithsonian Institution, Washington, D.C.
 Kootz Gallery records, 1923 – 1966
 Box 1, folder 52: Picasso, Pablo, circa 1947 – 1965

What do you think an artist is? ... He is a political being, constantly aware of the heartbreaking, passionate or delightful things that happen in the world, shaping himself completely in their image. No, painting is not done to decorate apartments. It is an instrument of war ...

—PABLO PICASSO, 1945

ESSAY BY ROSALIN TE OMRA AND DAVID HEFFEL

DORA MAAR WAS a photographer and painter living in Paris when she met Pablo Picasso in 1935/1936 at the café Les Deux Magots, and by 1937 she had become one of his important muses. A serious and sensitive, high-strung dark-haired beauty, she was described as follows by James Lord: “Her gaze possessed remarkable radiance but could also be very hard. I observed that she was beautiful, with a strong, straight nose, perfect scarlet lips, the chin firm, the jaw a trifle heavy and the more forceful for being so, rich chestnut hair drawn smoothly back, and eyelashes like the furred antennae of moths.”¹

Not only was she visually compelling to Picasso and thus a great model, she was intelligent, creative and part of the Paris avant-garde artistic community. She was involved with the exhibitions and causes of the Surrealists—for example, in 1934 she joined with André Breton and Paul Éluard in signing a call to arms organized by the Comité de vigilance des intellectuels antifascistes (Committee of Antifascist Intellectuals) against the extreme right. Picasso perceived that Maar was melancholic, with a Kafkaesque personality, and he found in this emotion a



Adrienne Fidelin, Marie Cuttoli, Man Ray, Paul Cuttoli, Pablo Picasso and Dora Maar (the dress Maar is wearing here bears a resemblance to the dress she is wearing in *Femme au chapeau*), Antibes, 1937
 Photo: © Man Ray 2015 Trust / Artists Rights Society (ARS), NY / ADAGP, Paris
 Courtesy of Centre Pompidou, MNAM-CCI/Art Resource, New York

powerful subject for his work. He often depicted her in a state of grief, as in his famous *Weeping Woman* series.

Picasso began to work on sketches for his masterpiece anti-war painting *Guernica* on May 1, 1937, and from May to June, Maar went to his studio in the Rue des Grands-Augustins to photograph the metamorphosis of this image. Anne Baldassari notes that in *Guernica*, “the person bearing the torch, the light, the spotlight, Dora herself, the photographer, is one of the dominant figures in the painting.”² In *Femme au chapeau*, the suffering figure of Maar embodied the anxieties present in Paris in 1941. At that time, tremendous pressure was being exerted on the art community by the Nazis through the Vichy government. Artists were fleeing the country, and Picasso’s dealer, Daniel-Henry Kahnweiler, had been forced to sell his gallery to his stepdaughter, and the gallery then became Galerie Louise Leiris.³ However, Picasso was determined to stay in Paris, although his situation was precarious. He had been classified by the Nazis as a degenerate artist; they had forbidden anyone to exhibit his work and frequently made searches of his studio. Picasso drew on his life in his work, and when he looked back on his paintings of Maar, he realized that she had become for him the personification of the war. Her image, which he reinterpreted countless times in his paintings between

1937 and 1944, embodied all of the complicated and conflicting emotions of his existence in the midst of occupied Paris. *Femme au chapeau* is a masterful work from this turbulent and intense period.

Samuel Kootz and Galerie Louise Leiris / Daniel-Henry Kahnweiler

DANIEL-HENRY KAHNWEILER WAS already Picasso’s dealer in Paris when the New York dealer Samuel Kootz of Kootz Gallery approached Picasso in Paris in 1946. Picasso was struggling with Kahnweiler over raising his prices in war-torn Europe, and Kootz, who had been dealing in the works of avant-garde American painters such as Adolph Gottlieb and Robert Motherwell, wanted Picasso’s works to lend support to the American painters he was handling and was prepared to pay his prices. Picasso played with both dealers to get what he wanted, finally allowing Kootz to pick out some key paintings, including a painting of Dora Maar.

After he finally sold works to Kootz, Picasso taunted Kahnweiler about it, causing him to begin buying his works again, at the price he asked for. Although he agreed not to sell to any other dealer than Kahnweiler, Picasso, as Françoise Gilot related,



Picasso creating a statuette in the Grands-Augustins workshop, Paris, circa 1941
 Photo: Dora Maar, © 2019 Artists Rights Society (ARS), New York / ADAGP, Paris Picasso artwork © 2019 Estate of Pablo Picasso / Artists Rights Society (ARS), New York
 Courtesy RMN-Grand Palais (Musée national Picasso-Paris) / Art Resource, New York



Picasso and a plaster bust of Dora Maar in the Grands-Augustins workshop, Paris, 1941
 Photo: Dora Maar, © 2019 Artists Rights Society (ARS), New York / ADAGP, Paris Picasso artwork © 2019 Estate of Pablo Picasso / Artists Rights Society (ARS), New York
 Courtesy RMN-Grand Palais (Musée national Picasso-Paris) / Art Resource, New York

“had grown rather fond of Kootz” and would direct him to pick up works from Kahnweiler and sometimes directly sent him works.⁴ Picasso delighted in such competition, which of course resulted in his exerting greater control of his market.

In 1956, Kootz mounted the exhibition *Picasso: First Showing in America, Paintings and Sculptures* at his gallery on Madison Avenue in New York. *Femme au chapeau*, titled *Tête* and reproduced full page in the catalogue, was one of only 11 paintings and two sculptures in this important exhibition.

The Provenance History

FEMME AU CHAPEAU has a distinguished provenance. After its appearance at the Galerie Louise Leiris in Paris and Kootz Gallery in New York, it was presented for sale at the Swiss auction house Klipstein & Kornfeld (and reproduced on the sale catalogue cover), where it was acquired by the Paris merchant collector Heinz Berggruen. It then was acquired in 1962 by Pierina de Gavardie, an employee of Berggruen’s. De Gavardie was born in Italy but had moved to Paris in the 1930s to work with her uncle, who was a tailor. Among her uncle’s clients were many of the most influential artists and dealers of the Parisian art world,

and she became an art dealer herself before coming to work with Berggruen in the 1950s. Works from her estate sold at Christie’s London in June 2002, a sale which included major works by Picasso, Claude Monet, Max Ernst and Joan Miró, as well as a 1951 masterwork, *Composition*, by Jean Paul Riopelle.

1. James Lord, *Picasso and Dora: A Personal Memoir* (London: Orion, 1993), 31.
2. Anne Baldassari, *Picasso: Life with Dora Maar, Love and War, 1935 - 1945* (Paris: Flammarion, 2006), 172.
3. Steven A. Nash, ed., *Picasso and the War Years, 1937 - 1945*, (London: Thames & Hudson; San Francisco: Fine Arts Museums of San Francisco, 1998) detailing Louise Leiris acquiring Kahnweiler’s gallery, then known as Galerie Simon, in July 1941, and renaming it to Galerie Louise Leiris, 216.
4. Françoise Gilot and Carlton Lake, *Life with Picasso* (New York: McGraw-Hill, 1964), 182.

ESTIMATE: \$8,000,000 – 10,000,000
\$6,000,000 – 8,000,000 US



137 Maurice Utrillo

1883 – 1955 French

Moulin de la Galette, rue Lepic, Montmartre

oil on canvas, signed and inscribed *Montmartre* and on verso

stamped Galerie d'Art du Faubourg, Paris, 1935

13 1/8 x 16 1/8 in, 33.4 x 41.1 cm

PROVENANCE

Galerie d'Art Faubourg Saint-Honoré, Paris

The Art Emporium, Vancouver, 1974

Acquired from the above by George and Geraldine Biely, 1974

Estate of Geraldine Biely

By descent to the present Private Collection, Vancouver

FEW ARTISTS HAVE been as closely associated with Montmartre as Maurice Utrillo, who was a Parisian by birth. He depicted the iconic neighbourhood countless times over his career, from various viewpoints and at different times of day. From 1935, *Moulin*

de la Galette, rue Lepic, Montmartre is a lively representation of the unique urban landscape of this Parisian hill, including the titular Moulin de la Galette. Immortalized in Auguste Renoir's *Bal du moulin de la Galette* (1876) and countless other paintings, the *guinguette* (tavern) and former flour mill was a meeting place for young Parisians and artists alike. *Moulin de la Galette* belongs to Utrillo's period marked by an increased use of colour, following his white period (1912 – 1914). Despite an overcast grey sky, this work is dominated by bright colours; vivid turquoise, cobalt, pink, green and chartreuse bring the painting to life. Small clusters of women walk the street where bare trees stand tall, rendered with darting energy. With this work, Utrillo invites us to enter his version of his beloved Montmartre.

This work is accompanied by a photo-certificate of authenticity from Comité Utrillo, #7073.

ESTIMATE: \$40,000 – 60,000



138 Efa Prudence Heward

BHG CAS CGP 1896 – 1947

Farm Scene, Brockville

oil on board, on verso inscribed variously
and indistinctly, circa 1938
12 x 14 in, 30.5 x 35.6 cm

PROVENANCE

Family of the Artist

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

Auction House, November 24, 2011, lot 189

A.K. Prakash & Associates, Toronto

Private Collection, Ontario

LITERATURE

Evelyn Walters, *The Women of Beaver Hall: Canadian
Modernist Painters*, 2005, pages 49 and 51

A.K. Prakash, *Independent Spirit: Early Canadian
Women Artists*, 2008, a discussion of the artist's work,
pages 96 – 103

PRUDENCE HEWARD WAS a member of Montreal's Beaver Hall Group, formed in 1920, and was known for both her strong figurative works and her landscapes. In the late 1920s and 1930s, modernist influences appeared in her work, which exhibited a bold sense of form and a rich colour palette. Art historian Paul Duval called her "one of the most sensitive painters this country has known" and Group of Seven painter A.Y. Jackson stated, "In my opinion, she was the very best painter we ever had in Canada...I wanted her to join the Group of Seven, but like the Twelve Apostles, no women were included." However, she was invited to show with them in 1928, to critical acclaim. In 1948, Heward was honoured with a memorial exhibition at the National Gallery of Canada.

Heward often painted at her family's summer place in Fernbank, near Brockville. In this outstanding painting, strongly modeled buildings create a looming, still presence animated by the waiting horse and cart and the stream of smoke. Light and dark contrasts invigorate the scene, with the bright yellow of the cart lighting a vivacious colour spark.

ESTIMATE: \$15,000 – 20,000



139 Edwin Headley Holgate

AAM BHG CGP CSGA G7 RCA 1892 – 1977

Azalea

oil on canvas, signed and dated 1960
15 x 17 in, 38.1 x 43.2 cm

PROVENANCE

Galerie Walter Klinkhoff Inc., Montreal
Private Collection, Ontario

LITERATURE

Rosalind Pepall, Brian Foss et al., *Edwin Holgate*,
Montreal Museum of Fine Arts, 2005, page 25,
the circa 1939 canvas entitled *Azalea* reproduced
page 142

EDWIN HOLGATE, BASED in Montreal, was a founding member
of the Beaver Hall Group. He also belonged to other arts groups,

including the Canadian Society of Graphic Art and the Pen and
Pencil Club of Montreal, and acted as a bridge between the
anglophone and francophone cultures. His subjects varied from
landscape to portraits and nudes—including, considered daring
during the 1930s, nudes in the landscape—as well as still life.
Rosalind Pepall wrote: “In his work he was drawn to both modern
and traditional approaches. He retained a traditional emphasis
on sound draftsmanship and structure, and at the same time, he
expressed modern ideals in terms of composition, simplicity, and
absolute focus on the volume and geometry of form in an art of
great vigour and restraint.” *Azalea* is an outstanding example of
Holgate’s approach—his use of form is bold, his colour is fresh
and strong, and the rendering of the folds of fabric under the
potted plant is softly dimensional.

This fine painting is related to an earlier canvas of the same
subject in the collection of the Montreal Museum of Fine Arts.

ESTIMATE: \$20,000 – 30,000



140 Alfred Pellán

CAS OC PY QMG RCA 1906 – 1988

Nu à la Catalogne

oil on canvas, signed and dated 1941 and on verso titled *Seated Nude* on the Dominion Gallery label
17 × 19 in, 43.2 × 48.3 cm

PROVENANCE

Jean-Louis Gagnon, Montreal
Dominion Gallery, Montreal, 1977
Private Collection, Montreal

LITERATURE

Guy Robert, *Pellán, Sa vie et son oeuvre/His Life and His Art*, 1963, reproduced page 89
Michel Martin and Sandra Grant Marchand, *Alfred Pellán*, Musée du Québec and the Musée d'art contemporain de Montréal, 1993, titled as *Nu à la Catalogne*, reproduced page 89 and listed page 261

EXHIBITED

Pellán Studio, Montreal, December 14 – 22, 1941
Musée d'art contemporain de Montréal, *Alfred Pellán, une rétrospective*, June 17 – September 26, 1993 and Musée du Québec, October 13, 1993 – January 30, 1994, traveling in 1994 – 1995

to the London Regional Art Gallery and Winnipeg Art Gallery, catalogue #39

IN 1926, ALFRED PELLÁN went to Paris to study, and he remained in this exciting milieu for 14 years. An enchanted Pellán absorbed the works of artists such as Pierre Bonnard, Pablo Picasso, Georges Braque, Paul Klee and Joan Miró in Paris galleries, which he claimed to be his “real school.” He exhibited in that city to critical acclaim—in a review of Pellán’s 1935 solo show at the Académie Ranson, Jacques Lassaigne praised him, stating, “The still lifes ... are the work of such a rich temperament that he can borrow from everyone and owe nothing to anyone.” While Pellán was in Paris his work was collected by the Musée du Jeu de Paume and Musée de Grenoble. However, in 1940 the war was on, and German troops were approaching the French border, so Pellán returned to Quebec, bringing his modernist view back to the Canadian scene. *Nu à la Catalogne* showcases Pellán’s sophisticated synthesis of European influences, particularly that of Pierre Matisse, in its use of saturated colour, bold patterning and a Cubist awareness of space. In this vivid studio scene, Pellán intriguingly includes a blank canvas on the easel, awaiting his depiction of the self-possessed nude model.

ESTIMATE: \$25,000 – 35,000



141 Marc-Aurèle Fortin

ARCA 1888 – 1970

Landscape in the Laurentians

oil on canvas, signed and on verso signed,
titled, dated 1929 on the gallery labels and
inscribed *Price \$* and *For sale*
26 ¼ x 35 ½ in, 66.7 x 90.2 cm

PROVENANCE

The Fine Art Galleries, T. Eaton Co. Limited, Montreal
Collection of Justice Mercier, circa 1933
Galerie Walter Klinkhoff Inc., Montreal
Galerie d'art Michel Bigué, Saint-Sauveur-des-Monts
Private Collection, Montreal

LITERATURE

A Catalogue of the 46th Spring Exhibition, Art Association
of Montreal, 1929, page 5
“Au salon des artistes canadiens à la Art Association (reproduction
d'oeuvres),” *La Presse*, March 22, 1929, reproduced page 3
Henri Girard, “Le salon du printemps,” *La Revue moderne*, no. 7,
May 1929, page 10
Jean Chauvin, “Un salon d'art canadien; la Galerie Sidney Carter,
Montréal,” *La Revue populaire*, vol. 23, no. 9, September 1930,
reproduced page 15
“Fortin Exhibition in Eaton Gallery,” *The Gazette* (Montreal),
September 19, 1933, page 4
A.K. Prakash, “Marc-Aurèle Fortin (1888 – 1970): Le peintre
poète,” *Magazin'art*, no. 4, summer 2001, reproduced page 123

EXHIBITED

Art Association of Montreal, *46th Spring Exhibition*, March 21 –
April 14, 1929, catalogue #77
Interior Decorating Galleries, Montreal, *Artistes québécois*,
September 1930
The Fine Art Galleries, T. Eaton Co. Limited, Montreal,
Marc-Aurèle Fortin, September 1933

THE PAINTER MARC-AURÈLE FORTIN'S fame increased considerably during the 1920s. This was the era when the magnificent elms of his hometown of Sainte-Rose and the area surrounding Montreal covered his canvases, creating vibrating masses of green within which peaceful day-to-day rural life unfolded. Trees and rustic houses pressed their coloured shadows slantwise across the path; the painter placed tiny ramblers there or, more often, a horse-drawn cart heavily laden with hay. This preferred motif leads the gaze off into the distance, while leaving no doubt as to the rural nature of the place.

Fortin's “symphonies in green” were expressions of a painted identity to which he would lay claim until the end of his life. During his studies in Chicago in 1909, the young artist was sensitive to the core identity that so enlivened American painting. Upon his return to Montreal, he favoured themes in keeping with his vision of a style of national painting. Thus, he joined his art to the movement of contemporary landscape artists, notably Clarence Gagnon in Charlevoix and the Group of Seven in the wild regions of northern Ontario. Fortin set himself apart,

however, by broadening his thematic range to include transformations of the city and harbour in the metropolis where he lodged in the second half of the 1920s. Were not life on the land and the great urban construction yards subjects that defined his country? By painting these subjects, Fortin succeeded at the difficult task of reconciling the proponents of a regionalist tradition with the adepts of modernity.

But apart from the subject matter, there is the challenge of how to paint it. From 1924 on, Fortin's painting skill and quality of pictorial form satisfied the demanding juries for the shows of the Art Association of Montreal and the Royal Academy of Art, who regularly accepted his entries into the two large annual exhibitions in spring and fall. For their part, art critics praised his personal, decorative and original style, in which they witnessed the expression of a rich temperament. For a decade, from 1924 to 1933, Fortin's works enjoyed excellent visibility in 28 exhibitions, presented mainly in Montreal, including two in particular—at the Saint-Sulpice Library in 1926, and at the Art Association of Montreal in 1932 to 1933. This visibility extended to the pages of the daily newspaper *La Presse*, in which readers could admire the reproductions of several works—for example, in January of 1928, when a colour illustration of one painting from his series of tall trees took up an entire page.

Landscape in the Laurentians (Paysage des Laurentides) exemplifies this pivotal and flourishing time in the art of Fortin and, more broadly, his singular contribution to the history of Québécois and Canadian art. Though the composition may distance itself from the austerity of certain paintings from the series on tall trees, it possesses the same powerful expressiveness and a mastery of brush-stroke that here becomes an undeniable pictorial signature. Critics pointed out the landscape artist's daring touches, which were both decorative and fantastical. His “formal inventions,” as they called them, are evident in *Landscape in the Laurentians*, with the leaves of the central tree pulsing with flamboyant colours amidst a bower of green. Ultimately, the incongruous light and shadows, the flawed scale of the people, the collage of different effects in the sky and on the ground do not matter. Fortin's work glorified the expressiveness of an all-powerful Nature without disturbing everyday human activity or the continuity of a Québécois village.

The provenance of *Landscape in the Laurentians*, well documented by Sarah Mainguy, author of the artist's catalogue raisonné, indicates that the work was kept out of the public sphere for nearly 70 years, which explains why it did not appear in any exhibitions after 1933. Its recent rediscovery brilliantly supports Fortin's vision of his art in 1928: “La peinture n'est pas autre chose qu'une poésie plastique” (Painting is nothing but visual poetry).

We thank Michèle Grandbois, editor of the book *Marc-Aurèle Fortin: L'expérience de la couleur*, for contributing the above essay.

We thank Sarah Mainguy from the Fondation Marc-Aurèle Fortin for her assistance in researching this lot.

This work will be included in the forthcoming catalogue raisonné on the artist's work, #H-1039.

ESTIMATE: \$250,000 – 350,000



142 Alfred Joseph (A.J.) Casson

CGP CSPWC G7 OC POSA PRCA 1898 – 1992

Cloud Formations, Jackknife, Georgian Bay

oil on canvas, signed and on verso signed,
titled and dated 1982 on a label
30 x 36 in, 76.2 x 91.4 cm

PROVENANCE

Roberts Gallery, Toronto, inventory #92025
Private Collection, Toronto

THE DRAMATIC, ARCHITECTURAL clouds in this impressive canvas combine two important elements of A.J. Casson's aesthetic: one being a rugged and gestural Post-Impressionist approach, cultivated during his time as a member of the Group of Seven, and the other his mastery of composition, developed

during his more than 30-year career as a graphic designer. In combining these influences, Casson developed a distinctive style that sought to present the essence of the natural world via a lens of idealization and stylization.

As expressed here, the huge forms of the cloud bank seem to gallop forward from the approaching storm front, their configurations made all the more solid by strong outlining and skilful modulations of white, grey and green with subtle undertones of pink. This solidness is in turn amplified by the tight, angular applications of cerulean in the sky that provide a contrasting gentle iridescence, mirrored by the rippled water of the lake. It bears noting that a sky such as this one presented by another artist might possibly be frightening or overpowering. As presented by Casson, however, it exudes a beautiful calm.

ESTIMATE: \$60,000 – 80,000



143 Alfred Joseph (A.J.) Casson

CGP CSPWC G7 OC POSA PRCA 1898 - 1992

Elephant Lake

oil on board, signed and on verso titled, dated 1976
and inscribed 7186H and 320-218D 210
9 3/8 x 11 1/4 in, 23.8 x 28.6 cm

PROVENANCE

Roberts Gallery, Toronto, inventory #7186H
By descent to the present Private Estate, Calgary

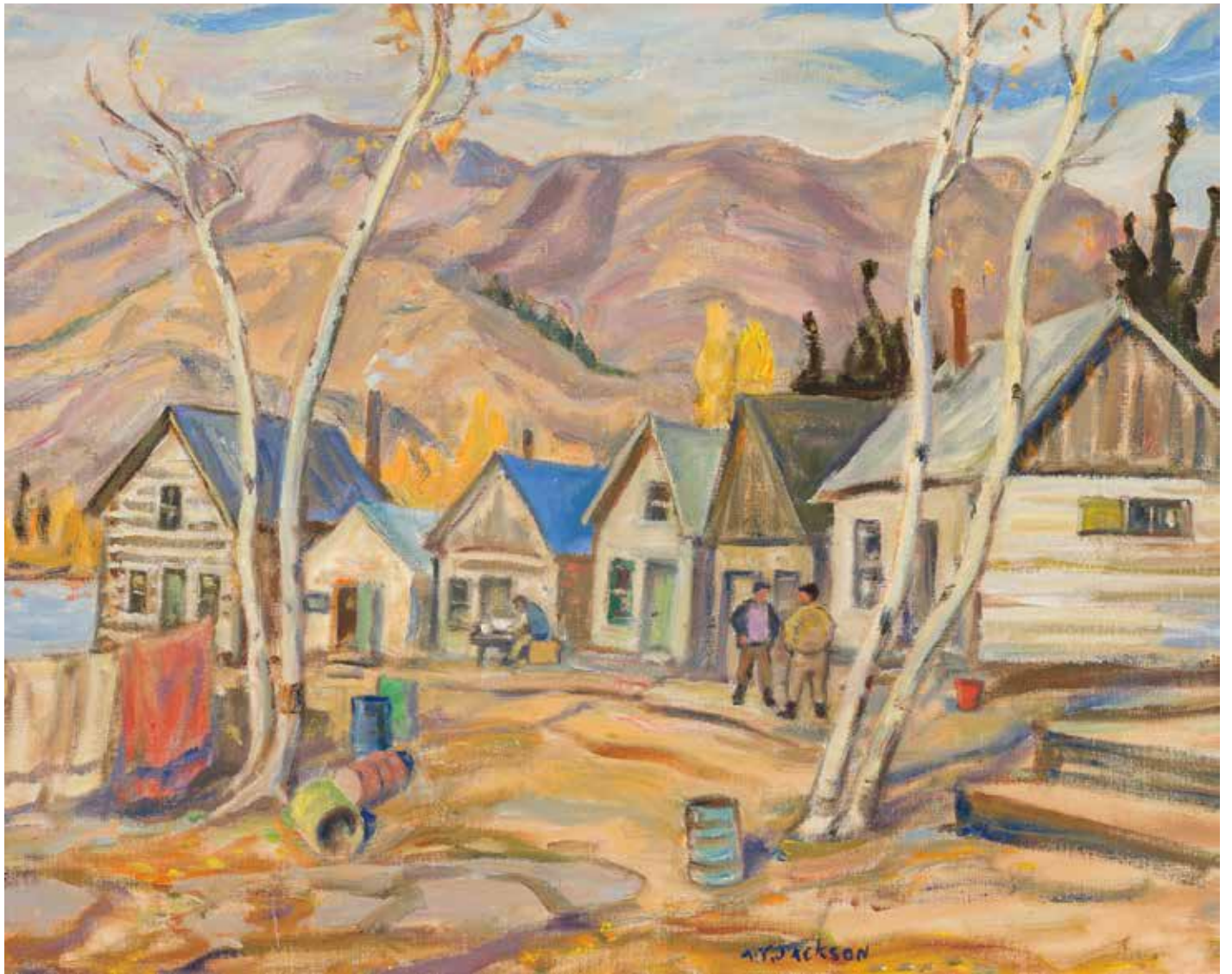
LITERATURE

Paul Duval, *A.J. Casson*, Roberts Gallery, 1975, page 123

DURING HIS LONG career, Group of Seven artist A.J. Casson extensively wandered the small villages and back roads of southern Ontario, sketch materials stowed in his car, in search of fresh

subjects. He was always particularly interested in dramatic skies, and here, at Elephant Lake, northwest of Bancroft, he found a fine one. Towering formations with darker layers behind hint at rainstorms about to descend, while the land below waits in suspenseful silence. His use of a palette of golds and greens makes the land glow, a fine contrast to the shades of grey above. After the mid-1940s, Casson used a number of styles in his work, intuitively choosing what was best for his subject. He stated, "Each subject seems to suggest its own treatment and design... It is not a conscious thing of forcing something into an arbitrary mould." From his experiences with the Group and his respected career in commercial design, which he pursued until 1958, Casson had an innate ability to cut to the essential elements in a composition and create from them an image of harmony and beauty. The evidence is here, in this tranquil yet moody scene.

ESTIMATE: \$15,000 - 25,000



144 Alexander Young (A.Y.) Jackson

ALC CGP G7 OSA RCA RSA 1882 – 1974

Mining Camp, Contact Lake, NWT

oil on canvas, signed and on verso titled, circa 1958

20 × 25 in, 50.8 × 63.5 cm

PROVENANCE

Samuel Borenstein, Montreal

R. Fraser Elliott, Toronto

Sold sale of *Important Canadian Art*, Sotheby's Canada in association with Ritchie's, November 21, 2005, lot 108
Property from an Important Private Collection to Benefit a Charitable Foundation

LITERATURE

Naomi Jackson Groves, *A.Y.'s Canada*, 1968, page 208
Pierre B. Landry, editor, *Catalogue of the National Gallery of Canada, Canadian Art, Volume 2/G-K*, National Gallery of Canada, 1994, the 1938 graphite drawing *Contact Lake, Near Great Bear Lake* reproduced page 258, catalogue #177821

IN AUGUST OF 1938, A.Y. Jackson took his first long-distance flight to the North, to the Great Bear Lake region on the Eldorado Mine company plane, invited by prospector and mine owner Gilbert LaBine. About ten years earlier, LaBine had spotted cobalt bloom during a plane flight, and subsequently established Eldorado Mine, which extracted silver and uranium. Jackson became well known for his many explorations across Canada, from the painter's trails up the St. Lawrence River in winter to the vast Barren Lands of the Northwest Territories (now Nunavut).

After viewing this open country dotted with innumerable lakes during his 1938 flight (they flew low enough to have a good view of the topography), Jackson landed at Port Radium, on the eastern end of Great Bear Lake. Naomi Jackson Groves recorded that Jackson wrote, "It was a grand trip... Saw five hundred thousand lakes this morning. You just couldn't keep looking at them, hour after hour. Great Bear is surrounded by big rocky hills, open patches of spruce in places, but no farm land." These lakes had been formed during the last retreat of the polar ice cap 10,000 years ago.

On this 1938 trip Jackson stayed for six weeks. He wandered over the rocky hills, dotted with patches of spruce and birch,

interspersed with muskeg lakes, sketching the unique landscape. One of the places he visited was Contact Lake, the site of a silver and uranium mine and a small settlement. The mine was located in the Echo Bay region of Great Bear Lake, 15 kilometres southeast of LaBine Point (at Port Radium), on the north side of Contact Lake. A mill operated here from 1936 to 1938, then shut down until 1946. Jackson made graphite drawings here—including the drawing *Contact Lake, Near Great Bear*, in the collection of the National Gallery of Canada, which was the study for this fine canvas. In a letter to collector R. Fraser Elliott, who once owned this work, Jackson's niece Naomi Jackson Groves noted that Jackson made a canvas from this drawing and sold it to the Montreal artist Samuel Borenstein, and that the canvas was painted in the late 1950s or early 1960s, not at the time of the drawing.

In this engaging painting, Jackson captures the everyday life of the mining camp, showing men at leisure outside their cabins, sitting or conversing. Jackson was an amiable and social man, able to mix with all strata of society, whether artists, scientists, engineers or the miners, some of whom came from other countries, such as Finland. Jackson conveyed a keen grasp of atmosphere in this scene, which portrays quotidian details such as the washing hanging on the line. The lake appears at the end of the row of houses, suggesting the men had a fine view. Jackson used a rich palette of colour everywhere, whether in man-made objects such as the hot orange blanket on the line and the scattered orange, green and blue barrels on the ground, or in the natural landscape, such as the bright gold of fall trees and the azure sky slicing through the clouds. In the clouds and the mountains, Jackson includes many subtle pastel tints, from pink and plum to blue and green, reflecting his interest in Impressionism early in his career.

Jackson noted that by mid-September the trees were bare, but winter did not set in before he flew out early in October. During this first visit Jackson had felt the mystique of the North, and it drew him to return many times. He stated, "I guess I'm like a compass, always heading north. I really do belong to the caribou country."

ESTIMATE: \$70,000 – 90,000



145 **Carl Clemens Moritz Rungius**

1869 – 1959 American

Pack Horses Returning

oil on canvas, signed

19 × 14 in, 48.3 × 35.6 cm

PROVENANCE

Private Collection, Alberta

EXHIBITED

Glenbow Museum, Calgary,

Carl Rungius: Artist and Sportsman,

June 10 – November 13, 2000

CARL RUNGIOUS WAS born in Rixdorf, Germany, and trained at the Academy of Arts in Berlin. He immigrated to the United States in 1896, and he painted in the western United States and Canada. Rungius had a passion for nature and was an avid hunter, and through his depictions of game in their mountain settings he became a renowned wildlife and landscape painter. In the early 1900s, the concept of wildlife conservation through habitat protection was championed by Rungius's generation of sportsmen, and this movement crossed the boundary between Canada and the United States. Rungius first saw the Canadian Rocky Mountains on a railway trip in 1910 and was impressed by their grandeur. He returned often, building a studio-home in Banff called The Paintbox, and remained a part-time resident there until 1957. He exhibited in the Banff Springs Hotel and sold to its wealthy clientele. To access the wilderness, Rungius traveled with pack trains, executing on-the-spot sketches and taking photographs to serve as source material for his studio paintings. In *Pack Horses Returning*, Rungius expertly captures the clear mountain light, the fresh breeze ruffling the manes and tails of the horses picking their way through the steep terrain, and the magnificence of the alpine setting.

ESTIMATE: \$100,000 – 150,000

146 Carl Clemens Moritz Rungius

1869 – 1959 American

Mountain Trail Hikers

oil on canvas, signed
16 x 12 in, 40.6 x 30.5 cm

PROVENANCE

Private Collection, Alberta

LITERATURE

Jon Whyte and E.J. Hart, *Carl Rungius: Painter of the Western Wilderness*, Glenbow Museum, 1985, page 137
Karen Wonders, *Carl Rungius: Artist and Sportsman*, Glenbow Museum, 2001, page 106, reproduced page 106

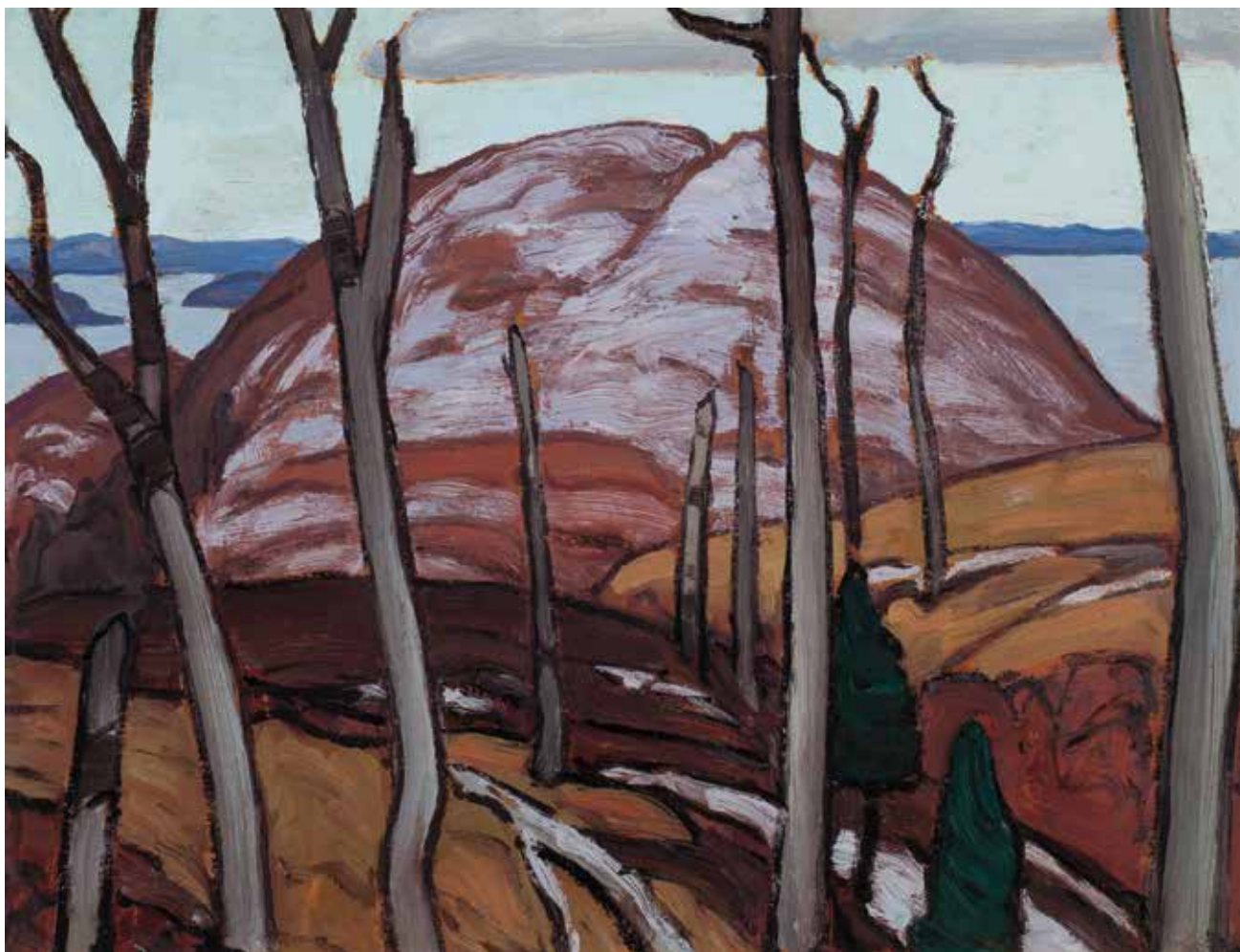
EXHIBITED

Glenbow Museum, Calgary,
Carl Rungius: Artist and Sportsman,
June 10 – November 13, 2000,
catalogue #92

CARL RUNGIOUS WAS a member of numerous naturalist groups in the United States and Canada. He belonged to the Boone and Crockett Club and the Campfire Club of America; he was also president of the Trail Riders of the Canadian Rockies in 1928 and a founding member and president of the Skyline Hikers of the Canadian Rockies in the 1930s. Karen Wonders notes of *Mountain Trail Hikers*: “This brilliantly coloured painting was the basis for a 1939 Canadian Pacific Railway poster advertising the Skyline Trail Hikers Camp in Ptarmigan Valley. Rungius, a charter member of the group, enjoyed the annual hikes and no doubt added to its tourist appeal through his celebrity status.” Rungius’s skill on the trail was noted by a fellow hiker: “In the Camp Fire Club of America... he is respected by all, not alone for his ability as a painter but also for his skill in woodcraft. There is no member of the club who is his peer as an outdoor man.” In *Mountain Trail Hikers*, Rungius achieved a dynamic sense of movement. Contrasting the strong diagonal direction of the rocky slopes, the sinuous line of climbers and the verticality of the peaks, he created a scene that embodies the euphoria of this mountain trek.

ESTIMATE: \$80,000 – 100,000





147 **Lawren Stewart Harris**

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

Lake Superior Sketch xcix

oil on board, on verso signed, titled on a label, inscribed faintly with the artist's symbol and stamped with the Dominion Gallery stamp, circa 1922
10 ½ x 13 ¾ in, 26.7 x 34.9 cm

PROVENANCE

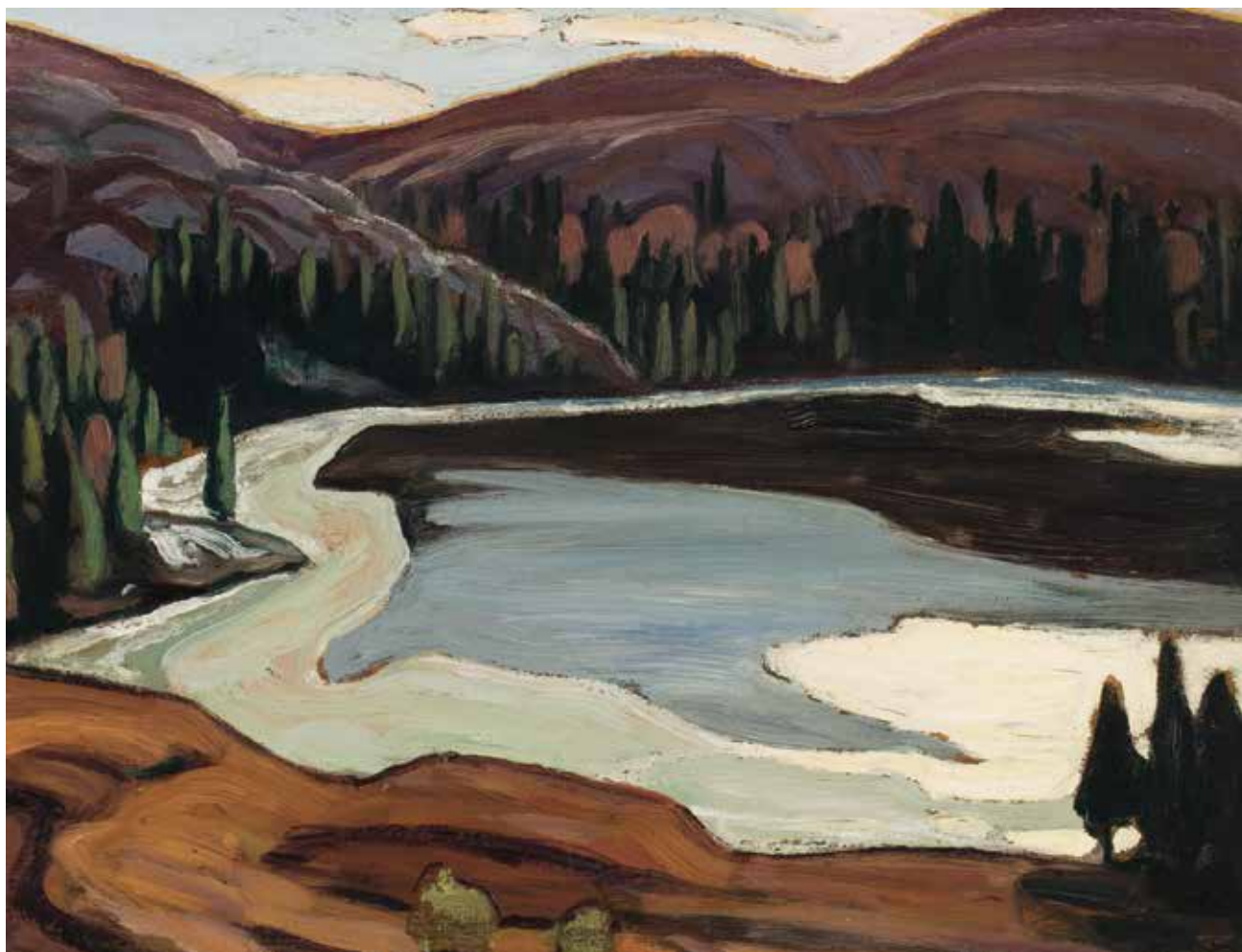
Dominion Gallery, Montreal
Roberts Gallery, Toronto
Private Collection, Toronto
Galerie Walter Klinkhoff Inc., Montreal
The Art Emporium, Vancouver
Private Collection, Toronto
Sold sale of *Important Canadian Art*, Sotheby's Canada
in association with Ritchie's, November 20, 2006, lot 74
Private Collection, California

LITERATURE

Paul Duval, *Lawren Harris: Where the Universe Sings*,
2011, page 234

THIS STRIKING SCENE is near Pic Island on Lake Superior's North Shore, between Marathon and Rosspport. Lawren Harris and fellow Group of Seven member A.Y. Jackson traveled together to Lake Superior on several trips, and both painted this same view, with Jackson's sketch titled *Autumn, Lake Superior*. Harris in particular loved this rugged, austere landscape, and this sketch shows his deep understanding of the strength and simplicity of form present there. Forest fires had reduced the trees to skeletons, and the rock formations of the Canadian Shield surrounding the lake were sculptural. Panoramic views over the enormous lake completed the sensation of grandeur, and Harris responded to it in a soulful way. Paul Duval wrote, "After he explored the North Shore, it became pictorially Harris country. Its isolation, grandeur and limpid, embracing light fit Harris like a creative glove." *Lake Superior Sketch xcix* is a strong, visceral image. Snow settling into hollows emphasizes the curves of the rocks, which Harris depicted with broad brush-strokes. Just beyond the distinctive hill, the lake stretches out, enticing us to clamber over the rocks to contemplate the transcendent view.

ESTIMATE: \$150,000 – 250,000



148 Lawren Stewart Harris

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

Near Lake Superior

oil on board, on verso inscribed with the artist's symbol and inscribed by A.J. Casson on March 1, 1981: *I have examined this sketch carefully and am sure it was painted by Lawren Harris.*

The subject, composition, colour and technique suggest that it was painted in Algoma, about 1919 – 1920, circa 1922

10 3/8 x 13 7/8 in, 26.4 x 35.2 cm

PROVENANCE

Collection of Keith and Edith McIver

Estate of Edith B. Wheeler

By descent to a Private Collection, Ontario

By descent to the present Private Collection, Ontario

LITERATURE

Jeremy Adamson, *Lawren S. Harris: Urban Scenes and Wilderness Landscapes, 1906 – 1930*, Art Gallery of Ontario, 1978, a similar

1926 canvas entitled *Northern Lake* reproduced page 150

James King, *Inward Journey: The Life of Lawren Harris*, 2012, pages 147 and 148

ALTHOUGH THE INSCRIPTION from fellow Group of Seven member A.J. Casson indicates Algoma subject matter for this Lawren Harris oil sketch, research indicates that the subject is more likely the inland country around the north shore of Lake Superior. A.Y. Jackson commented, “The Algoma country was too opulent for Harris; he wanted something bare and stark, so at the conclusion of one of our sketching trips he and I went to the north shore of Lake Superior... Inland there are intimate little lakes, stretches of muskeg, outcrops of rock...” This lake resembles one that is in the vicinity of Harris and Jackson’s Port Coldwell campsite, and the style and size of the work is more consistent with early 1920s works from the Lake Superior area, as is the palette with brown and purple tones. Anchored by the strong central motif of a lake fringed with ice and shimmering with reflections in its cold surface of the surrounding molded rock formations and sky above, this is a stunning composition.

We thank Alec Blair, Director / Lead Researcher, Lawren S. Harris Inventory Project, for assisting with research on this lot.

ESTIMATE: \$100,000 – 150,000



149 Cornelius David Krieghoff

1815 – 1872

**Indians Approaching a Portage & Shooting a Deer
(Lake St. Joseph, Quebec)**

oil on canvas, signed and on verso titled
on the Laing Galleries label, circa 1860

14 x 19 ¾ in, 35.6 x 49.8 cm

PROVENANCE

Dr. J.C.R. Lorimer

Laing Galleries, Toronto

By descent to the present Private Estate, Calgary

THIS OUTSTANDING TABLEAU of First Nations hunters is likely from the period when Cornelius Krieghoff lived in Quebec City, from 1853 to 1863. Krieghoff was well acquainted with First Nations people while he lived there—he saw Mi'kmaq and Montagnais (Innu) peoples camped at Indian Cove on the Levis

River and Huron First Peoples at the village of Lorette. Krieghoff also embarked on hunting and fishing trips that employed First Nations men as guides. This painting, while carefully composed, catches the hunters in a naturalistic way, as if we had just rounded the corner and caught sight of them, as one man shoots at a fleeing deer while the other paddles to shore. Krieghoff's view is a romantic one—the hunters pursue their prey in a stunning landscape in which autumn colours blaze in the foliage. In the foreground is a large boulder, a frequent compositional device used by the artist, which anchors the scene. Krieghoff was an admirer of the First Nations people he met in Quebec; he was impressed by their nobility of character, which he felt was untainted by the corruption of civilization, and their ability to survive by living off the land.

ESTIMATE: \$60,000 – 80,000



150 Cornelius David Krieghoff

1815 – 1872

Five Habitants Driving in Winter

oil on canvas, signed and on verso titled and dated circa 1860 on the Masters Gallery label
11 ¼ x 13 ⅛ in, 28.6 x 33.3 cm

PROVENANCE

Laing Galleries, Toronto
Kenneth R. Thomson, Toronto
Masters Gallery Ltd., Calgary
Private Collection, Vancouver

THIS IS A classic Cornelius Krieghoff winter scene of Quebec *habitants* traveling by sleigh, likely over the frozen St. Lawrence River. In 1860, Krieghoff was living in Quebec City, and he would have regularly observed scenes such as this. The wood

sleigh is drawn by a small, sturdy horse—from a distinctive breed known as the *canadien*, descended from Norman and Breton horses introduced into New France in the seventeenth century. Undaunted by pulling five people, it is trotting in a jaunty manner, its mane flying, the movement emphasized by the red sash fluttering from its bridle and the snow kicking up from its hind hooves. Krieghoff's keen attention to details makes this scene so distinctive. Note, for instance, the *habitants'* red and blue toques and the man clad in a Hudson's Bay blanket coat with hood, smoking a pipe. Krieghoff was renowned for his sensitivity to winter atmospheric effects, and here he captures the pale green tints in the ice, the slushy snow conditions, and a delicate sky full of misty clouds, infused with pastel tints such as mauve, pink and peach.

ESTIMATE: \$40,000 – 60,000



151 David Brown Milne

CGP CSGA CSPWC 1882 – 1953

Houses

oil on canvas, on verso titled and dated 1944 on the gallery labels
15 x 20 in, 38.1 x 50.8 cm

PROVENANCE

Galerie Godard Lefort, Montreal, 1971
Masters Gallery Ltd., Calgary
Peter Ohler Fine Arts Ltd., Vancouver
Private Collection, Vancouver

LITERATURE

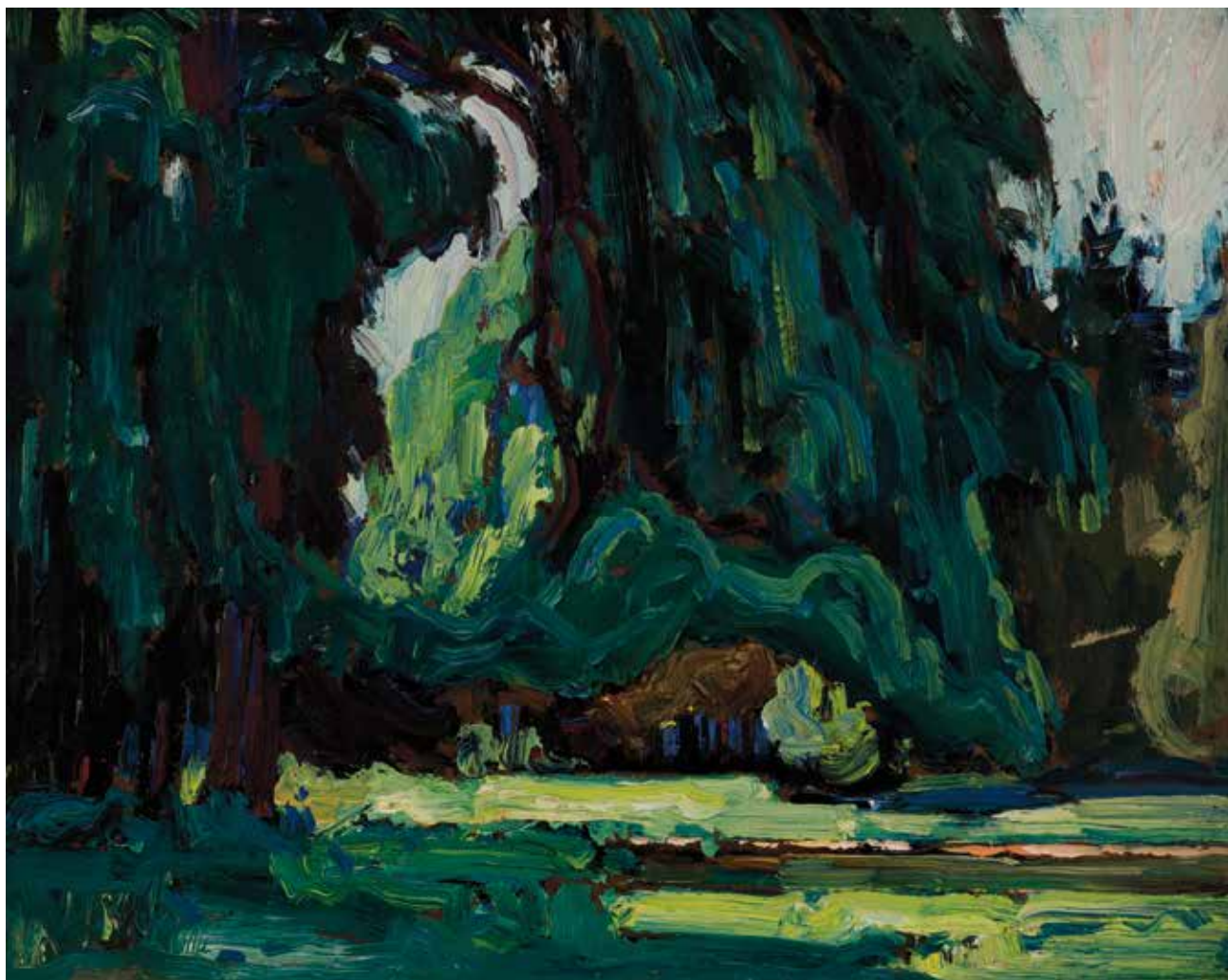
David P. Silcox, *David Milne (1882 – 1953): A Survey Exhibition*,
Galerie Godard Lefort, 1971, listed, unpaginated
David Milne Jr. and David P. Silcox, *David B. Milne: Catalogue
Raisonné of the Paintings, Volume 2: 1929 – 1953*, 1998,
reproduced page 847, catalogue #404.116

EXHIBITED

Galerie Godard Lefort, Montreal, *David Milne (1882 – 1953):
A Survey Exhibition*, April 22 – May 15, 1971, catalogue #29

DAVID MILNE CONTINUED to work steadily and exhibit through the war years, while based in the small rural town of Uxbridge, northeast of Toronto, where he had moved in 1940. After long stretches in wilderness settings in previous years, Milne would again depict town scenes, such as in this fine painting. For seven years previous to 1944, Milne worked infrequently in oil, but in this year he began to concentrate on the medium again until 1947, when his focus switched to watercolours. The dominant feature in *Houses* is the contrast between the pale and radiant great empty sky (a favourite device of Milne's) and the houses anchored on the dark, bare earth. The sky is two-dimensional, with just the faint suggestion of cloud shapes, and is delicately stained with gold and orange. Milne's unique sense of line is present in the black outlines of the structures and in the squiggles, dabs and lines of orange that animate windows, roof edges and overhangs. Milne's modernist treatment of his subject, reduced to simplified planes and lines and a carefully limited palette, is intensely satisfying.

ESTIMATE: \$50,000 – 70,000



152 James Edward Hervey (J.E.H.) MacDonald

ALC CGP G7 OSA RCA 1873 – 1932

Elms by a Stream

oil on board, on verso signed, titled and inscribed 60.00 and variously, circa 1919
8 ½ x 10 ½ in, 21.6 x 26.7 cm

PROVENANCE

Sold sale of *Canadian Art and Fine Jewellery*,

Sotheby's Canada, May 27, 1985, lot 778

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

November 17, 1995, lot 67

Private Collection, Toronto

Sold sale of *Fine Art*, Levis Fine Art,

November 4, 1997, lot 203

By descent to the present Private Estate, Calgary

LITERATURE

Sandra Martin, "Digging Up J.E.H. MacDonald's Tangled Garden," *The Globe and Mail*, April 21, 2018, <https://www.theglobeandmail.com/arts/digging-up-jeh-macdonalds-tangled-garden/article1005233>, accessed August 6, 2019

IN 1911, J.E.H. MACDONALD moved to Thornhill, where he purchased a property with a Victorian-era farmhouse named Four Elms, for the towering trees that surrounded it. Thornhill was a mecca for other artists—members of the Group of Seven and Tom Thomson visited MacDonald there. Former National Gallery of Canada curator of Canadian art Charles C. Hill commented, "Of all the Group, he is the one who is most linked to an earlier rural tradition ... The house, the gardens and the fields around formed a part of his home base and had a lot of meaning for him. If you look at the early photographs and those gorgeous elm trees and the gardens and the wooden barn with its stone foundation, it [the place] is almost like a sculpture in itself." MacDonald's depiction of these pastoral fields and towering elms is lush and sun-drenched. His brushwork is bold and textural, and his palette glows with tones of green that range from deep olive to bright yellow-green. This vibrant oil sketch radiates peace, and the majesty of the trees with their cascading branches is particularly beautiful.

ESTIMATE: \$20,000 – 30,000



153 James Edward Hervey (J.E.H.) MacDonald

ALC CGP G7 OSA RCA 1873 – 1932

Arts and Letters Club Farm, York Mills

oil on board, initialed and dated 1918 and on verso

signed, titled, dated and inscribed 50.00

8 ½ × 10 ½ in, 21.6 × 26.7 cm

PROVENANCE

Private Collection, Kingston, Ontario

By descent to a Private Collection, Toronto

Sold sale of *Important Canadian Art*, Sotheby's Canada,

May 14, 1997, lot 148

Canadian Fine Arts Gallery, Toronto

Masters Gallery Ltd., Calgary

Private Collection, Vancouver

LITERATURE

The Thornhill Circle: J.E.H. MacDonald and His Associates,

Varley Art Gallery of Markham, 2006, reproduced page 18,

listed page 34

EXHIBITED

Varley Art Gallery of Markham, *The Thornhill Circle:*

J.E.H. MacDonald and His Associates, November 26, 2006 –

January 14, 2007

IN 1917, J.E.H. MACDONALD had to rent out his house at Thornhill. He moved to the house of Mrs. Lucille Taylor at Usher Farm in York Mills, then a rural area close to Toronto, and stayed there for about 18 months. The neighbouring farm was rented out to the Arts and Letters Club, whose members cultivated it as part of the war effort. During this time, MacDonald suffered a crisis, and ill health forced him to curtail his activities, so he wrote poetry and painted the countryside around York Mills. The gentle landscape there had a healing effect, and he focused on pastoral subjects, such as this lushly painted scene of fields and fruit trees at the Arts and Letters Club Farm. MacDonald loaded his brush with oil, and his strokes of paint are thick and textured. Green is the dominant element in his palette, enlivened by dabs, lines and areas of blue, purple, maroon and pink. Through colour and energized paintwork, MacDonald expertly captures the glowing, vibrant nature of this cultivated land.

The Art Gallery of Ontario has the 1917 oil sketch *Arts and Letters Club Farm, York Mills* in its collection.

ESTIMATE: \$30,000 – 40,000



154 James Edward Hervey (J.E.H.) MacDonald

ALC CGP G7 OSA RCA 1873 – 1932

Stubble

oil on board, signed and dated 1923 and on verso
signed, titled and inscribed *Not for sale*
8 x 11 in, 20.3 x 27.9 cm

PROVENANCE

Estate of a Prominent Collector, Toronto
Sold sale of *Canadian Art*, Joyner Fine Art,
May 16, 1989, lot 100b
Private Collection, Toronto

LITERATURE

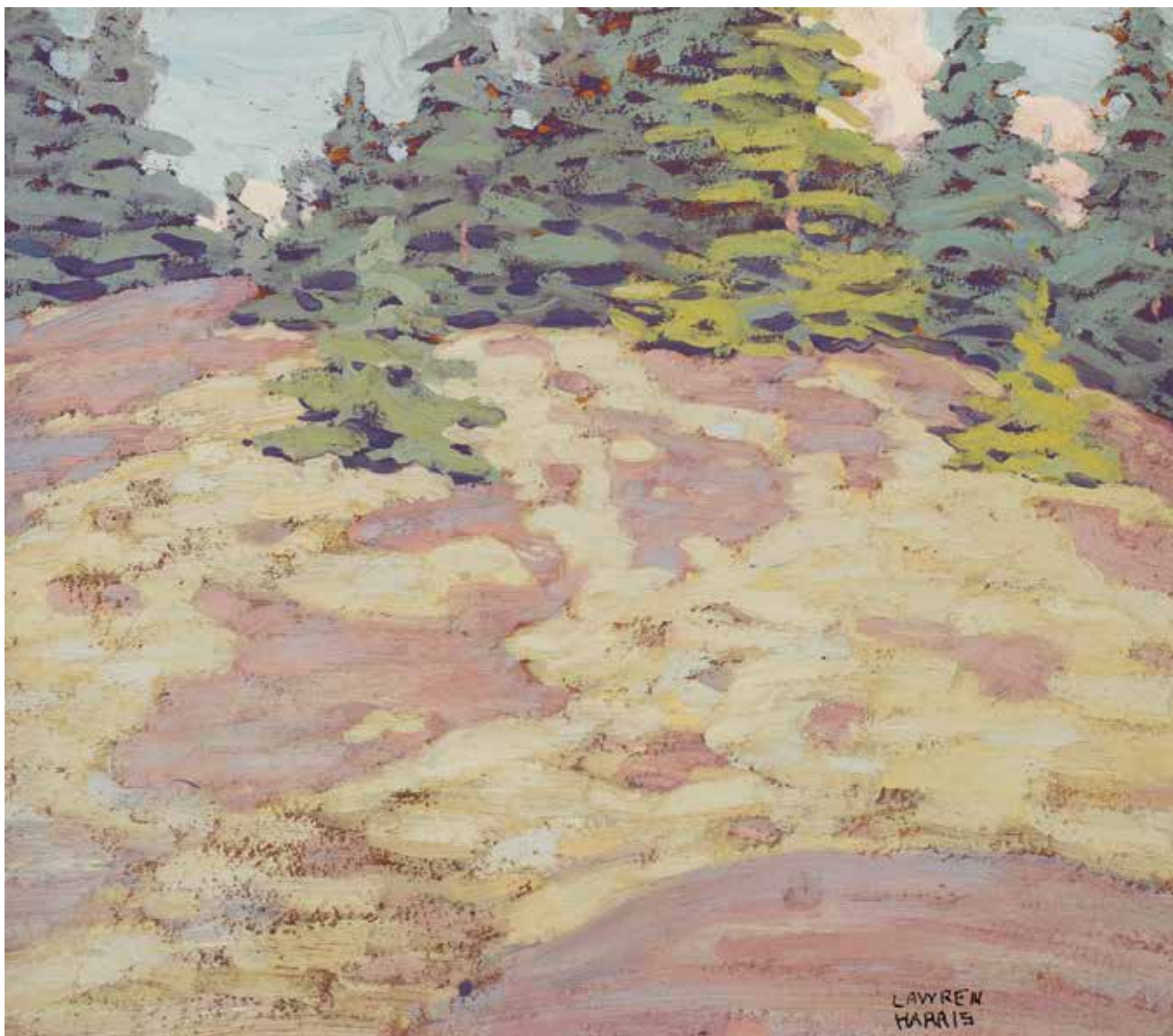
Henry David Thoreau, *Walden*, 1854, page 236

If one advances in the direction of his dreams, and endeavors to live the life which he has imagined, he will meet with a success unexpected in common hours.

—HENRY DAVID THOREAU

IN 1921, J.E.H. MACDONALD accepted a teaching position at the Ontario College of Art in Toronto, where he would be employed for the remaining decade of his life. He had previously attempted to devote all of his time to painting, but found the financial strain on himself and his family difficult. Painted two years after accepting his teaching role, this work shows the resonance to which MacDonald aspired throughout his life, inspired by Transcendentalist world views such as Henry David Thoreau's, after whom he named his son. The gestural, spiked flow of clouds in a dazzling sky, the long rows of the field, and the graceful forms of the trees anchored in ultramarine beautifully convey the reverberation of the natural world he sought to express. Although MacDonald experienced many difficulties in his life, the successes he accrued, exemplified in artworks such as this, can now be shared by us all.

ESTIMATE: \$20,000 – 30,000



155 Lawren Stewart Harris

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

Muskoka

oil on board, signed and on verso titled on the gallery label, inscribed with the Dominion Gallery inventory #C3546 and variously and stamped with the Dominion Gallery stamp
10 $\frac{3}{8}$ x 12 $\frac{1}{8}$ in, 27 x 30.8 cm

PROVENANCE

Dominion Gallery, Montreal
Private Collection, Toronto
Sold sale of *Important Canadian Art*, Sotheby's Canada,
November 6, 1991, lot 106
Private Collection, Toronto

THIS BRIGHT AND lively oil sketch by Lawren Harris was likely produced in the years between his return from Berlin in 1908 and the outbreak of World War I, which was one of his most romantic

and painterly periods. Works such as this suggest a pleasure in the moment and a joyful anticipation of the future, as Harris's artistic goals began to take shape and his artist comrades-in-arms began to surround and encourage him. Often influenced by French Impressionism in palette and by Scandinavian modernism in structure, Harris's work in this chapter also predated the psychological trauma inflicted by the Great War. Idyllic tones of pink and purple pervade this particular example, as well as a clear and fresh handling of light. Notably, the depiction of the rock bears a striking similarity to one of Harris's early masterpieces, the impressive triptych *Autumn Forest with Glaciated Bedrock, Georgian Bay*, circa 1914, acquired by the Art Gallery of Ontario in 1989. It is a work that beautifully suggests, as does this one, a world of harmony, hope and inspiration.

ESTIMATE: \$40,000 – 60,000



156 Frederic Marlett Bell-Smith

OSA RCA SCA 1846 – 1923

Harvesting Hops, BC

watercolour on paper, signed and dated 1888 and on verso titled on the gallery label and inscribed 76.00
13 ½ x 19 ¾ in, 34.3 x 50.2 cm

PROVENANCE

Galerie Walter Klinkhoff Inc., Montreal
A.K. Prakash & Associates, Toronto
Private Collection, Ontario

LITERATURE

Roger Boulet, *Vistas: Artists on the Canadian Pacific Railway*,
Glenbow Museum, 2009, page 144, titled as *Harvesting Hops*,
reproduced page 144

EXHIBITED

Manoir Richelieu Art Exhibition, Quebec, catalogue #3
Glenbow Museum, Calgary, *Vistas: Artists on the Canadian
Pacific Railway*, June 20 – September 20, 2009, catalogue #14

IN 1886, THE Canadian Pacific Railway initiated train service from eastern Canada to the Rocky Mountains, and the company's president, William Van Horne, an avid collector and painter,

decided to offer rail passes to artists, to paint the dramatic scenery being opened up to visitors. In 1887, Frederic Bell-Smith first traveled west to the Rockies on one of these passes; he returned in 1888, riding all the way to the coast, where he saw the scene that inspired this fascinating watercolour. Roger Boulet wrote, "For decades, the fertile area along the lower reaches of the Fraser River between Harrison Lake and Mission was planted with extensive hop growing fields. In the early days, many First Nations men and women were employed by the hop-growing farms in the Agassiz and Sardis area. The depiction of agricultural subject matter in British Columbia is uncommon among the artists who worked along the railway, but the subject was not neglected and the agricultural potential of the land is frequently mentioned by travelers' written accounts." This fine, large and detailed watercolour is a rare historical work from Bell-Smith's western oeuvre.

ESTIMATE: \$15,000 – 25,000

Please view additional Lots in our November Online Auction at www.heffel.com, which closes Thursday, November 28, 2019. 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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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, c) a Personal or Corporate Cheque, d) Debit Card and Credit Card only by VISA, MasterCard or Union Pay or e) Interac e-Transfer. Bank Wire payments should be made to the Royal Bank of Canada as per the account transit details provided on the invoice. 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. Credit Card payments are subject to our acceptance and approval 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. The Buyer is limited to two e-Transfers per Lot and up to a maximum of \$10,000 per e-Transfer as per the instructions provided on the invoice. In all circumstances, the Auction House prefers payment by Bank Wire.
- 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. No Warranty

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	☐	Denotes that additional information on this lot can be found on our website at www.heffel.com
LP	Les Plasticiens	φ	Indicates that Heffel owns an equity interest in the Lot or may have funded all or part of our interest with the help of a third party. Additionally Heffel may have entered into arrangements to provide a Consignor a guaranteed Reserve bid. A guaranteed Reserve bid may have funded all or part with a third-party guarantor.
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 four decades of change, since 1978, 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 Searches \$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

CVV NUMBER

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 this Collector Profile Form to assist us in offering 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

numerical order

Lot Description

artist

Maximum Bid

Hammer Price \$ CAD
(excluding Buyer’s Premium)

1

2

3

4

5

To be sure that bids will be accepted and delivery of Lots not delayed, bidders not yet known to Heffel must 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, expiry date and CVV number.

CREDIT CARD NUMBER

EXPIRY DATE

CVV NUMBER

NAME OF BANK

BRANCH LOCATION

NAME OF ACCOUNT OFFICER

TELEPHONE

E-MAIL ADDRESS OF ACCOUNT OFFICER

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 **sign** and return this form via e-mail to shipping@heffel.com or via fax to 416-961-4245.

STEP 1: PROPERTY INFORMATION

Lot Number **Property Description**
in numerical order artist / title

1 _____

2 _____

3 _____

STEP 2: SHIPPING METHOD (CHOOSE OPTION A, B OR C)

Option A

Consolidated ground shipment (when available) to destination Heffel Gallery:

- Heffel Vancouver Heffel Calgary
 Heffel Montreal Heffel Toronto

PACKING METHOD

- Soft packed (Cardboard) Hard packed (Custom crate)

OPTIONAL LOSS AND DAMAGE LIABILITY COVERAGE

Your Property will be insured under Heffel's insurance policy at a rate of 1.5% of the value. Heffel does not insure ceramics, frames or glass. Please review Section 3 of Heffel's *Terms and Conditions for Shipping* for further information regarding insurance coverage.

- Please **DO NOT** insure my Property. I accept full responsibility for any loss or damage to my Property while in transit.

Option B

Direct shipment to address below via Heffel approved third-party carrier:

RECIPIENT'S NAME

ADDRESS

CITY

PROVINCE/STATE, COUNTRY

POSTAL CODE

E-MAIL ADDRESS

DAYTIME TELEPHONE

EVENING TELEPHONE

TAX ID (FOR U.S. SHIPMENTS ONLY)

Option B (continued)

PACKING METHOD

- Soft packed (Cardboard) Hard packed (Custom crate)

Framed works will be shipped **without** glass. Glass can be replaced with conservation acrylic for an additional charge.

- Please replace glass with acrylic (if applicable)

OPTIONAL LOSS AND DAMAGE LIABILITY COVERAGE

Your Property will be insured under Heffel's insurance policy at a rate of 1.5% of the value. Heffel does not insure ceramics, frames or glass. Please review Section 3 of Heffel's *Terms and Conditions for Shipping* for further information regarding insurance coverage.

- Please **DO NOT** insure my Property while in transit. I accept full responsibility for any loss or damage to my Property while in transit.

Option C

I do not require packing/shipping services provided by Heffel. I have reviewed Section B.4 of Heffel's *Terms and Conditions of Business* and accept all consumer tax liabilities. I authorize for my Property to be retrieved on my behalf by:

AUTHORIZED THIRD PARTY'S FULL NAME

STEP 3: PAYMENT INFORMATION

CREDIT CARD NUMBER (VISA, MASTERCARD OR UNION PAY)

EXPIRY DATE

CVV NUMBER

Shipping costs will be provided for approval prior to shipment unless authorized below to proceed.

- No shipping quotation necessary, please forward my Property as indicated above

STEP 4: SIGNATURE

Signed with agreement to the above, Heffel's *Terms and Conditions of Business* and Heffel's *Terms and Conditions for Shipping*.

PROPERTY OWNER'S NAME

SIGNATURE

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, or release 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 in funds cleared 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 Terms and Conditions of the Fine Arts Insurance Policy provided to Heffel if the Property Owner so authorizes;
 - b) 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;
 - c) The value for which a Lot is insured under the Fine Arts Insurance Policy provided to Heffel in accordance with Condition 3.b above shall be the total amount due to the Property Owner in the event of a successful claim being made against the Auction House;
 - d) 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;
 - e) 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;
 - f) In no event will Heffel be liable for damage to glass, frames or ceramics;
 - g) 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;
 - h) 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, legal 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 41 to 75 united inches — \$50 per work
- Works 76 to 150 united inches — \$100 per work
- Works 151 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 41 to 75 united inches — \$300 – \$500 per crate
- Works 76 to 150 united inches — \$500 – \$750 per crate
- Works 151 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 41 to 75 united inches — \$50 per work
- Works 76 to 150 united inches — \$100 per work
- Works 151 to 250 united inches — minimum \$150 per work

National

- Works up to 40 united inches (height + width + depth = united inches) — \$35 per work
- Works 41 to 75 united inches — \$75 per work
- Works 76 to 150 united inches — \$150 per work
- Works 151 to 250 united inches — minimum \$250 per work

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C. Rungius



Newice, Utah, 1902







Picasso
13 juin
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