

FINE  
ART  
AUCTION  
HOUSE

**Heffel**

**POST-WAR &  
CONTEMPORARY ART**

**SALE** THURSDAY, MAY 23, 2024 · 2 PM PT | 5 PM ET









Tauwha





## POST-WAR & CONTEMPORARY ART

### AUCTION

Thursday, May 23, 2024

155 Yorkville Avenue, 2nd Floor, Units 1 & 2, Toronto  
*Entrance at STK, 153 Yorkville Avenue*

Together with Heffel's Digital Saleroom

Registration required to attend or bid in person

#### Video Presentation

1:30 PM PT | 4:30 PM ET

#### Post-War & Contemporary Art

2 PM PT | 5 PM ET

Canadian, Impressionist & Modern Art, *\*followed by*  
**Legendary: The Collection of Torben V. Kristiansen**

4 PM PT | 7 PM ET

### PREVIEWS

#### Heffel Gallery, Calgary

220 Manning Road NE, Unit 1080

Saturday, April 6 through

Monday, April 8, 11 am to 6 pm MT

#### Heffel Gallery, Vancouver

2247 Granville Street

Thursday, April 18 through

Wednesday, April 24, 11 am to 6 pm PT

#### Galerie Heffel, Montreal

1840 rue Sherbrooke Ouest

Thursday, May 2 through

Wednesday, May 8, 11 am to 6 pm ET

#### Heffel Gallery, Toronto

13 Hazelton Avenue

Together with our Yorkville exhibition galleries

Wednesday, May 15 through

Wednesday, May 22, 11 am to 6 pm ET

## 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  
Please send all physical mail to our Vancouver address

### TORONTO

*Main Yorkville Reception*  
13 Hazelton Avenue, Toronto, ON M5R 2E1  
Telephone 416-961-6505, Fax 416-961-4245  
  
15 Hazelton Avenue, Unit 200, Toronto, ON M5R 2E1  
  
135 Yorkville Avenue, Unit 401, Toronto, ON M5R 3W5  
  
155 Yorkville Avenue, 2nd Floor, Toronto, ON M5R 1C4  
*via reception*

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*by appointment*

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1840 rue Sherbrooke Ouest, Montreal, QC H3H 1E4  
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2247 Granville Street, Vancouver, BC V6H 3G1  
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2455 Dollarton Highway, Unit 108  
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Telephone 604-732-6505 ext. 150, Fax 604-732-4245  
*by appointment*

### CALGARY

*Main Calgary Reception*  
220 Manning Road NE, Unit 1080, Calgary, AB T2E 8K4  
Telephone 403-238-6505, Fax 403-265-4225  
  
888 4th Avenue SW, Unit 609, Calgary, AB T2P 0V2  
*by appointment*

### CORPORATE BANK

Royal Bank of Canada, 2735 Granville Street  
Vancouver, BC V6H 3J1  
Telephone 604-665-5700  
Incoming wires are required to be sent in Canadian funds and  
must include: Heffel Gallery Limited, 2247 Granville Street,  
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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. Our *Annual Subscription Form*  
can be found on page 99 of this catalogue.

### CATALOGUE PRODUCTION

Essay Contributors—Robert Amos, Lisa Baldissera,  
Thibault Bennett, Marie-Hélène Busque, Mark Cheetham,  
Gary Dufour, Daniel Gallay, Michèle Grandbois, Alec Kerr,  
Anne Koval, Lauren Kratzer, Robin Laurence, Marie-Jo Paquet,  
Naomi Pauls, Leah Snyder, Sarah Stanners and  
Meghan Watson-Donald  
Text Editing, Catalogue Production—Julia Balazs,  
Rania Chaddad, David Heffel, Robert Heffel, Alec Kerr  
and Naomi Pauls  
Director of Imaging—Martie Giefert  
Digital Imaging—Ward Bastian, Jasmin Daigle, Brandon Prince  
and Jared Tiller  
Catalogue Layout and Production—Kirbi Pitt and Clara Wong

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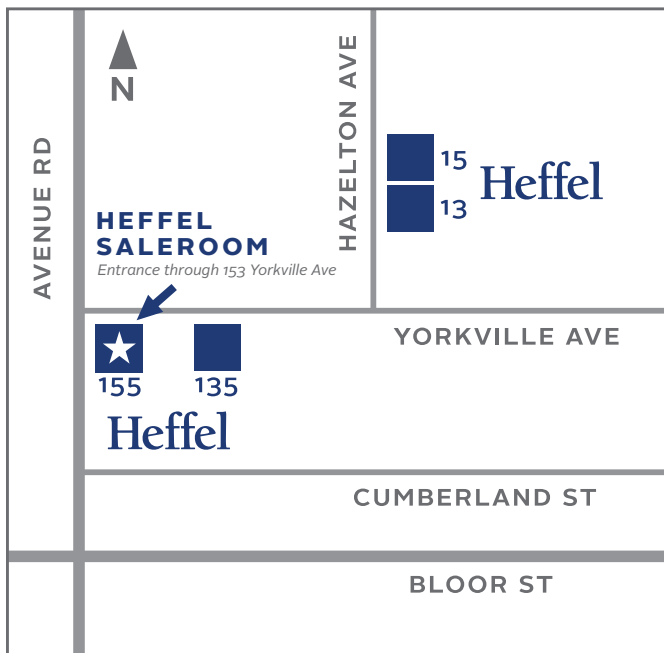




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# NOTICE FOR COLLECTORS



## Auction Location

### HEFFEL TORONTO

155 Yorkville Avenue, 2nd Floor, Units 1 & 2, Toronto  
 Entrance at *STK*, 153 Yorkville Avenue  
 Together with Heffel's Digital Saleroom  
 Saleroom Telephone 1-888-212-6505

To attend the auction or bid in person, please contact [bids@heffel.com](mailto:bids@heffel.com) to reserve your seat and register in advance. Complimentary food and beverages will be served.

## Auction Notice

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 90 through 98 of this publication.

Please visit [www.heffel.com](http://www.heffel.com) for information on which Lots will be present at each preview location, virtual auction previews and to book your in person preview appointment. Preview appointments can also be booked by calling 1-888-818-6505.

## Absentee, Telephone and Digital Saleroom Bidding

If you are unable to attend our auction in person, Heffel recommends submitting an *Absentee Bid Form* to participate. Heffel also accepts telephone bidding, prioritized by the first received *Telephone Bid Form* and limited to available Telephone Bid Operators per Lot. Alternatively, Heffel offers online bidding in real time through our Digital Saleroom, subject to advanced registration and approval. All forms of remote bidding participation and registration must be received by Heffel at least two (2) business days prior to the commencement of the sale. Information on absentee, telephone and online bidding appears on pages 5, 100, 101 and 102 of this publication.

## Live Stream

Please note that we produce a live stream of our sale beginning with a video presentation at 4:30 PM ET and the auction commencing at 5 PM ET. We recommend that you test your video streaming 30 minutes prior to our sale at [www.heffel.com](http://www.heffel.com).

All Lots and additional images depicting the frame and verso are available at [www.heffel.com](http://www.heffel.com).

## Estimates and Currency

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 0.73 US dollar, 0.66 euro, 0.56 British pound, 0.63 Swiss franc, 106 Japanese yen or 6.0 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.

## Buying at Auction

All items that are offered and sold by Heffel are subject to our published *Terms and Conditions of Business*, our *Catalogue Terms* and any oral announcements made during the course of our sale. Heffel charges a *Buyer's Premium* 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.

If you are unable to attend our auction in person, you can bid by completing the *Absentee Bid Form* found on page 100 of this catalogue. Please note that all *Absentee Bid Forms* should be received by Heffel at least two (2) business days 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. Digital Saleroom online bidding is available subject to pre-registration approval by the Auction House at least two (2) business days in advance of the auction.

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

Wire payments should be made to the Royal Bank of Canada as per the account transit details provided on your 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 your invoice. In all circumstances, the Auction House prefers payment by Bank Wire.

## 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 103 and our *Terms and Conditions for Shipping* on page 104 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 on a prorated basis.





**SALE** THURSDAY, MAY 23, 2024 · 2 PM PT | 5 PM ET

# POST-WAR & CONTEMPORARY ART CATALOGUE

**FEATURING WORKS FROM**

The Barbeau Owen Foundation Collection, Vancouver

A Distinguished Private Collection, Ontario

A Prominent European Private Collection

An Important Private Collection, Geneva

An Important Private Collection, Montreal

An Important Private Collection, Toronto

& other Important Private and Corporate Collections

## PROPERTY OF THE BARBEAU OWEN FOUNDATION, VANCOUVER



E.J. Hughes and Jacques Barbeau  
Photographer unknown

### JACQUES BARBEAU AND MARGARET OWEN BARBEAU

Buying art, like any other endeavour, requires know-how and focus. It's a stimulating pastime because, unlike others, it combines the aesthetic with the mercantile, a perfect intellectual sandwich.

—JACQUES BARBEAU<sup>1</sup>

HEFFEL IS DELIGHTED and honoured to present this season three distinguished works from the renowned E.J. Hughes collection of the Barbeau Owen Foundation. These special works pay tribute to the remarkable relationship between a reclusive painter and his dedicated patron, Jacques Barbeau (1931–2020).

Barbeau was born in Montreal, Quebec, the youngest of three siblings. After his parents separated, he spent his early childhood living with his mother, his maternal grandfather and his older sister, Micheline. He wrote of visiting the nearby Montreal Museum of Fine Arts, which he described as “the cultural pivot of the city.” He and his mother moved in 1943 to Vancouver, where Barbeau first attended Vancouver College and then North Vancouver High School. He later studied at McGill and ultimately graduated with a law degree from the University of British Columbia.

During these years he met and fell in love with Margaret Owen of Vancouver, and the couple married in 1958.

“Jacques Barbeau ... remains a totem to good taste and great humour,” wrote the journalist Peter C. Newman in 1983 in *Titans*, the third volume of *The Canadian Establishment*. Barbeau had first met Newman in 1960, when Newman invited him for dinner. Then a recent graduate of Harvard Law School, Barbeau had joined the Tax Policy Division of the Department of Finance in Ottawa. Some years later, Newman called on Barbeau for insight into the “major players” in Vancouver. When *The Canadian Establishment* was released in 1975, Barbeau was included.<sup>2</sup> A later illustrated guide described him as follows:

Jacques Barbeau is a transplanted Montrealer who has successfully entered the tightly knit Vancouver Establishment. A graduate of the University of British Columbia and Harvard, Barbeau spent five years in Ottawa with government taxation divisions and as a director of research for the Canadian Tax Foundation. He opened his own practice in Vancouver in the early 1960s; today Barbeau, McKercher, Collingwood & Hanna deals with clients around the world. Barbeau divides his time between his heritage house in

Vancouver's Shaughnessy district and a summer residence in Point Roberts, Washington. He collects Leica cameras and the works of Canadian artist E.J. Hughes and is a member of the Vancouver Club.<sup>3</sup>

As the story goes, Barbeau's interest in the art of E.J. Hughes was first sparked when he saw one of Hughes's paintings reproduced on the front cover of a 1958 Vancouver telephone directory. "The painting was bold and daring," he later recalled, evoking strong feelings and capturing the "vibrant character of British Columbia."<sup>4</sup> Almost a dozen years passed, in which Hughes was working steadily on Vancouver Island and Barbeau was establishing himself in Vancouver. Barbeau acquired his first Hughes after paying a visit to the Dominion Gallery in Montreal in 1969. Notably, the Dominion had represented Hughes since 1951, after art dealer Max Stern tracked him down at Shawnigan Lake. The Dominion Gallery was also well known to Barbeau, since when he was young he had lived almost next door.

Not content to simply admire his Hughes collection, Barbeau undertook to document and share the works. In the year 2000, he began to self-publish books devoted to Hughes's art along with autobiographies. One title, *A Journey with E.J. Hughes*, charmingly combines information about the artist with stories about how Barbeau accumulated his collection over fifty-odd years. First released in 2000, this title was reissued by Douglas & McIntyre in 2005 in a deluxe coffee-table edition.

When Barbeau became aware of Michael Audain's plans for a new museum of BC art in Whistler, he saw this as a perfect opportunity to bring Hughes's work to a wider audience. In 2015, he loaned 15 masterpieces to the Audain Art Museum, where they have delighted viewers in the Barbeau-Owen Gallery since 2016. Lots 1 to 3 represent a rare opportunity to acquire works by a legendary West Coast artist from a prominent BC collection.

Jacques Barbeau was a long-time friend, mentor and supporter to all of us at Heffel Vancouver. His regular visits to our Vancouver gallery were always filled with passion, inspiration, guidance, friendship and, of course, the mutual love and admiration for the great artistic master E.J. Hughes.

1. Jacques Barbeau, *Facts & Opinions: Truths & Half-Truths* (Vancouver: Barbeau Foundation, 2009), 105.

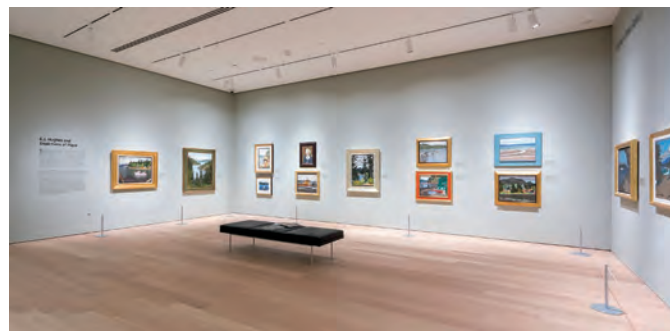
2. *Ibid.*, 186.

3. Peter C. Newman quoted in *ibid.*, 190.

4. Jacques Barbeau, *A Journey with E.J. Hughes: One Collector's Odyssey*, 2nd ed. (Vancouver: Douglas & McIntyre, 2005), 3.



E.J. Hughes signing copies of Ian Thom's book *E.J. Hughes* with Jacques Barbeau, 2003  
Photographer unknown



Installation views of *E.J. Hughes and Depictions of Place* at the Audain Art Museum, Whistler, BC  
Photos: Lara Shecter  
Courtesy of Lara Shecter





## 1 Edward John (E.J.) Hughes

BCSFA CGP OC RCA 1913 – 2007

### Coastal Boats Near Sidney, BC

watercolour on paper, signed and dated 2005  
and on verso signed, titled and dated  
18 × 24 in, 45.7 × 61 cm

#### PROVENANCE

Acquired directly from the Artist, 2005  
Barbeau Owen Foundation Collection, Vancouver

#### LITERATURE

Doris Shadbolt, *E.J. Hughes*, Vancouver Art Gallery, 1967,  
the related 1948 canvas titled *Coastal Boats Near Sidney, BC*  
reproduced, unpaginated

Ian M. Thom, *E.J. Hughes*, Vancouver Art Gallery, 2002,  
the related graphite drawing titled *Steamers* reproduced  
page 47 and on the back cover (detail), the related canvas  
reproduced page 83 and on the front cover (detail)

Jacques Barbeau, *A Journey with E.J. Hughes: One Collector's  
Odyssey*, 2005, the related graphite drawing reproduced  
page 2 and listed page 165

Jacques Barbeau, *The E.J. Hughes Album, Volume 1, The Paintings,  
1932 – 1991*, 2011, the related canvas reproduced page 10

Jacques Barbeau, *E.J. Hughes Through the Decades, Volume 2,  
The Paper Works, 1931 – 1986*, 2014, the related graphite  
drawing reproduced page 31 and listed page 84

Robert Amos, *The E.J. Hughes Book of Boats*, 2020, the related  
canvas reproduced page 66

*COASTAL BOATS NEAR SIDNEY, BC* (1948) was the sixth in a series of striking post-war oil paintings that E.J. Hughes created in the days before he came under contract to the Dominion Gallery. It was one of the first paintings gallerist Max Stern purchased from Hughes in 1951 and was then sold in 1952 to the College of Physicians and Surgeons of British Columbia. It was subsequently sold by Heffel for a record price on May 17, 2011. As the auction catalogue stated: “Hughes’s great achievement is that it is impossible to think of this region without thinking of his images. *Coastal Boats Near Sidney, BC* (1948) is quintessentially British Columbia and shows Hughes at his most skilled.”<sup>1</sup> That oil painting is now in the collection of Emily Carr University of Art + Design in Vancouver, donated by the Peter and Joanne Brown Foundation.

Heffel is now proud to offer the detailed tonal study that immediately preceded the painting (lot 2 in this sale), and also this interpretation in watercolour of the same subject, one of the last paintings created during the artist’s long life.

The image has three components. The waterfront setting is based on something Hughes saw on a day trip to Sidney in the spring of 1948. To this he added the three-funneled *Princess Victoria* on the left, and on the right the *Motor Princess*, a boat that went between Sidney and Anacortes Island in Washington state. The *Motor Princess* is also seen in Hughes’s *Car Ferry at Sidney* (1952, collection of the National Gallery of Canada).

In the graphite cartoon for the subject, titled *Steamers* (1947), the artist left open the door on the lower deck of the ferry in anticipation of its arrival in Sidney, and two boys are playing in the



E.J. Hughes in his Duncan studio with *Coastal Boats Near Sidney, BC*, 2005  
Photographer unknown

water near the shoreline. In the canvas and the subsequent watercolour, he has closed the door and added people on the decks of both ships. The boys have disappeared, replaced by a diagonal log.

Hughes spoke of the image on October 8, 1989, to his assistant Pat Salmon: “Looking at the painting today, I see how influenced I was by the French Post-Impressionists. It is particularly notable in the little boat. Originally I had a little boy wading in the water beside the boat, but I painted him out because he made the composition seem too crowded. The main interest is in the boat on the right, and the boy made the bottom part too busy.”<sup>2</sup>

After 1991, Hughes no longer had the stamina to stand at his easel for hours, and so he devoted himself to painting in watercolour, which he could do sitting down. Taking up favourite themes developed during his long career, he brought his drawings to life with many layers of transparent colour, reliving his finest moments on a more intimate scale. In this late watercolour of *Coastal Boats Near Sidney, BC* (2005), the dark days of his post-war experience are a distant memory and, while the colours are rich, the tonality is lighter.

These two versions of *Coastal Boats Near Sidney, BC*—the preliminary drawing and the later reinterpretation—mark the beginning and the conclusion of the career of a great Canadian artist.

We thank Robert Amos, artist and writer from Victoria, BC, for contributing the above essay. Amos is the official biographer of Hughes and has so far published five books on his work. Building on the archives of Hughes’s friend Pat Salmon, Amos is at work on a catalogue raisonné of the artist’s work.

1. *Canadian Post-War & Contemporary Art* (Heffel Fine Art Auction House, May 17, 2011), catalogue essay for lot 71, *Coastal Boats Near Sidney, BC* (1948).

2. E.J. Hughes to Pat Salmon, October 8, 1989, quoted in her unpublished manuscript.

**ESTIMATE: \$60,000 – 80,000**



## 2 Edward John (E.J.) Hughes

BCSFA CGP OC RCA 1913 – 2007

### Steamers

graphite on paper board, signed and dated 1948  
and on verso titled, dated and inscribed with the  
Dominion Gallery inventory #A1338 on the gallery label  
19 7/8 x 29 7/8 in, 50.5 x 75.9 cm

### PROVENANCE

Dominion Gallery, Montreal  
Barbeau Owen Foundation Collection, Vancouver

### LITERATURE

Doris Shadbolt, *E.J. Hughes*, Vancouver Art Gallery, 1967,  
the related 1948 canvas titled *Coastal Boats Near Sidney*, BC  
reproduced, unpaginated  
Ian M. Thom, *E.J. Hughes*, Vancouver Art Gallery, 2002,  
reproduced page 47 and on the back cover (detail),  
dated 1947, and the related canvas reproduced page 83  
and on the front cover (detail)

Jacques Barbeau, *A Journey with E.J. Hughes: One Collector's  
Odyssey*, 2005, reproduced page 2 and listed page 165,  
dated 1947

Jacques Barbeau, *The E.J. Hughes Album, Volume 1, The Paintings,*

*1932 – 1991*, 2011, the related canvas reproduced page 10

Jacques Barbeau, *E.J. Hughes Through the Decades, Volume 2,*  
*The Paper Works, 1931 – 1986*, 2014, reproduced page 31  
and listed page 84, dated 1947

Robert Amos, *The E.J. Hughes Book of Boats*, 2020, the related  
canvas reproduced page 66

### EXHIBITED

Vancouver Art Gallery, *E.J. Hughes*, January 30 – June 8, 2003,  
traveling to the McMichael Canadian Art Collection, Kleinburg,  
November 29, 2003 – February 15, 2004, and the Art Gallery  
of Greater Victoria, March 11 – June 13, 2004

E. J. HUGHES created paintings imbued with what Robert Ayre  
described as “a tremendous intensity.”<sup>1</sup> Few paintings convey  
this more than his renowned canvas *Coastal Boats Near Sidney*, BC

(1948). This work appeared on the front cover of the catalogue by Ian Thom that accompanied the 2003 retrospective exhibition at the Vancouver Art Gallery, and it was matched on the back cover with the graphite cartoon of the same image. It is this cartoon, *Steamers* (1948), which is here offered for sale.

The intensity that is such a feature of this image resulted from the unique circumstances of the artist's life. During six years at the Vancouver School of Art (1929–1935), Hughes, under the guidance of Charles H. Scott, learned the skills of careful observation and conscientious drawing. Though Fred Varley of the Group of Seven was his painting teacher, the Group's on-location modernist aesthetic was not for Hughes.

His schooling was followed by his enlistment in 1939 and his service as a war artist from 1941 to 1946, during which time he worked tirelessly creating hundreds of precise drawings and watercolours. Returning to Ottawa after postings in England and the Aleutian Islands, he spent his last two years of service in the war art studio in Ottawa. There his small, light-toned work underwent a profound change. He now painted larger, darker images based on powerful compositions jotted down as thumbnail sketches. These he worked up through numerous drawings, eventually gridding them for enlargement.

His penultimate stage was a so-called cartoon, a deep-toned rendering of the complete image about half the size of the final canvas. Working with a soft pencil on illustration board, he resolved every detail of the subject before moving on to oils. These "cartoons" were not amusing drawings but were to his canvases what the designer's drawing was to a mural or a tapestry. With the possible exception of Alex Colville—another war artist—it is hard to think of another Canadian artist who developed his images so meticulously.

But the "tremendous intensity" comes not only from Hughes's technique. There was anguish and anxiety in his wartime experience. Though he did not face active combat, these were years of unrelieved tension. Never secure in his postings, he repeatedly joined and then was separated from his young wife, Fern. Every time they were together she became pregnant, and then lost each of the three children shortly after birth. At last able to return, though childless, to civilian life with Fern, Hughes found himself without a job. After 20 years of art practice he had really never sold a painting, and he had no gallery representation. So he devoted himself completely to doing what he knew best. Slowly and by stages he developed his paintings.

With daytime taken up with painting, his evenings were given over to cartoons. Hughes drew at the kitchen table, while Fern read magazines and they both listened to the radio. The tonal studies were executed on Hi-Art illustration board, a sheet of cartridge paper mounted on cardboard for stability that could stand up to a great deal of eraser work.<sup>2</sup>

When Hughes was "discovered" by Max Stern of the Dominion Gallery in 1951, the dealer bought every one of his paintings, including the oil *Coastal Boats Near Sidney, BC* (1948). At that time Stern also bought "32 pencil studies," cartoons that included *Steamers*.<sup>3</sup> Though his paintings soon began to sell, Hughes did



**E. J. HUGHES**  
*Coastal Boats Near Sidney, BC*  
 oil on canvas, 1948  
 36 1/4 x 48 1/4 in, 91.8 x 122.2 cm  
 Collection of Emily Carr University of Art + Design  
 Donated by the Peter and Joanne Brown Foundation

Not for sale with this lot

not really see these pencil studies as desirable. In early spring 1960, Hughes offered five more of them to the Dominion Gallery, and with his usual humility he wrote, "You have kind of put me on the spot when you ask me to let you know what I want for them, net, from you. Actually I would like \$20 each, but please use your own discretion in this matter."<sup>4</sup>

By 1960, Hughes had switched to watercolour as a prelude to his canvases and no longer made "cartoons." Between 1946 and 1960, he had created more than 53 of these highly finished tonal studies in graphite, of which *Steamers* is a prime example.

We thank Robert Amos, artist and writer from Victoria, BC, for contributing the above essay. Amos is the official biographer of Hughes and has so far published five books on his work. Building on the archives of Hughes's friend Pat Salmon, Amos is at work on a catalogue raisonné of the artist's work.

1. Robert Ayre, "New Exhibitions Bring Out a Galaxy of Colourful Works," *Montreal Star*, October 27, 1951, 16.

2. Leslie Allan Dawn and Patricia Salmon, *E.J. Hughes: The Vast and Beautiful Interior* (Kamloops, BC: Kamloops Art Gallery, 1994), exhibition catalogue, 41.

3. Robert Amos, *E.J. Hughes Paints Vancouver Island* (Victoria: TouchWood Editions, 2018), 22.

4. E.J. Hughes to Max Stern, March 28, 1960, Special Collections, University of Victoria.

**ESTIMATE: \$70,000 – 90,000**



### 3 Edward John (E.J.) Hughes

BCSFA CGP OC RCA 1913 – 2007

#### Ferry Boat Princess Elaine

graphite on paper, signed, circa 1948

10 ½ x 14 ¾ in, 26.7 x 37.1 cm

#### PROVENANCE

Dominion Gallery, Montreal

Private Collection

Heffel Gallery Limited, Vancouver, 1996

Barbeau Owen Foundation Collection, Vancouver

#### LITERATURE

Jacques Barbeau, *A Journey with E.J. Hughes: One Collector's Odyssey*, 2005, reproduced page 58 and listed page 165

Jacques Barbeau, *E.J. Hughes Through the Decades, Volume 2, The Paper Works, 1931 – 1986*, 2014, reproduced page 19 and listed page 84, dated 1936

THE DRAWING TITLED *Ferry Boat Princess Elaine* is the preliminary study for E.J. Hughes's famous painting *Nanaimo Harbour* (1962). Thus it is an important drawing in the career of the artist. Hughes described the work's creation at the time he conveyed the canvas *Nanaimo Harbour* to his dealer Max Stern at the Dominion Gallery in Montreal. In early October 1962 he wrote:

The painting was executed from sketches done while I was travelling in 1948 on an Emily Carr scholarship. The view is from an upper window of the Malaspina Hotel ... Sad to say, since that time the wharf in the foreground [has] been dismantled, and the foreground ship, the *Princess Elaine*, has just this year been retired from service and is being sold. Fortunately the two islands in the mid-distance, Newcastle on left and Protection on the right, are being preserved as parks.<sup>1</sup>

Pat Salmon, Hughes's assistant, commented later about the canvas, "This is one of the artist's personal favourites and he is overjoyed to see it reproduced ... for Vancouver's Expo 86."<sup>2</sup> Stern himself said, "It is one of the finest paintings you have ever created."<sup>3</sup>

The image first appeared as an ink drawing of *Princess Elaine* backing away from the wharf, drawn in 1948 while Hughes was sponsored by the Emily Carr scholarship. The fully realized pencil study offered here by the Barbeau Owen Foundation presents *Princess Elaine* at the wharf with some action in Nanaimo Harbour—a trawler heading out, a tug towing two barges of sawdust. Reflecting on this drawing, collector Jacques Barbeau wrote, "Hughes had the uncanny ability to depict these large utilitarian



#### E. J. HUGHES

##### Nanaimo Harbour

oil on canvas, 1962

32 x 45 in, 81 x 114.3 cm

Private Collection

Courtesy of the Estate of E.J. Hughes

Not for sale with this lot

ferries with such grace that they now have become virtual idyllic icons."<sup>4</sup>

We thank Robert Amos, artist and writer from Victoria, BC, for contributing the above essay. Amos is the official biographer of Hughes and has so far published five books on his work. Building on the archives of Hughes's friend Pat Salmon, Amos is at work on a catalogue raisonné of the artist's work.

1. E.J. Hughes to Max Stern, October 2, 1962, Special Collections, University of Victoria.

2. Pat Salmon, unpublished manuscript. The work was issued as an offset lithograph print for the British Columbia Pavilion's *Discovery 86 Poster Series*.

3. Max Stern to E.J. Hughes, October 13, 1962, Special Collections, University of Victoria.

4. Jacques Barbeau, *A Journey with E.J. Hughes: One Collector's Odyssey*, 2nd ed. (Vancouver: Douglas & McIntyre, 2005), 59.

**ESTIMATE: \$20,000 – 30,000**



## 4 Takao Tanabe

oc 1926 –

### Nootka 1/91: in Hanna Channel

acrylic on canvas, signed and on verso  
signed, titled and dated 1991  
27 x 59 in, 68.6 x 149.9 cm

#### PROVENANCE

Mira Godard Gallery, Toronto, 1991  
Private Collection, United Kingdom

TAKAO TANABE HAS contributed to the visual arts of Canada for more than seven decades. He is an artist's artist—working both as a printmaker and a painter, and also serving as an important arts educator and advocate. Tanabe was born near Prince Rupert on British Columbia's northern coast, far from any major art centres. The small village of Seal Cove was primarily a fishing town and packing centre, and at the time a largely Japanese Canadian community. The distinct atmosphere of the Pacific Northwest and all its natural richness would become an important influence in Tanabe's realist art from the 1980s to the present day. His iconic coastal landscapes evoke a distinctive magisterial power, with *Nootka 1/91: in Hanna Channel* being a most brilliant example.

Tanabe's family moved to Vancouver in 1937. During World War II, he was interned with other Japanese Canadians in the interior of BC. By the mid-1940s, Tanabe was in Winnipeg. He soon discovered that the Winnipeg School of Art would accept him without a high-school diploma, and his artistic education and relationship with art began. The next few decades of education and exploration took Tanabe across Canada and to the United States, England and Japan, but his depictions of his home province are arguably his most celebrated contributions to Canadian art.

The realist paintings of coastal BC are based on Tanabe's abstracted reality of the landscapes as captured through photographs or sketching outdoors, then painted in the studio. To sensitively capture in paint the atmospheric activity of the ocean and its many mood swings, as Tanabe does so successfully, an artist must have seen, smelled and experienced the Pacific Ocean. Our painting *Nootka 1/91: in Hanna Channel* depicts a sparkling day, one that you dream about all season. Nootka Sound is on the remote west coast of Vancouver Island and is also the inspiration for the related and sought-after woodcut *Nootka Afternoon* (figure 1). In both painting and print, the simplified masses of the coastal landscape provide natural shelter, serving as a breakwater, to create a calm and serene channel. The brilliant afternoon light dances across the lapping waves, and the painting radiates an atmosphere that only an artist as accomplished as Tanabe can create.



FIGURE 1  
**TAKAO TANABE**  
*Nootka Afternoon*  
woodcut on paper, 1993  
17 x 29 3/4 in, 43.2 x 75.6 cm  
Courtesy of the Artist

Not for sale with this lot

Tanabe's life and work was the focus of a major retrospective at the Vancouver Art Gallery and the Art Gallery of Greater Victoria in 2005. In the exhibition catalogue, Ian Thom writes of the realist landscapes:

The work seems at one with the man, though it has an apparent ease that belies its complex painting method and the hours and days of painstaking application of paint to create an image that seems whispered, or perhaps wished, onto the surface of the canvas. These paintings are deeply considered and deeply felt, and they are fitting metaphors for Tanabe himself, an artist who has travelled his aesthetic journey with passion and grace.<sup>1</sup>

*Nootka 1/91: in Hanna Channel* returns to Canada after time abroad in a private collection in the United Kingdom.

1. Ian M. Thom, ed., *Takao Tanabe* (Vancouver: Vancouver Art Gallery, in assoc. with Douglas & McIntyre, 2005), exhibition catalogue, 7.

**ESTIMATE: \$60,000 – 80,000**

## 5 Mary Frances Pratt

CC OC RCA 1935 – 2018

### **Girl in My Dressing Gown**

oil on board, signed and dated 1981 and  
on verso titled on the exhibition labels  
60 ½ x 30 ½ in, 153.7 x 77.5 cm

#### **PROVENANCE**

Equinox Gallery, Vancouver  
J. Ron Longstaffe Collection, Vancouver  
Equinox Gallery, Vancouver  
Private Collection, Vancouver

#### **LITERATURE**

Joan Murray, *Mary Pratt*, London Regional Art Gallery,  
1981, listed, unpaginated  
Sandra Gwyn and Gerta Moray, *Mary Pratt*, 1989,  
reproduced page 121  
Tom Smart, *The Art of Mary Pratt: The Substance of Light*,  
1996, reproduced page 93 and the related photograph  
reproduced page 91  
Mireille Eagan and Sarah Milroy, editors, *Mary Pratt*,  
The Rooms & Art Gallery of Nova Scotia, 2013,  
reproduced page 83 and listed page 154  
Ray Cronin, *Mary Pratt: Life & Work*, Art Canada Institute,  
2020, reproduced page 37 and the related photograph  
reproduced page 37

#### **EXHIBITED**

London Regional Art Gallery, *Mary Pratt*, June 19 – August 16,  
1981, traveling in 1981 – 1982 to the Mendel Art Gallery,  
Saskatoon; Glenbow Museum, Calgary; Art Gallery of  
Windsor; Art Gallery of Hamilton; Robert McLaughlin  
Gallery, Oshawa; The Gallery, Stratford; New Brunswick  
Museum, Saint John; Beaverbrook Art Gallery, Fredericton;  
Memorial University Art Gallery, St. John's; and Aggregation  
Gallery, Toronto, catalogue #46

Beaverbrook Art Gallery, Fredericton, *Mary Pratt*, 1995  
The Rooms, St. John's, *Mary Pratt*, May – September 2013,  
traveling in 2013 – 2015 to the Art Gallery of Windsor;  
McMichael Canadian Art Collection, Kleinburg; MacKenzie  
Art Gallery, Regina; and Art Gallery of Nova Scotia, Halifax

IN 1981, MARY PRATT painted *Girl in My Dressing Gown*, based on a slide she selected from 20 images taken by Christopher Pratt during a photographic session with the model Donna Meaney in late 1978.<sup>1</sup> Meaney had previously modeled for Christopher when living and working with the family from the late 1960s to early 1970s. It was during this earlier period that an affair had developed between Christopher and Donna, but despite this charged history, the Pratts remained on good terms with Meaney. Although no longer living with the Pratt family, Meaney had visited unexpectedly following the Christmas holidays and agreed to sit for Christopher under Mary's specifications.

Pratt had already painted *Girl in a Wicker Chair* (1978) for her successful second solo show at the Aggregation Gallery that spring. She felt Donna was the perfect subject to paint and later reflected that "if anybody had a right to paint a woman, it was another woman."<sup>2</sup> Pratt further stated: "I don't think [men] see things like we do. And I don't think that when they go to paint the female figure that they have a clue. They don't understand where the weight is."<sup>3</sup> By repurposing this genre of the female nude, long dominated by male painters, Pratt soon began to outmaster the old masters, including her husband and their teacher Alex Colville. When viewing a touring retrospective of Christopher's work from 1985, Pratt wrote in her journal on his female nudes: "A man's notion of women—static—unthinking objects." She further noted: "Girls seen through keyholes—they are too simple—too obligingly good."<sup>4</sup>

Yet Mary also recognized that Christopher took exceptional photographs of Meaney and that the chemistry between them was compelling. Although she did not enter his studio, she had an image in mind of Donna in a dressing gown. Christopher used







**CHRISTOPHER PRATT**

**Slides of Donna Meaney**

Ektachrome 35 mm slide, 1979

Mount Allison University Archives, Mary Pratt fonds, 2021.35/5

Courtesy of the family of Mary and Christopher Pratt

© Estate of Christopher Pratt

Not for sale with this lot

Ektachrome 35 mm slide film. He posed Donna against a white wall with a fluorescent light on one side and an incandescent light on the other, to highlight the greenish shadow and colour contrasts.

As her title suggests, the dressing gown was Mary's own—improvised, after Meaney's unexpected arrival at the house. The model's stature is more petite than Mary's, hence the gown's excess fabric draped on the studio floor. Out of the 20 images that Christopher took of Donna in Mary's dressing gown, Mary selected one that showed the model half turned, the left side of her face in deep shadow. Using her photo-realist technique of working from slides allowed Pratt to concentrate on the luminous light, and to sensually paint the undulating folds and wrinkles of the satin gown.

She later acknowledged to Sandra Gwyn: "I was aware that she was looking at Christopher, not me, and this difficult knowledge has continued to plague me, as I worked on other photographs offered to me over the years."<sup>5</sup> The complexity of gazes was not lost on Christopher, who admitted to Gwyn: "I wouldn't use the term 'voyeur' because that does not describe Mary's reaction. But she was looking at a naked woman who was looking at me, she was a spectator after the fact at a very private circumstance, and there is all the literary dimension about the precedents and the antecedents of the particular moment shown in the photograph."<sup>6</sup>

In the year the work was painted, the journalist Ann Johnston wrote that "Mary's painting *Girl in My Dressing Gown* stripped Donna of all her innocence, exposing a sullen worldliness that Christopher had not seen." He told Johnston that "Mary has unwrapped a parcel, which can't be rewrapped because the shape will always show through."<sup>7</sup> The curator Tom Smart suggests that a "conversation between Christopher and Mary was taking place through art," particularly in her paintings of Donna.<sup>8</sup> This intriguing concept can be seen in a number of works, such as *This Is Donna* (collection of the Beaverbrook Art Gallery), painted in 1987.<sup>9</sup> More recently, in a 2017 interview, Christopher shared the complexity of these visual dynamics, suggesting that "the too-big dressing gown" was Mary's way of saying Donna would never fit into her robe, or into her role.<sup>10</sup>

Sarah Milroy, in an essay for the catalogue of Pratt's 2013 touring retrospective, writes: "I find myself wondering if the Donna paintings aren't in fact paintings of Pratt herself, embodying aspects of her own drive and sexuality, temporarily thwarted."<sup>11</sup> This assertion plays out in a number of these works, which suggests these extraordinary paintings also served as a cathartic outlet for the artist.

What endures in Pratt's work is the long-held friendship and collaboration that developed between the artist and her model in

these sessions and in others that followed, when Mary took the photographs.<sup>12</sup> Many of these paintings portray a woman's vulnerability, rare in the tradition of the female nude, and assert her as naked, rather than as nude. The feminist painters Alice Neel, Sylvia Sleigh or the later painter Jenny Saville are perhaps Pratt's closest contemporaries who continue to challenge this history of the female nude.

We thank Anne Koval, author of *Mary Pratt: A Love Affair with Vision* (2023), for contributing the above essay. Koval is an independent curator and professor of art history, museum and curatorial studies at the Pierre Lassonde School of Fine Arts, Mount Allison University.

1. Mary Pratt fonds, 2021.35, Christopher Pratt, Ektachrome 35 mm slide processed January 1979, Mount Allison University Archives, Sackville, NB. Also from this batch of slide film Mary selected a seated image of Donna for *Nude on a Kitchen Chair* (1979), now in the AGO collection, which preceded her painting *Girl in My Dressing Gown*.

2. Mary Pratt, interview by Mireille Eagan at the McMichael Canadian Art Collection, Kleinburg, January 18, 2014, online at [https://www.youtube.com/watch?v=\\_nwor8wnxsg](https://www.youtube.com/watch?v=_nwor8wnxsg).

3. Interview by the author, June 10, 2017. Pratt acknowledged that only "Freud doesn't mind giving weight." The English painter Lucien Freud was one of her favourites.

4. Mary Pratt fonds, 2008.31/1/3/17 notebook entry 8 July 1986, Halifax, Mount Allison University Archives, Sackville, NB.

5. Quoted in Sandra Gwyn and Gerta Moray, *Mary Pratt* (Toronto: McGraw-Hill Ryerson, 1989), 96.

6. Christopher Pratt quoted in *ibid.*, 17.

7. Ann Johnston, "A Brooding Vision," *Maclean's*, September 21, 1981.

8. Interview by the author, July 8, 2019.

9. For more on this topic, see my chapter "This Is Donna" in Anne Koval, *Mary Pratt: A Love Affair with Vision* (Fredericton, NB: Goose Lane Editions, 2023).

10. Interview by the author, June 14, 2017.

11. Sarah Milroy, "A Woman's Life," in *Mary Pratt*, ed. Mireille Eagan and Sarah Milroy (Fredericton, NB: The Rooms & the Art Gallery of Nova Scotia, in assoc. with Goose Lane Editions, 2013), exhibition catalogue, 80.

12. Pratt's depictions of Donna Meaney include *Girl in a Wicker Chair* (1978), *Nude on a Kitchen Chair* (1979), *Girl in a Red Turban* (1981), *Girl in My Dressing Gown* (1981), *In the Bathroom Mirror* (1983), *Blue Bath Water* (1983), *Cold Cream* (1983), *White Cat on Front Porch* (1984), *Donna with a Powder Puff* (1986), *Donna* (1986) and *This Is Donna* (1987).

**ESTIMATE: \$150,000 – 250,000**



## 6 Christiane Sybille Pflug

1936 – 1972

### Still Life with Fruit and Blue Teapot

oil on canvas, signed, 1957

13 ¼ x 16 ¼ in, 33.7 x 41.3 cm

#### PROVENANCE

A gift from the Artist to her sister-in-law

Brigitte Pflug, Munich

Private Collection, Toronto

CHRISTIANE PFLUG WAS born in Berlin in 1936 to Regine Schütt, a Red Cross nurse, fashion designer and anti-fascist activist from a wealthy middle-class family. As a result of the tumult of war and for her own protection, Pflug spent significant periods of her childhood with family, family friends or in foster care in Austria and Germany, outside of Berlin, until she was reunited with her mother by 1949. She studied fashion design in 1953 at École Baziot in Paris, where she met her husband, Michael Pflug, a medical student who had studied art, instructed her in style, technique and theory, and encouraged her to pursue her interest in art.

Pflug was self-taught and throughout her career, devoted her time to painting the scenes of domestic life that surrounded her. Landscapes, interiors and still lifes were her primary focus, along with occasional portraits. The view outside of her doors and windows was also a common motif, and influenced her choice of homes. After their marriage in 1956, Pflug spent two years in Tunis with her husband, where her two daughters were born and her work began to flourish. While there, she studied the oeuvres of Francisco Goya and Pablo Picasso. *Still Life with Fruit and Blue Teapot* is exemplary of this early stage of her professional work.

Here, Pflug has distilled her composition into two elements: an ultramarine-blue teapot, with a simple floral design, and a lemon. We know that objects from Tunis must have been important talismans for her experience there, as they appear in later paintings produced in Canada. Subject matter and compositions from this period are straightforward, with descriptive titles, while their psychological intensity is communicated through tonal variation and a muted palette. Set along a single perspectival line, the composition of *Still Life with Fruit and Blue Teapot* is reminiscent of works by the still life painter Giorgio Morandi in its unapologetic attention to a simple subject that attests to quotidian life. Pflug has also placed the objects along the edge of a shared horizon line,

which compresses the space they inhabit. The work presages the horizon lines that would be central to the artist's later landscape paintings.

Pflug's choice of subject is revealing: both objects hint at the influence of the Tunisian culture and landscape outside of the doors of her home. The dense blue and its floral motif are a reference to the vibrant colour and pattern of Tunisian textiles and decorative arts, while the lemon is a homegrown fruit in this scene. Yet in Pflug's hands, the palette is subdued, creating that psychological intensity. The foreshortened scene created by the collapsed depth of field creates a slightly claustrophobic compression in this domestic space. The quality of light in *Still Life with Fruit and Blue Teapot* is uncertain: both lemon and teapot cast two shadows, the light seemingly coming from different directions.

In this quiet still life, the teapot emanates fragility, with its delicately looping handle and precise edges, while its pattern seems to be scarred by a dark-brown island of rust or chipped paint at its centre, which occludes the floral pattern. The painting reveals qualities of close observation over time. Pflug later became well-known for works that were often produced over a period of many months, with several seasons simultaneously depicted within one image. She has been called a "magic realist" for her powerful capacity to fill such scenes with an otherworldly significance, in part due to their temporal ambiguity.

After returning to live briefly in Munich, the family moved to Toronto in 1959. From 1962 to 1967, Pflug was represented by the prestigious Isaacs Gallery, which also represented artists Michael Snow, Joyce Wieland and William Kurelek. She enjoyed early commercial success and was also one of few women who held teaching positions at the Ontario College of Art and Design at that time. Pflug's drawings and paintings were celebrated through three solo exhibitions, at the Winnipeg Art Gallery (1966), Justina M. Barnicke Gallery (Hart House) (1969) and the Sarnia Public Library and Art Gallery (1971), demonstrating her impact and significance. Her work is held in the collections of both the National Gallery of Canada and the Art Gallery of Ontario. Pflug died in 1972 at age 35.

We thank Lisa Baldissera for contributing the above essay. Baldissera has worked in curatorial roles in public art galleries in Western Canada since 1999 and is currently the director of Griffin Art Projects in North Vancouver, BC. She completed her PhD at Goldsmiths, University of London, in 2021.

**ESTIMATE: \$15,000 – 20,000**



## 7 Daphne Odjig

FCA OC PNIAI RCA WS 1919 – 2016

### Guarding Shield

acrylic on canvas, signed and on verso  
titled, dated 1989 and inscribed #24  
48 × 65 7/8 in, 121.9 × 167.3 cm

#### PROVENANCE

Lattimer Gallery, Vancouver  
Private Collection, British Columbia

#### EXHIBITED

Kelowna Art Gallery, *Daphne Odjig 100*, September 14, 2019 –  
January 5, 2020

AS MODERNIST ART was coming of age in Canada, Daphne Odjig (1919 – 2016) was having her emergent moment, observing art movements that would later inform her syncretic style. Her own coming of age was at an unwelcoming time for a young

Indigenous woman. At the start of the Second World War, she moved from the safety of her Anishinaabe community on Manitoulin Island, Ontario, to the bustle of Toronto, anglicizing her name to Fisher to increase the chances of finding work. Since a formal art education was out of reach, museum and gallery visits were how she acquainted herself with Western artists. She used the work she encountered to develop the sketching skills already nurtured by her grandfather, a stone carver, who embedded in her “the curvilinear drawing style” that “influenced Odjig’s aesthetic and metaphysical concerns through her life.”<sup>1</sup> Despite colonial obstructions, in Canada she has come to be known as the “grandmother” of Indigenous art, contributing to a global groundswell decentring a canon based on Eurocentric standards.

Although her early paintings and drawings in the pictographic style echo the sacred rock paintings found on and around Manitoulin, Odjig made no secret of the influence of Picasso, and the Cubist movement, on her work. As with many artists working post-war, Cubism provided both a process and an aesthetic that could be integrated with non-European visual culture in order to

fracture European hegemony. As countries were decolonizing, the vanguard movements taking place in Europe were a source of an evolving visual syntax that became a shorthand for dismantling political structures and confronting the status quo. Her artistic contemporary Norval Morrisseau termed her “Picasso’s grandmother,” and although she had claimed Picasso as her “favourite,” later even corresponding with him, her admiration was not without critique. In a 1979 interview she countered, “I always see *my own lines*. No one ever asked Picasso whether he was influenced by Canadian art, and yet look at his masks: Who’s to say Picasso hadn’t seen any of *our work*?”<sup>2</sup>

By the time of the interview, included in the catalogue for the Thunder Bay National Exhibition Centre’s show *Daphne Odjig: A Retrospective, 1946–1985*, Odjig had established herself as a cultural force, co-founding the Professional Native Indian Artists Inc. (PNIAI), also known as the Indian Group of Seven, which included Morrisseau, Jackson Beardy, Eddy Cobiness, Alex Janvier, Carl Ray and Joseph Sanchez. PNIAI asserted Indigenous presence into the exclusionary modern art scenes. Also by the late 1970s, Odjig had moved beyond Cubism, even “beyond the conventions ascribed to Morrisseau and the so-called Woodland or Legend School toward a singular, personal style.”<sup>3</sup>

In *Guarding Shield*, completed in 1989, Odjig comes into her own. Her style is evident and strong. The motion created by the unbroken flow of the willowy black lines demonstrates her perfected intimacy with her brush as well as illustrates Anishinaabeg cosmology: the interconnectedness of all beings with the elements. The palette is subdued yet pulsating. Vibrant red draws the eye up towards the skyworld with its canopy of trees, fresh and verdant, the composition “a visual representation of animism.”<sup>4</sup> The painting was last exhibited in 2019 to 2020 at the Kelowna Art Gallery, BC, as part of *Daphne Odjig 100*, marking what would have been her 100th year and in the final place she called home.

British Columbia was far from where she was born and raised, unceded Wiikwemikong First Nation, yet spiritually there was a connecting thread. She encountered other Indigenous world views similar to the Anishinaabeg as well as the shared impact of colonization. In moving to various locations in BC and Manitoba, she witnessed what Indigenous communities were facing—displacement from hydroelectric dams or clear-cutting of old-growth forests. The experiences led her to proclaim, “I am an environmentalist,” one of the first artists to do so.<sup>5</sup>

In almost a century of life, she garnered the respect of her contemporaries developing their own Indigenous modernist counterpoints to the West. Robert Houle (Anishinaabe) declared her “the matriarchal sentinel for other artists,”<sup>6</sup> and Bob Boyer (Métis) called her work “a truly modern Canadian art.”<sup>7</sup> Among five honorary doctorates and other accolades she was awarded the Order of Canada (1986) and the Governor General’s Award in Visual and Media Arts (2007). Although in Odjig’s oeuvre there is “stylistic affinity” with Western art movements, in the catalogue for Odjig’s touring retrospective (at the National Gallery of Canada in 2009), Anishinaabe curator Bonnie Devine asserts, “However much her tendency towards abstraction would tend to justify comparison, it is instead the rich pictorial tradition



Installation view of *Daphne Odjig 100* at the Kelowna Art Gallery, 2019, with *Guarding Shield* installed on the left  
Courtesy of the Kelowna Art Gallery

and carefully preserved metaphysical structure of the Anishnabec that inform and underpin her style.”<sup>8</sup> Odjig’s reclamation of line, aesthetic syncretism, and Indigenous advocacy have made her endure as a formidable artistic presence of this land.

We thank Leah Snyder, digital designer and writer, The L. Project, for contributing the above essay. Snyder writes about culture, technology and contemporary art; she is a regular contributor to the National Gallery of Canada’s *Gallery* magazine and other Canadian art publications.

1. Bonnie Devine, *The Drawings and Paintings of Daphne Odjig: A Retrospective Exhibition* (Ottawa: National Gallery of Canada, 2007), exhibition catalogue, 18.

2. Elizabeth McLuhan and R.M. Vanderburgh, *Daphne Odjig: A Retrospective, 1946–1985* (Thunder Bay: Thunder Bay National Exhibition Centre and Centre for Indian Art, 1985), exhibition catalogue, 13 and 85, italics in the original.

3. Devine, *Drawings and Paintings*, 25.

4. Curator Stacey Koosel quoted in Sydney Morton, “Grandmother of Canadian Indigenous Art’ Honoured at Kelowna Art Gallery,” *Global News*, October 14, 2019, para. 14, <https://globalnews.ca/news/6003367/grandmother-of-canadian-indigenous-art-kelowna-art-gallery/>.

5. “Daphne Odjig Artist at the McMichael,” interview by Bonnie Devine, October 27, 2008, online at <https://www.youtube.com/watch?v=KH1VVKDW7X8>.

6. Quoted in Devine, *Drawings and Paintings*, 40.

7. Bob Boyer, “Daphne Odjig: A Lifetime of Changing Images,” in *Odjig: The Art of Daphne Odjig, 1960–2000*, by Daphne Odjig, Bob Boyer, and Carol Podedworny (Toronto: Key Porter, 2001), 12.

8. Devine, *Drawings and Paintings*, 25.

**ESTIMATE: \$50,000 – 70,000**









## 8 Alexander Colville

PC CC 1920 – 2013

### Swimmer and Sun

acrylic polymer emulsion on board, on verso signed, titled, dated December 1993 and inscribed variously  
8 ¼ x 23 ⅝ in, 20.8 x 60 cm

#### PROVENANCE

Shearman & Sterling, Toronto  
Private Collection, United Kingdom

#### LITERATURE

Philip Fry, editor, *Alex Colville: Paintings, Prints, and Processes, 1983–1994*, Montreal Museum of Fine Arts, 1994, discussed page 97 and 98, reproduced page 99 and listed page 174

#### EXHIBITED

Montreal Museum of Fine Arts, *Alex Colville: Paintings, Prints, and Processes, 1983–1994*, September 1994–January 1995, catalogue #22

ALEX COLVILLE WAS an artist in his mature prime when he painted *Swimmer and Sun*. Always inquisitive and productive, in the 1990s, he capitalized on his many art world accomplishments, which included the design of the much-admired centennial coins in 1967, the Order of Canada (1967, 1982), and numerous honorary degrees. His work was widely appreciated in Canada and increasingly known abroad through exhibitions in Germany, London, China and Japan. Confidence, consistency, compassion: these qualities equally describe Colville the man and his art over his long career.

Thematically, *Swimmer and Sun* invites comparison with some of Colville's best-known and most arresting works. *Three Girls on a Wharf* (1953, collection of the Art Gallery of Nova Scotia) has him show female nudity in a manner informed by the European art history that Colville aspired to be in conversation with. *June Noon* of 1963 (sold by Heffel in May 2023) places Rhoda Colville nude in a tent but at the beach, before or after swimming. *The Swimming Race* (1958, collection of the National Gallery of Canada) presents his interest in athleticism. The intimacy of couples is a crucial theme for Colville and often explored via swimming. Looking out to the ocean, a man and a woman relax before or after a swim in *Verandah* (1983, private collection). *After Swimming* (1955, collection of the Dalhousie Art Gallery) was his first published serigraph, while *Couple on Beach* (1957, National Gallery of Canada) is one of his best-known paintings.

The swimming motif is thus one of Colville's most common and effective. As we see in many of the examples above, he often chose his wife Rhoda as his model and muse. But *Swimmer and Sun* is not a portrait. Colville typically repressed or deflected identifying details as a way to have his audience think more broadly, more metaphysically. In a tribute to the Canadian philosopher George Grant (1918–1988), he wrote, "I have been for many years, many decades interested in the concept of creatures who, while living, are thinking about life."<sup>1</sup>

For Colville, the representation of swimming is a way to plumb the depths of everyday life, to ask how much we know of one another and ourselves and how we navigate our place in nature.



lot 8 in the frame

*Swimmer and Sun* thus embodies Colville's characteristic and potent double emphasis on the everyday and the profound, in this case, even the uncanniness of a special situation. The strikingly dominant black frame presents us with a noteworthy moment that we can imagine Colville himself experienced or witnessed. Is the sun rising or setting? Is the swimmer just breaking the smooth surface of the water or re-submerging? Either way, we witness the mystery of the liminal state, both in the painting's moody atmosphere and in the consciousness of both the swimmer and ourselves.

Colville presents the profound distinctiveness of this fleeting event without any vagueness. In fact, the large frame—made to exacting standards by the artist, as was his habit—holds the transitoriness of the scene firmly. Its horizontal rectilinearity is balanced and softened on the painting surface by the circles: the sun, the widening ripples on the water, and the head itself, which is simplified by the swimmer's white bathing cap. The vibrant blues of the water and the prominent eyes collaborate to make this an unworldly, preternatural scene. No markers distract from the infinite expanse of what we see and are invited to contemplate in this seascape. There is no seabird winging past, no spit of land, no sailboat. The swimmer suggests that we are alone in nature and share a responsibility to think about this relationship.

We thank Mark A. Cheetham, author of *Alex Colville: The Observer Observed*, for contributing the above essay. He is a professor of art history at the University of Toronto and a freelance curator and artwriter.

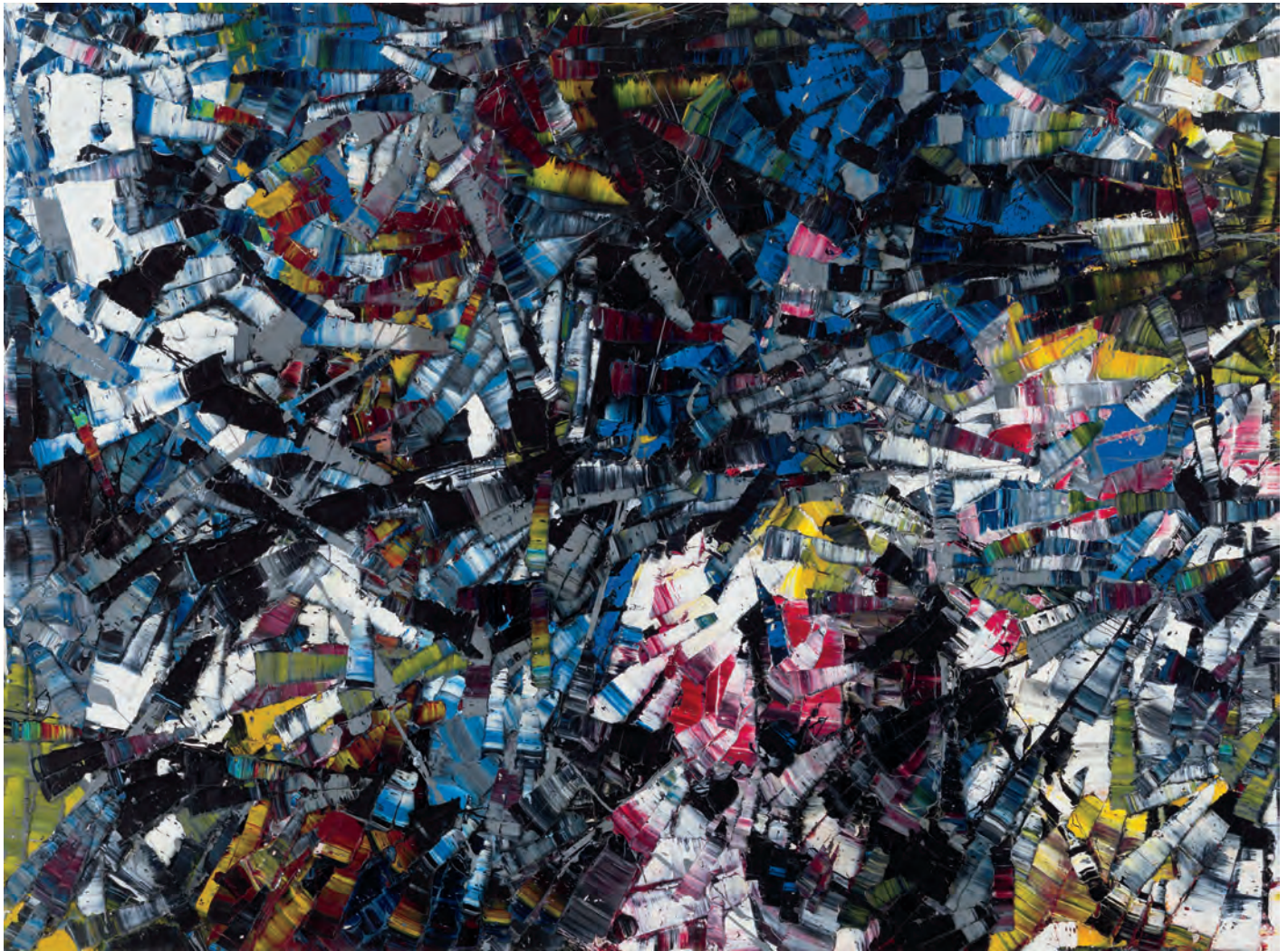
This work is in the original frame made by Colville.

1. Colville, "A Tribute to Professor George P. Grant," Bell Lecture Series, Carleton University, Ottawa, September 1989. Cited in Mark Cheetham, *Alex Colville: The Observer Observed* (Toronto: ECW Press, 1994), 119.

**ESTIMATE: \$450,000 – 650,000**







## 9 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

### Sans titre

oil on canvas, on verso inscribed with an arrow  
[indicating the top] and *MJ/KB*, circa 1954  
38 × 51 ¼ in, 96.5 × 130.2 cm

#### PROVENANCE

Private Collection, France  
Galerie Applicat-Prazan, Paris  
An Important Private Collection, Geneva

#### LITERATURE

Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné*,  
online addendum to *Volume 2, 1954 – 1959*, 2004,  
<http://www.riopelle.ca>

IT WAS IN the early 1950s that Jean Paul Riopelle became famous in Europe. He was a successful artist when he moved from Montreal to Paris in the late 1940s, yet it was only some

years later that he perfected the signature “mosaic” style that we see in *Sans titre* and that made his name abroad. According to contemporary witness Pierre Schneider, in Paris, Riopelle was “unknown in 1947, exhibiting only in small galleries on the Left Bank: he gained some fame only around 1953, while he was exhibiting at Pierre Loeb’s.”<sup>1</sup> His ascendance was breathtaking: Riopelle had his first solo show in the USA at the Pierre Matisse Gallery in New York in 1954 (*Riopelle: First American Exhibition*). He represented Canada in the *Bienal de São Paulo* in 1951 and 1955 and at the *Venice Biennale* in 1954 and 1962.

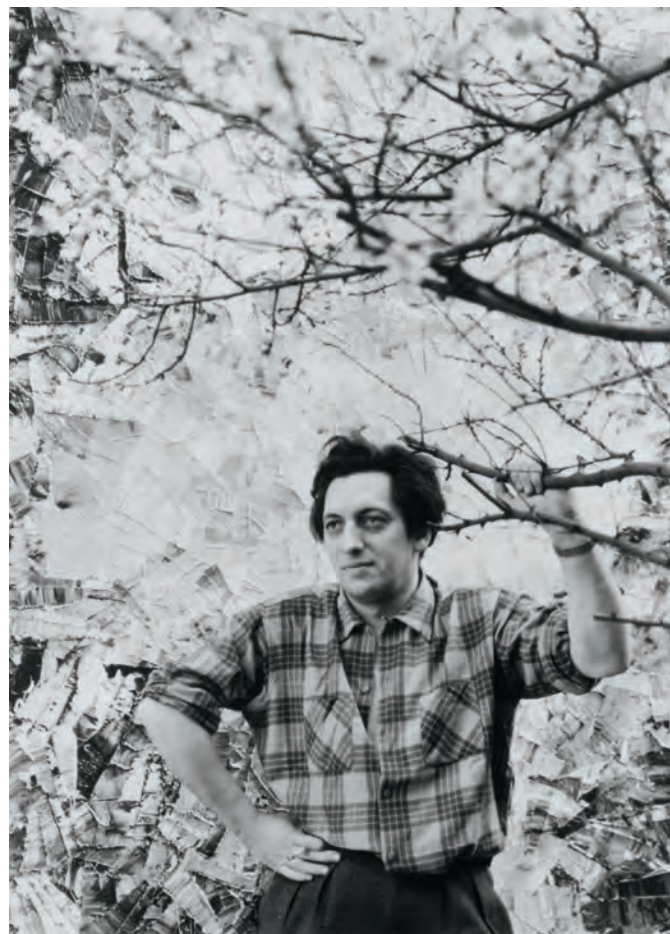
The appeal of his evolving style is not hard to understand: it displays to this day a vibrant, prismatic treatment of the painting surface without abandoning a satisfying sense of order. On the one hand, *Sans titre* fulfills one’s attraction to the textured materiality of hand work. Yseult Riopelle, daughter of the artist and author of the monumental catalogue raisonné of his oeuvre, reports that her father “used to refer to his paintings as ‘sculptures in oil.’”<sup>2</sup> At the same time, the mosaics promote a sense of cosmic expansion and implication. Contained by its frame, the

actual size of the painted surface is relatively unimportant. We fall into its expansive, even infinite orbit and have no need to be overwhelmed by literal size. If there is confusion over what we see, it is for the viewer short-lived. The painting’s “chaos” is that of a humanist.

Riopelle’s surface gestures in this work are complex yet more calibrated than they might at first seem to be. It is pleasurable to discover shapes, patterns and repetitions in the dynamic field that we see. Our eyes cannot rest—cannot become complacent—yet we might notice and linger on the coalescence of predominantly black and dark blue marks into a cross-like formation on an angle, just above and to the right of the painting’s centre. Riopelle was experimenting with black at this time (for example, *Black Bess*, 1954, in the Ludwig Museum, Cologne). In contrast to the smooth, emotionally neutral surface of the frame, the dominance of black in *Sans titre* stands out as a spectral theme. But again, Riopelle is both bold and subtle with his colour choices. We would not describe the work as black or even dark because Riopelle’s deployment of dark hues focuses through contrast the many areas of highly coloured pigment, combined with white, that are knotted together in the lower centre of the surface. His extensive palette and range of ways to put paint on the canvas encourages, allows, even commands us to see many things at once. Riopelle’s application of paint is crucial to this effect, from the topographical, sculptural ridges laid on with a knife to the diluted streams of running colour, often in grey in this painting.

No matter how often Riopelle denied the analogy, his work of the 1950s was nonetheless compared with the American abstraction of Jackson Pollock. Some critics in New York found Pollock to be the more original and inspirational artist.<sup>3</sup> If we look closely at the liquid skeins of grey paint in the upper left quadrant of *Sans titre*, however, we might well conclude that Riopelle was right to insist on the uniqueness of his technique. These rivulets are not so much Pollock’s famous “drips” as the effects of Riopelle’s own flicking gestures. There is, however, a closer connection between the two artists, one favourable to both. A central anecdote in the lore of Abstract Expressionism is Lee Krasner’s recollection of her husband Pollock’s retort to Hans Hofmann’s advice circa 1944 that he should paint from nature. “I am nature,” claimed Pollock.<sup>4</sup> The French art writer Georges Duthuit made the same declaration about Riopelle’s approach to abstraction. Asked about milestones in his career, Riopelle was given a list by his interviewer: “What for you was the decisive moment, that put you in the limelight for good? Was it when [Surrealist leader André] Breton singled you out? Your first retrospective? Georges Duthuit’s memorable words, in 1954: ‘You summoned Nature, she descended, here she is.’ In other words: Riopelle is Nature!”<sup>5</sup> Duthuit, who spent considerable time in New York, may have heard of Pollock’s hubris and then redeployed it in the ongoing transatlantic competition for pre-eminence in abstract painting. Whatever his motivations, the statement captures the cosmic potency of Riopelle’s *Sans titre*.

We thank Mark A. Cheetham for contributing the above essay. Cheetham is the author of two books on abstract art: *The Rhetoric of Purity: Essentialist Theory and the Advent of Abstract Painting* and *Abstract Art Against Autonomy: Infection, Resistance, and Cure since the '60s*. He is a professor of art history at the University of Toronto and a freelance curator and artwriter.



Jean Paul Riopelle, circa 1955

1. Quoted in François-Marc Gagnon, *Jean Paul Riopelle: Life & Work* (Toronto: Art Canada Institute, 2019), 15.

2. Yseult Riopelle, “Riopelle, the Alchemist of Matter,” Jean Paul Riopelle Foundation, para. 1, <https://fondationriopelle.com/en/artwork/>.

3. On Riopelle’s techniques, see Marie-Claude Corbeil, Kate Helwig, and Jennifer Poulin, *Jean Paul Riopelle: The Artist’s Materials* (Los Angeles: Getty Conservation Institute, 2011), 28ff.

4. Lee Krasner, “Interview with Bruce Glaser” (1967), in *Jackson Pollock: Interviews, Articles, and Reviews*, ed. Pepe Karmel and Kirk Varnedoe (New York: Museum of Modern Art, 1999), 28.

5. Cited in Gilbert Érouart, *Riopelle in Conversation*, trans. Donald Winkler (Concord, ON: House of Anansi, 1995), 43.

This work is accompanied by a photograph certificate of authenticity from Yseult Riopelle and is included as an addendum to Volume 2 in the online catalogue raisonné of the artist’s work at <http://www.riopelle.ca>.

**ESTIMATE: \$1,200,000 – 1,600,000**





## 10 Andy Warhol

1928 – 1987 American

### Marilyn Monroe (Marilyn) (F.S.II.27)

screenprint on paper, on verso signed

and editioned 177/250, 1967

36 × 36 in, 91.4 × 91.4 cm

#### PROVENANCE

Private Collection, Toronto

#### LITERATURE

Frayda Feldman and Jörg Schellman, *Andy Warhol Prints:*

*A Catalogue Raisonné 1962–1987*, fourth edition, 2003,  
reproduced page 69, catalogue #11.27

ANDY WARHOL WAS a pioneer of Pop Art who changed the way we saw the world. His images from American culture of mass consumerism, presented with utter simplicity, made us become aware and examine that world, from everyday consumer objects such as the Campbell's soup can to incendiary stars such as Elvis, Liz Taylor, Jackie Kennedy and Marilyn Monroe.

Monroe died in August of 1962, and after her death, Warhol made paintings of her based on a publicity still from the 1953 film *Niagara*. He had an eye for an unforgettable image, and was fascinated with Monroe and the obsession that the media had with her. She was glamorous, vulnerable, talented and tragic—and Warhol had a predilection for themes of death and the cult of celebrity. Much of her posthumous fame was focused on her as a tragic heroine, but Warhol's vibrant paintings of such a dynamic still captured her hypnotic energy, a modern-day Mona Lisa.

In 1967, Warhol established a print-publishing business, Factory Additions. *Marilyn Monroe (Marilyn) (F.S.II.27)* was the first series of screenprint portfolios of his signature celebrity subjects. This extraordinary screenprint is from a portfolio of 10 images of Monroe, executed five years after her passing, each one printed in different colour combinations. He used the same publicity still of Monroe from *Niagara* that he had used previously for his paintings of the actress. Most of the silkscreens, with the exception of a silver and black one, were brilliant in colour.

In this image, set against a vivid pink background, Monroe's enigmatic visage takes centre stage, her features bathed in a soft, greenish hue with pink accents adorning her eyelids and mouth. Warhol's deliberate use of colour imbues the composition with a sense of vibrancy and dynamism, drawing the viewer's gaze towards the famous actress's mesmerizing presence and extraordinary star power. The larger-than-life dimensions of the print, measuring 36 × 36 inches, further amplify the impact of Monroe's likeness, enveloping viewers in her timeless allure. *Marilyn Monroe* is one of Warhol's most iconic images—transcending borders, languages and generations and gazing into the psyche of our modern-day pop culture.

The catalogue raisonné states that the edition is of 250, signed in pencil and numbered with a rubber stamp on verso; some are signed in ballpoint pen, some initialed on verso, and some dated. There are 26 artist's proofs, signed and lettered A to Z on verso. The printer is Aetna Silkscreen Products, Inc., New York, and the publisher is Factory Additions in New York.

**ESTIMATE: \$80,000 – 120,000**



## 11 Andy Warhol

1928 – 1987 American

### Mick Jagger (F.S.II.145)

screenprint on Arches Aquarelle paper, signed and signed by Mick Jagger and editioned 26/250 and on verso stamped with the Seabird Editions copyright stamp, 1975  
43 ¾ x 29 in, 111.1 x 73.7 cm

#### PROVENANCE

Frame Master Gallery Ltd., Toronto  
Acquired from the above by the present Private Collection, Toronto

#### LITERATURE

Victor Bockris, *The Life and Death of Andy Warhol*, 1989, page 355  
Kynaston McShine, editor, *Andy Warhol: A Retrospective*, Museum of Modern Art, 1989, the 1975 maquette for the silkscreen reproduced page 319  
Trevor Fairbrother, “Andy and Mick,” *Frieze*, May 6, 1994, <https://frieze.com/article/andy-and-mick>, accessed May 15, 2019  
Frayda Feldman and Jörg Schellman, *Andy Warhol Prints: A Catalogue Raisonné 1962 – 1987*, fourth edition, 2003, page 26, reproduced page 93, catalogue #11.145

THIS ICONIC SCREENPRINT is from Andy Warhol’s 1975 edition of 10 different images of the Rolling Stones singer Mick Jagger. Warhol first met Jagger in 1964 in New York, during the band’s first US tour, and in 1971 he designed the provocative cover for the Stones’ *Sticky Fingers* album. Coming after his Pop Art period of the 1960s, this was the time of Warhol’s celebrity portraits, which was a long-lasting period. Victor Bockris wrote of these portraits, “Beginning with the epic *Mao* series, many faces—his mother, Truman Capote, Mick Jagger, Lana Turner—appeared as cunningly colored, as sharply poignant, as a Gauguin.”

Warhol cultivated associations with the rich and famous; he hung out in clubs such as Studio 54, made his studio a centre for meeting people and producing portraits, and published *Interview* magazine. Initiated in 1969, by the 1970s the magazine had become a pioneer of the “style format,” mixing coverage of fashion, entertainment and celebrities.

In 1974, Warhol took the photographs for images in this series while Jagger was renting the artist’s house in Montauk, on Long

Island, where the band had retreated to rehearse for their sixth American tour. Warhol was known for taking Polaroids and liked images with a strong graphic contrast. For the print edition, he posed Jagger bare-chested with a chain around his neck. The artist had an obsession with cultural idols and fame, and Jagger, the charismatic and photogenic bad boy, was a perfect subject. Warhol stated:

He’s androgynous enough for almost anyone. That’s always been his basic appeal, mixed with the facts that: 1) He’s very talented; 2) He’s very intelligent; 3) He’s very handsome; 4) He’s very adorable; 5) He’s a great business person; 6) He’s a great movie star; 7) I like his fake cockney accent ... Image is so important to rock stars. Mick Jagger is the rock star with the longest running image. He’s the one all the young white kids copy. That’s why every detail of his appearance is important.

Warhol knew that Jagger was entirely conscious of the effect his persona had on people.

In 1975, Warhol developed the technique seen in this print. As the catalogue raisonné explains, “Warhol used colored graphic art paper ... as a background paper to be screened on, updating an effect achieved earlier in the cut-outs of Matisse and the work of Léger.” The torn patches of coloured graphic art paper, combined with the halftone or drawing line, produced the striking effect of a collage. This technique complicated the process, which required up to 10 separate screens to complete each image.

In *Mick Jagger (F.S.II.145)*, a black “mask” almost but not quite obscures the musician’s face—front eyes, placing more focus on his full, sensual lips. The series of 10 shows many facets of the rock star, revealing Warhol’s instinctive understanding of Jagger’s persona. Our image, with its muted tones of black, olive green, pale violet and steel grey, presents a dramatic and moody view of the individual.

This image was printed on Arches Aquarelle (Rough) paper. The edition is of 250, aside from 50 artist’s proofs, 3 printer’s proofs, signed in pencil lower right and numbered in pencil lower left; some are signed in felt pen. Most of the prints are also signed in black, green or red felt pen by Mick Jagger. The edition was printed by Alexander Heinrici in New York and published by Seabird Editions, London, England.

**ESTIMATE: \$80,000 – 100,000**



## 12 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

### Sans titre

oil on canvas, signed and dated 1958  
and on verso inscribed indistinctly  
31 ¾ x 39 ¾ in, 80.6 x 100 cm

#### PROVENANCE

Galerie Walter Klinkhoff Inc., Montreal  
Private Collection, Montreal

#### LITERATURE

*Vie des arts*, vol. 25, no. 100, Fall 1980, page 14  
*Vie des arts*, vol. 27, no. 110, March – April – May 1983,  
reproduced interior cover  
Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné*,  
online addendum to *Volume 2, 1954 – 1959*, 2004,  
<http://www.riopelle.ca>

PAINTED IN 1958, *Sans titre* is a powerful demonstration of Jean Paul Riopelle's exuberant creative spirit and force. It conveys a feeling of unrestrained movement and seemingly endless energy, which he had in spades. At the time, Riopelle had firmly established himself in the bustling art scene of Paris, where he had been living since 1949. Ever the prolific artist, he participated in multiple group and solo shows, namely at the Pierre Matisse Gallery in New York, Galerie Jacques Dubourg in Paris, the 1954 *Venice Biennale* and the 1955 *Bienal de São Paulo*, thus also confirming his status as one of Canada's most internationally renowned artists. During this period he also met and forged deep friendships with fellow artists such as Sam Francis and Alberto Giacometti, and most importantly, the American Abstract Expressionist painter Joan Mitchell, his partner for 25 years.

Embodying a pivotal and transformative moment in Riopelle's long and celebrated career, *Sans titre* announces the transformation of the artist's "mosaics" to the looser style of the 1960s. The strokes of the palette knife are more irregular and go in every which way, as opposed to his densely organized grid-like compositions of the early 1950s. We can note here the apparition

of a more expressive and almost calligraphic handling of the palette knife. Indeed, curved lines, squiggles and even small loops appear in combination with his signature tessera-shaped knife-strokes. There is a more outward motion in the overall composition, as Riopelle is looking to create movement and breathe space into the canvas.

*Sans titre* is dense with built-up matter: paint thickly applied with the palette knife in swirls, swoops and cresting waves. Riopelle famously used a prodigious amount of paint on his canvases, exploring its plastic qualities and giving each dab of colour a sculptural quality. *Sans titre* shimmers like a gem, with accents of amethyst, ruby red, emerald green, aquamarine, yellow and cobalt appearing through black and white touches. Even the colour palette is bursting with the artist's explosive energy, which echoes the vibrancy of the times. In the aftermath of the Second World War, Paris had become a creative mecca, attracting artists from across the Western world and fostering one of the greatest periods of artistic experimentation and production in the twentieth century.

Riopelle was no exception to this momentum and excitement, and the late 1950s to early 1960s were a time of great experimentation for him. In 1958, the year *Sans titre* was painted, he picked up sculpting again, in a studio he shared with sculptor Roseline Granet in Meudon. It appears his three-dimensional practice influenced paintings such as this one, and vice versa. He even described his paintings as "sculptures in oil," as his daughter Yseult Riopelle recounts.<sup>1</sup>

This spirit of experimentation and the dynamism of the era can be acutely felt in our canvas, but more importantly, the creative energy and sheer force of Riopelle. *Sans titre* is an exciting work, with outward movement, a dazzling colour palette and an expressive surface, all infused with the artist's vital power.

1. Yseult Riopelle quoted in Marie-Claude Corbeil, Kate Helwig, and Jennifer Poulin, *Jean Paul Riopelle: The Artist's Materials* (Los Angeles: Getty Conservation Institute, 2011), 11.

**ESTIMATE: \$250,000 – 350,000**



### 13 Marcelle Ferron

AANFM AUTO CAS QMG RCA SAAVQ SAPQ 1924 – 2001

#### À bas la cadence

oil on canvas, signed and dated 1959 and on verso signed, titled *À bas la cadence* [sic] and dated 38 ¼ x 51 ¼ in, 97.2 x 130.2 cm

#### PROVENANCE

Collection of the Artist, Montreal  
Acquired from the above by the present Private Collection,  
Montreal, 1997

MARCELLE FERRON'S ABSTRACT painting distinguishes itself through the primacy of gesture, the illuminated strength of the colour, and the harmonious balance of her compositions. One of the youngest signatories to the 1948 *Refus global*, Ferron was introduced to Automatist painting techniques by Paul-Émile Borduas. She soon developed an immensely personal vision of painting that prioritized emotional, subconscious response over rational preconception. In 1953, as the Automatists were dissolving, she moved to Paris. This would prove to be the start of her most productive and revolutionary period, and the dazzling works she painted during her 13 years in France would propel her to international recognition among important galleries and collectors.

Whereas her Montreal-period works were dense, darker compositions, characterized by deep shadow and interior glow, the paintings she developed while in Paris were larger and looser, characterized by flashes of prismatic colour and spacious illuminated whites, applied to the canvas with energetic movement. This stylistic shift was partially in response to the demands of the European market, which desired more lively, chromatic painting. More tangibly, Paris provided Ferron with access to better-quality materials, which enabled her to drive her painting to its dramatic potential.

In particular, she received a batch of expensive pigments from a patron in the late 1950s, bringing brighter and more vibrant colour; likewise, the award of a major Canada Council grant in 1957—unusual for a Canadian artist working abroad—would enable her to secure funding for a rush of larger-scale canvases. She also started to use larger tools: having long eschewed brushes in favour of palette knives and spatulas, she had huge blades made up by a metalsmith. These squeegees in varying lengths and widths, sometimes up to a metre long, allowed her unfettered capacity to form animated compositions in large, dynamic rakes and sweeps.

Ferron mixed and ground her pigments herself, binding them with linseed and poppyseed oil, the latter preferred for its lighter colour and resistance to yellowing over time, especially when mixed with whites. She was particularly adamant about the use of white in her paintings, regularly revisiting completed works to reapply fresh layers of paint over areas that had become dirtied or discoloured. This continual process of renewal resulted in brilliant canvases, with her jewel-like arrangements of colour buttressed by the structural primacy of vivid whites.

It is within this tumultuous flurry of direct, enabled painting that *À bas la cadence* was produced. Painted in the same year as Ferron's *Le gypaète pourpre* (private collection, sold by Heffel in November 2023), this work shares that canvas's scale, though here arranged horizontally rather than vertically. Bands of blacks, greens, peaches and ochres breach across the canvas, hemmed in from the upper and lower edges by traverses of white. While the title instructively suggests to "slow down," the horizontal procession of the composition conversely suggests velocity and vitality, as the geometric drags of colour are rendered in a furor of turbulent streaks. The overall effect is emblematic of the artist's skill at rendering immediacy, gesture, light and rhythm.

The years surrounding this work were some of Ferron's most successful and cemented her at the forefront of international abstraction. Her paintings appeared in several contemporary exhibitions in Paris, she had her first European solo show (at Galerie Apollo in Brussels in 1956), and she was included in the *Third Biennial Exhibition of Canadian Art* at the National Gallery of Canada in 1959, the same year as this work. At the *VI São Paulo Biennial* (1961), where she represented Canada alongside Ron Bloore, Alex Colville, Gordon Smith and Harold Town, Ferron was awarded the Silver Medal—a first for a female Canadian painter. On her return to Montreal in 1966, she transitioned from painting to stained glass, a medium that would occupy her for nearly 20 years. *À bas la cadence* remained in the artist's personal collection throughout that time, until it was acquired from her in 1997 by a private collection, where it has been held ever since. Brought to the open market for the first time, *À bas la cadence* is a fantastic example of the artist arriving at her strongest moment.

Included with this lot is a letter confirming the provenance of the work signed by Lorraine Palardy of Galerie Frédéric Palardy, Montreal.

**ESTIMATE: \$150,000 – 200,000**





## 14 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

### Sans titre

oil on canvas, signed and dated 1954 and on verso signed, dated and inscribed *PM/No. 14* and with the Pierre Matisse inventory #St3093 and variously 13 × 9 ½ in, 33 × 24.1 cm

### PROVENANCE

Pierre Matisse Gallery, New York  
Acquavella Modern Art, Nevada  
Mira Godard Gallery, Toronto  
Private Collection, Ontario

### LITERATURE

*Riopelle: Paintings from the Fifties*, Pierre Matisse Gallery, 1989, reproduced and listed, unpaginated  
Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné, Volume 2, 1954 – 1959*, 2004, reproduced page 181, catalogue #1954.059H.1954

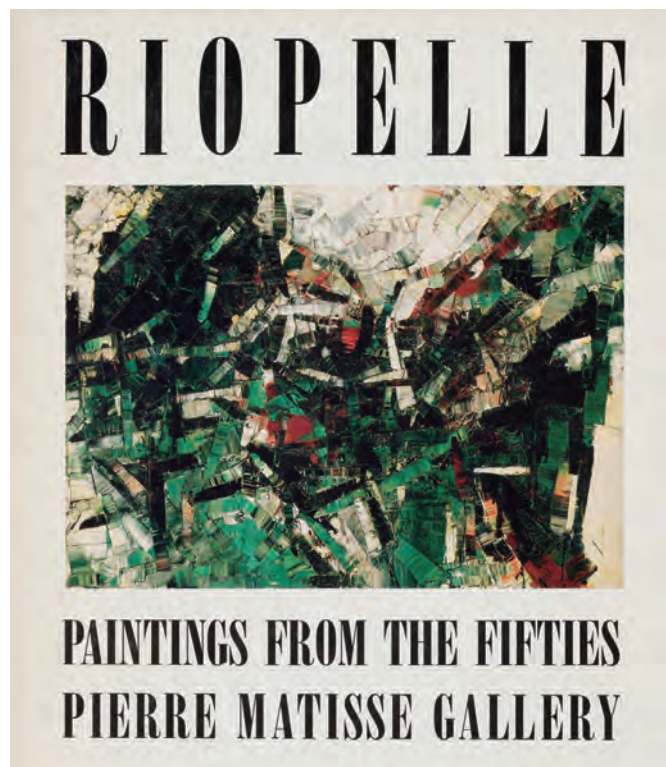
### EXHIBITED

Pierre Matisse Gallery, New York, *Riopelle: Paintings from the Fifties*, April 18 – May 20, 1989, catalogue #14

JEAN PAUL RIOPELLE, revered as one of the pre-eminent painters of the second half of the twentieth century, ascended to international prominence in 1954, a watershed moment catalyzed by his inaugural New York solo exhibition at the legendary Pierre Matisse Gallery. This seminal event, followed by 11 subsequent exhibitions, heralded the beginning of a profoundly enriching and enduring collaboration between these two titans of the post-war art world.

The preface to the 1954 exhibition catalogue, penned by Georges Duthuit, son-in-law of Henri Matisse (and eloquently translated into English by Riopelle's close friend Samuel Beckett), drew a striking analogy between the artist's technique and the immediate sensations of the natural world. Duthuit's description likened Riopelle's approach to painting to the unfolding of earth, nerves and epidermis, evoking a vivid portrayal of vitality and immediacy. The comparison to "a trapper fresh from the Canadian solitudes measuring his stride to our narrow pavements" evokes the sense of the artist's struggle to contain his exuberant energy within the confines of urban life.<sup>1</sup>

The year 1954 also marked a significant stylistic change in Riopelle's work, a transition from his drip paintings of the early 1950s to the iconic mosaic-style compositions for which he is renowned. *Sans titre*, 1954, stands as a quintessential manifestation of the convergence of Riopelle's diverse stylistic inclinations. Vibrant hues and dynamic interplays of colour pulsate through the canvas, encapsulating the essence of Riopelle's creative fervour. This piece serves as a visual testament to his mastery of form and technique, seamlessly bridging the gap between the gestural spontaneity of his earlier drip paintings and the structured geometricity of his later mosaic-style compositions.



Pierre Matisse Gallery, New York, *Riopelle: Paintings from the Fifties*, 1989, catalogue cover

Art historian Serge Guilbault offers insight into Riopelle's works from the 1950s, describing them as

saturated and oily rhizomes, networks of lines so complex that the eye does not perceive the details of the visual agglomerations. The gaze does not rest, it takes in everything at once, tacking from left to right, gliding across the surface. The viewer is left with only the pleasure of detachment, the freedom of the hang glider, that replaces and continues the practice of the modern flaneur.<sup>2</sup>

The physical presence and tactile depth of *Sans titre*, 1954, transcend its physical dimensions. It is an exhilarating painting that captivates with its jewel-like tones and taut composition.

1. Georges Duthuit, "A Painter of Awakening: Jean Paul Riopelle," trans. Samuel Beckett, in *Riopelle: First American Exhibition* (New York: Pierre Matisse Gallery, 1954), exhibition catalogue, n.p.

2. Serge Guilbault, "From Earth to Sky with Riopelle," in *Riopelle: Works from the Collection of Power Corporation of Canada and the Montreal Museum of Fine Arts* (2006), exhibition catalogue, 27.

**ESTIMATE: \$125,000 – 175,000**



## 15 Morris Louis

1912 – 1962 American

### 1-53

Magna on canvas, on verso initialed, titled twice, dated Spring 1962 on the gallery labels and inscribed with the Beyeler inventory #6044 on the gallery label and variously 79 ½ x 10 ¼ in, 201.9 x 26 cm

#### PROVENANCE

André Emmerich Gallery, New York  
Waddington Galleries, London  
Kasmin Ltd., London  
Waddington Galleries, London  
Charles Gordon, London  
Waddington Galleries, London  
Galerie Beyeler, Basel, circa 1971 – 1972  
*Impressionist and Modern Painting and Sculpture, Contemporary Art*, Sotheby & Co., London, July 2, 1975, lot 115  
Paolo Cantini, New York  
Waddington Fine Art, Montreal  
Acquired from the above by the present Prominent Private Collection, Montreal, 1979

#### LITERATURE

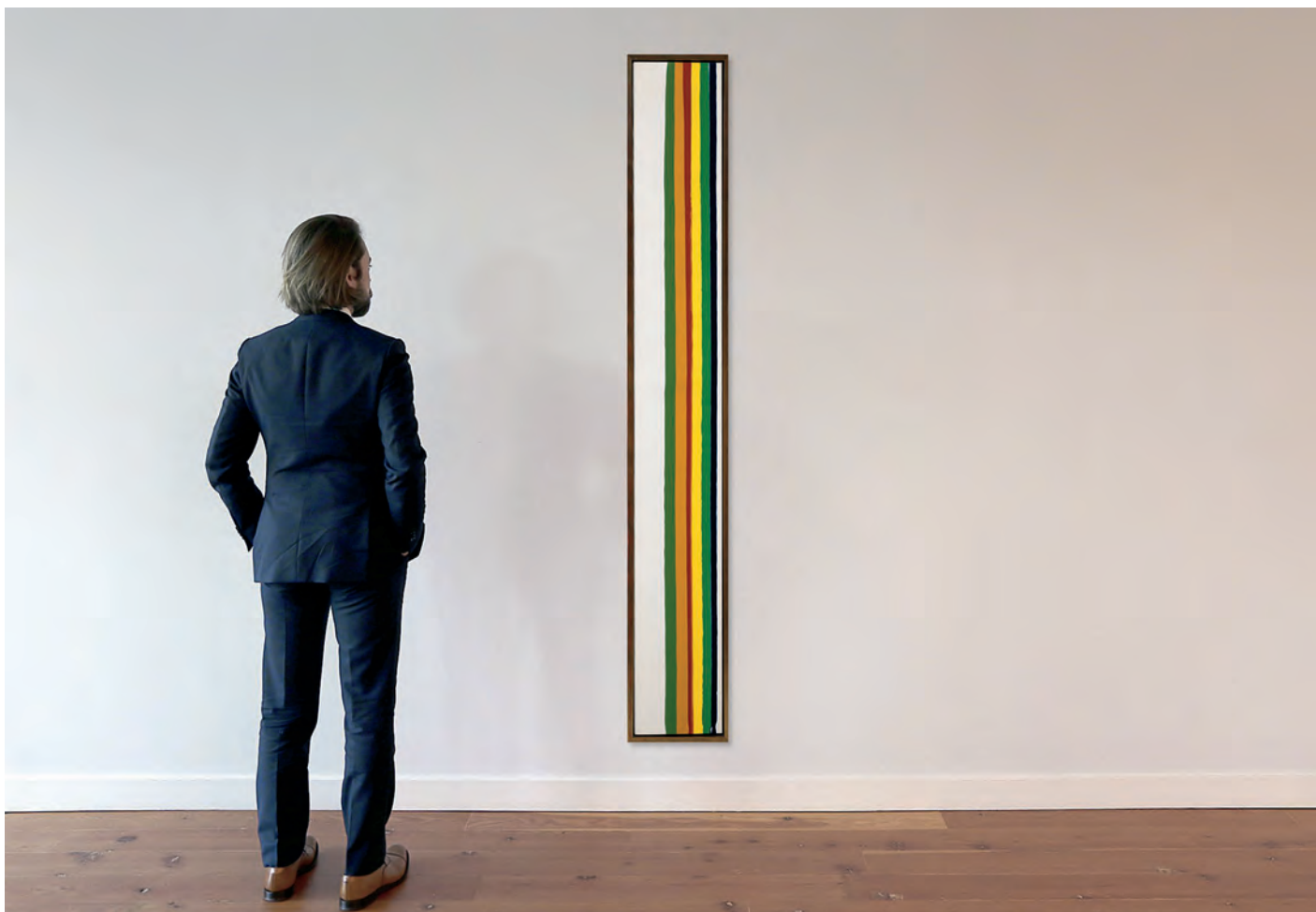
Diane Upright, *Morris Louis: The Complete Paintings*, 1985, reproduced page 188, listed pages 239 and 245, catalogue #613

Morris Louis is concerned with the particular kind of visual excitement that only colour can create. His pictures are sensuous and hedonistic, involved with the careful relation of hues.... He does not choose his hues according to any apparent scheme, but the differing widths, densities, and brightness of the colour bands are adjusted to this end.... The soft edges of his paint-soaked forms are contrasted with the regularity of the designs.

—IRVING SANDLER<sup>1</sup>

ALTHOUGH ONLY TEN INCHES in width, this slender painting from the artist's final year is quite simply a *tour de force* of luminous colour and assured composition. Morris Louis's 1-53 is from the artist's highly prized final series, the *Stripe* paintings. Initially referred to by the artist as "pillars or columns," these works are considered amongst his finest. The *Stripe* paintings present vertical bands of colour compactly arranged into an undisrupted spectrum. Blake Gopnik, art critic for the *Washington Post*, described them as "undiluted colours which glow like petrified rainbows... lines drawn across a surface, coloured lines so big, and so devoid of any telltale signs of human making. They're more like immaculately rendered pictures of the artist's mark, hugely magnified."<sup>2</sup>

The *Stripe* paintings mark the culmination of Louis's career, painted in the final months before his death on September 7, 1962. With its snugly painted linear strips, arranged one alongside the next, 1-53 is distinguished by both the range of colours, the complex overlapping of the six chromatic bands, and the tight cropping on all sides. Here each colour is soaked into the very fibre of untreated canvas, the bands of brilliant pigment



in counterpoint to a near-equal area of raw fabric. The bright columns of colour are not uniform—each hue seemingly determining its width. A deep red is the narrowest, followed by black over blue, intermingled with broader expanses of green, ochre and yellow. These stripes are not just bundled together; the relative area of each hue is in a delicate rhythmic balance across what presents as a multiplicity of individual colours.

*Stripe* paintings are held in museums such as the Solomon R. Guggenheim Museum, the Whitney Museum of American Art, the Stedelijk Van Abbemuseum in Eindhoven, and the Tel Aviv Museum, to name but a few. Each painting in a series that numbered 230 is a contrapuntal display of the artist's mastery of pictorial splendour, with a newly asserted sense of overall control. While Louis's technique is veiled in secrecy, there is speculation that some of this new-found control was the result of "daubers," long sticks wrapped at the end with cheesecloth, used as both a delivery mechanism for colour to the canvas and to guide the medium as it cascaded down the full length of the canvas.

1-53 belongs to this group of paintings. Using this method, the width of each stripe could be controlled to some degree, allowing

each colour a continuous near-straight border with its neighbours. John Elderfield in his 1986 MOMA exhibition catalogue described the abutted and overlapping stripes as creating an "illusion of an almost corrugated surface, [something] Louis simply breaks up, punctuating close-value warm hues with one or two stripes that are darker... from the opposite side of the spectrum... to create an overall optical flicker." Louis was equally interested in the varying degrees of transparency, translucency and opacity of each colour. Wrote Elderfield, "The smaller size of these pictures renders the weave of the canvas more visible; as a result the colour seems right in the weave as quite never before."<sup>3</sup> Although barely perceptible to the naked eye, certain colours recede while others begin to float, introducing chromatic vibrations.

The closely cropped top and bottom edges of 1-53 are similar to the astonishingly beautiful *No. 11* (1961), in the collection of the de Young/Legion of Honor, Fine Arts Museums of San Francisco. The composition of both works highlights the confidence of Louis in 1961–1962. Cropping the top and bottom was an issue of considerable dispute with the artist's most vocal and influential supporter, Clement Greenberg. While they agreed

on the usefulness of active cropping at the sides, they disagreed about this treatment for the top and bottom. Greenberg preferred a margin, whereas Louis felt that his pictures were better when cropped on all sides.

As a testament to Greenberg's influence, of the total 230 *Stripe* paintings, only 26 were cropped, or marked to be cropped, according to Louis's original intentions, making 1-53 part of a very small sub-group of the series. The close cropping unleashes several unique characteristics. It precludes the colour bands being read as the product of drawing and is responsible for the apparent increased velocity as stripes descend, which in turn reinforces the vertical reading of the paint surface. We are encouraged to grasp all the stripes, all at once, a kaleidoscope of colour. The opposite stance, a horizontal reading from side to side, remains, allowing for the more intimate discovery of individual colour relationships. Again, Elderfield points out the overall prismatic effect, "as if Louis rearranges the spectrum at will and presents us not with stripes of colour but with a multicoloured beam of light."<sup>4</sup>

Louis's medium Magna was an oil-miscible acrylic resin paint that contained the pigment, an acrylic resin medium and a stabilizing agent to keep the pigment and resin in suspension. It could be thinned in one of two ways—with turpentine or by the addition of resin; each method created a differing result. Turpentine produced a matte surface to the colours, while the resin heightened the gloss, providing the mature artist with a full palette of options. In 1960, the manufacturer Bocour Artists Colors even began to produce a specific formulation of Magna in gallon tins rather than tubes for Louis and his artistic confidant Kenneth Noland. Leonard Bocour, as requested, reduced the beeswax content to produce a 50/50 mix of resin and turpentine with the consistency of molasses, which enhanced the malleability and control essential to the success of the *Stripe* pictures.

Though Louis was known as an intensely private artist, choosing to live in Washington, DC, rather than New York, Greenberg quickly became part of his inner circle after being introduced by Noland. Greenberg visited Washington twice a year, the two regularly exchanged letters, and in 1961 to 1962, Louis began traveling to New York once a month. Greenberg visited Louis in Washington in late March 1962 and was confronted by the new sophisticated group of *Stripe* paintings to which 1-53 belongs. "As usual, your paintings continue to haunt me," Greenberg wrote. "But it is the first time I felt they were beyond my eye. Which, for me, means everything."<sup>5</sup> Greenberg had also written a year earlier with the following encouragement for Louis's increasingly

slender canvases: "I find that the smaller you paint lately, the more pungent your pictures get . . . . Leaving less bare canvas on either side strengthens the picture, makes it more emphatic."<sup>6</sup>

It is not surprising then that Greenberg, when invited to lead the Emma Lake Artists' Workshop in 1962, placed Louis's new paintings front and centre for discussion and debate. Louis's influence was immediate on the artists who attended the workshop, including that year Montreal artist Guido Molinari. Greenberg followed up by providing the catalogue introduction for *Three New American Painters: Louis, Noland, Olitski*, presented at the Norman MacKenzie Art Gallery, Regina, in January 1963, just four months after the artist's death. That same year, *Morris Louis, 1912 - 1962: Memorial Exhibition of Paintings from 1954 - 1960* was also presented at the Guggenheim Museum, New York. And in 1968, the National Gallery of Canada in Ottawa organized a solo exhibition of the artist's work.

In 1962, Louis was at the height of his artistic abilities and his output of *Stripe* canvases grew threefold. The colour combinations were sophisticated; waterfalls of colour cascade from top to bottom of each painting, creating luminous rainbows of light from seemingly incompatible hues. The result so clear in 1-53 is almost musical, a beautiful melody, expertly rendered from notes and stanzas that when first encountered have a resistant dissonance, the shock of something truly new.

We thank Gary Dufour, adjunct associate professor at the University of Western Australia, for contributing the above essay. A modern and contemporary art specialist, Dufour was formerly the senior curator at the Vancouver Art Gallery (1988 - 1995) and chief curator / deputy director of the Art Gallery of Western Australia (1995 - 2013).

1. Irving Sandler, "New York Letter," *Art International*, no. 5 (October 1961): 56.

2. Blake Gopnik, "Morris Louis: A Painter of a Different Stripe," *Washington Post*, November 12, 2006, 85-86.

3. John Elderfield, *Morris Louis* (New York: Museum of Modern Art, 1986), exhibition catalogue, 74.

4. *Ibid.*, 80.

5. Greenberg to Morris Louis, March 23, 1962, Morris Louis Archives, quoted in Diane Upright, *Morris Louis: The Complete Paintings* (New York: Harry Abrams, 1985), 29.

6. Greenberg to Morris Louis, May 3, 1961, quoted in *ibid.*, 27.

**ESTIMATE: \$400,000 – 600,000**





## 16 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

### Sans titre

oil on canvas, initialed twice and on verso  
dated 1954 [sic] on the gallery labels, 1960  
8 5/8 x 10 1/2 in, 21.9 x 26.7 cm

### PROVENANCE

Marlborough-Godard, Toronto  
*Canadian Art*, Joyner Fine Art, November 24, 1992,  
lot 79  
Acquired from the above by Kenneth R. Thomson,  
Toronto  
A.K. Prakash and Associates Inc., Toronto, 2006  
Masters Gallery Ltd., Calgary, 2007  
Private Collection, Winnipeg  
Private Collection

### LITERATURE

*Riopelle: An Exhibition of Works from Private Calgary Collections*,  
Masters Gallery, 2009, dated 1954, reproduced  
Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné*,  
online addendum to *Volume 3, 1960–1965*, 2012,  
<http://www.riopelle.ca>

### EXHIBITED

*Ladies Committee Sale of Contemporary Art*, Toronto, #63  
Masters Gallery, Calgary, *Riopelle: An Exhibition of Works  
from Private Calgary Collections*, March 24–28, 2009  
Glenbow Museum, Calgary, *Riopelle: The Glory of Abstraction*,  
May 15–August 2, 2010

EVEN A SIDELONG glance at this painting tells you that you have seen something exceptional. Looser in handling than many of Jean Paul Riopelle's paintings of the 1950s, *Sans titre* easily equals the power of the well-known "mosaics" to draw one into a powerful web of form and colour. A small painting with a large impact, *Sans titre* suggests that scale for Riopelle is not literal but instead turns on what he can do with his surface and what his complex gestures in turn imply for a viewer's experience.

*Sans titre* is notably free and expansive. When he moved to France in the late 1940s, Riopelle was associated with André Breton, the "Pope" of Surrealism. In 1966, however, a French critic was still looking back to this time when he wrote that "Riopelle works in a state of crisis, a sort of hypnotic fury and abandon." When this judgment was put to the artist in an interview decades later, he disagreed. "That wasn't my way," he claimed. "Georges Mathieu worked hard and fast. Not Riopelle."<sup>1</sup> *Sans titre* has a surrealist pedigree, but it is a carefully wrought painting.

The variety of paint application and hue employed by Riopelle in this painting is astonishing. Pigments are dragged through one another in the bottom and top right, suggesting, perhaps, a page or layer peeled back to reveal yet another layer of paint and gesture. The same technique used in the middle left—now with black, blue and white—yields a different visual effect by defining a long, fan-shaped form. This element of Riopelle's vocabulary is repeated across the painting in a range of hues. In the bottom centre, by contrast, loosely rectangular white forms are relatively untouched, stable and flat. Most striking, however, is the bold choreography that Riopelle creates with extrusions of thick yellow and red oils. Notable too is the unusual palette he has chosen. White tends to dominate his work at this time, yet here he mixes in quantities of brown with the reds, blacks and yellows. Can brown be a dynamic colour? In Riopelle's hands, yes. It is an unexpected and memorable combination.

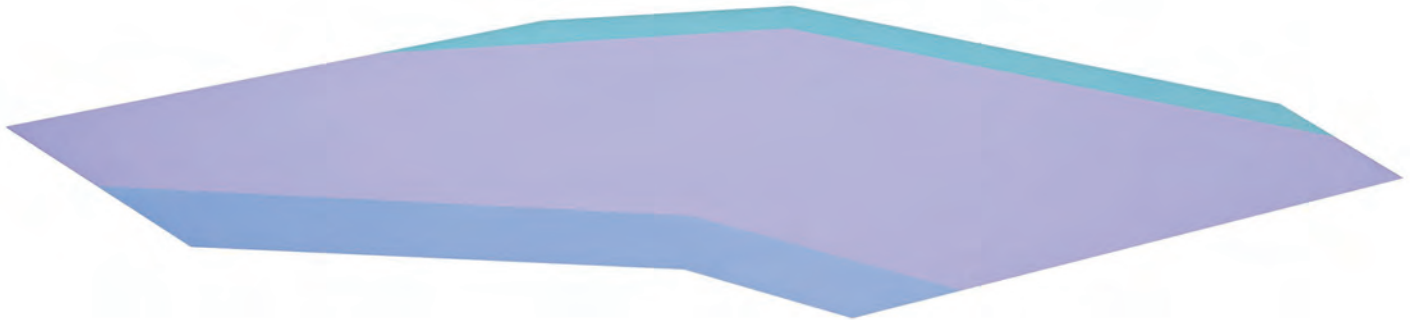
Riopelle's work of the 1960s, including *Sans titre*, sought new directions against the backdrop of his worldwide recognition at this time, which included appearances at the *Bienal de São Paulo* in 1951 and 1955, in the *Younger European Painters* exhibition at the Solomon R. Guggenheim Museum in 1953, and at the *Venice Biennale* in 1954 and 1962. By the 1960s, he had also successfully navigated endless, if not always fruitful, comparisons between European and American abstraction in the 1950s.

In fact, few if any Canadian artists have received such sustained and high praise as Riopelle did during his prolific career and since his death in 2002—building critical and commercial success upon success in European and American exhibitions, and with art dealers in Paris and then New York. As a result, Riopelle's name eclipsed that of all other artists from Canada during the period just after World War II until the 1960s. From the 1960s, he spent more time in Quebec and eventually resettled in the province. As we mark the centenary of his birth in 2023–2024, Riopelle remains an exemplar of the post-war École de Paris and is seen as a leading artist of French Lyrical Abstraction, tachisme and *informel*. *Sans titre* is a quintessentially international painting.

We thank Mark A. Cheetham for contributing the above essay. Cheetham is the author of two books on abstract art: *The Rhetoric of Purity: Essentialist Theory and the Advent of Abstract Painting* and *Abstract Art Against Autonomy: Infection, Resistance, and Cure since the '60s*. He is a professor of art history at the University of Toronto and a freelance curator and artwriter.

1. Quoted in Gilbert Érouart, *Riopelle in Conversation*, trans. Donald Winkler (Toronto: House of Anansi, 1995), 46–47.

**ESTIMATE: \$75,000 – 100,000**



## 17 Kenneth Noland

1924 – 2010 American

### Increment

acrylic on canvas, on verso signed, titled, dated 1982,  
inscribed *Hang exactly level from hooks* and stamped  
André Emmerich Gallery, New York  
20  $\frac{3}{4}$  x 89  $\frac{1}{4}$  in, 52.7 x 226.7 cm

#### PROVENANCE

André Emmerich Gallery, New York  
Gallery One, Toronto  
A Prominent Private Collection, Montreal

#### EXHIBITED

Gallery One, Toronto, *Kenneth Noland*,  
December 10, 1988 – January 4, 1989

PAINTED IN 1982, Kenneth Noland's *Increment* is an important example from the series of asymmetrically shaped canvases that the artist produced in the late 1970s and very early 1980s. These slender, irregularly shaped canvases harken back to Noland's paintings of the 1960s in technique, with their purity of colour applied in thin stains quickly absorbed into raw canvas. This "soak-stain" technique was an influence from Helen Frankenthaler, when in 1953 the art critic Clement Greenberg introduced both Noland and Morris Louis to her work during the first of many studio visits.

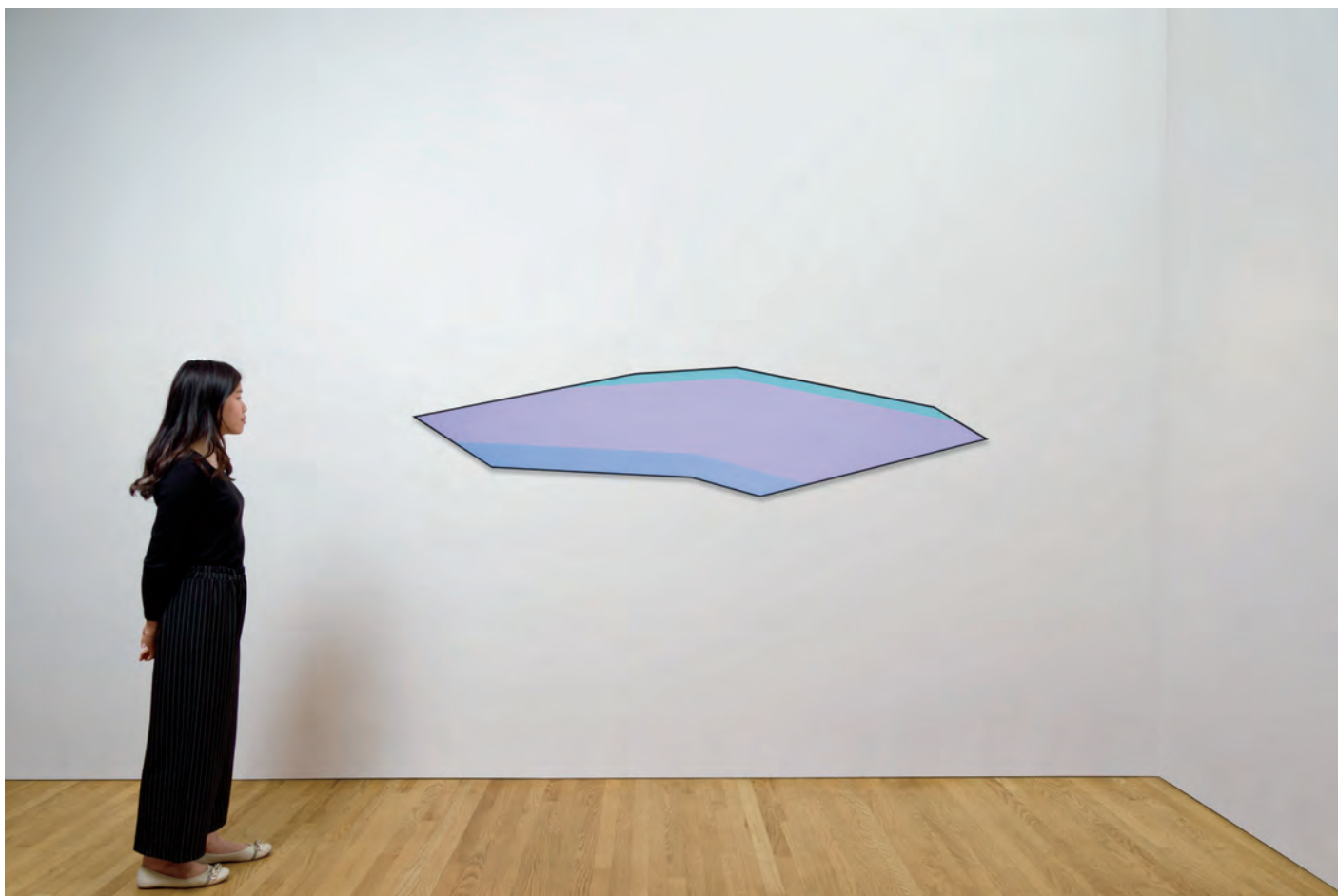
Noland's premeditated staining method makes any later modification or revision impossible due to how the colour and canvas

effectively become one, inseparable. This technique, as taken up by Noland, allowed him to eliminate the last vestiges of the painterliness of the Abstract Expressionists—something he achieved in *Increment* in two distinct ways. Gone are the brush-strokes that had generally excited the surface of a painting and distracted from the purity of each hue. As well, his paint surface eliminates all textural qualities, leaving only colour seemingly bonded directly into the surface of the canvas.

Noland was a key member of the Washington, DC, Color School, a group of abstract artists who emerged in the late 1950s and were championed by Greenberg. Noland's ideas and art were introduced to Canada when he was invited to lead the 1963 Emma Lake Artists' Workshops. They were also revealed in the 1964 exhibition *Post-Painterly Abstraction* at the Art Gallery of Ontario, and through two decades of solo exhibitions, first at the David Mirvish Gallery and later at Gallery One. His paintings quickly entered public collections nationwide, including the Montreal Museum of Fine Arts, the Art Gallery of Ontario and the National Gallery of Canada.

Noland expanded the object-nature of painting with his shaped canvases and their incredible flat fields of colour. Differences in contrast on either side of his assembled hues create the optical illusion of a colour gradient, thus increasing the possibilities for a single colour, depending on its surroundings, to be perceived differently. Colour areas become gradually greater in *Increment*. The dictionary meaning of the word ("becoming gradually greater") seems to manifest before you, as the central mauve area literally swells, waxing to gain size and space. The artist pushes the





material and conceptual boundaries in these paintings as if they were sculpture, objects in space. Said Noland in 1977:

It took the experience of working with radical kinds of symmetry, not just a rectangle, but a diamond shape, as well as extreme extensions of shape, before I finally came to the idea of everything being unbalanced, nothing vertical, nothing horizontal, nothing parallel. I came to the fact that unbalancing has its own order. In a peculiar way, it can still end up feeling symmetrical.<sup>1</sup>

Noland's legacy as a pioneer of American abstract art is undeniable, and these shaped paintings from the 1980s represent the culmination of a lifelong exploration of what he saw as co-equal elements—colour, shape and form. He was “one of the great colourists of the 20th century,” wrote Karen Wilkin.<sup>2</sup> Noland's paintings reveal “the potency of colour, rooted in a belief that relationships of hues, like music, directly and wordlessly stir our deepest emotional and intellectual reserves.”<sup>3</sup>

We thank Gary Dufour, adjunct associate professor at the University of Western Australia, for contributing the above essay. A modern and contemporary art specialist, Dufour was formerly the senior curator at the Vancouver Art Gallery (1988 – 1995) and chief curator/deputy director of the Art Gallery of Western Australia (1995 – 2013).

1. Quoted in Diane Waldman, “Color, Format and Abstract Art,” *Art in America* 65, no. 3 (May 1977): 100.

2. Quoted in William Grimes, “Kenneth Noland, Abstract Painter of Brilliantly Colored Shapes,” *New York Times*, January 6, 2010.

3. Karen Wilkin, “Kenneth Noland,” *The Paris Review*, no. 149 (Winter 1998): 236.

**ESTIMATE: \$100,000 – 150,000**



## 18 Jack Hamilton Bush

ARCA CGP CSGA CSPWC OSA P11 1909 – 1977

### Scoop Totem

acrylic polymer on canvas, on verso signed,  
titled, dated Dec. 1973 and inscribed *Toronto/  
Top (with arrow)/Acrylic Polymer W.B.*  
87 ½ x 47 ½ in, 222.3 x 120.7 cm

#### PROVENANCE

David Mirvish Gallery, Toronto  
Acquired from the above by an Important Private Collection,  
Toronto, April 1974

#### LITERATURE

Marc Mayer and Sarah Stanners, *Jack Bush*, National Gallery  
of Canada, 2014, reproduced page 35

#### EXHIBITED

David Mirvish Gallery, Toronto, *Jack Bush: Recent Paintings*,  
1974

PAINTED AT THE end of 1973, *Scoop Totem* is among Jack Bush's last few classic *Totem* paintings. By 1974, he was experimenting with formats that stepped away from the emphatically vertical figures that define this series. *Grey Arc*, for example, is a mural-sized horizontal painting, measuring nearly five metres long, and while it does terminate with a scoop-like shape, it is dramatically horizontal and therefore not "totemic" in the strictest sense. In all cases, however, this distinctive series is characterized by mottled grounds that backdrop slender stacks of vibrant colour, smooth on one side and ragged on the other, which are remarkably similar in appearance to the strokes of colour seen in the felt-tipped marker sketches that Bush often made in advance of painting.

When the David Mirvish Gallery in Toronto scheduled a solo show for Bush to open in the spring of 1974, the artist was motivated to produce a cohesive set of paintings that would hang well together, just as he had been prompted to paint his *London* series for Waddington Galleries that same spring. While the *London* paintings were made for his show abroad, the *Totems* were made for Toronto. In a 1969 interview with Bush, Dennis Reid inquired about the artist's methods for choosing works for his exhibitions. Bush underlined that a deciding factor in which paintings went to which show was "the physical nature of the galleries" and that his paintings "were chosen to make a show that would work in that physical space..."<sup>1</sup> Five years later, Bush had perfected the art of making an impactful exhibition through the thoughtful execution of a body of work that was not only interrelated stylistically but also sensitive to the environment in which it was destined to be displayed.

Another unifying characteristic of the *Totem* paintings is their sheer enormity. In the *Totem* series' debut exhibition, *Grey Arc* was just one of three paintings that measured over four metres long. Bush's paintings benefited from the Mirvish Gallery's double-wide lot, occupied by two 2½-storey semi-detached Victorian houses that, through the design and planning of John Andrews Architects, were combined to form a singular space. The ceiling soared at 596 Markham Street, and the span of the space was specially made for big, show-stopping abstract paintings and sculptures.



From left: *Hook Totem* (1973), *Scoop Totem* (1973) and *Plume Totem* (1973)  
installed at *Jack Bush: Recent Paintings*, David Mirvish Gallery, Toronto, April 1974  
Photographer unknown

As many Torontonians will remember, Frank Stella's massive 1970 painting *Damascus Gate, Stretch Variation*, measuring 3 by 15.2 metres, was a perfect fit against the west-facing wall for decades. In a 1971 review of an exhibition of Anthony Caro's sculptures at the Mirvish Gallery, the *New York Times* remarked that this setting was "particularly advantageous for Caro's work," adding that "the gallery might well be the envy of cramped New York establishments."<sup>2</sup> In Bush's exhibition, at least eight paintings, including *Scoop Totem*, stood more than two metres tall. To enter this exhibition must have felt exhilarating.

Most of the *Totems* that were included in the Mirvish Gallery show have a short and tidy provenance, remaining with the buyer who first acquired the painting 50 years ago. A few of the paintings from this seminal exhibition made it to museums by way of gift, including to the Museum of Fine Arts, Boston, the Hirshhorn Museum and Sculpture Garden in Washington, DC, and the Art Gallery of Hamilton. *Scoop Totem* has remained in the same esteemed private collection since it left the exhibition on Markham Street in April 1974. Like a hidden gem brought to light, *Scoop Totem* is a bright and exciting painting, ready for new surroundings.

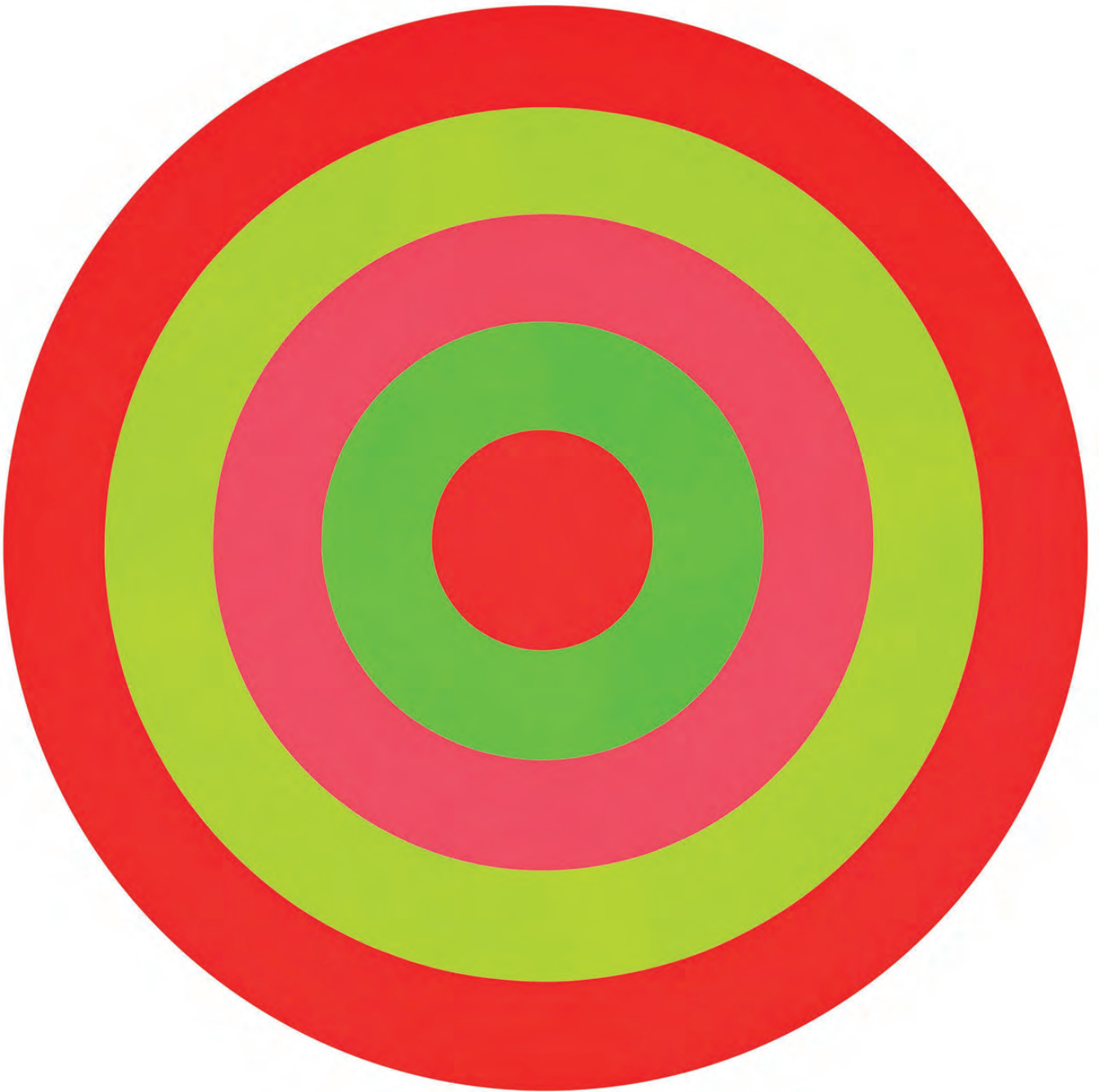
We thank Dr. Sarah Stanners, director of the Jack Bush Catalogue Raisonné, contributor to the Bush retrospective originating at the National Gallery of Canada in 2014, and adjunct professor at the University of Toronto, Department of Art History, for contributing the above essay.

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

1. Jack Bush quoted in Dennis Reid, "Galerie Godard Lefort, Montreal, February–March 1969," *artscanada* 26, no. 2 (April 1969): 43–44.

2. James R. Mellow, "How Caro Welds Metal and Influences Sculpture," *New York Times*, July 18, 1971, section D, 21.

**ESTIMATE: \$250,000 – 350,000**



## 19 Claude Tousignant

AANFM LP QMG RCA 1932 -

### Mandala #1

acrylic on canvas, on verso signed, titled,  
dated 6/1969 twice and inscribed 42  
42 3/8 x 42 3/8 in, 107.6 x 107.6 cm

#### PROVENANCE

Private Collection, Montreal

IT IS HARD to conceive, 55 years on, just how animated and far-reaching discussions of abstract painting were in Canada in the 1960s. The National Gallery of Canada exhibition *Form—Colour* toured coast to coast in 1969, the same year that Barnett Newman, whose influential paintings Claude Tousignant first saw on a trip to New York in 1962, spoke in Ottawa at the invitation of the NGC. Tousignant's innovations were heralded in exhibitions across the continent in the 1960s, including *1+1=3: An Exhibition of Retinal and Perceptual Art* in Austin and Houston, *The Deceived Eye* in Fort Worth, *Op from Montreal* at the University of Vermont, and *The Responsive Eye*, at the Museum of Modern Art in New York. Tousignant also represented Canada in the *8th International Biennial in São Paulo* in 1965 and just a few years later, in 1973, when the artist was just 40, the National Gallery of Canada organized a retrospective that was presented in Paris and 12 Canadian cities.

Tousignant is a titan of abstraction in Canadian art. He was active in Montreal from the early 1950s, and his works have left an indelible mark on the history of painting, particularly his iconic circular canvases, characterized by bold colour in alternating bands of equal width. Tousignant's ambition from the outset was to achieve autonomy within a painted object, paintings freed from representation, free of the tedious debates of figure/ground and horizontal/vertical, free from the landscape traditions of Canadian painting. Tousignant's circle/target paintings were entirely new pictures, each with a simplified rhythmic system, which create unique, almost autonomous painted objects. "I was fascinated by the circle as a form, the circle had equal tension all round, equal tensions to all peripheries."<sup>1</sup>

In *Mandala #1*, Tousignant delves into the essence of visual experience, stripping away extraneous elements to focus solely

on the interaction of colours. The painting is structured around his hallmark use of adjacently placed complementary colours. Tousignant is an outstanding colourist, and counterintuitively, his adoption of the circle de-emphasizes form, propelling viewers into a realm of structured visual sensation. His paintings are staged visual encounters with colours that pulse and vibrate, set in motion by simultaneous centripetal and centrifugal forces, antagonisms of chromatic energy. The viewer's gaze is unsettlingly drawn simultaneously inward and outward.

The simple structure of *Mandala #1* rules out stability in the picture. This is achieved by the artist's interlacing two serial systems, one being three qualities of red, the other just two qualities of green. It is both this regularity and the work's asymmetry that generate a constant chromatic shift. First the red precedes the green, then the reverse. The two hues seemingly create a third, with an entirely vibratory chromatic quality. As Tousignant stated, "My intention was that the confrontation of the pairs of colours by their juxtaposition produce a third. Something not placeable as a surface in space.... Colour in the circle that pulsates, one no longer says, it is a circle."<sup>2</sup>

One of the most striking aspects of *Mandala #1* is Tousignant's masterful use of alternating values of complementary colours. His vibrant hues applied with precision create luminosity and depth across just a few concentric bands. This stunning bull's-eye both provokes contemplation, suggested here by the title, while challenging viewers to reconsider their perceptions of colour in the world.

We thank Gary Dufour, adjunct associate professor at the University of Western Australia, for contributing the above essay. A modern and contemporary art specialist, Dufour was formerly the senior curator at the Vancouver Art Gallery (1988–1995) and chief curator/deputy director of the Art Gallery of Western Australia (1995–2013).

1. Quoted in Roald Nasgaard, *Abstract Painting in Canada* (Halifax: Art Gallery of Nova Scotia, 2007), 192.

2. Quoted in Danielle Corbeil, *Claude Tousignant* (Ottawa: National Gallery of Canada, 1973), exhibition catalogue, 14–15.

**ESTIMATE: \$200,000 – 250,000**

## 20 Jack Hamilton Bush

ARCA CGP CSGA CSPWC OSA P11 1909–1977

### Christmas

acrylic on canvas, on verso signed, titled,  
dated December 1973 and inscribed  
*Top and acrylic polymer W.B.*  
52 × 18 ½ in, 132.1 × 47 cm

#### PROVENANCE

Collection of the Artist  
David Mirvish Gallery, Toronto  
Private Collection  
Miriam Shiell Fine Art, Toronto  
A Prominent Private Collection, Montreal

JACK BUSH USHERED in 1973 with a painting titled *Yule* and, nearly 12 months later, he closed out the same year with this jaunty painting called *Christmas*. Both paintings are relatively small, signaling a change of pace for the artist. The pressure of major exhibitions and the daily grind of life could be paused over the holidays. Jack Bush reveled in the freedom at this time, and it showed in his paintings.

In the months of April, July and September 1973, the artist produced the 15 paintings that comprise his *London* series. The style of these paintings, characterized by mottled grounds and wild yet discrete pops of colour in the form of lyrical strokes, is closely related to the *Christmas* canvas. The key difference is that grounds in the *London* series command much more attention. With *Christmas*, the four flat figures of colour take centre stage.

By the time Bush painted *Christmas*, he was executing some of the best paintings from another of his important series, the *Totem* paintings. *Christmas* is somewhat of a deconstructed *Totem*, liberated from the tight stacking of forms, but still intensely vertical and colourful. It is a fateful coincidence that the other Bush painting on the block this season at Heffel—*Scoop Totem* (lot 18)—was painted during the same week he executed *Christmas*; these two works are listed consecutively as numbers 71 (for *Christmas*) and 72 (for *Scoop Totem*) in the artist's second record book of paintings.

The catalyst for Bush's motifs and types of paintings, such as his *Spasm*, *Sash* and *Handkerchief* series, was often the most beautiful moments in everyday life, and especially relatable moments, such as finding joy in the bougainvillea plant in full bloom, or the burst of yellow in forsythia at the onset of spring. Sometimes the artist simply loved the colour of his wife's dress or a friend's coat and copied the colours in his paintings. In December 1973, Bush was looking at holiday wrapping paper. He often did not think about the utility or attractiveness of the paper but was more fascinated by the unexpected colour combinations; the same goes for his approach to painting.

Amazingly, glimpses of the artist's strongest late works may be seen in his early figurative paintings, as if Bush were planting seeds for a freer kind of painting in his future. In a little interior cottage scene, titled *Summer Cottage, Thunder Bay* (1941), the window curtains and throw blanket have the same swishes of exultant colour that dance across his late abstract paintings, such as *Christmas*. The intimate scale of the *Christmas* canvas makes the association with a cozy interior scene even stronger. It is rare for Bush paintings from this period to be so perfectly modest in size. They usually command boardrooms or the largest wall in a home. *Christmas* could be at home in any room.

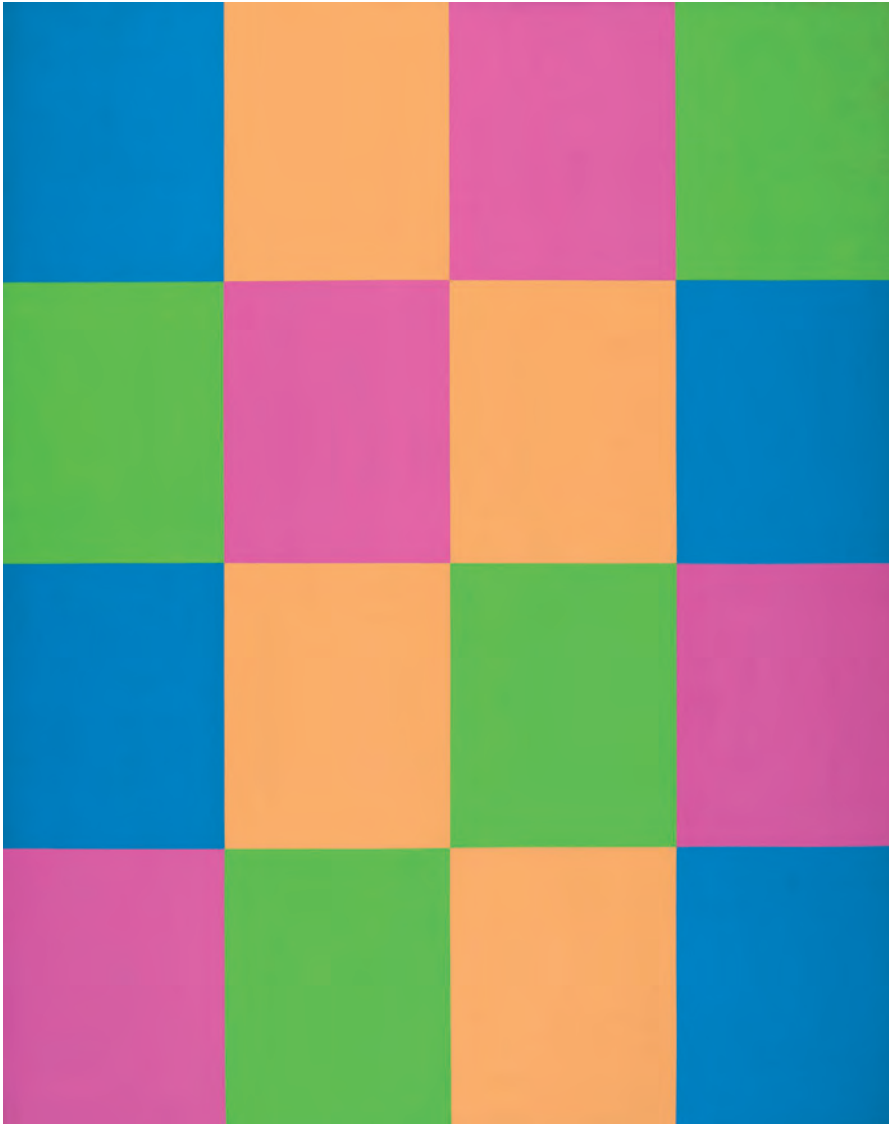
Bush's sensitivity to the rhythms of life and the way in which colour and design can celebrate it all so beautifully has made his popularity as an artist extend into the twenty-first century. Colour, line and form are timeless elements of art, and Bush was a fluent master.

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

**ESTIMATE: \$100,000 – 150,000**





## 21 Guido Molinari

AANFM LP QMG RCA SAPQ 1933 – 2004

### Structure vert violet

acrylic on canvas, on verso signed, titled on the gallery label and dated 1970  
44  $\frac{3}{4}$  x 36 in, 113.7 x 91.4 cm

#### PROVENANCE

Carmen Lamanna Gallery, Toronto  
Private Collection, Toronto

IN 1969, GUIDO MOLINARI briefly abandoned the use of vertical bands of colour and began a series of “checker-board” paintings, further dividing the verticals by the horizontal and creating new, complex chromatic arrangements of grid-like modules. Until January 1970, these works were titled *Structures*, recalling the series of paintings produced from 1963 to 1964 that experimented with harmonious relationships between colours and patterns. Lasting only until March 1970, these checkered paintings recuperated the tectonic arrangements of those earlier works, highlighting the visual force that could be found in the complex arrangements.

In *Structure vert violet*, Molinari avoids the static weight of an orthogonal grid by establishing a fluid or discordant relationship between colours. The canvas is ordered not through a strict repetition of colours, but through a certain rhyming of their order: split pairs of green and violet exist in mirrored opposition to each other across a diagonal, while the peach structure oscillating down the centre of the arrangement is echoed by the reverberations of blue modules at the boundaries of the field. The monumentality of the work is then continuously animated by the perceptual shifts demanded by its relational geometries.

**ESTIMATE: \$40,000 – 60,000**



## 22 Gershon Iskowitz

CSGA RCA 1919 – 1988

### Orange—G

oil on canvas, on verso signed,  
titled and dated 1980  
39 x 34 in, 99.1 x 86.4 cm

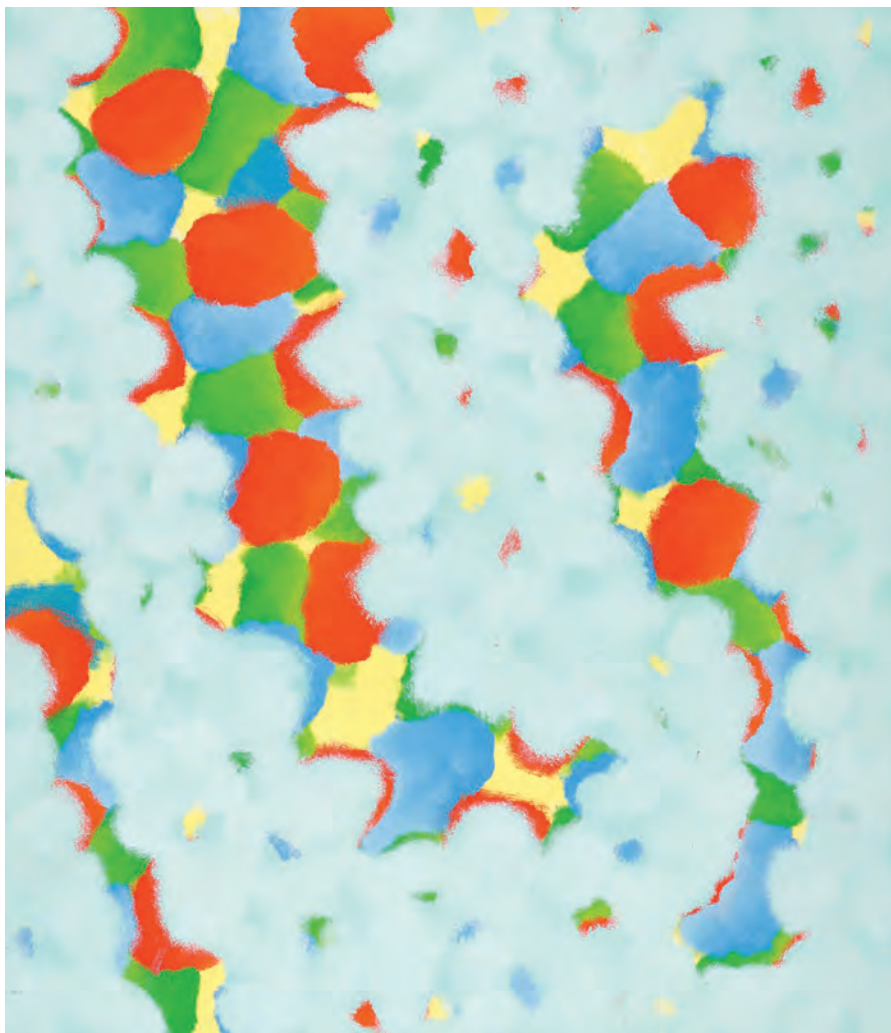
#### PROVENANCE

Gallery Moos Ltd., Toronto  
Private Collection, Toronto

GERSHON ISKOWITZ'S PAINTING saw a breakthrough after he received a Canada Council grant in 1967 that allowed him to travel to northern Manitoba, at the edge of the Arctic along the coast of Hudson Bay. The artist was struck by the luminous, clarified colour and expansive geographies of the northern landscape. Several further excursions followed through the next decade, to Churchill, James Bay and Yellowknife, and the lasting impact on the artist's painting was profound: inspired by the aerial perspective of the landscape seen from the small bush planes in which he traveled, Iskowitz returned to Toronto from each trip with an increasingly complex and grand approach to his abstraction in both palette and composition.

*Orange—G* is a potent and intimate expression of the lively, dematerialized topographies Iskowitz produced during his mature period. Floating daubs of gauzy colour are perceived through breaks in the sinuous vapour haze that drifts across the foreground. Here we get the distinct impression of the luminous colour of a rolling lower landscape, or the glinting glow of lights perceived through the trailing surface of clouds. While the spatial elements here are distinct, we sense the arrangement expanding beyond the boundaries of the canvas—the landscape dissolving into an expanded intensity of colour and commotion.

**ESTIMATE: \$20,000 – 30,000**





## 23 Joseph Hector Yvon (Joe) Fafard

OC RCA 1942 – 2019

### The Candidate

bronze sculpture with patina and paint,  
signed, editioned 1/5, dated 1987 and  
inscribed with the foundry mark JA/PL  
24 × 14 × 10 in, 61 × 35.6 × 25.4 cm

### PROVENANCE

Kenneth G. Heffel Fine Art Inc., Vancouver  
Acquired from the above by the present  
Private Collection, Vancouver, 1987

### LITERATURE

*Joe Fafard, Artists and Animals*, Artists for Kids  
Gallery, 1999, reproduced page 31

### EXHIBITED

Artists for Kids Gallery, Vancouver, *Joe Fafard,  
Artists and Animals*, May 6 – 30, 1999,  
catalogue #3

JOE FAFARD WAS renowned for his ability to capture character and expression in his subjects, from farm animals such as calves and horses to the most important figures in political and art history. He began working in bronze in 1984 and shortly thereafter produced a series of portraits of popular politicians. His subjects included former prime ministers Pierre Elliott Trudeau and John Diefenbaker, and this 1987 work of future prime minister Jean Chrétien. Fafard's portrait of Diefenbaker, entitled *The Politician* (1986, private collection, sold by Heffel for a record price in June 2021), provides a useful comparison to Chrétien's. As a former prime minister viewed retrospectively, Diefenbaker was depicted proudly standing on top of a wooden chair, his face etched with a lifetime's work. By comparison, Chrétien is depicted in a much more informal pose. He sits in the same wooden chair but backwards, sleeves rolled up and tie loosened, apparently in the middle of conversation or debate. Chrétien had left politics in 1986 after a contentious 1984 campaign for the Liberal party leadership, and here Fafard depicts him with the folksy charm and confidence shown in that earlier run. He is still "the candidate," not yet the fully resolved leader, and is presented selling himself to an audience and a nation.

**ESTIMATE: \$30,000 – 50,000**

## 24 Joseph Hector Yvon (Joe) Fafard

OC RCA 1942 – 2019

### Vincent

bronze sculpture, signed, editioned 4/7,  
dated 1983 and inscribed with the  
foundry mark JA/PL

39 × 27 × 9 ½ in, 99.1 × 68.6 × 24.1 cm

### PROVENANCE

Douglas Udell Gallery, Edmonton  
Acquired from the above by the present  
Private Collection, Vancouver

IN THE WINTER of 1982 to 1983, Joe Fafard read *Dear Theo*, a collection of Vincent van Gogh's letters to his brother. The book had a profound impact on Fafard, resulting in a series of works that would occupy him for years. The twentieth century consecrated van Gogh as the saintly icon of tortured artistic genius, a martyr for freedom of self-expression—concepts that are now bound up with his image. This portrayal of the artist fascinated Fafard, who through repeatedly sculpting his likeness, sought to understand both himself and the enigmatic figure. Like van Gogh, he remained faithful to his personal vision in spite of prevailing artistic trends.

In *Vincent*, Fafard presents van Gogh as a monumental presence befitting the painter's importance in art history. Whereas Fafard produced several versions of van Gogh as a full figure—standing or seated, often poised in the process of painting, with brush in hand—here the artist is presented as an expressive, larger-than-life bust. We are shown van Gogh's knotted brows and swirl of hair, and the etched lines of his face held in concentration. Fafard imbues his subject with an introspective awareness, presenting the artist with a sensitivity and personality that nonetheless asserts his legendary status.

Please note: a metal plinth measuring 15 ½ × 32 × 12 inches is included with this lot.

**ESTIMATE: \$30,000 – 50,000**





## 25 Edward John (E.J.) Hughes

BCSFA CGP OC RCA 1913 – 2007

### View from Malahat Drive

watercolour on paper, signed and dated 1971

20 x 24 in, 50.8 x 61 cm

#### PROVENANCE

Dominion Gallery, Montreal

Private Collection, Montreal

Douglas Udell Gallery, Vancouver, 2000

Acquired from the above by the present Private Collection,  
Vancouver

#### LITERATURE

*E.J. Hughes, 1931 – 1982: A Retrospective Exhibition*,

Surrey Art Gallery, 1983, listed page 101

Jacques Barbeau, *The E. J. Hughes Album, Volume 1*,

*The Paintings, 1932 – 1991*, 2011, the related 1972 oil

listed pages 60 and 96, catalogue #22

#### EXHIBITED

Surrey Art Gallery, *E.J. Hughes, 1931 – 1982: A Retrospective Exhibition*, November 18 – December 11, 1983, traveling in 1984 – 1985 to the Art Gallery of Greater Victoria; Edmonton Art Gallery; Glenbow Museum, Calgary; National Gallery of Canada, Ottawa; and Beaverbrook Art Gallery, Fredericton, catalogue #88

ON THE LABEL of one of his many paintings from the Malahat Drive, E.J. Hughes described the site as follows: “The portion of the Trans-Canada Highway, a few miles north of Victoria on Vancouver Island, which traverses the side of Malahat mountain, is known as Malahat Drive and from here a motorist has several spectacular views of Saanich Inlet.”<sup>1</sup> To find this particular view, Hughes parked next to the Dutch Latch restaurant (now known

as Moon Water Lodge). Just about a kilometre to the north is the turnoff for Shawnigan Lake Road, which led to his home.

In October of 1971, Hughes sent two watercolours, one of them *View from Malahat Drive*, to his exclusive dealer, the Dominion Gallery in Montreal, for which he was paid \$400. Along with the cheque, Max Stern had words of encouragement for the artist: “I was delighted with the quality of the paper which you are using. Both watercolours are very beautiful but I especially like the one entitled *View from Malahat Drive*.”<sup>2</sup> In a letter in response, Hughes explained: “The watercolour paper is Green’s Pasteless Board, 4 ply.”<sup>3</sup> This is the heaviest grade of 100 per cent cotton English watercolour paper.

Beyond the calm waters of Finlayson Arm, Hughes shows the Saanich Inlet. There, the Brentwood Bay ferry is making its way to the Saanich Peninsula beyond, and a tiny glimpse of the Coast Mountains on the mainland appears in the distance. From its treetop perch at the centre of the image, a single raven takes in the view.

We thank Robert Amos, artist and writer from Victoria, BC, for contributing the above essay. Amos is the official biographer of Hughes and has so far published five books on his work. Building on the archives of Hughes’s friend Pat Salmon, Amos is at work on a catalogue raisonné of the artist’s work.

1. Frame label written by Hughes for *Looking North Over Finlayson Arm*, oil on canvas, September 24, 1973. A copy of the label is in Special Collections, University of Victoria.

2. Max Stern to E.J. Hughes, October 16, 1971, Special Collections, University of Victoria.

3. E.J. Hughes to Max Stern, November 3, 1971, Special Collections, University of Victoria.

**ESTIMATE: \$25,000 – 35,000**



## 26 Edward John (E.J.) Hughes

BCSFA CGP OC RCA 1913 – 2007

### Junction of the Thompson and Nicola Rivers

acrylic on canvas, signed and dated 1986 and on verso signed, titled, dated, inscribed variously and stamped Dominion Gallery  
25 x 32 in, 63.5 x 81.3 cm

#### PROVENANCE

Dominion Gallery, Montreal  
Heffel Gallery Ltd., Vancouver, 1995  
Private Collection, Vancouver

#### LITERATURE

Pat Salmon, *From Sketches to Finished Works by E.J. Hughes*,  
Nanaimo Art Gallery, 1993, this work and the related 1963  
graphite drawing listed page 18  
Leslie Allan Dawn and Patricia Salmon, *E.J. Hughes: The Vast and  
Beautiful Interior*, Kamloops Art Gallery, 1994, reproduced  
page 28 and listed page 72, the related 1963 graphite drawing  
reproduced page 55 and listed page 70

Jacques Barbeau, *The E.J. Hughes Album, Volume 1, The Paintings,  
1932 – 1991*, 2011, reproduced page 82 and listed page 99,  
catalogue #309

Robert Amos, *E.J. Hughes Paints British Columbia*, 2019,  
reproduced page 88, the frame label and a photo of the  
artist holding the work reproduced page 89

#### EXHIBITED

Nanaimo Art Gallery, *From Sketches to Finished Works by E.J.  
Hughes*, 1993, this work and the related 1963 graphite drawing  
Kamloops Art Gallery, *E.J. Hughes: The Vast and Beautiful Interior*,  
September 22 – November 6, 1994, traveling in 1995 to the  
Grand Forks Art Gallery; Vernon Art Gallery; Art Gallery of the  
South Okanagan, Penticton; Kelowna Art Gallery; and Prince  
George Art Gallery, catalogue #39, the related 1963 graphite  
drawing catalogue #2

IN 1963, ARTIST E.J. Hughes was sponsored by the Canada  
Council to make one of his extensive sketching trips in the BC  
Interior. Before leaving, he wrote to his dealer, Max Stern: “I hope

to sketch the scenery around Cache Creek and Ashcroft and Lillooet, also the lake and ranchland scenery around Williams Lake.”<sup>1</sup> Looking back on this trip across the dry belt, accompanied by his wife, he later recalled: “With our new maroon Pontiac Acadian, I didn’t have so much walking to do. Fern enjoyed the trip, and was happy to remain alone in the motel. When she made friends with a chambermaid I was glad, as it gave her someone to talk to when I was away all day.”<sup>2</sup>

Cache Creek, a small town on the Trans-Canada Highway west of Kamloops, was the couple’s base for the first week. As Hughes wrote on a label for the back of this painting: “From there I drove out daily to sketch, in pencil, the surrounding scenery. South of Cache Creek, where the highway runs alongside the Thompson River, I came upon this view, and sketched it from beside the highway, writing in the colours.”<sup>3</sup> He parked his car a couple of kilometres north of Spence’s Bridge, and it seems likely that Hughes spent two days making the drawing and a third annotating it with the information he would later use to select the tones and colours for the painting.

At the site where he parked, the jade-green waters of the Thompson River merge with the earthy tones of the Nicola, khaki turning to beige. Where the waters meet, the surface is active with white ripples and the blue sky is reflected from above. In the middle distance, two iron bridges at different angles span the Nicola River. Closer to the viewer is the Canadian Pacific Railway bridge, and beyond it the bridge for Highway 8 from Lytton to Merritt.

The painting offered here was created 23 years after the artist visited the scene. On July 9, 1986, Hughes dispatched *Junction of the Thompson and Nicola Rivers* to his exclusive dealer, the Dominion Gallery in Montreal, for which he was paid \$10,000. The sense of place had been powerfully distilled in the ensuing years, and the strong and well-considered composition was brought to life with the patient application of resonant colours. For example, under the bridges are strong blue shadows. In the catalogue for the Nanaimo Art Gallery’s 1993 show *From Sketches to Finished Works*, Pat Salmon wrote: “The first things painted in this scene were the shadows cast by the bridges. Hughes painted them cerulean blue, which he obtained by mixing Prussian blue with cobalt. It was hard to believe that blues looking that bright could ever be shadows. Yet slowly, as he painted the warm greens around them, they took their place appropriately. Hughes observes: ‘I didn’t think it would work either, but just thought I’d trust my colour notes.’”<sup>4</sup>

There is a grand scale to this landscape, yet it is everywhere relieved with precise detail: eroded riverbanks, meandering roadways, telegraph poles and houses by the riverside. The steep, rocky hillsides fading into the distance are rendered with carefully graduated tones of green, and their sparse vegetation is a patchwork of growth, with thoughtful attention given to the spaces between the trees.

Though best known for his paintings of the Pacific coast, in this deeply satisfying work Hughes shows himself to be the foremost interpreter of what has been called “the vast and beautiful Interior.”<sup>5</sup>

We thank Robert Amos, artist and writer from Victoria, BC, for contributing the above essay. Amos is the official biographer of Hughes and has so far published five books on his work.



E.J. Hughes with *Junction of the Thompson and Nicola Rivers*, 1986  
Photo: Pat Salmon

Building on the archives of Hughes’s friend Pat Salmon, Amos is at work on a catalogue raisonné of the artist’s work.

1. E.J. Hughes to Max Stern, June 5, 1963, Special Collections, University of Victoria.
2. Quoted in Leslie Allan Dawn and Patricia Salmon, *E.J. Hughes: The Vast and Beautiful Interior* (Kamloops, BC: Kamloops Art Gallery, 1994), exhibition catalogue, 43.
3. From the frame label on verso.
4. Pat Salmon, *From Sketches to Finished Works by E.J. Hughes* (Nanaimo, BC: Nanaimo Art Gallery, 1993), exhibition catalogue, 18.
5. Jann L.M. Bailey, foreword to Dawn and Salmon, *Vast and Beautiful Interior*, 8.

**ESTIMATE: \$90,000 – 120,000**





## 27 Edward John (E.J.) Hughes

BCSFA CGP OC RCA 1913 – 2007

### Above the East Coast (The Farewell)

oil on canvas, signed, dated 1951 and inscribed  
*Copy from Sat. Eve. Post* and on verso signed,  
titled *The Farewell* on the gallery label, dated and  
inscribed *From the Saturday Evening Post illustration*  
and with the Dominion Gallery inventory #A6560  
on the gallery label and variously  
21 × 26 ½ in, 53.3 × 67.3 cm

#### PROVENANCE

Alex MacLean, uncle of the Artist, Nanaimo  
Dominion Gallery, Montreal  
*Canadian Art from the Estate of Dr. Max Stern,*  
Ritchie's Auctioneers, June 5, 2002, lot 63  
Jacques and Margaret Barbeau, Vancouver  
*Fine Canadian Art*, Heffel Fine Art Auction House,  
May 23, 2007, lot 113  
Private Collection  
Private Collection, Vancouver Island

#### LITERATURE

Jacques Barbeau, *A Journey with E.J. Hughes: One Collector's Odyssey*, 2005, reproduced page 108  
Jacques Barbeau, *The E. J. Hughes Album, Volume 1, The Paintings, 1932 – 1991*, 2011, reproduced page 13 and listed page 91, catalogue #35

*ABOVE THE EAST COAST (The Farewell)* is a rare work in E.J. Hughes's oeuvre. It was painted at the request of his uncle, Alex MacLean, who had financed Hughes's art school studies, as a replica of the cover of a 1951 issue of *The Saturday Evening Post*. In a letter to Max Stern at the Dominion Gallery early in 1974, Hughes wrote, "The subject is a view, looking down, of a square rigged ship, with a back view of a man in the foreground, looking down on the ship from a cliff top."<sup>1</sup>

The figure is more dramatic than any Hughes had ever put in a painting. The sailing ship, seen in a bird's-eye view far below, surges ahead under the power of no less than 16 sails, while seagulls glide in a rhythmic array above the vigorously painted waves. The perfectly controlled lines of the rigging on the ship must have presented a singular challenge to the artist. While the

scene is outside of Hughes's signature subject matter, his talent as a painter and draughtsman is prominent in this work, with the exquisitely rendered light across the waves, finely detailed ship and brilliant colour. The direct and generous paint application is characteristic of his work from this important 1950s era, and the dramatic palette of black, white and intense blue connects the piece to his early, iconic works of the period. The artist's great care in the painterly details is evident in the finished work.

Jacques and Margaret Barbeau, the artist's devoted patrons and astute collectors, purchased the painting in June 2002 and, in a letter to them, Hughes's assistant, Pat Salmon, explained how the painting came about:

Ed lived in North Vancouver with his grandfather and uncles who put him through art school. The three maternal uncles were Johnny, Alec [*sic*] and Murdoch MacLean. They all served in WWI, and Alex won a medal for bravery in battle ... It was Alec who was living in Nanaimo with Johnny and his Aunt Mamie, who [in 1951] sent Ed the copy of *The Saturday Evening Post* and requested Ed to do an oil for him. Ed didn't mind at all because they had supported him through his Vancouver Art School days.<sup>2</sup>

Hughes always called the painting *Above the East Coast*. When it was dispatched to Montreal on June 16, 1976, Stern gave it the new title *The Farewell*.<sup>3</sup>

We thank Robert Amos, artist and writer from Victoria, BC, for contributing the above essay. Amos is the official biographer of Hughes and has so far published five books on his work. Building on the archives of Hughes's friend Pat Salmon, Amos is at work on a catalogue raisonné of the artist's work.

Included with this lot is a copy of a letter from Pat Salmon to Jacques and Margaret Barbeau, regarding Hughes's maternal uncles.

1. E.J. Hughes to Max Stern, February 8, 1974, correspondence available at Special Collections, University of Victoria.
2. Pat Salmon to Jacques and Margaret Barbeau, June 2002.
3. Max Stern to E.J. Hughes, June 16, 1976.

**ESTIMATE: \$125,000 – 175,000**



*Illustration of a whale's interior as a starry space, with a red comet in the sky above.*

## 28 David Lloyd Blackwood

CPE CSGA CSPWC OSA RCA 1941–2022

### Fire Down on the Labrador

etching and aquatint on paper, signed, titled,  
editioned 30/50 and dated 1980  
31 ½ x 19 ¾ in, 80 x 50.2 cm

#### PROVENANCE

Acquired directly from the Artist by the present  
Private Collection, Ontario, circa 1980

#### LITERATURE

Patricia Grattan and Michael Burtch, *David Blackwood: Prints, 1962–1984*, Art Gallery, Memorial University of Newfoundland, 1985, reproduced and listed, unpaginated

William Gough, *The Art of David Blackwood*, 1988, reproduced front cover and in “Down on the Labrador” section as plate 4 and listed, unpaginated

William Gough, *David Blackwood, Master Printmaker*, 2001, reproduced page 108

Katharine Lochnan, editor, *Black Ice: David Blackwood Prints of Newfoundland*, Art Gallery of Ontario, 2011, reproduced front cover (detail), as frontispiece and page 199, preparatory works reproduced pages 190–198, all works listed page 205

#### EXHIBITED

Art Gallery, Memorial University of Newfoundland, St. John’s, *David Blackwood: Prints, 1962–1984*, traveling in 1984–1987 to the Art Gallery of Algoma, Sault Ste. Marie; Art Gallery of Nova Scotia, Halifax; Confederation Centre Art Gallery, Charlottetown; Robert McLaughlin Gallery, Oshawa; Canada House Cultural Centre Gallery, London, UK; Royal West of England Academy, Bristol; and other European and western Canadian venues, same image, catalogue #47

Blackwood Gallery, Erindale College, University of Toronto, Mississauga, *David Blackwood: Prints, 1980–1990*, traveling in 1993–1999 to over 25 venues nationally and to the Canadian Embassy, Tokyo, 1997, same image

Art Gallery of Ontario, Toronto, *Fire Down on the Labrador: The Creative Process*, 2002, same image

Art Gallery of Ontario, Toronto, *Black Ice: David Blackwood Prints of Newfoundland*, February 5–May 15, 2011, same image, catalogue #63–#71, including preparatory works and various proofs

*FIRE DOWN ON THE LABRADOR* is a work so well known, so beloved, it is altogether likely that more people know of this work than know of its title, or even the name of its creator. David Blackwood, in his more than 60-year career, created a sprawling, towering monument to his childhood home, the coastal community of Wesleyville, Newfoundland. He rendered it in paint, watercolour, sculpture, and here in his most renowned medium, copperplate etching.

While his technical virtuosity with etching and aquatint are on unequivocal display, it is also important to understand that Blackwood not only produced the copper plates from which his



**DAVID BLACKWOOD**  
**Fire Down on the Labrador**

graphite on paper, 1979  
11 ½ x 7 in, 30.2 x 17.8 cm  
Collection of the Edwin P. Taylor Library & Archives  
Gift of David and Anita Blackwood, 2008  
2008/310  
© Estate of David Blackwood. Photo: AGO

Not for sale with this lot

works were printed, he also inked and printed each impression himself. He likened the process to music: if the plate as it was etched was the sheet music, the inking and printing were its interpretation and performance. Some works with multiple colours have an element of hand-colouring after printing, but the colours of this particular work are entirely “in-plate,” with all colours applied to the plate. Close examination of his application of the fire’s red ink, for instance, sees it extend into the inky black of the night sky, resulting in an emanating glow that subtly varies from impression to impression.



detail

The whale shown is the bowhead whale. Its scientific name is *Balaena mysticetus*, which loosely translates to “mystical whale.” Bowhead whales live in some of the ocean’s coldest waters and are amongst the longest-living mammals on earth, some with lifespans of over 200 years. The whale’s presence overwhelms the composition, dwarfing the human figures engulfed in catastrophe. Fire at sea is the worst of all fates that can befall a ship under sail, but when viewed in relation to this ancient being, it is rendered a seemingly minuscule theatre of human tragedy.

When contextualized in this way, this work can be viewed as a *memento mori* or vanitas. This long and rich artistic genre is meant to instill an Ecclesiastical humility in the face of the fragility and brevity of human life, over which true control is always illusory. One may interpret Blackwood’s choices not only as allegorical, however, but also as elemental. A preparatory drawing for this work (in the collection of the Edwin P. Taylor Library & Archives, Art Gallery of Ontario) notes the inclusion of each of the four cardinal elements. Water’s inclusion is self-evident, as is fire’s. Less evident, however, is earth, manifested in the ship and its crew, and air, in the current of wind carrying smoke across the composition, a solitary seabird drifting at its tail. Although

Blackwood’s upbringing was Methodist, always present in his tone is the swirling elemental paganism of William Blake and his visionary manifestations of the natural world. Here, the mystical whale can be seen as a great grinning god of nature, silently separate from the fickle fates of humanity.

When asked, Blackwood himself was somewhat unsure as to why so many people gravitated to this image over his many compositions featuring whales, sailors, midwives, ships, and homes hauled across the water. One possible explanation might be found in that rare occurrence that can bestow itself upon exceptional artists at the pinnacle of their practice. As a means of comparison, each of the prints in Katsushika Hokusai’s series *Thirty-six Views of Mount Fuji* are exceptional, but it is *The Great Wave Off Kanagawa* that has captured the imagination of the world. There are rare times—sometimes singular instances—in a great artist’s life when they are graced with the capacity to express a profound resonance and to create an artwork that exists beyond intention.

**ESTIMATE: \$60,000 – 80,000**





## 29 Agatha (Gathie) Falk

BCSA OC 1928 –

### 30 Apples

glazed ceramic sculpture, 1969 – 1970

9 ½ x 9 ½ x 13 in, 24.1 x 24.1 x 33 cm

#### PROVENANCE

Acquired from the Artist by a Private Collection, Vancouver

Private Collection, Vancouver, 1970

Private Collection, Vancouver

#### LITERATURE

Sarah Milroy, *Gathie Falk: Revelations*, McMichael Canadian

Art Collection, 2022, a related work titled *14 Apples Glazed*  
reproduced page 51

IN HER 2018 memoir, significantly titled *Apples, etc.*, Gathie Falk recalled a conversation with her friend, the late art critic and curator Ann Rosenberg. Rosenberg had been looking at Falk's groundbreaking installation, *Home Environment*—which debuted in Vancouver in 1968 and which incorporated elements of the surreal, the absurd and the grotesque—and told her that her art was strong and accomplished but not beautiful. Falk took this observation as a challenge. “Beautiful,” she thought. “I’ll show you beautiful!” She immediately launched work on the series of lustrous ceramic sculptures informally known as her “fruit piles.” As with *Home Environment*, her influences at the time included Funk ceramics, Pop Art, and an impulse amongst avant-garde artists to erase boundaries, not only between disciplines but also between art and life. In the late 1960s, Falk was steering her creative practice towards career-defining projects in mixed-media installation, performance art and ceramic sculpture, each informing—and often interwoven with—the other.

The inspiration for the fruit piles was a pyramid-shaped display of apples Falk had seen in a corner grocery store near her home. As with so many of the forms and images she has spun out of her daily life, the pyramidal stack of apples charged her imagination with its potential for transformation into an arresting and evocative work of art. Throughout her career, she was also captivated by the power inherent in repeating an ordinary form—whether a boot, a cabbage or a kitchen chair—over and over again.

During three prolific years, from 1968 to 1970, Falk created some two dozen piles of life-size ceramic fruit, either apples, oranges or grapefruit. The title of each work was derived, deadpan fashion, from the number and nature of its components: *55 Oranges*, *14 Grapefruits* or *30 Apples*, the work on offer here. Falk threw each individual fruit on a potter's wheel and then subtly reshaped the hollow form by hand, creating natural-looking bulges, textures and indentations. Individually applied glazes,



alternate view

which in this work range in colour from bright cadmium red to sombre maroon, served to fuse the stacked pieces, creating a structural and metaphorical whole.

All the fruit piles marry the organic to the geometrical and the prosaic to the profoundly symbolic. The apple resonates deeply in Western culture and myth; for Falk, personally, apples are an important and enduring signifier of the life force. Still, the life-affirming nature of the apples at the top of her pyramidal pile is countered by the dark glazes and semi-collapsed fruit at the base, suggestive of rot and decay. Falk's folding of the cycle of life and death into a seemingly cheery representation of pleasure and sustenance accords with her long-standing interest in depicting opposites, such as light and shadow, presence and absence, mass and insubstantiality. With the large fruit piles, such as *196 Apples*, the overall pyramid shape bestows a sense of order and monumentality. With the more modestly scaled *30 Apples*, the arrangement suggests a domestic tableau of everyday abundance.

We thank Robin Laurence, an independent writer, critic and curator based in Vancouver, for contributing the above essay. For three decades, she was the visual arts critic for the *Georgia Straight* and has been a contributing editor of both *Border Crossings* and *Canadian Art*. Among her many books and exhibition catalogues, Laurence is the author of *Gathie Falk* and collaborated with Falk on *Apples, etc.: An Artist's Memoir*.

**ESTIMATE: \$50,000 – 70,000**





## 30 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

### Pawdawe

oil on canvas, signed and dated 1960 and on verso titled *Composition* and dated on the gallery label 39 ¾ x 50 in, 101 x 127 cm

#### PROVENANCE

Galerie Jacques Dubourg, Paris  
*Tableaux des XIX<sup>e</sup> et XX<sup>e</sup> siècles—Sculptures*, Ader Tajan,  
March 16, 1991, lot 71  
*Importants Tableaux XIX et Modernes*, Christian de Quay,  
Paris, June 9, 1994, lot 365  
A Prominent European Private Collection

#### LITERATURE

Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné*,  
*Volume 3, 1960–1965*, 2009, reproduced page 101,  
catalogue #1960.058H.1960

PAINTED IN 1960 at a pivotal moment in Jean Paul Riopelle's illustrious career, *Pawdawe* is a prime example of the artist's evolving mature style, demonstrating the influence of his relationship with the great American artist Joan Mitchell as well as his increasing longing for the landscapes and cultural reference points of North America.

Riopelle moved from Montreal to Paris in the aftermath of the Second World War and soon rose to international prominence. By 1954, his work had been featured in the *Younger European Painters* exhibition at the Guggenheim in New York, he had had his first solo show at the Pierre Matisse Gallery in New York, and he had represented Canada at the *Venice Biennale* together with his one-time mentor, Paul-Émile Borduas. Riopelle made his name with what came to be called mosaic paintings: monumental canvases covered in a thickly worked impasto in vivid colours, executed with a palette knife in quick, sharp strokes relying entirely on instinct. Riopelle's gestural style and fugue-like rhythms led several prominent American art critics to compare his work to that of the Abstract Expressionists, particularly Jackson Pollock.

Then, in 1955, Riopelle met the great American painter Joan Mitchell, who would become his partner for nearly 25 years. Their tumultuous relationship provided fertile ground for cross-pollination as both artists grappled, each in their own way, with the fundamental questions of abstraction. Riopelle had already begun to explore new territory in 1954 to 1955, interrogating the white field as both ground and plane to disrupt the habitual perception of spatial depth. In the late 1950s, Riopelle's experiments in gouache allowed him to play with opacity and fluidity, applying successive strokes of contrasting colours in

spontaneous calligraphy, unified by patches of white. The painter himself admitted that these works resembled Mitchell's own signature style in a letter he wrote to her during that period.<sup>1</sup> By 1960, Riopelle had created a new compositional architecture. Still within the repertoire of gestures permitted by the spatula and the palette knife, his familiar hatched fragmentations expanded into rectangles or fanned out into areas of saturated pigment. Fields of colour jostled against one another, and from these juxtapositions, forms began to emerge.<sup>2</sup>

*Pawdawe* perfectly encapsulates these emergent tendencies in Riopelle's practice. Lashes of pigment produced by rapid strokes of the palette knife have replaced the staccato rhythm of the mosaic tesserae. Fields of white, highlighted with gold, push into the foreground while areas of deep garnet red and black plunge the eye into depths, disrupting the picture plane and creating an undulating movement against striations of marine blue and forest green, the colours of landscape. The looser application of paint recalls Riopelle's works in gouache and brings him a step closer to Mitchell's broad sweeps and dashes, although Riopelle's dense impasto contrasts with Mitchell's openness and buoyancy. Both expression and palette suggest undercurrents of violence, which are given form by the painting's title.

*Pawdawe* refers to a traditional offshore whale hunt among the Shinnecock, historically Algonquian-speaking Native Americans located at the eastern end of Long Island, NY. In 1960, Riopelle spent more than a year in East Hampton, Long Island, where he executed numerous works with titles referencing the Indigenous peoples in the area. While the title *Pawdawe* hints at figuration, Riopelle often titled his works after they were completed, interpreting the results of his spontaneous gestures. The titles not only presented a possible reading of the paintings but also helped him to remember the context in which a work was painted. As Riopelle explained, "Even if you select a title that doesn't suit the picture perfectly, at least it leaves a trace, it's like a marker for your memory."<sup>3</sup>

1. Cited in Michel Martin, "Mitchell/Riopelle: Painting Bears Witness," in *Mitchell/Riopelle: Nothing in Moderation*, ed. Catherine Morency (Quebec City: MNBAQ; Toronto: Art Gallery of Ontario, in assoc. with 5 Continents, 2017), exhibition catalogue, 26.

2. Guy Robert, *Riopelle ou la poétique du geste* (Montreal: Éditions de l'Homme, 1970), 76.

3. Quoted in Andréanne Roy, "Riopelle and the Memory of Places: A Voyage to the Land of Titles," in *Riopelle: The Call of Northern Landscapes and Indigenous Cultures*, ed. Andréanne Roy, Jacques Des Rochers, and Yseult Riopelle (Montreal: Montreal Museum of Fine Arts, 2020), exhibition catalogue, 152.

**ESTIMATE: \$200,000 – 300,000**



### 31 Jean Paul Lemieux

CC QMG RCA 1904 – 1990

#### Femme en hiver

oil on canvas, signed and on verso signed and titled, circa 1973  
40 × 36 ¼ in, 101.6 × 92.1 cm

#### PROVENANCE

Guy Robert, Montreal  
Sigismund de Szalmassy and Lorette Provost,  
Quebec City  
Private Collection, Quebec City

“IN WINTER I paint snow, almost exclusively. In spring things green anew, on my canvas. Everything in my paintings is connected to some kind of memory.”<sup>1</sup> Thus Jean Paul Lemieux confided to his friend and biographer Guy Robert (poet, essayist, art critic), whose two lavishly illustrated books on Lemieux, published in 1968 and 1975, are considered seminal works. Lemieux’s reference to “some kind of memory” suggests he had long since given up *plein air* painting and working from live models. Henceforth he would stick to the confines of his studio, using the morning light to capture on white, wall-mounted canvases the stream of images that possessed him. Over the years a social microcosm of men, women and children took shape beneath his brush. He assigned them features, poses and apparel to anchor them in both the past and the present. Often they are staged before a landscape and gaze straight at the viewer. Other compositional planes plunge into the space, like experiences plunged into memory.

His models (who can now be thought of as mnemonics) can often be characters and backgrounds linked to earlier compositions. In just this way, *Femme en hiver* (Woman in Winter) seems somehow familiar. There is a sense of having seen similar subjects in Lemieux’s previous work: the white expanse of snow and dense, gloomy woods split in two by the path that leads to the far-off, lighted house; the sky in the darkness of twilight, weighed down with clouds that the stars strain to penetrate. We might on one level consider the converging blocks used by Lemieux to organize the pictorial space of *Les Noces de juin* (1972, Société Radio-Canada collection, Montreal) or *Le Manoir* (1973, private collection, sold by Heffel in November 2019).

On another level, we note that *Femme en hiver* is one of Lemieux’s celebrated series of nocturnes, along with *Orion* (1967, private collection) and *La nuit des rois* (1973, private collection,

sold by Heffel in November 2022). This was a theme he never tired of painting. The figure looking out at us too, for all the originality of her face, hair and clothes, belongs to a cast of characters Lemieux had been working out in his paintings since the late 1950s. She poses full face in the foreground, her expressive gaze urgently demanding our attention. Does she want us to step over into her world, walk with her to the end of the path, to the winter horizon there? Her face is lovely, the full, red lips radiating an ardent sensuality that delicately seeps into the coldness surrounding her.

Lemieux was fascinated by the notions of time and space. His settings of fictional characters are deeply felt and evoke in the viewer a nuanced, thoughtful response. Guy Robert, the first collector to acquire *Femme en hiver*, fittingly used the expression “poetics of remembrance” to describe the distinctive pictorial approach, with its back-and-forth explorations of the stages of Lemieux’s life as a person and as an artist. Two decades later, art historian Marie Carani talked about the “Lemieux effect”<sup>2</sup> to designate his ability to reach a wide audience with universal, human-centred, timeless visual statements inspired by the land’s northern spirit and the strength and fragility of its people.

We have dated this painting circa 1973, the year Robert worked closely with Lemieux on the National Film Board documentary *Tel qu’en Lemieux*. The prolific Robert was also at work on his second book on Lemieux, to be published under the title *Lemieux* in 1975. To our knowledge, *Femme en hiver*, held in two previous private collections to date, has never been publicly exhibited or reproduced. It was painted on the eve of the 1974 – 1975 monographic exhibition that traveled to Moscow, Leningrad, Prague and Paris—the high point of Lemieux’s renown in the Canadian art community.

We thank Michèle Grandbois, author of *Jean Paul Lemieux au Musée national des beaux-arts du Québec*, for contributing the above essay, translated from the French. This work will be included in Grandbois’s forthcoming catalogue raisonné of the artist’s work.

1. Quoted in Guy Robert, *Jean Paul Lemieux, ou la poésie de la souvenance* (Quebec City: Éditions Garneau, 1968), 125.

2. Marie Carani, *Jean Paul Lemieux* (Quebec City: Musée du Québec, in assoc. with Les Publications du Québec, 1992), exhibition catalogue, 235–63.

**ESTIMATE: \$100,000 – 150,000**



## 32 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

### Sans titre

oil on canvas, on verso inscribed *NK-450* and variously and stamped indistinctly, 1966  
25 3/8 x 18 1/8 in, 65.1 x 46 cm

#### PROVENANCE

Galerie Rambert, Paris  
Private Collection  
*Contemporary Art*, Christie's London,  
May 26, 1994, lot 35  
A Prominent European Private Collection

#### LITERATURE

Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné*,  
*Volume 4, 1966 – 1971*, 2014, reproduced page 121,  
catalogue #1966.067H.V1966

THE 1960S WERE an extremely productive and effervescent period in the career of Jean Paul Riopelle and a time when he received major national and international recognition. He represented Canada at the 1962 *Venice Biennale* and won the UNESCO Prize. He had three paintings included in the *Art Since 1950* exhibition at the Seattle World's Fair, and the National Gallery of Canada organized a major retrospective of his works, titled *Jean Paul Riopelle: Painting and Sculpture*, which then toured to the Montreal Museum of Fine Arts in 1963. During this time, he also committed to flexing his creative powers and working in a variety of other mediums, such as drawing, watercolour, printmaking and sculpture.

In 1966, Riopelle's artistic trajectory took a pivotal turn with the beginning of a significant collaboration with the esteemed gallerist and dealer Aimé Maeght. This collaboration propelled Riopelle into the echelons of distinguished artists represented by Maeght, a roster that included luminaries such as Alexander Calder, Wassily Kandinsky, Marc Chagall, Alberto Giacometti, and Francis Bacon. Riopelle's inaugural exhibition at the revered Galerie Maeght in Paris marked a seminal moment in his career, solidifying the artist's standing as a giant of twentieth-century modernism.

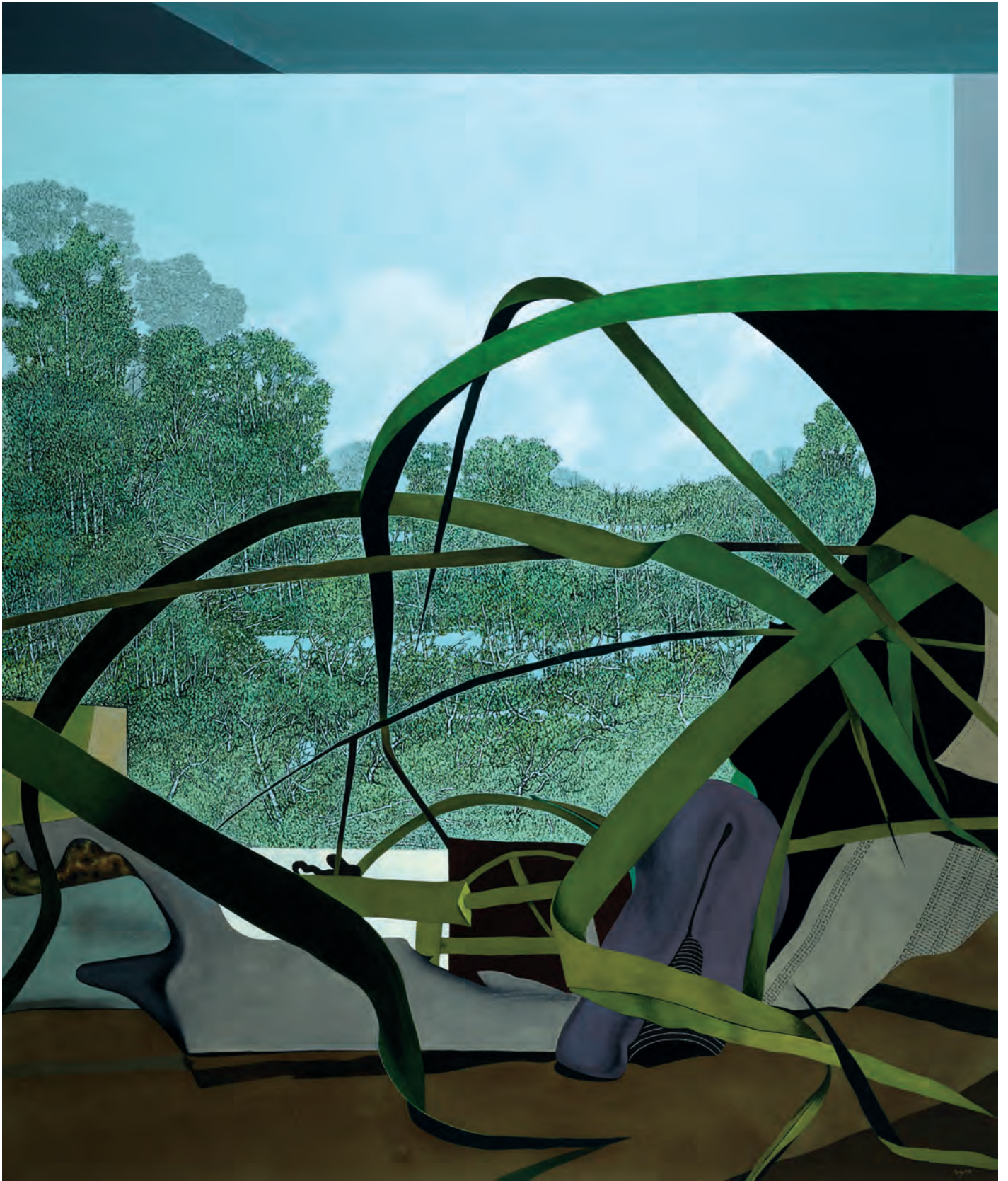
During this period, Riopelle's artistic expression underwent a notable evolution. Departing from the more structured "mosaic" compositions of the 1950s, he embraced a more spontaneous and liberated approach to painting, infusing his canvases with bold gestural abstraction. These works became dynamic spaces where colour, form and texture combined to generate a captivating symphony of movement and energy.



detail

An exemplary piece from this transformative period is *Sans titre* (1966). Here, Riopelle's mastery is evident as he deftly wields his palette knife to create vibrant, rainbow-hued swathes across the canvas. The juxtaposition of bright blues in the upper right corner draws the viewer's gaze. Meanwhile, the expansive swathe of white along the upper edge provides a sense of structure amidst the exuberant chaos. *Sans titre* commands attention, inviting viewers to immerse themselves in its captivating beauty and compelling them to revisit it time and again.

**ESTIMATE: \$90,000 – 120,000**



### 33 Ivan Kenneth Eyre

RCA 1935 – 2022

#### Winnetka

acrylic on canvas, signed and on verso titled, 1978

77 × 65 7/8 in, 195.6 × 167.6 cm

#### PROVENANCE

Acquired directly from the Artist by the present

Private Collection, Toronto, 1988

#### LITERATURE

Joan Murray, *Ivan Eyre: Exposition*, Robert McLaughlin Gallery, 1980, page 11

Ivan Eyre, *Ivan on Eyre: The Paintings*, Pavilion Gallery, 2004, page 10, discussed page 158, reproduced page 159

IVAN EYRE IS celebrated for his enigmatic and captivating paintings, which transcend conventional narrative confines. *Winnetka*, from 1978, is a superb example.

With a career spanning six decades, Eyre has had a profound influence on the Canadian art landscape with his distinctive style and philosophy. Eyre's artistic approach is characterized by spontaneity and intuition. As he once articulated, "I use subjects impulsively. I treat them in accordance with the needs in the painting, not to support a narrative." This sentiment encapsulates his departure from traditional storytelling in favour of a more intuitive exploration of form and composition. His work often features intriguing landscapes and figures, inviting viewers to immerse themselves in their own interpretations rather than adhere to a prescribed storyline.

Central to Eyre's artistic ethos is the notion of preserving a sense of mystery within his works. He believed that "something less than a full understanding of a work is desirable," as it perpetually engages the viewer's imagination. Embracing ambiguity, Eyre recognized that complete comprehension would diminish the allure of his art, emphasizing an ongoing dialogue between the artwork and its audience.

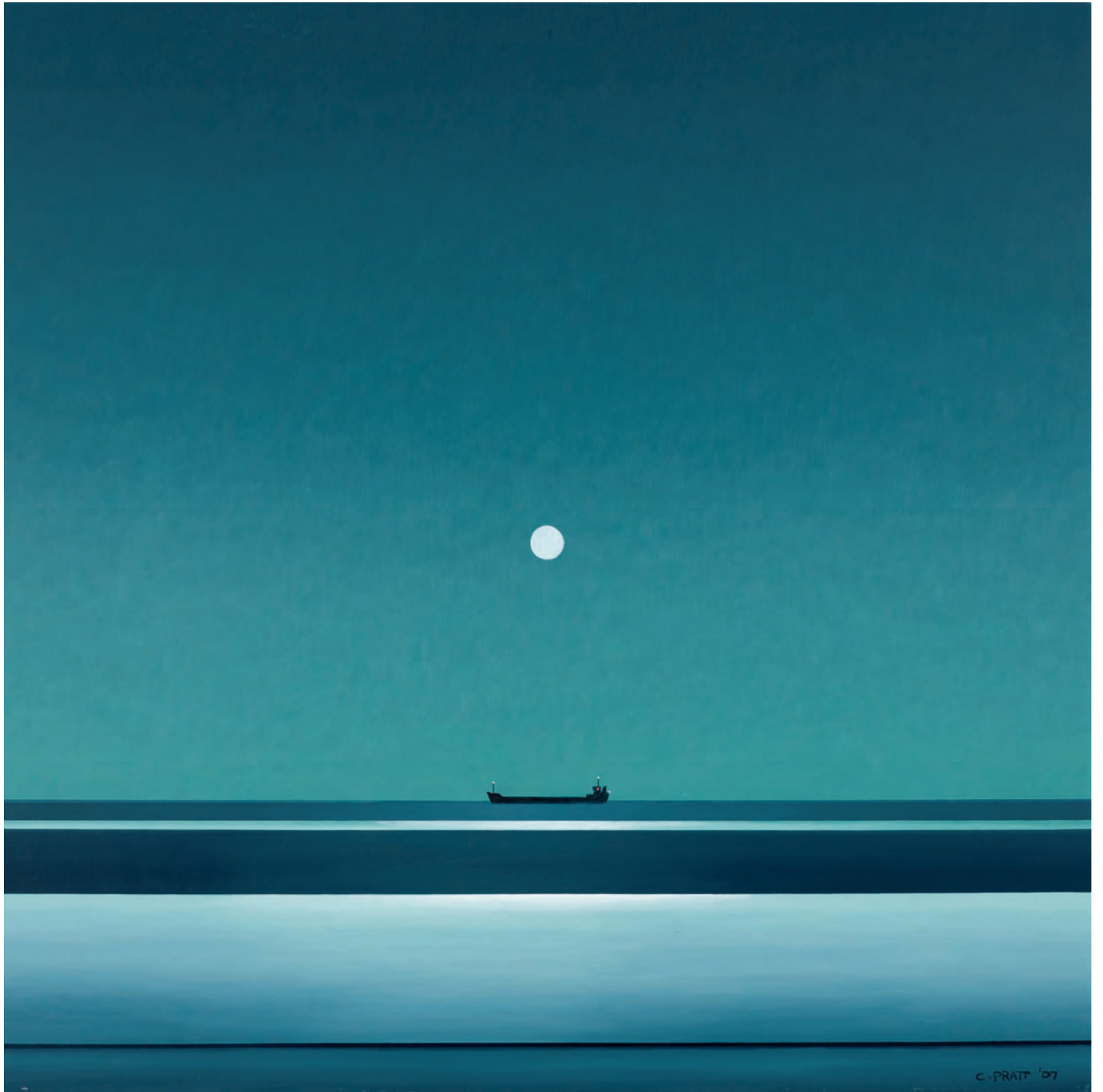
A notable aspect of Eyre's technique is his seamless integration of disparate elements within his compositions. As he remarked, "I invariably modify seemingly arbitrary or alien components so that they harmonize with the painting's form." This inclination to incorporate unexpected elements adds layers of complexity, beckoning viewers to explore the interplay between the familiar and the unfamiliar. Joan Murray aptly noted, "He often uses windows to give his compositions 'insides' and 'outsides.' ... A picture exists within a picture, and successive realities unfold." This convention is exemplified in works such as *Winnetka*, where Eyre's masterful balance of indoor and outdoor elements tantalizes viewers with its elusive classification and endless intrigue. Large-scale and immersive, the painting remains delicate and sensitive.



detail

By defying narrative conventions and embracing ambiguity, Eyre prompts us to confront our own perceptions and assumptions. As he eloquently expressed, "Some mystery should remain, compelling viewers back to the paintings ... possibly to reaffirm themselves." In fascinating works such as *Winnetka*, Eyre's art continues to captivate and inspire.

**ESTIMATE: \$80,000 – 100,000**





## 34 Christopher Pratt

ARCA CSGA OC 1935 – 2022

### Ice, Moon and Tanker

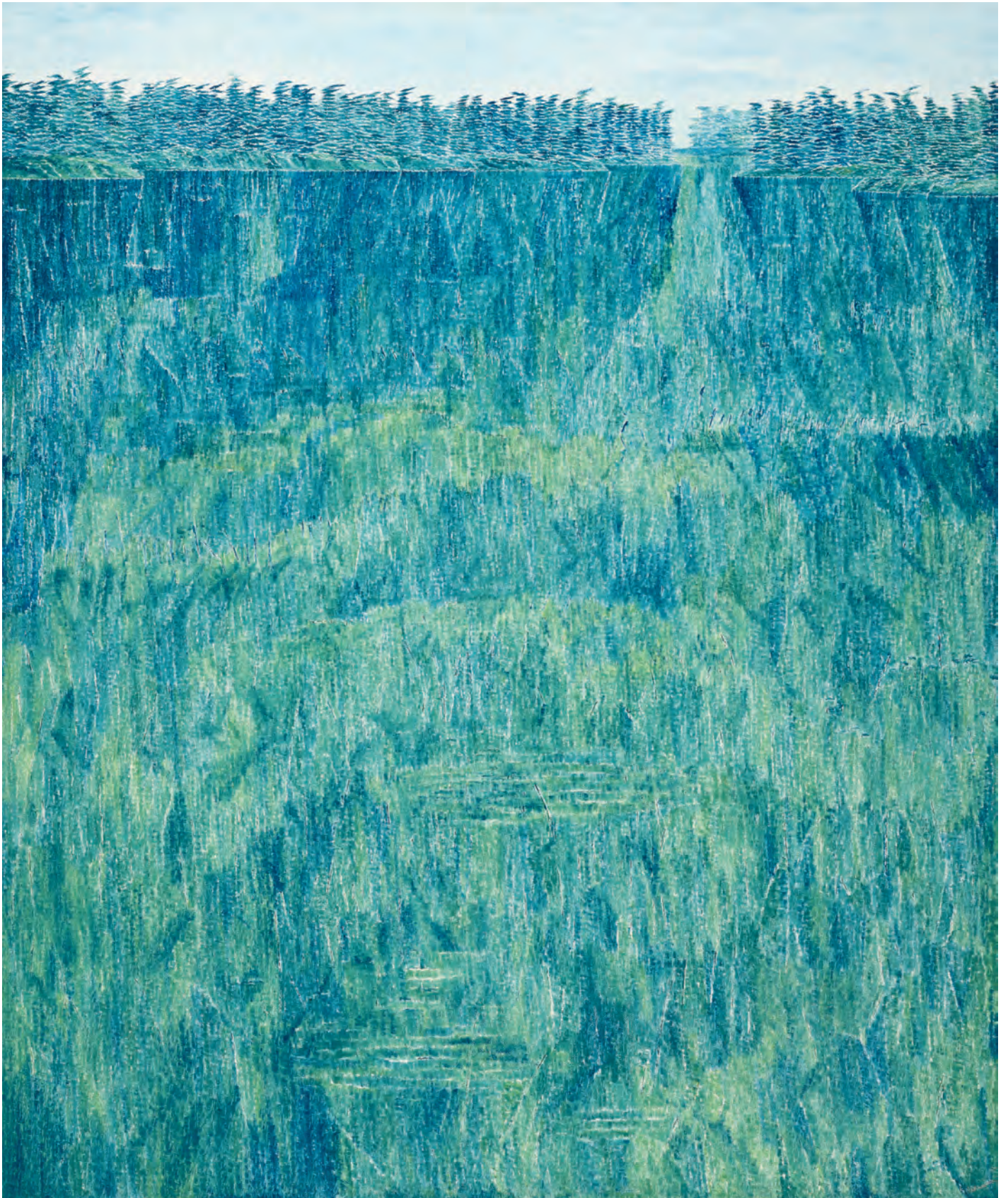
oil on board, signed and dated 2007  
and on verso signed, titled and dated  
21 x 21 in, 53.3 x 53.3 cm

#### PROVENANCE

Mira Godard Gallery, Toronto  
Private Collection, Vancouver  
*Canadian Post-War & Contemporary Art*, Heffel Fine Art  
Auction House, November 26, 2009, lot 48  
Private Collection, Toronto

CHRISTOPHER PRATT, ONE of Canada's most prominent painters and printmakers, often dealt with the themes of landscapes, architecture, waterscapes and boats. Here in *Ice, Moon and Tanker*, the massive modern tanker is a black slit in a vast pool of blue sea and sky. A perfect moon sits dead centre in this square-format painting, illuminating only the ice and water. The night sky is without a single cloud; instead we see a symphony of blue gradients, punctuated by the navigation lights of the tanker and the ever-quiet moon. Icons of maritime life, boats often symbolize a bygone way of life. The tanker in our painting has little to do with the hard-working fisherman's past of Newfoundland. Rather, it tells the story of modern shipping, faraway markets and a livelihood beyond the frame of our painting. The work is meticulously planned out and plotted, as is always the case with Pratt, and the overall mood is distant, yet serene and still. There is a quiet beauty to *Ice, Moon and Tanker*, a beauty that captivates the viewer and engages our attention amidst the rapid pace of our current world.

**ESTIMATE: \$60,000 – 80,000**



## 35 Kazuo Nakamura

CGP CSGA CSPWC P11 1926 – 2002

### Lake Landscape

oil on canvas, signed and dated 1963 and on verso signed, titled on the artist's label, dated and inscribed *Toronto 9*  
37 × 31 in, 94 × 78.7 cm

#### PROVENANCE

A Distinguished Private Collection, Ontario

#### LITERATURE

John G. Hatch, *Kazuo Nakamura: Life & Work*, Art Canada Institute, 2021, page 84

KAZUO NAKAMURA PRODUCED one of the most consistently original bodies of work of his generation. Constantly moving between abstraction and figuration, Nakamura's practice was informed by a lifelong quest to find meaning in the underlying order of nature, setting him apart from his contemporaries in the Painters Eleven group.

By 1960, Nakamura was at the height of his artistic career. It was during this period that he started to paint his iconic blue/green landscapes. He would continue to revisit this theme throughout the remainder of his career, even when his work moved away from figuration. Art historian John G. Hatch writes: "It is doubtful that Nakamura ever considered himself a landscape artist. He painted landscapes, but his purpose was never to represent the visible world. His goals were loftier. Every scene—whether tree, lake, mountain, or a mix—was an opportunity to experiment with a new way of seeing, to transcend the surface and find a new way to understand the structure that lay beneath."

*Lake Landscape* mesmerizes with its serene composition, inviting viewers into a world where the boundaries between reality and abstraction blur effortlessly. The lake's calm expanse is rendered in a palette dominated by shades of green and white, evoking a sense of harmony and tranquility. Nakamura's short, quick brushwork dances across the canvas, capturing the ephemeral quality of light as it caresses the surface of the water. The allure of Nakamura's *Lake Landscape* lies in its tranquil composition, with a compelling fusion of reality and abstraction that captivates the observer.

**ESTIMATE: \$30,000 – 50,000**



### 36 William Ronald

P11 RCA 1926 – 1998

#### Chinoisie

oil on board, signed and dated 1954  
and on verso titled and inscribed #547  
29 ½ x 48 in, 74.9 x 121.9 cm

#### PROVENANCE

Private Collection, Quebec  
*Canadian Post-War & Contemporary Art*, Heffel Fine Art  
Auction House, May 27, 2015, lot 47  
Private Collection, Vancouver

THIS YEAR MARKS the 70th anniversary of the first Painters Eleven exhibition, in 1954, and *Chinoisie*, from that same year, marks an important flashpoint in William Ronald’s career. Two years earlier, on the advice of his Painters Eleven mentor and colleague Jock Macdonald, Ronald went to New York to study with Hans Hofmann. Ronald’s exposure to the seriousness of analytical Cubism and Abstract Expressionism stirred in him a sense

of his own potential. Searching for a personal breakthrough, he worked tirelessly to develop a rhythmic language of curved calligraphic forms and skeins of interlocking paint, observed in this explosive work.

*Chinoisie* exemplifies this turning point in Ronald’s career, when he arrived at a vigorous style to suit his outsized personality and ambition. Spontaneous and sensuous, the black patterns dance over peachy and neutral tones. Ronald’s black-and-white paintings from this era draw parallels to the work of other giants of 1950s abstraction, notably Paul-Émile Borduas, despite predating his patchwork monochromes by two years. Ronald’s paint is also more zealously applied than in the tight cerebral spaces of his Québécois contemporary. More analogous would be the notorious Jackson Pollock, whose ropes of paint strewn across the canvas brought “action painting” into the lexicon. Harnessing the energy from this charged period, Ronald left Toronto in 1955 for New York City, where he flourished amidst the art world elite.

**ESTIMATE: \$50,000 – 70,000**



### 37 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

#### Sans titre

ink and watercolour on paper, signed and dated 1952 and on verso inscribed *M. Mathieu / BBT Claire / 4 avril and 28 mars*  
12 ½ x 16 ⅞ in, 31.8 x 41 cm

#### PROVENANCE

Private Estate, Montreal

#### LITERATURE

Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné, Volume 1, 1939 – 1953*, 1999, reproduced page 44 and listed page 419, catalogue #1952.023P.1952

EXECUTED IN 1952, this dazzling watercolour is a wonderful example of Jean Paul Riopelle's early 1950s period. Dabs of saturated cyan, cobalt, crimson, orange and brown cover the entire surface of the paper in a dense, grid-like composition. Over this kaleidoscopic background, Riopelle arranges a complex web-like

network of sharp, calligraphic black lines and dots. Although his 1950s works are frequently referred to as "mosaics," *Sans titre* perhaps also recalls French Gothic stained-glass windows, with their characteristic palette of Chartres blue and vivid red, and black lead strips outlining individual pieces of coloured glass.

Although Riopelle was only 29 years of age at the time of its production, *Sans titre* is a remarkably confident work. The pictorial surface is expressive and dynamic, inviting our eye to dance across it. The artist's vigorous energy and the inspiration brought by the bustle of life in Paris, where he had established himself four years prior, are palpable. At the time, he kept company with fellow artists such as Alberto Giacometti, Georges Mathieu, Zao Wou-Ki and Jacques Germain. Shortly after, in 1953, he joined Galerie Pierre Loeb in Paris and the Pierre Matisse Gallery in New York. *Sans titre* is an outstanding watercolour, with a vivid colour palette and compelling composition, representative of the effervescent period during which it was created.

ESTIMATE: \$30,000 – 50,000

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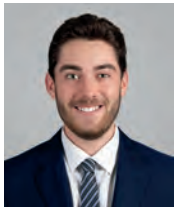


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- d) The Auction House shall have absolute discretion in settling any dispute in determining the successful bidder;
- e) The Buyer acknowledges that invoices generated during the sale or shortly after may not be error free, and therefore are subject to review;
- f) Every Registered Bidder shall be deemed to act as principal unless the Auction House has acknowledged in writing at least two (2) business days 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) In order to become a Registered Bidder, the registration process shall be completed in full, and the required information shall be provided 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. Those interested in bidding in the live auction via telephone bid, absentee bid or through the Digital Saleroom shall register at least two (2) business days in advance of the auction. For online auctions, a password will be created for use only in current and future online auctions. This online registration procedure does not allow for participation in the live auction and may require up to two (2) business days 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) 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) If prospective Buyers are unable to personally attend the live auction, telephone bid, or bid in the Digital Saleroom, 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 two (2) business days 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 in the live auction, if appropriately instructed by telephone or through Heffel's Digital Sale-room, 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 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.
14. In the event of any discrepancy or conflict between the English and French versions of these *Terms and Conditions of Business*, the English version will prevail.

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.6.

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

## 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](http://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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EXPIRY DATE

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SIGNATURE

DATE

#### DIGITAL COMMUNICATION CONSENT

The Client agrees to receive e-mails and SMS notifications from Heffel.

## 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 \_\_\_\_\_

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9 \_\_\_\_\_

### Artists of Particular Interest in Selling

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9 \_\_\_\_\_

## ABSENTEE BID FORM

Heffel recommends submitting your Absentee Bid Form via e-mail to bids@heffel.com for expedited service. Should you wish to participate in French, please complete the French version of this form.

**If you are bidding as a corporation (and not as an individual), please provide the Registered Business Name and Address of the corporation.**

SALE DATE

BILLING NAME **OR** REGISTERED BUSINESS NAME (AS APPLICABLE)

DATE OF BIRTH (IF BIDDING AS AN INDIVIDUAL)

ADDRESS **OR** REGISTERED BUSINESS ADDRESS (AS APPLICABLE)

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.

SIGNATURE DATE

DATE RECEIVED (FOR OFFICE USE ONLY)

CONFIRMED (FOR OFFICE USE ONLY)

### DIGITAL COMMUNICATION CONSENT

The Client agrees to receive e-mails and SMS notifications from Heffel.

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

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

1

2

3

4

5

6

To be sure that bids will be accepted and delivery of the Lot(s) is/are not delayed, bidders not yet known to Heffel must supply a bank reference letter at least two (2) business days before the time of the auction. All Absentee Bidders must supply a valid Visa, Mastercard or UnionPay number, expiry date and CVV number.

NAME OF BANK BRANCH LOCATION

NAME OF ACCOUNT OFFICER TELEPHONE

E-MAIL ADDRESS OF ACCOUNT OFFICER

CREDIT CARD NUMBER

EXPIRY DATE CVV NUMBER

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 two (2) business days before the sale begins. Heffel will confirm by telephone or e-mail all bids received. If you have not received our confirmation within two (2) business days, 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  
bids@heffel.com · www.heffel.com

## TELEPHONE BID FORM

Heffel recommends submitting your Telephone Bid Form via e-mail to bids@heffel.com for expedited service. Should you wish to participate in French, please complete the French version of this form.

**If you are bidding as a corporation (and not as an individual), please provide the Registered Business Name and Address of the corporation.**

SALE DATE

BILLING NAME **OR** REGISTERED BUSINESS NAME (AS APPLICABLE)

DATE OF BIRTH (IF BIDDING AS AN INDIVIDUAL)

ADDRESS **OR** REGISTERED BUSINESS ADDRESS (AS APPLICABLE)

CITY PROVINCE/STATE, COUNTRY

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SIGNATURE DATE

DATE RECEIVED (FOR OFFICE USE ONLY)

CONFIRMED (FOR OFFICE USE ONLY)

### DIGITAL COMMUNICATION CONSENT

The Client agrees to receive e-mails and SMS notifications from Heffel.

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

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

1

2

3

4

5

6

To be sure that bids will be accepted and delivery of the Lot(s) is/are not delayed, bidders not yet known to Heffel must supply a bank reference letter at least two (2) business days before the time of the auction. All Telephone Bidders must supply a valid Visa, Mastercard or UnionPay number, expiry date and cvv number.

NAME OF BANK BRANCH LOCATION

NAME OF ACCOUNT OFFICER TELEPHONE

E-MAIL ADDRESS OF ACCOUNT OFFICER

CREDIT CARD NUMBER

EXPIRY DATE CVV NUMBER

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, Telephone/Absentee Bids should be received at least two (2) business days before the sale begins. Heffel will confirm by telephone or e-mail all bids received. If you have not received our confirmation within two (2) business days, 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  
bids@heffel.com · www.heffel.com

# DIGITAL SALEROOM REGISTRATION FORM

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If you are bidding as a corporation (and not as an individual), please provide the Registered Business Name and Address of the corporation.

Live Auction Paddle # (for office use only) \_\_\_\_\_

SALE DATE \_\_\_\_\_

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PLEASE PRINT

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FAX

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DATE OF BIRTH (APPLICABLE WHEN BIDDING AS AN INDIVIDUAL)

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If my bid is successful, the purchase price shall be the Hammer Price plus a Buyer's Premium 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 and acknowledge that all successful bids are subject to the *Terms and Conditions of Business* as printed in the Heffel catalogues.

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DATE

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EXPIRY DATE

VISA, MASTERCARD OR UNIONPAY #

EXPIRY DATE AND CVV NUMBER

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BRANCH

ADDRESS OF BANK

NAME OF ACCOUNT OFFICER

TELEPHONE

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Heffel recommends submitting shipping authorization and payment by logging in at [heffel.com](http://heffel.com) for expedited service. Alternatively, please sign and return this form via e-mail to [shipping@heffel.com](mailto:shipping@heffel.com) or via fax to 1-888-685-6505. Please contact the Shipping Department at 1-888-818-6505 for questions.

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### 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)

### 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)

#### PACKING METHOD

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

*Heffel's insurance does not cover Fedex shipments with glass.  
Framed works will be shipped without glass.*

### 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

## PROPERTY INFORMATION

### Lot Number

in numerical order

### Property Description

artist / title

1

2

3

## 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.

## 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

## 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

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## 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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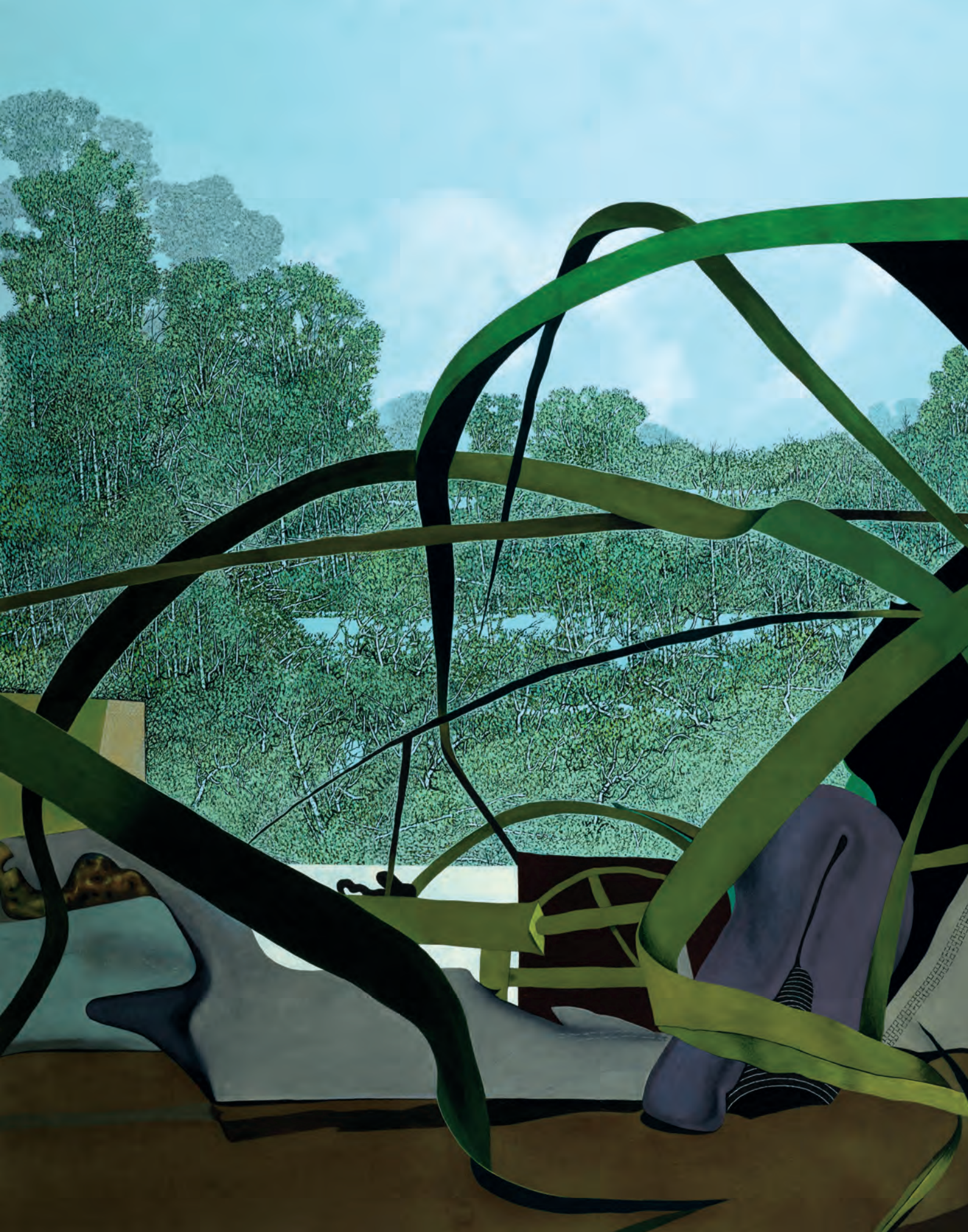
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