



FINE  
ART  
AUCTION  
HOUSE

**Heffel**

**POST-WAR &  
CONTEMPORARY ART**

**SALE** WEDNESDAY, NOVEMBER 22, 2017 · 4 PM · TORONTO





# **POST-WAR & CONTEMPORARY ART**

## **AUCTION**

**Wednesday, November 22, 2017**

**4 PM Post-War & Contemporary Art**

**7 PM Fine Canadian Art**

Design Exchange

The Historic Trading Floor (2nd floor)

234 Bay Street, Toronto

Located within TD Centre

## **PREVIEWS**

**Heffel Gallery, Vancouver**

2247 Granville Street

Saturday, October 28 through

Tuesday, October 31, 11 am to 6 pm

**Galerie Heffel, Montreal**

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Wednesday, November 8 through

Saturday, November 11, 11 am to 6 pm

**Design Exchange, Toronto**

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

Located within TD Centre

Saturday, November 18 through

Tuesday, November 21, 10 am to 6 pm

Wednesday, November 22, 10 am to noon

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# PREVIEW AND AUCTION LOCATION



## Auction and Preview Location

**DESIGN EXCHANGE** 

Preview: The Exhibition Hall (3rd floor)

Auction: The Historic Trading Floor (2nd floor)

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

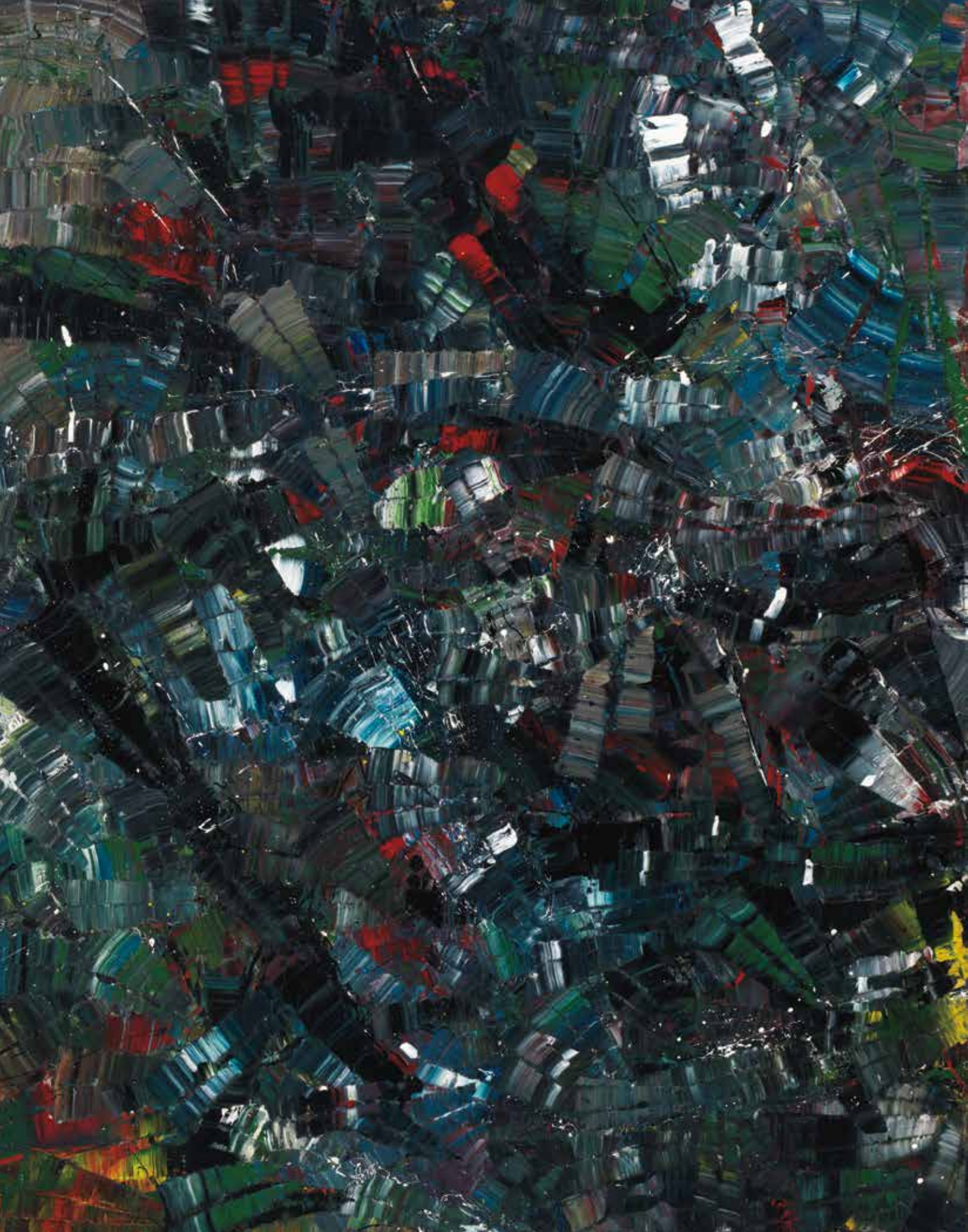
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**SALE** WEDNESDAY, NOVEMBER 22, 2017 · 4 PM · TORONTO

**POST-WAR &  
CONTEMPORARY  
ART**  
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1 **Jean Albert McEwen**

AANFM RCA 1923 – 1999

**Verticale traversant l'orange**

oil on canvas, on verso signed, dated 1964  
and inscribed indistinctly  
20 x 18 in, 50.8 x 45.7 cm

**PROVENANCE**

Acquired directly from the Artist  
By descent to the present Private Collection, Montreal

THIS PAINTING AND lot 2 in this sale were acquired directly from the artist by his doctor, who would have had his choice of the best works from the studio. *Verticale traversant l'orange* is a jewel—its surface aglow with the light and warmth of gold and brilliant orange. It is a fine example of Jean McEwen's mastery as a colourist and his keen awareness of the relationship of colour to two-dimensional space. The central vertical line bisects a

swirling colour field, whose tendrils of orange and gold curl over the line. McEwen has created a dynamic tension in which the two halves are defined by the line, yet these two fields threaten to engulf it and become one. McEwen layers his paint and these layers breathe through each other, giving depth and dynamism to the colour fields, which move like clouds. The use of bright hues over dark creates an incandescent surface that is pushed forward by the mysterious backdrop, exhibiting McEwen's acute sensitivity to colour and space.

**ESTIMATE: \$30,000 – 50,000**





## 2 Jean Albert McEwen

AANFM RCA 1923 – 1999

### Miroir sans image #17

oil on canvas, on verso signed, titled and dated 1971  
20 x 20 in, 50.8 x 50.8 cm

#### PROVENANCE

Acquired directly from the Artist  
By descent to the present Private Collection, Montreal

#### LITERATURE

Constance Naubert-Riser, *Jean McEwen: Colour in Depth*,  
Montreal Museum of Fine Arts, 1987, page 48, a similar  
1971 work entitled *Le milieu éclairant—Miroir sans image*  
reproduced page 101

REGARDING JEAN MCEWEN'S *Miroir sans image* (Imageless  
Mirror) series from 1971, Constance Naubert-Riser wrote that

McEwen was painting “with the kind of chromatic abundance to be found in the work of Titian and Rembrandt. The dark, sumptuous quality of the deep reds, greens and browns, together with the use of varnish, imbues the colour of this series with a hitherto unattained depth.” McEwen used a painted frame to accentuate the depth of the central “mirror,” anchoring the work at the four corners with yellow squares. Within the central amorphous abstracted colour field, luminous red pigment flickers like fiery smoke over dark depths. As McEwen’s title makes clear, this is a mirror that does not reflect anything from the outside—it is about painting itself, plastic and sensuous. However, McEwen’s titles were poetic in nature, thus his colour “smoke” could activate our imagination in unexpected ways.

This painting and lot 1 in this sale were acquired directly from the artist by his doctor. The two were good friends and enjoyed dinner parties together.

**ESTIMATE: \$30,000 – 40,000**



### 3 Jean-Philippe Dallaire

QMG 1916 – 1965

#### Abstract

oil on board, signed and on verso signed, titled on the gallery label, inscribed *Ottawa, Can.* and stamped Dominion Gallery, circa 1954  
11 1/8 x 8 1/4 in, 28.3 x 21 cm

#### PROVENANCE

Dominion Gallery, Montreal  
Sold, Pinney's Auctions, December 1987, lot S129  
Private Collection, Montreal

**ESTIMATE: \$14,000 – 18,000**





#### 4 Alfred Pellán

CAS OC PY QMG RCA 1906 – 1988

##### Atlantide

oil and ink on card on board, signed and on verso signed, titled, inscribed *19 bis ave. Victor Hugo, Boulogne-sur-Seine* and stamped Pellán and Dominion Gallery, circa 1960  
8 ¾ x 7 ¼ in, 21.3 x 18.4 cm

##### PROVENANCE

Collection of Dr. Georges E. Cartier, Montreal  
Dominion Gallery, Montreal  
Private Collection, Montreal

##### LITERATURE

Bill Bantey, editor, *Pellán*, Musée du Québec, 1972, listed page 92

##### EXHIBITED

Musée du Québec, Quebec City, *Pellán*, September 7 – October 8, 1972, traveling in 1972 – 1973 to the Montreal Museum of Fine Arts and the National Gallery of Canada, Ottawa, catalogue #63

ESTIMATE: \$12,000 – 16,000



## 5 Gordon Appelbe Smith

BCSFA CGP CPE OC RCA 1919 –

### Summer Bouquet

oil on canvas, signed and on verso  
titled partially on a label, circa 1962  
24 x 30 in, 61 x 76.2 cm

#### PROVENANCE

Private Collection, Vancouver

IN THE EARLY 1960s, Gordon Smith produced a group of works focused on a central cluster of biomorphic shapes that floated on dark colour-field backgrounds. His abstract shapes suggest vegetative forms, further reinforced by his choice of titles for these works (when he did give them titles), such as *Night Garden* or *Blue Still Life*. Memories from Smith's 1951 trip to San Francisco

may have been surfacing in these works, in particular from the Arshile Gorky retrospective he saw there, which included the painter's hybrid plant and internal-organ shapes. In *Summer Bouquet*, Smith fluidly slides between recognizable forms and abstraction, always driving his work to evolve, but never entirely leaving behind his subject. This painting is bold, painterly and richly coloured, and through the use of expressionist brushwork, it radiates a vibrant, electrical energy. Smith's use of bright white in the central form gives the impression of a beam of light striking, contrasting with the dark background. In this stunning canvas, Smith's focus on the qualities of paint itself and his fluid abstraction of his considered objects make him eloquently modernist.

**ESTIMATE: \$25,000 – 35,000**





## 6 Gordon Appelbe Smith

BCSFA CGP CPE OC RCA 1919 –

### Winter

oil on canvas, signed and on verso titled, dated circa 1960 on a label and inscribed *W.A. Picture Loan and \$175.00*  
24 x 30 in, 61 x 76.2 cm

#### PROVENANCE

Private Collection, Vancouver  
Sold sale of *Western Canadian Modernists*, Heffel Fine  
Art Auction House, June 25, 2009, lot 411  
Private Collection, Vancouver

THE LATE 1950S and early 1960S were a time of solid accomplishment for Gordon Smith. In 1959 he won the Baxter Prize from the Ontario Society of Artists, and in 1960 he was chosen to

represent Canada at the *Bienal de São Paulo*. Also in this eventful year, a Canada Council fellowship enabled him to take a sabbatical from his teaching at the University of British Columbia to paint and travel to New York, England and Europe.

No matter what degree of abstraction is present in Smith's work, landscape is the point of departure. In *Winter*, Smith paints an abstracted urban scene with a strip of buildings on the horizon, and areas of blue for the sky and water. Buildings are suggested by outlines of fluid black lines. The colours of the buildings seep down as if they are reflections in the ocean into softly modulated planes of colour, which are predominantly blue and grey. Smith contrasts the more intense colours of the structures against the subtle and reflective atmospheres of sky and water in this lyrical work, evocatively transforming a specific locality into abstraction to emphasize colour, mood and light.

**ESTIMATE: \$25,000 – 35,000**



## 7 Takao Tanabe

oc 1926 –

### Inside Passage 16/88: Dawn in Fraser Reach

acrylic on canvas, signed and on verso

signed, titled and dated 1988

46 x 73 in, 116.8 x 185.4 cm

#### PROVENANCE

Mira Godard Gallery, Toronto

Dominion Gallery, Montreal

Private Collection, Montreal

#### LITERATURE

Ian M. Thom et al., *Takao Tanabe*, Vancouver Art Gallery, 2005, essay by Jeffrey Spalding, pages 133 and 134

Tanabe's work has made a mark and takes its place among that by distinguished British Columbia artists such as Emily Carr, B.C. Binning, E.J. Hughes, Jack Shadbolt and Bill Reid. He pays respectful honour to predecessors who made a poignant impact upon the collective perception of the extraordinary spiritual qualities of his region. His works express a tender empathy with First Nations culture, relish splendid natural beauty and live in accord with the ever-present powerful forces of weather.

—JEFFREY SPALDING

FRASER REACH IS a section of Princess Royal Channel on the northern British Columbia coast. In this striking view, Takao Tanabe anchors both sides of his painting with dark and mysterious mountains, whose tree-clad flanks plunge into the deep channel of water. This large and impressive painting is more colourful than many of his coastal landscapes—dawn suffuses the sky with colour and tints the expanse of the channel, and a blue sky promises a day filled with light. Tanabe's contemplative vision and his realist yet stylized expression of the wild coastal landscape in this radiant work make it extraordinary.

ESTIMATE: \$70,000 – 90,000





## 8 Takao Tanabe

OC 1926 –

### South Moresby 84-2, Deluge Point

acrylic on canvas, signed and on verso signed, titled and dated 1984 on a label and inscribed *Errington*  
26 x 96 in, 66 x 243.8 cm

#### PROVENANCE

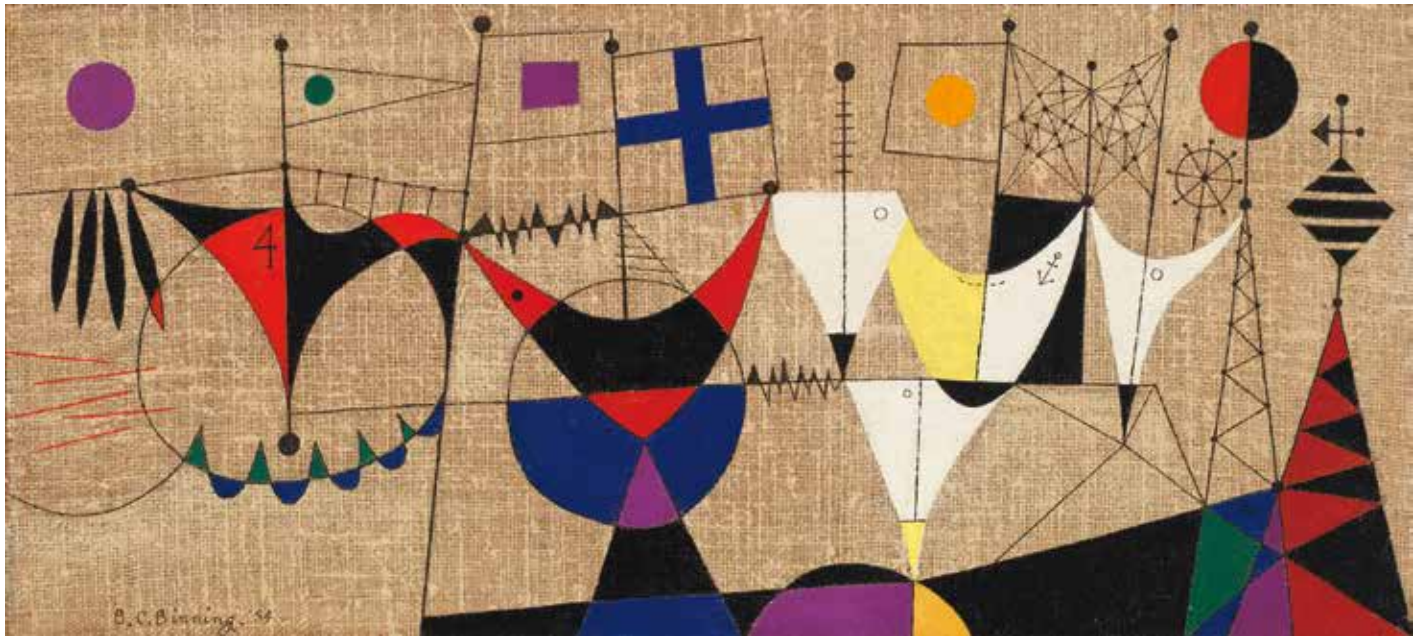
Mira Godard Gallery, Toronto  
Mayberry Fine Art, Toronto  
Private Collection, Toronto

#### LITERATURE

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

TAKAO TANABE'S MOVE to Vancouver Island in 1980 changed the course of his work. Previously, while teaching in Banff, he produced minimalist, stained depictions of prairie landscapes, but on returning to British Columbia (he was born in Prince Rupert), he began to paint exquisitely atmospheric panoramas of the West Coast in a reductive realist style. South Moresby Island is a jewel in the Haida Gwaii protected wilderness archipelago, and Tanabe depicts it emerging through layers of clouds and surrounded by a gently lapping ocean. Tanabe records the particular geography of his view—at Deluge Point, where weather constantly changes, from wild rainstorms to the more Zen-like atmosphere of mist and cloud that we see here. Tanabe's long, horizontal expanse of ocean is seen from the point of view of a boat and makes the viewer feel immersed in the scene. One can almost feel the gentle lift of the waves and the soft, vaporous air. It is no wonder that this West Coast landscape master has been called “the Turner of the Queen Charlottes.”

**ESTIMATE: \$60,000 – 80,000**





## 9 Bertram Charles (B.C.) Binning

BCSFA CGP CSGA OC RAIC RCA 1909 – 1976

### Gay Regatta with Purple Sun (Second Version)

oil on burlap on board, signed and dated 1954

and on verso titled on the artist's label

13 ½ x 30 in, 34.3 x 76.2 cm

#### PROVENANCE

Private Collection, Toronto

#### LITERATURE

Nicholas Tuele, *B.C. Binning, A Classical Spirit*, Art Gallery of Greater Victoria, 1986, unpaginated

B.C. BINNING WAS a central figure in the West Coast modernist scene. As well as being an important artist who exhibited internationally, he was an influential educator who encouraged an open-minded approach to learning. He contributed much to the University of British Columbia, first teaching at the School of Architecture and later founding the Department of Fine Arts. He promoted the growth of a student-led art collection, developed the UBC Fine Arts Gallery, organized the multimedia Festival of Contemporary Arts, and invited prominent figures in the arts such as modernist architect Frank Neutra to speak to his students.

While doing all this, he produced a remarkable body of work that included drawings, paintings and public mural installations. Binning's expansive viewpoint formed early in his life—he studied in England with sculptor Henry Moore, then traveled through Europe, visiting museums and viewing both art and architecture. His work shows the influence of such European artists as Joan Miró and Paul Klee. He traveled in 1939 to New York, where he saw the modernist exhibition *Art in Our Time*, which showcased the work of European artists such as Pablo Picasso, Georges Braque and Paul Cézanne, along with prominent modernist architects.

Binning's vision was international, but he drew his inspiration and imagery from his own experience of West Coast life. His home was close to the ocean in West Vancouver, and he spent his summers exploring the coast in his sailboat the *Skookumchuck*. He stated: "The life around these little coves and inlets, that I love so much were the scenes of all kinds of little comedies and things that made one smile... In the summer time, these little boats look[ed] so spry and joyful." He continued, "It would seem to me that it had to be interpreted with some sort of 'joie de vivre.'" Regattas would have been particularly appealing to the artist, with their variety of craft with unique detailing in jaunty array across the water. Binning took the nautical motifs he observed, such as flags, buoys, signals and rigging, and placed them on abstracted backgrounds. *Gay Regatta with Purple Sun (Second Version)* is an outstanding work from this sought-after part of his oeuvre. Binning's interest in Fauvist colour is reflected in the vibrant, saturated palette in this work; as well as coastal blues and greens, he included colours not derived from the landscape—hot red, vibrant yellow and rich purple. The burlap background provides an interesting textural surface, contrasting to the smoothly painted forms.

This striking work reflects the two sides of Binning's artistic nature. He stated, "I once said that the business of serious joy should be one of the main occupations of the artist. I do like joy... I do like order. I think my work plays between two sides of me: there is a certain joy and fun—perhaps even wit—but this seems to vacillate every now and then between another extreme of plain coolness which I call a classic sense." In *Gay Regatta with Purple Sun (Second Version)*, his forms bob and dance buoyantly, but he has carefully balanced his composition, with a keen awareness of how the forms interact across the flat surface. Binning's unique and graceful sense of line delights the eye, as does his masterful balance between the playful and the formal.

**ESTIMATE: \$60,000 – 80,000**



## 10 Bertram Charles (B.C.) Binning

BCSFA CGP CSGA OC RAIC RCA 1909 – 1976

### Black Sun & Sea Symbols

oil on board, signed and dated 1951 and on verso  
titled and inscribed \$40 on the artist's label  
6 ½ x 18 in, 16.5 x 45.7 cm

#### PROVENANCE

Acquired directly from the Artist in 1951  
by a Private Collection, Vancouver  
Sold sale of *Canadian Post-War & Contemporary Art*, Heffel  
Fine Art Auction House, November 19, 2008, lot 5  
Masters Gallery Ltd., Vancouver  
Private Collection, Toronto

#### LITERATURE

Abraham J. Rogatnick et al., editors, *B.C. Binning*, 2006,  
essay by Ian M. Thom, page 132

IN *BLACK SUN & SEA SYMBOLS*, we see a shift starting to take place in B.C. Binning's work. Although the title indicates sea symbols, he is moving away from the nautical motifs we see in *Gay Regatta with Purple Sun (Second Version)*, lot 9 in this sale, into a realm of pure geometric form and a more sober formalism. As Ian Thom wrote, "The impulse to abstraction, 'the idea of form, space, colour, texture,' led a willingness to explore considerable degrees of abstraction on Binning's part." This led to his abstract geometrical Piet Mondrian-like paintings of the mid-1950s and the simplified, abstracted landscape-based paintings of the 1960s.

In this graphic work, Binning's colour palette is not naturalistic, reinforcing the abstract nature of the shapes. His background of fluid black lines over creamy white creates the illusion of a field in motion, pushing his shapes forward to hover at the front of the painting plane. His modernist approach creates an image of balance, elegance, order and completeness, a world that defines itself.

**ESTIMATE: \$25,000 – 35,000**





## 11 Alexander Colville

PC CC 1920 – 2013

### Building in Amherst

ink and acrylic on paper on board, signed and dated 1967  
and on verso signed, titled, dated and inscribed 10  
9 x 18 in, 22.9 x 45.7 cm

#### PROVENANCE

Kestnergesellschaft, Hanover, Germany  
Marlborough Fine Art Limited, London  
Marlborough-Godard, Toronto  
Zwicker's Gallery, Halifax  
Private Collection, Toronto

#### EXHIBITED

Kestnergesellschaft, Hanover, *Alex Colville*, 1969, catalogue #24

ALEX COLVILLE WAS born in 1920 in Toronto, but moved with his family to Amherst, Nova Scotia, in 1929. While there, Colville contracted pneumonia and almost died. During his six months of isolation while recovering, he began to read and draw extensively. This placed him on the path to ultimately becoming an internationally renowned artist, reflected in the provenance of this work, which includes German and English art galleries. Colville is known for executing drawings in successive stages from rough to finished, in preparation for his paintings. *Building in Amherst* is a finely polished work; particularly pleasing to the eye is his attention to shading in the building's facade. Typical of Colville's approach, site lines are carefully considered, contributing to the sense of symmetry. Colville's imagery often contains an element that has psychological resonance. Here it is the stop sign, which compels us to pause and look carefully at the meticulously detailed façade, and perhaps to consider that it was in Amherst where Colville stepped out of the normal stream of life for a time, turned inward, and began to be an artist.

ESTIMATE: \$20,000 – 30,000

## PROPERTY OF THE COLLECTION OF MICHAEL AND ELIZABETH BRAIN

MICHAEL BRAIN, a hematologist, and Elizabeth Brain, a family physician, were medical graduates of Oxford University. After qualifying as a physician and spending two years of National Service as a junior specialist in medicine in the Royal Army Medical Corps at hospitals in Singapore and Malaysia, Michael went to London to train in hematology at the Royal Postgraduate Medical School. His discovery of the cause of an anemia with red blood cell fragmentation (microangiopathic hemolytic anemia) led to his being awarded the Oxford DM, a research fellowship spent at Johns Hopkins Hospital in Baltimore, and to his appointment as the first clinical hematologist at the Hammersmith Hospital and Royal Postgraduate Medical School.

The Brains came to Canada in 1969 with their three small children, Michael having been appointed to the Faculty of Health Sciences at the new medical school at McMaster University in Hamilton. Elizabeth also joined the McMaster medical program, as coordinator and medical editor of Learning Resources, which supported the delivery of undergraduate medical and other health science programs.

In 1994, they moved to Calgary to be near their two daughters and their children. At that time, Michael became an honorary research professor in the Department of Biochemistry and Molecular Biology at the Cummings School of Medicine at the University of Calgary, a position he still holds.

Michael's family included well-known medical professionals, such as his maternal great-grandfather, Dr. John Langdon Down, who specialized in the diagnosis and care of the mentally handicapped. He published the original description of Down's syndrome. Michael's father Dr. Russell Brain (later Lord Brain) was a distinguished neurologist and wrote the definitive textbook *Brain's Diseases of the Nervous System*. Russell became president of the Royal College of Physicians, and to commemorate his term, the college commissioned Sir Jacob Epstein to sculpt a bronze bust of him. Russell was already an art collector, and among the works in his possession were nineteenth-century Japanese prints and William Blake prints. While in Epstein's studio he admired a bust of Marchesa Casati, which is offered as lot 19 in this auction. This environment of art stimulated Michael's interest in art at a young age.

Michael and Elizabeth Brain's interest turned to Canadian art when Michael was given a Harold Town print as an honorarium for contributing to a medical meeting. Around that time Ron Moore opened the Moore Gallery in Hamilton and introduced Michael to many modern paintings, by artists such as members of Painters Eleven. There he and Elizabeth met numerous artists, including Town, Rita Letendre and Joyce Wieland, and subsequently built a collection, which has given them great pleasure.



**SIR JACOB EPSTEIN**

**Dr. Russell Brain**

bronze sculpture

Collection of Michael and Elizabeth Brain

Not for sale with this lot



## 12 Rita Letendre

AANFM ARCA OC QMG 1928 –

### The Subterranean

oil on canvas, signed and dated 1961  
and on verso signed, titled and dated  
36 x 42 in, 91.4 x 106.7 cm

#### PROVENANCE

Moore Gallery, Hamilton  
Collection of Michael and Elizabeth Brain, Calgary

#### LITERATURE

Sandra Paikowsky, *Rita Letendre: The Montréal Years /  
Les années montréalaises, 1953 - 1963*, Concordia Art  
Gallery, 1989, reproduced page 43

#### EXHIBITED

Concordia Art Gallery, Montreal, *Rita Letendre:  
The Montréal Years / Les années montréalaises,  
1953 - 1963*, October 19 - November 18, 1989,  
catalogue #26

A POWERFUL PAINTING rendered with astonishing texture, Rita Letendre's *The Subterranean* captures the artist's mastery of the Automatist touch. Executed in 1961, this oil on canvas embodies an important and dynamic time in the artist's career, professionally and stylistically. At that time she started dedicating herself entirely to painting and began moving away from her narrow, mosaic-like compositions to favour broader and more instinctive planes of colour. Using a reduced but intense colour palette, here she applies her paint in thick, lavish impastos. She covers the canvas with a rich variety of brushwork, establishing the painting's complex internal structure and sense of dynamism. In the centre, thickly brushed chunks of earthy tones melt into each other, bordered by dark slabs that hover above and below. Expressive daubs of cerulean blue and white thrust forward. Slightly off-centre, a delicate stroke of lilac seems to lift from the background. Intensely gestural and unrestrained, *The Subterranean* reveals an artist in complete control of her medium, with an acute sense of movement and rhythm.

**ESTIMATE: \$30,000 – 40,000**





### 13 Harold Barling Town

CGP CPE CSGA OC OSA P11 RCA 1924 – 1990

#### The Centre Held

oil and Lucite 44 on board, signed and dated 1959 – 1960 and on verso signed, titled and dated

36 x 36 in, 91.4 x 91.4 cm

#### PROVENANCE

Collection of Michael and Elizabeth Brain, Calgary

#### LITERATURE

David Burnett, *Town*, Art Gallery of Ontario, 1986, page 32

BEGINNING IN 1953, Painters Eleven brought abstraction to the forefront of the Toronto scene. Harold Town was a dynamic figure within this group, known for his eclectic approach that incorporated contemporary and historical styles. As David

Burnett wrote in Town's 1986 Art Gallery of Ontario retrospective catalogue, "Throughout his career, his work has been a complex generation and interweaving of ideas, memories, reactions and techniques reflecting the circumstances of his time and place." There is a sense of this in the complexity of *The Centre Held*, which suggests figuration yet is built of abstract planes, and which brings us up to the surface in the white-based panels to the right and left, yet creates spatial depths in the centre. Town shows what he has taken from Abstract Expressionism by wielding his brush passionately and expressively. He has created a layered image with an exceptionally rich, textured surface inscribed with shapes and lines. Seizing our attention in the middle, the figure-like form, with its contrasting sections of hot and cool colours, creates an emotional presence. Crackling with vitality, *The Centre Held* is an exceptional work from the Painters Eleven period.

ESTIMATE: \$30,000 – 40,000



## 14 Michael James Aleck Snow

OC RCA 1929 –

### Around Red

mixed media canvas collage on board,  
on verso signed, titled and dated 1956  
36 in diameter, 91.4 cm diameter

#### PROVENANCE

Collection of Michael and Elizabeth Brain, Calgary

#### LITERATURE

Robert Enright, “The Lord of Missed Rules: An Interview with Michael Snow,” *Border Crossings*, no. 102, May 2007

BORN IN TORONTO and known internationally, Michael Snow is a ground-breaking Renaissance man who works in many media—photography, film, music, sculpture, installation and painting. Snow commented on how his awareness and art-making shifted

between mediums, stating, “My paintings are done by a filmmaker, sculpture by a musician, films by a painter, music by a sculptor.” From 1954 to 1956, Snow worked with collages and explored abstraction; he described these works as “de Kooning-esque in some ways although more realistic.” By the late 1950s, he evolved to pure abstraction for a number of years. In *Around Red*, we can still recognize suggestions of objects, such as chair forms, swirling out of brilliant colour fields and rolling around the circular format. Snow collages canvas on canvas, making his painting a fluid, shifting assemblage of images. He plays with the tension between the two-dimensional surface and illusory space with a free and sure hand. *Around Red* is a rare painting from this early period of Snow’s work.

The dimension including the frame made by the artist is 39 <sup>3</sup>/<sub>4</sub> inches in diameter.

**ESTIMATE: \$30,000 – 40,000**



**15 Marcelle Ferron**

AANFM AUTO CAS QMG RCA SAAVQ SAPQ 1924 – 2001

**Sans titre**

oil on canvas, signed and dated 1973

14 x 18 in, 35.6 x 45.7 cm

**PROVENANCE**

Collection of Michael and Elizabeth Brain, Calgary

**ESTIMATE: \$9,000 – 12,000**



**16 Harold Barling Town**

CGP CPE CSGA OC OSA P11 RCA 1924 – 1990

**The Pirate Lantern**

oil and Lucite 44 on board, on verso

signed, titled *The Pirate Latern* [sic],

dated 1956 and inscribed variously

24 x 24 in, 61 x 61 cm

**PROVENANCE**

Drabinsky Gallery, Toronto

Collection of Michael and Elizabeth Brain, Calgary

**ESTIMATE: \$9,000 – 12,000**







**17 Jean Albert McEwen**

AANFM RCA 1923 – 1999

**Paysage mâché**

oil on canvas, signed and dated 1989  
and on verso signed, titled and dated  
14 x 18 in, 35.6 x 45.7 cm

**PROVENANCE**

Collection of Michael and Elizabeth Brain, Calgary

**ESTIMATE: \$6,000 – 8,000**



**18 Léon Bellefleur**

AANFM CAS PY QMG 1910 – 2007

**Combustion**

oil on canvas, signed and dated 1988  
and on verso signed, titled and dated  
24 x 20 in, 61 x 50.8 cm

**PROVENANCE**

Moore Gallery, Hamilton  
Collection of Michael and Elizabeth Brain, Calgary

**ESTIMATE: \$7,000 – 9,000**



## 19 Sir Jacob Epstein

1880 – 1959 British

### Marchesa Casati

bronze sculpture, circa 1918

11 ½ x 13 ¾ x 10 in, 29.2 x 34.9 x 25.4 cm

#### PROVENANCE

Collection of Dr. Russell Brain, United Kingdom  
By descent to Michael and Elizabeth Brain, Calgary

#### LITERATURE

Jacob Epstein, *Let There Be Sculpture: The Autobiography of Jacob Epstein*, 1942, page 87

Evelyn Silber, *The Sculpture of Epstein*, 1986,  
reproduced page 144, catalogue #95

MARCHESA CASATI WAS an Italian heiress, muse to the Italian Futurists and a patroness of the arts in the early twentieth century. She was a femme fatale whose eccentricities intrigued European society. Known for her sense of fashion, she was an inspiration for modern designers such as John Galliano and Alexander McQueen. Her home in Venice (where her parties were legendary) is now the location of the Peggy Guggenheim Collection.

Sir Jacob Epstein met Casati at a luncheon given by English sculptor Clare Sheridan. Intrigued by her striking appearance, he asked Casati to sit for him. He described the experience as follows: “We began the sittings and her Medusa-like head kept me busy until nightfall... The winter light had failed and I had many candles brought in. They formed a circle round my weird sitter with the fire in the grate piled high to give more light. The tireless Marchesa, with her over-large blood-veined eyes, sat with a basilisk stare.” In this compelling sculpture, Epstein has adeptly captured the larger-than-life personality of Casati.

Please note: this work is from an edition of 8 and is mounted to a base measuring 3 x 5 ½ x 5 inches.

**ESTIMATE: \$12,000 – 16,000**



#### AUGUSTUS EDWIN JOHN

##### The Marchesa Casati

oil on canvas, 1919

38 x 27 in, 96.5 x 68.6 cm

Collection of the Art Gallery of Ontario, 2164

Not for sale with this lot



## PROPERTY OF VARIOUS COLLECTORS

### 20 Jack Hamilton Bush

ARCA CGP CSGA CSPWC OSA P11 1909 – 1977

#### Winged Totem

acrylic on canvas, on verso signed, titled, dated December 1973, inscribed *Toronto* and *Acrylic Polymer W.B.* and stamped with the André Emmerich Gallery stamp  
88 x 47 ½ in, 223.5 x 120.6 cm

#### PROVENANCE

Collection of the Artist  
David Mirvish Gallery, Toronto, 1974  
Estate of the Artist, Toronto  
André Emmerich Gallery, New York, 1981  
Grace Borgenicht Gallery, New York, 1988  
Private Collection

#### LITERATURE

*Jack Bush: Paintings 1965 – 1976*, André Emmerich Gallery, 1984, unpaginated, reproduced  
David Moos, editor, *The Shape of Colour: Excursions in Colour Field Art, 1950 – 2005*, Art Gallery of Ontario, 2005, essay by Mark A. Cheetham, pages 32 – 35  
Roald Nasgaard, *Abstract Painting in Canada*, Art Gallery of Nova Scotia, 2007, page 120  
Marc Mayer and Sarah Stanners, *Jack Bush*, National Gallery of Canada, 2014

#### EXHIBITED

David Mirvish Gallery, Toronto, *Jack Bush: Recent Paintings*, 1974  
André Emmerich Gallery, New York, *Jack Bush: Paintings 1965 – 1976*, 1984, catalogue #15  
MacLaren Art Centre, Barrie, *The Collectors*, September – December 1995

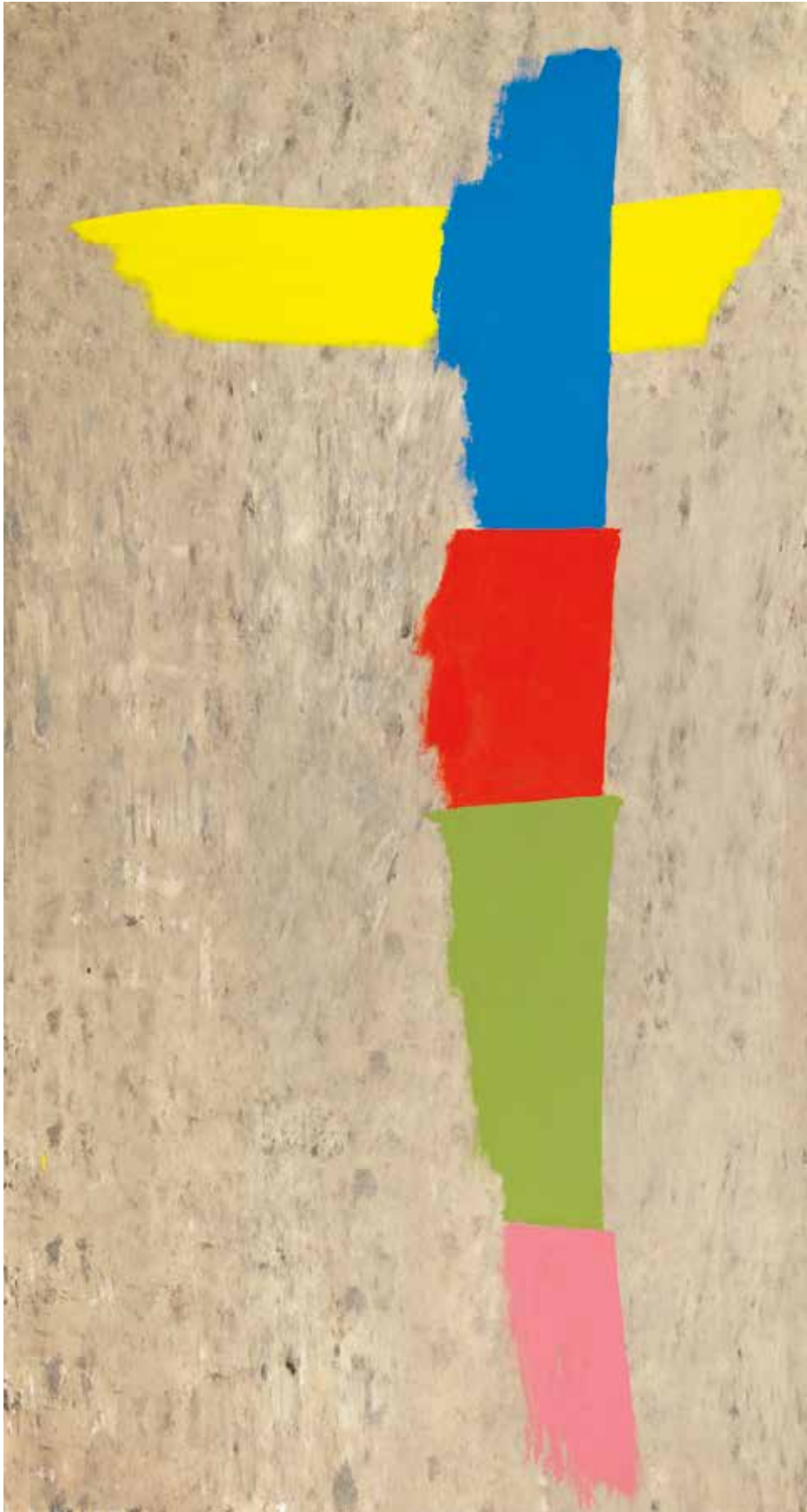
JACK BUSH WAS one of the most gifted abstract painters anywhere in the 1960s and 1970s, when abstraction was unquestionably the prestigious and competitive art form internationally. As Marc Mayer, director of the National Gallery of Canada, has suggested in the 2014 catalogue for the recent *Jack Bush* retrospective, Bush's trajectory was typical of many artists from Ontario, which makes his international achievement surprising. He worked successfully as a commercial illustrator in Toronto for much of his life. He was influenced by—and then departed

from—the landscapes of the Group of Seven. In the 1950s, he was pivotal in another important collective, Painters Eleven. He paid close attention to European abstract art and became an important confrere of the Americans whose approach to painting critic Clement Greenberg dubbed post-painterly abstraction, including Morris Louis and Kenneth Noland. As Sarah Stanners establishes in *Jack Bush*, contemporary British painting and sculpture was also crucially important to Bush.

Despite his affinities with progressive American painting in the 1960s and 1970s, Bush was never a conventional abstractionist nor one to adhere to a program. He continually experimented through a number of painting series. His colour sense was unique. He once observed that in group exhibitions, his work always looked different—it had personality. As he stated, “There it was: not like everybody else’s. The difference was Bush, and I just couldn’t get rid of it... fortunately.” Bush articulated the language of abstraction with a Canadian accent. The irony of this claim is worth pondering.

His painting is usually taken to be the epitome of a Greenbergian, High Modernist preoccupation with those “formal” qualities that are purportedly unique to painting: flatness, surface extension, colour and form. This theory of the purity of abstraction—its purposeful, rigorous and ameliorative departure from the everyday world into a realm of absolutes where nationality makes no difference—also has a happily hedonistic dimension. In Marc Mayer’s view, Bush’s works are laudable because they are “pictures of nothing.” We are implored simply to look at and enjoy the beauty of these formal manipulations. But is there more to Bush’s paintings? A keenly pleasurable work such as *Winged Totem* offers both an example of the pleasures of the formalist approach and a test case for its premises.

Bush began his *Totems* in 1973 to 1974. These large and visually exciting paintings typically deploy one or two linear arrays of coloured forms composed in an unpredictable sequence. One edge of these shapes is usually “hard,” cleanly defined, while the other is torn and feathers off into the expansive ground. Some *Totem* paintings are horizontal, but the definitive format is vertical, as in *Winged Totem*. Because of our own corporeal verticality perhaps, we read the totem form as upright and floating in an indeterminate space. The bottom pink form is not grounded in any way; in fact, its lower edge is the most frayed of any in the picture. From bottom to top, Bush adds to this a green, red, blue and finally an intersecting yellow form. Each is boldly saturated and—in contrast to the soft and thinly painted ground—apparently





Man standing beside Kwakwaka'wakw totem pole outside of a longhouse, Alert Bay, BC  
silver gelatin print, circa 1915

*Photo: City of Vancouver Archives, AM1376: CVA 102-02*



solid. This vertical band is placed to the right of the centre of the canvas, which gives room for the all-important yellow swatch to dominate the top of the image and to define its horizontal plane.

It is the addition of this vibrant yellow lateral form in *Winged Totem* that reveals Bush's experimentation with the languages of abstraction here. He plays knowingly with figure and ground and also with what "totem" might imply for viewers. If we read the five colour forms as lying flat to the image surface, as doctrinaire formalism might require, we would see the yellow "wing" that protrudes behind the blue form as shorter on the right than on the left. Looking for a narrative, which Bush would reject as a proper response, we might think that this wing or arm is broken. But at the same time, this yellow form does not sit flat to the surface as the other four colours do. We can also see its right wing as foreshortened, suggesting that the pole is turned in three-dimensional space. The image is flat and not flat at once.

Bush's titles are usually laconic and not necessarily referential. In a strictly formalist context, they would be off bounds as a key to interpretation. But "totem" is by definition a potent concept. Prominent artists have used this cipher—American abstract sculptor David Smith created *Family Totem* in 1951. Constantin Brancusi's signature columnar sculptures are totemic. For Bush the Canadian, Emily Carr's *Totem in the Forest* of 1931, and many other cognate works, such as *The Crazy Stair (The Crooked Staircase)*, would be hard to ignore. Most significant in such a chain of associations are Indigenous carved totems, whether ancient or modern. Derived from the Anishinaabe word for clan, *doodem*, in English, "totem" connotes a sacred being or object. Like the play with two- and three-dimensional space in *Winged Totem*, then, the associations of "totem" flicker across this work.

*Winged Totem* is compelling as paint on canvas—it establishes its own world. It also expands in many directions, raising what we could call aesthetic questions that are not so much in the work as triggered by it. For example, Bush made a clear distinction between fine art and his work as a commercial illustrator. Regrettably, given his talent in both realms, he discarded most of his nine-to-five projects (apparently to make room in his house for other work). We are left to wonder to what extent we might want to bring these practices into contact. How too should we understand the combination of Bush's extensive first-hand knowledge of avant-garde British and American mid-century abstraction with his explicit choice to work in Toronto for his entire career? Is the "Canadian accent" particular to his work important, or is abstraction a universal language after all?

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

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

**ESTIMATE: \$250,000 – 350,000**



**EMILY CARR**

**The Crazy Stair (The Crooked Staircase)**

oil on canvas, circa 1928 – 1930

43 ¾ x 26 in, 110.2 x 66 cm

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

November 28, 2013, lot 130

Collection of the Audain Art Museum, Whistler

Not for sale with this lot



## 21 Jack Hamilton Bush

ARCA CGP CSGA CSPWC OSA P11 1909 – 1977

### Still

acrylic on canvas, on verso signed, titled, dated May 1971 and inscribed *Acrylic Polymer* and *To Martha, with Love, Jack*  
48 ½ x 78 ¼ in, 123.2 x 198.8 cm

#### PROVENANCE

A gift from the Artist to Martha Baer, 1972  
André Emmerich Gallery, New York, 1979  
Acquired from the above by the present Private Collection,  
Toronto, December 20, 1979

#### LITERATURE

Karen Wilkin, editor, *Jack Bush*, 1964, essay by Barry Hale,  
interview by Wendy Brunelle, pages 57 and 198

#### EXHIBITED

Montreal Museum of Fine Arts, 2016 – 2017

LIKE THE FORMS in this painting, Jack Bush's career was soaring in the 1970s. He was part of an international elite of colour-field painters at a time when that style was broadly seen as the most advanced type of painting. His first solo show in New York City, the acknowledged centre of the art world after World War II, had been in 1962, a decade in the past. He had been working with the André Emmerich Gallery since 1966, when art critic Clement Greenberg had recommended Bush to the urbane and influential New York art dealer.

*Still* exudes a playful confidence. Anything but “still” in the sense of stationary, the unexpected pairings of colours and the movement of the forms that they describe against a pinkish, rolled-on ground suggest the perpetual dynamism of the painting's elements. The mottled ground itself is not uniform; it contains both intensities and diminutions of saturation. Characteristic of Bush's work at this time, too, there is significant energy around the edges of the pink form as it attaches to but floats free of the physical canvas we see around the perimeter. The rivulets of paint along the bottom edge, for example, seem like a nod in the direction of Bush's counterparts in post-painterly abstraction, especially Morris Louis and Helen Frankenthaler.

Bush was a formal experimenter who used coherent series of works to investigate what he saw as his current issues and aspirations in painting. These series have one-word titles such as *Thrusts*, *Totems* and *Flags*. As Barry Hale has pointed out with respect to the paintings of the early 1970s in relation to Bush's earlier affinity for stripes, “The most viable solution was that suggested by the large compositions of detached colour bars—to cut the stripes loose from the edges of the picture and from one another, permitting them to interact as discrete shapes.” Working in this direction from 1969 to 1970, Bush evolved *Series D*, whose title refers to David Mirvish and his Toronto gallery, where Bush was also showing at this time. *Still*'s most kinetic form—the blue, shuttlecock-like element in the top right—finds a precedent in one of these works, *Down Flutter* of 1970. The title and action of this earlier painting, with five of the shapes that we see echoed in the solo blue form in *Still*, suggest that this blue element is descending towards the more rectilinear forms that dominate the surface. We anticipate a benevolent “collision” of colour and of the curvilinear and rectilinear.

On the occasion of his 1976 retrospective—the year before his death—Bush was asked about famous artists and the influence of their art on his work. For Bush his favourites were the old master artists Goya, Velázquez and Rembrandt. While they weren't necessarily “popular at the time,” Bush said, “the reason they're so great right now is that their painting has held up.” We can say the same about *Still* and about Bush.

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

The original owner of this work, Martha Baer, was formerly vice-president of the André Emmerich Gallery and is currently the International Director, Post-War & Contemporary Art, at Christie's in New York.

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

**ESTIMATE: \$275,000 – 375,000**



## 22 Guido Molinari

AANFM LP QMG RCA SAPQ 1933 – 2004

### Quantificateur bleu

acrylic on canvas, on verso signed, dated 8/94  
and inscribed G.M.T.-1994-06  
60 x 48 in, 152.4 x 121.9 cm

#### PROVENANCE

Wynick/Tuck Gallery, Toronto  
Fondation Guido Molinari / Guido Molinari Foundation,  
Montreal

#### LITERATURE

David Burnett, "Guido Molinari: Quantificateur," in *Guido Molinari: Quantificateur*, Musée d'art contemporain de Montréal, 1979, pages 5 and 9  
John Bentley Mays, "Molinari: Superb Artist, Supreme Egotist," *The Globe and Mail*, September 12, 1981

#### EXHIBITED

Wynick/Tuck Gallery, Toronto, *Guido Molinari: New Paintings and Rosevi: A Portfolio of Thirteen Poems*, October 14 – November 11, 1995

The painting has to shut up.

—GUIDO MOLINARI, 1981

AS THE DAZZLING chromatic intensity and dynamism of Guido Molinari's well-known *Stripe Paintings* of the 1960s often belies the refinement of their compositions, the chromatic subtleties of the *Quantificateurs* (Quantifiers) occasionally belie their deep emotional weight. Even in the 1960s, in the moment of Op Art, pattern painting and William Seitz's 1965 Museum of Modern Art exhibition *The Responsive Eye*, Molinari was doing something different from his American peers and his fellow Plasticiens from Montreal. While Morris Louis and Kenneth Noland, influenced by artists like Barnett Newman, reduced shapes to simple units and combinations, and made paintings about juxtapositions of colour, Newman's influence on Molinari was about the solemnity of being an artist and the essential risks of making radical statements with art.

Some abstract paintings are views into imaginary spaces. They have foreground, mid-ground and background, and explicitly engage the relationship between them. This is a characteristic of much of the painting by the earlier generation of Montreal abstractionists, Les Automatistes. Molinari set himself against the depiction of space, in favour of geometry and pure colour, and this orientation became central to his art. The *Quantificateurs* are the most extensively considered body of work in his oeuvre.

These geometric paintings were an important part of his painting from 1975 to 1997, done in blue, deep brown (almost black) and red.

Molinari's paintings take time to perceive. For some viewers they are difficult, and for some they are facile. For some they are eloquent essays on colour's capacity to reveal itself and to confound our understanding of it—and sometimes the paintings do both at the same time. More than the *Stripe Paintings*, the *Quantificateurs* must be seen to be understood. From the beginning of the 1960s, his paintings were always themselves: that is, acrylic paint on canvas, normally applied by a roller, with discrete colours in distinct areas defined by masking tape. They never allude, convey, describe, interrogate, map, problematize, subvert or take any other pedagogic action to legitimize their existence.

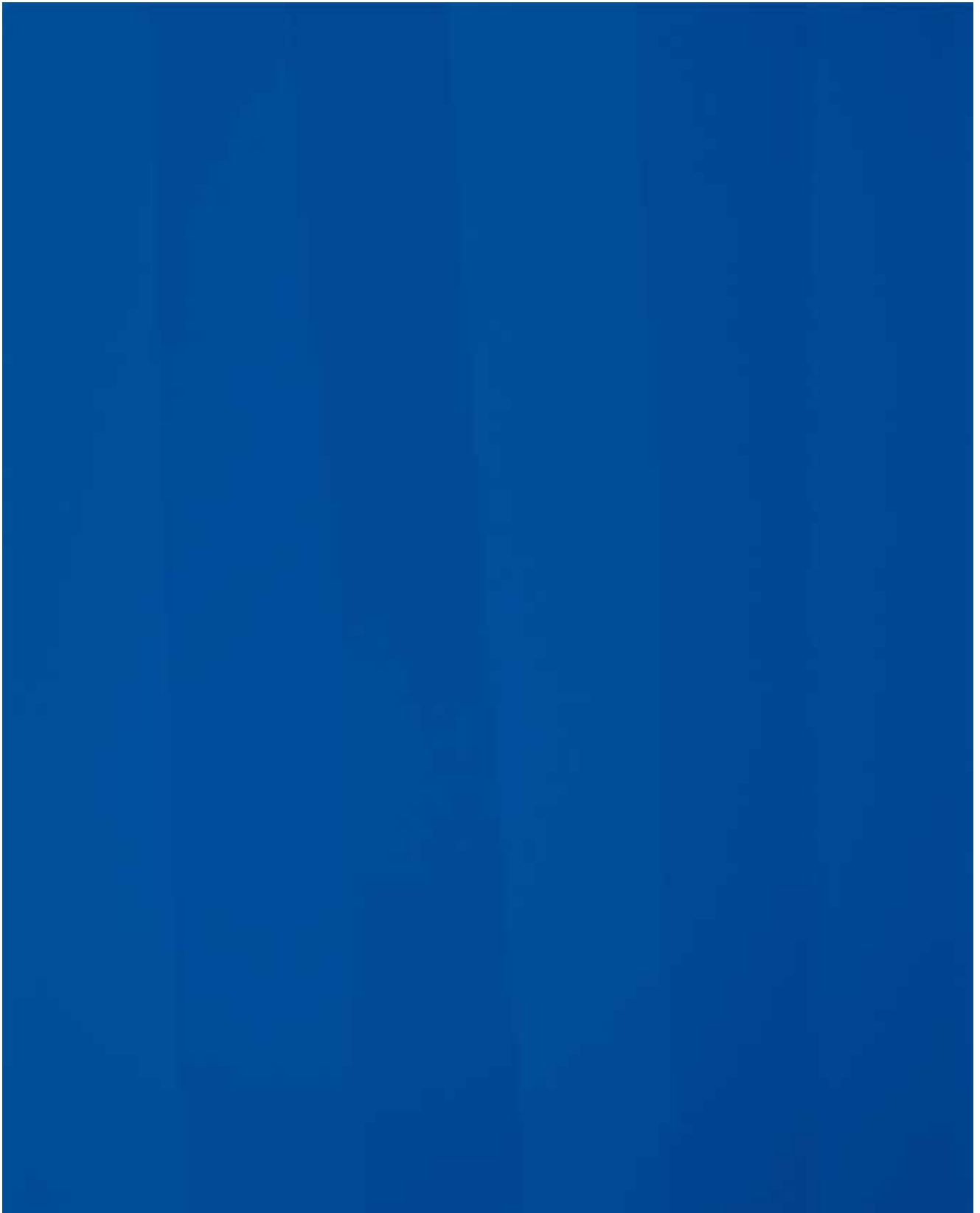
It is possible to see *Quantificateur bleu* in an instant, but it cannot be perceived in an instant. Similar to the river into which one steps, only to have it move and become something new, viewing Molinari's *Quantificateurs*, and particularly the "human size" works like *Quantificateur bleu*, is a process of ceaseless renewal and discovery. At a glance, *Quantificateur bleu* is a vertical blue rectangle with a slight sheen picking up the texture of the canvas. It shows nothing. There is no sign of the artist's touch—the work resembles vinyl film. There is nothing sensuous about paint applied with a roller. The title barely helps. It is one of many blue *Quantificateurs*, and this one is distinguished because it was painted in August of 1994—8/94—and has six elongated, irregularly shaped vertical trapezoids. There is no suggestion of its content, what it means, or the text embedded in its work. It is only one colour—surely anyone can paint with one colour? It is infuriatingly mute.

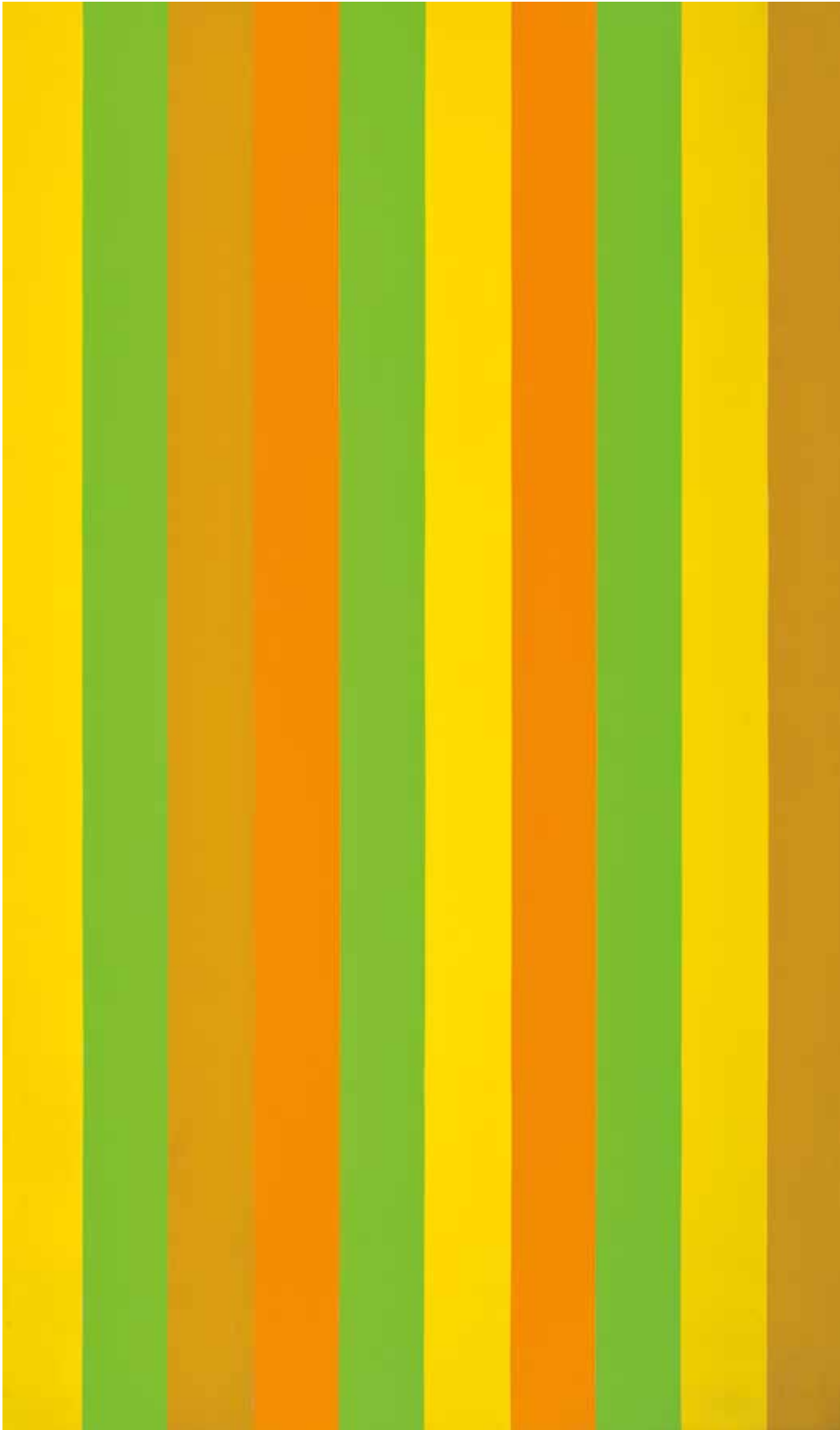
The *Quantificateurs* have a dynamic relationship between the quality and quantity of paint that engages the eye. By keeping the application of paint consistent, and working with the same family of blues, Molinari creates something new with every *Quantificateur* by adjusting the volume of colour, the choice of colour, the intensity of colour and the placement of colour. Each painting is a communiqué on the quality and quantity of one colour from Molinari to viewers. When the viewer synthesizes Molinari's painted message, their eyes and mind will have contributed to their own creative experience. *Quantificateur bleu* speaks quietly and confidently, never saying more than it has to. It knows how to shut up.

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

The consignor sale proceeds of this lot will benefit the Fondation Guido Molinari / Guido Molinari Foundation.

**ESTIMATE: \$70,000 – 90,000**







## 23 Guido Molinari

AANFM LP QMG RCA SAPQ 1933 – 2004

### Mutation rythmique tri-vert

acrylic on canvas, on verso signed,  
titled on the labels and dated 1965  
50 x 30 in, 127 x 76.2 cm

#### PROVENANCE

Museum of Modern Art, The Art Lending Service,  
New York  
Private Collection, Montreal

#### LITERATURE

Pierre Théberge, *Guido Molinari*, National  
Gallery of Canada, 1976, page 42  
Roald Nasgaard, *Abstract Painting in Canada*,  
Art Gallery of Nova Scotia, 2007, page 188

#### EXHIBITED

East Hampton Gallery, New York, *Rhythmic Mutations*,  
January 18 – February 5, 1966

Wishing to eliminate the conflict between object and space, as well as the expressionist interplay of various proportions, I have come to elements which are alike in quantity (the width of the stripes) and which rely solely on the qualitative function acquired through the particular mutations of a given colour in a rhythmical sequence. The complexity of this structural rhythm is the only means to the creation of the illusion of space.

—GUIDO MOLINARI, on his *Stripe Paintings*

DURING THE 1960S, Guido Molinari was more interested in the geometry of Piet Mondrian's paintings than the works of the American Abstract Expressionists. He felt that Mondrian's works were a better model for a new pictorial space. In this decade, after considering these ideas and developing his own vision, Molinari launched his *Stripe* series, paintings that followed a definitive structure—vertical colour bands of equal width ordered in repeated patterns. Molinari was most interested in the dynamic energy of colour; he referred to his *Stripe Paintings* as “a non-Euclidian energetic field of infinite possibilities.”

In this work from his *Mutation* subset, each colour changes and reacts to the colours next to it: the yellow stripe looks different to our eye depending on whether it is next to the green or brown stripe, and thus “mutates” in its colour and spatial relationships. This visual effect activates a dynamic perceptual experience in viewers as they scan across the changing sequences of colour. Bold and vibrant, *Mutation rythmique tri-vert* is an exceptional painting from an important period in the work of this charismatic and influential Montreal modernist.

In 1962, Molinari's first solo exhibition outside of Montreal was at the East Hampton Gallery in New York, which exhibited this work in 1966. In 1965, Molinari exhibited one of his *Mutation* paintings (*Green-Red Mutation*, 1964) at the Museum of Modern Art in New York. As Pierre Théberge wrote, this event marked for Molinari “a recognition of the originality of his own contribution to contemporary pictorial language.”

**ESTIMATE: \$50,000 – 70,000**

## 24 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923–2002

### Composition

oil on canvas, signed and on verso  
signed, titled on the labels and dated  
1952 written on top of 1954, circa 1953  
39 1/8 x 28 3/8 in, 99.4 x 72.1 cm

### PROVENANCE

Galerie Jacques Dubourg, Paris  
Collection of Gianni Malabarba, Milan  
Albert Loeb and Krugier Gallery, New York  
Galerie Krugier et Cie, Geneva  
Harriet Griffin, New York  
Blanche Teze, New York  
Private Collection, Toronto

### LITERATURE

Galleria Civica d'Arte Moderna, *La Pittura Moderna Straniera Nelle Collezioni Private Italiane*, 1961, reproduced plate #196  
Pierre Schneider, "À propos des gravures de Riopelle," *Riopelle, Été 1967*, Musée du Québec, 1967, page 10  
Guy Robert, *Riopelle, chasseur d'images*, 1981, page 272  
Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné, Volume 1, 1939–1953*, 1999, reproduced page 392 and dated circa 1953, catalogue #1953.068H.V1953  
Marie-Claude Corbeil, Kate Hewig and Jennifer Poulin, *Jean Paul Riopelle: The Artist's Materials*, Getty Conservation Institute, 2011, essay by Yseult Riopelle, page xi

### EXHIBITED

Galleria Civica d'Arte Moderna, Turin, *La Pittura Moderna Straniera Nelle Collezioni Private Italiane*, March 4–April 9, 1961  
Galerie d'art moderne Marie Suzanne Feigel, Basel, Switzerland, *Riopelle, œuvres 1948–1960, 1963–1964*, catalogue #9

THIS MAGNIFICENT JEAN PAUL RIOPELLE work was first exhibited at Galerie Jacques Dubourg in Paris, a gallery that was taking risks with new artists like Nicolas de Staël, and some who were quite close to Riopelle, such as Sam Francis or Joan Mitchell. The painting was shown afterwards in New York at the Albert Loeb and Krugier Gallery, which opened in 1957. Loeb was the son of Pierre Loeb, a gallery owner very familiar to Riopelle, since

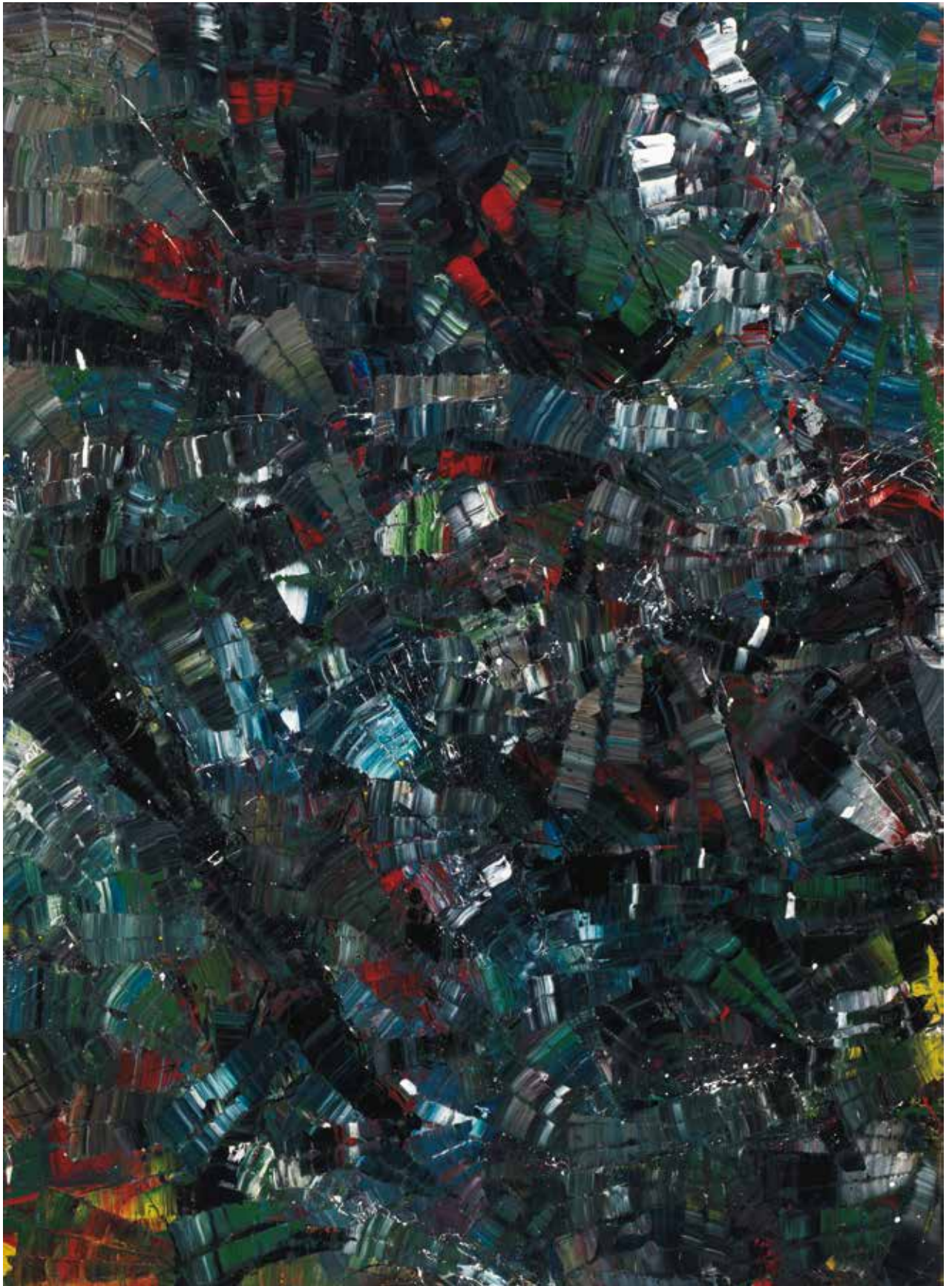
he put him in contact with artists from the Parisian avant-garde (such as Georges Mathieu, Zao Wou-Ki, Vieira da Silva...) and he liked his painting very much.

Loeb associated himself with Janick "Jan" Krugier, a Polish-born Swiss art dealer who had escaped the Holocaust and established a gallery in New York. He was known for his great admiration for the works of Pablo Picasso. Two labels on the back of the painting indicate that the work was also shown in Europe—at the Galleria Civica d'Arte Moderna in Turin, which is more a museum than a commercial art gallery, and at Galerie Krugier et Cie in Geneva. After the death of her father in 2008, his daughter Tzila decided to close the gallery in New York and to operate from Geneva. As one can see, the painting traveled a lot, especially in Europe and New York.

One more thing: on the back of the painting, written under Riopelle's signature, one can read two dates for the painting: 1954, written in black, and above it in darker black 1952. Yseult Riopelle has the work listed in volume 1 of the catalogue raisonné and dated as circa 1953.

After all these details on the history of the painting, and considering the painting as an object that can be exhibited, shipped here and there, sold, bought, it is time to speak of the painting itself. In a review in *Combat* by Patrick Waldberg, the American-born art critic living in Paris, he described the paintings of Riopelle as "sculptures à l'huile" (oil sculptures), and this description applies very well to our *Composition*. In the book *Jean Paul Riopelle: The Artist's Materials*, Yseult Riopelle went as far as to attribute this description of his work to Riopelle himself. Were they just referring to the fact that Riopelle's paintings are heavily impastoed, and present ridges and scratches that could make them seem like low-relief, with the artist using oil paint as his medium instead of marble or stone? I am tempted to take the word "sculpture" even more literally.

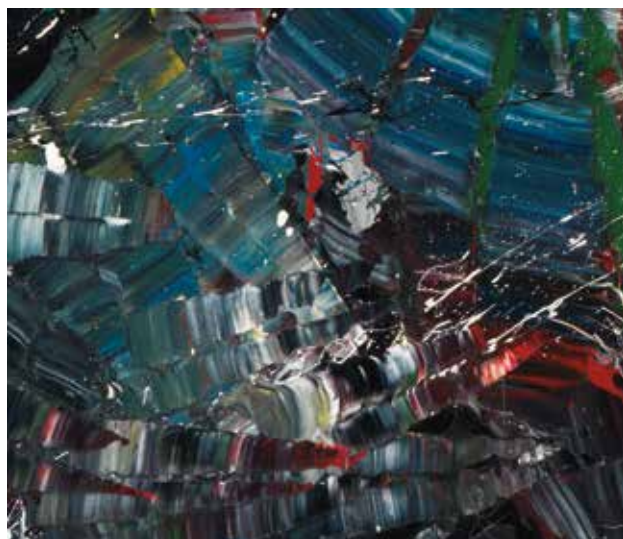
If, instead of adopting the position of the viewer of the painting, one tries to understand the point of view of Riopelle making his painting, the word "sculpture" makes a lot of sense. Working with his painter's knife, an instrument closer to the trowel of a mason than to a brush, Riopelle could model his painting as something we could touch with pleasure. The mason is certainly closer to the sculptor than the painter, as he reaches towards the wall with the length of his arm extended by his instrument. Touch is more decisive than sight here. Of course, the sculptor







detail 24



detail 24

and the painter look at what they are doing, but they give more importance to touch. One of Riopelle's comments to the critic Guy Robert is very revealing of his approach:

When I hesitate, I do not paint. If I paint, I do not hesitate! If I stop to catch my breath, if I hesitate in the choice of the colours or of the tools, if I take some distance to see where I am, *crac!* I leave on the spot. When I paint, it can happen that I move back a few steps, but without interrupting my gesture, without introducing a cut in the process, without being aware of it, I want to say without becoming critical or conscious of the work which is done.

In other words, if Riopelle stepped back to see the result of his work, that is to say gave, even for just a moment, prevalence to sight over touch, he stopped. It seemed to him essential to maintain sight as secondary in importance in the elaboration of his painting. It is, of course, sight that could have made him "critical or conscious." For the same reason, Riopelle did not like to be observed when he painted. Pierre Schneider even thought that nobody ever saw Riopelle painting (which is not exactly right, since there are a few exceptions to that rule—the most notable one being the bookseller Robert Keane of Long Island, who saw Riopelle painting and described his technique).

But it is true that Riopelle said that he did not want to be seen painting, because others watching him would make him conscious of what he was doing. One understands why Riopelle

spoke of "hazard total" or risk, apropos his work. He thought that this distinguished him from the Automatists, who, by visually controlling the effect of their painting, contradicted their idea of a totally non-preconceived painting. Maybe the work was not preconceived at the beginning, but became more and more conscious during its elaboration. The paintings of the Automatists were even sometimes given poetic titles at the end of the process, as were some of the works of Paul-Émile Borduas.

This is why I think that *Composition* is not a very good title for this painting. If one defines "composition" as the arrangement of visual elements in a work of art, as distinct from the subject matter, using conscious thought, the title does not correspond to the artist's intention. Riopelle was not always very particular about the titles of his paintings—there are many general titles, such as *Sans titre* and *Painting*.

For the spectator, the best way to react to this painting is to see it as a whole, as a sweeping movement in a dark medium, without trying to find intentional patterns or forms. One could feel the construction of the painting as if he or she were doing it themselves, somewhat like a blind person could perceive a sculpture by touch only—which is another kind of enjoyment ...

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

**ESTIMATE: \$400,000 – 600,000**



Jean Paul Riopelle, Jacques Germain, Maria Helena Vieira da Silva, Pierre Loeb,  
Georges Mathieu and Zao Wou-Ki, Galerie Pierre, 2 rue des Beaux Arts  
*Photo: Denise Colomb, 1953*



## 25 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

### Sans titre

watercolour and ink on paper, signed and dated 1948  
and on verso inscribed *Leland Smith and 11*  
10 x 13 <sup>7</sup>/<sub>8</sub> in, 25.4 x 35.2 cm

#### PROVENANCE

Edith and Leland Smith, Paris, 1948  
By descent to the present Private Collection, California

#### LITERATURE

Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné*,  
*Volume 1, 1939 - 1953*, 1999, reproduced page 414,  
catalogue #1948.005P.1948

THE YEAR OF *Sans titre*'s execution, 1948, was an important one in the acclaimed career of Jean Paul Riopelle. In that year Riopelle's mentor, Paul-Émile Borduas, wrote the pivotal anti-establishment manifesto *Refus global*, which was co-signed by

Riopelle. Later in that same year, Riopelle moved to Paris, where he would paint the most significant works of his career. Upon moving abroad, Riopelle was quickly immersed in the legendary Parisian artistic culture. There he met many fellow artists and intellectuals, likely including Edith and Leland Smith, a married American couple who were traveling in Europe after their wedding. The pair acquired this work in 1948. Edith was an art instructor at her alma mater, the University of California in Berkeley, and a prolific artist herself, painting and exhibiting in the United States and internationally throughout her lifetime. Leland became a professor of music composition at Stanford University. The painting returned with them to California, where it has resided until its inclusion in this auction. *Sans titre* is a stimulating composition with vivid colour and a web of black lines that create a dynamic tension, and embodies Riopelle's vigour from this significant period.

**ESTIMATE: \$20,000 – 30,000**





## 26 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923–2002

### Sans titre

watercolour and ink on paper,  
signed and dated 1946  
12 x 18 in, 30.5 x 45.7 cm

### PROVENANCE

Private Collection, Montreal

### LITERATURE

Guy Cogeval and Stéphane Aquin, editors, *Riopelle*,  
Montreal Museum of Fine Arts, 2006, essay by Serge  
Guilbaut, page 23  
Roald Nasgaard, *Abstract Painting in Canada*, Art Gallery  
of Nova Scotia, 2007, page 78

IN THE EARLY 1940s, Jean Paul Riopelle studied with Paul-Émile Borduas during an exciting period in the Montreal art scene. For Riopelle and his mentor Borduas,

Surrealism—particularly their experiments in automatism—was a catalyst for freedom. Serge Guilbaut notes, “Automatism in Quebec broke the chains and defied the laws that the petit-bourgeois power structure had established to smother it. And of all those who were swept away by this liberatory current, few demonstrated the same intelligence as Riopelle in confronting the Parisian art scene.” In 1946 and 1947 Riopelle produced a group of abstract ink and watercolour works, which Roald Nasgaard described as “scintillatingly fresh and original. They are constructed in the figure-ground way of Borduas, starting with a dappled watercolour-washed ground of bright colours that is then overlaid with a network of fine ink lines.” *Sans titre* is intuitive and full of movement, as though it burst from Riopelle’s unconscious, yet completely sure in its adept handling of form and space.

This work is included in the online addenda to the *Jean Paul Riopelle Catalogue Raisonné, Volume 1, 1939–1953*, 2012, and is accompanied by a photograph certificate, #1946.118p.

**ESTIMATE: \$20,000 – 30,000**

## 27 Paul-Émile Borduas

AUTO CAS QMG RCA 1905 – 1960

### Allegro furioso

oil on canvas, signed and dated 1949

and on verso titled

28 x 24 ¾ in, 71.1 x 62.9 cm

#### PROVENANCE

The Morris Gallery, Toronto

Acquired from the above by a Private Collection,

Toronto, 1972

Sold sale of *Canadian Post-War & Contemporary Art*,

Heffel Fine Art Auction House, November 26, 2009, lot 5

Private Collection

#### LITERATURE

Paul-Émile Borduas, *Écrits/Writings 1942–1958*

(Nova Scotia series), “Projections libérantes,”

English translation, 1978, pages 81 and 115

“ENFIN LIBRE DE PEINDRE!” (At last, free to paint!) exclaimed Paul-Émile Borduas when, after the publication of the manifesto *Refus global* in 1948, he lost his job at the École du meuble. Indeed, his painting production in 1949, done at the same time as the pamphlet “Projections libérantes” that he wrote in his defence, is abundant. By the spring of 1949, he already had 18 recent works to exhibit with his friends the Viau brothers. *Allegro furioso* was not shown on this occasion and probably dates to a little later in the same year. Borduas, who had been in the habit of giving sequential numbers for the titles of his paintings (for example, 8:48 for the eighth painting of 1948), abandoned this practice in 1949—so we are less sure about the exact succession of the paintings from then on.

It is an aptly titled canvas, for Borduas had many reasons to feel both happy (*allegro*) and furious (*furioso*) at that time. He was happy to be able to resume painting, worried because painting became—with the exception of some drawing lessons given to the children of Saint-Hilaire—his only source of income, and furious with the authorities, both civil and religious, that caused him to lose his job because of his beliefs. “Projections libérantes” was written precisely to give vent to this anger and to express defiance against the powers that wanted to crush him. “You have ended it!” he wrote at the end of “Projections libérantes”—“So be it! But I defy any power to erase its memory or its example.”

In *Allegro furioso*, as he often did during his Automatist period, Borduas proceeded in two steps. First, the background was treated almost like a landscape, in green at the bottom with vigorous strokes, and in a more gentle way, greyish at the top; one almost sees a horizon line at the visual centre of the painting. Second, the objects, painted with a spatula, stand out in the foreground. But what is different here, which was typical of his paintings of 1947 and 1948, is the fact that these objects seem to enter from the left and go out at the right of the pictorial space. This gives an impression of movement to the whole scene, and the many pointed shapes augment this impression. Moreover, if you follow the spatula, you will see movement and counter-movement, leaps forward and backward, as if you were listening to music. With the suggestion of movement, we are not, indeed, so far from music, which is probably the reason for the title—given, as always, after the fact.

There are some allusions to music in the works of Borduas—a 1955 painting was titled *Tango*, another from 1957 *Symphonie en damier blanc*, and there are others: *Chant de fête* and *Chant de la Pierre* from 1956, and *Chant d'été*, 1955. The idea of transposing music into painting has always been a temptation for artists, especially abstract painters. But it also must be said that painting as such is “mute,” as they used to say in the seventeenth century—movement and music are, by definition, out of its bounds. It is only through the movement of the hand of the painter and of the eyes of the onlooker that something like music can be translated mentally into image. Here, Borduas has succeeded very well. He is just asking us to listen with our eyes.

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

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

**ESTIMATE: \$200,000 – 300,000**









## 28 Rita Letendre

AANFM ARCA OC QMG 1928 -

### Impact

oil on canvas, on verso signed, titled and dated 1966  
and titled and dated on the exhibition label  
30 x 40 in, 76.2 x 101.6 cm

#### PROVENANCE

Private Collection, Toronto

#### LITERATURE

Linda Jansma, *Rita Letendre: Beginnings in Abstraction*,

The Robert McLaughlin Gallery, 2005, pages 5 and 6,  
reproduced pages 28 and 29

Murray White, "Rita Letendre: Against the Dying of the Light,"

*The Toronto Star*, July 8, 2017, <https://www.thestar.com/entertainment/visualarts/2017/07/08/rita-letendre-against-the-dying-of-the-light.html>, accessed August 12, 2017

#### EXHIBITED

Galerie Simon Blais, Montreal, *Rita Letendre: Ode to Isis*,

November 26, 2003 – February 7, 2004

The Robert McLaughlin Gallery, Oshawa, *Rita Letendre:*

*Beginnings in Abstraction*, September 23, 2005 –

September 24, 2006

ASIDE FROM HER brief training at the École des beaux-arts de Montréal, Rita Letendre was primarily a self-taught artist until she met Paul-Émile Borduas at the art school. Their encounter led her to join his circle and to engage with other artists involved in the Québécois art group Les Automatistes. In *Impact*, black, clean-cut wedge-like forms are juxtaposed against a contrasting white background, and the painting is a prime example of Letendre's development in the 1960s. As she was transitioning from her previous style of thick impasto and gestural brushstrokes, Letendre adjusted her technique and composition to a more simplified image, as demonstrated here. Nevertheless, this painting contains a vibrant energy, as the arrangement of geometrical forms creates a dynamic tension. Letendre cites this period as fundamental to her signature works of the 1970s, which were composed of lively rays of colour. In response to her recent retrospective at the Art Gallery of Ontario, the *Toronto Star* called the artist "one of the country's great painters." Not only is the magnificence of Letendre's work already acknowledged, the artist's present-day recognition is flourishing.

**ESTIMATE: \$25,000 – 35,000**



## 29 Fernand Leduc

AANFM AUTO CAS LP QMG 1916 – 2014

### Rouge mitoyen

oil on canvas, signed and dated 1967  
and on verso titled and dated  
39 ¼ x 32 in, 99.7 x 81.3 cm

#### PROVENANCE

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

#### LITERATURE

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

IN AN INTERVIEW given to the *Montreal Gazette* in 1965, Fernand Leduc stated, “It is most important to reach the highest level of intensity with the simplest means. I’m looking for the most intense colour so as to trigger the densest response and attain the strongest dynamism possible... Shape and colour must interact in such a way that both equally contribute to create a dynamic force.”

*Rouge mitoyen* is a dazzling manifestation of the artist’s understanding of form and colour. Its vibrant hues are emblematic of the artist’s investigations of chromatic relations and tensions. By juxtaposing three solid planes of brightly saturated red, crimson and indigo, he makes our eye dance from one shape to another as they seem to pulsate together. Leduc was a signatory of the 1948 *Refus global* manifesto, a historical document that signaled an important cultural shift in Quebec. His works have been included in solo and group shows in major institutions such as the Musée du Québec in Quebec City, the Canadian Cultural Centre in Paris and the Musée d’art contemporain in Montreal.

**ESTIMATE: \$30,000 – 50,000**

### 30 Betty Roodish Goodwin

CPE 1923 – 2008

#### Chair

mixed media on Mylar, signed  
and dated 1989  
18 x 12 in, 45.7 x 30.5 cm

#### PROVENANCE

Acquired directly from the Artist  
By descent to the present Private  
Collection, Montreal

BETTY GOODWIN'S OEUVRE is known for its evocative imagery. Certain themes recur—she often explored the subject of absence, as she does in this striking piece, *Chair*. Specifically, this piece alludes to *desaparecidos*—a Spanish term that refers to victims of enforced disappearance, primarily in Latin America—symbolized here with the titular empty chair. Sensitive to all aspects of the human condition, Goodwin did not shy away from more difficult subjects, but rather treated them with a touching vulnerability. Subtle yet eloquent, this work presents a deft handling of pictorial space in a dynamic composition. Her pigments have an evanescent quality to them, a result of applying her colours in diaphanous veils onto a sheet of Mylar. Her energetic and visceral brushwork imbues the work with a sense of urgency. The circle of deep luxurious aquamarine melts into the bright acid yellow, with discreet passages of chartreuse green. Her sketch-like and gestural use of the black oil stick reveals faint touches of transparent light blue. Astoundingly sensitive, *Chair* is a work that resonates, probing themes of resilience and humanity.

**ESTIMATE: \$10,000 – 15,000**







### 31 Betty Roodish Goodwin

CPE 1923 – 2008

#### Animal Series

mixed media on Mylar, signed  
and dated 1991

18 x 12 in, 45.7 x 30.5 cm

#### PROVENANCE

Acquired directly from the Artist  
By descent to the present Private  
Collection, Montreal

BETTY GOODWIN HAS been a major figure in the contemporary Canadian art scene since the 1960s. Her works are in many public and private collections and have been exhibited internationally, such as at the 1989 *Bienal de São Paulo* and the 1995 *Venice Biennale*. Taking form through various media and developed over five decades, Goodwin's oeuvre investigates themes such as disappearance, memory and resilience. A highly sensitive artist, she was a master of conveying complex emotions in her work, and her *Animal* series, from which this piece derives, is a great example of this. Here, Goodwin proposes a reflection on the extinction of certain animal species and its impact on our lives. The interconnectedness between the human and the animal realm is unequivocal, as depicted by the human figure next to what seems to resemble a bovine animal. Other than the few faint tinges of red on the animal's stomach, the work is monochromatic. Goodwin's preoccupation with the grave issue of animal extinction, rooted in empathy, translates into a powerful and evocative work.

**ESTIMATE: \$10,000 – 15,000**



## 32 Harold Barling Town

CGP CPE CSGA OC OSA P11 RCA 1924 – 1990

### Untitled

oil on canvas, signed and dated 1960 and on verso  
inscribed indistinctly *H. Miller, 5 Elm Apt. 11*  
70 x 80 in, 177.8 x 203.2 cm

#### PROVENANCE

Galerie Dresdner, Toronto, 1985  
Private Collection, Vancouver

#### LITERATURE

Gerta Moray, *Harold Town: Life and Work*,  
Art Canada Institute, 2014

HAROLD TOWN CUTS a distinctive, bold figure in modern art in Canada. He was prominent as an aesthetic provocateur in Toronto from the 1950s until the 1980s, and his ever-inventive abstraction is currently enjoying a positive reassessment. In 1953 Town was a founding member of the influential and accomplished group of abstract artists to which he gave the memorable name Painters Eleven. Town was successful both critically and financially in the 1950s and 1960s especially, enjoying exhibits of his work across Canada and in the USA, and twice representing Canada at the *Venice Biennale* (in 1956 and 1964). He was nothing less than an art star.

While it used to be difficult to separate the exuberant and controversial Town from his masterly Abstract Expressionist canvases, distance allows us a welcome opportunity to look at and appreciate more fully the visual qualities of a painting such as *Untitled*, from 1960. Town's successes at this time gave him the confidence to work on such a large scale. The drama of this painting is characteristic of his approach during this period, which exemplified New York critic Harold Rosenberg's notion of "action painting," articulated in the 1950s when Town was becoming prominent. The painting is above all gestural, in the sense that one can see and feel Town's painterly actions as he worked across the large surface. This surface is dominated by an intriguing central motif, a loosely drawn oval that seems to struggle against the commanding and confining corners of a frame. As if to proclaim its authority, Town asserts this outline or border with much

heavier brush-strokes, especially at the corners of the central image. To further highlight the presence of geometry and the grid, at the bottom right of this framing device he enters a quickly rendered oval that is centred by the intersecting lines of a simple cross.

If the theme of this painting can thus be construed as the contest between the rigours of geometry and the freedom of gesture, two important priorities in the work follow. First, the partially confined circle in the centre is replicated outside its white frame; other circles and ovals have in effect escaped to appear in a range of colours and sizes. These satisfy Town's urge to paint in an unfettered way, a technique that both causes and welcomes the drips and marks we see across this surface. Secondly though, the large space in which all these forms cavort is nonetheless still framed by the unforgiving format of the canvas itself.

We can sense from the theatricality of this canvas that Town's work, however sensuous, was also thoughtful. He wrote and speculated about the issues of modern art. One facet of that inquiry was his concern with just these issues of bordering and control, which are explored vividly in *Untitled*. Not only is the central form partially bounded by the corners of a would-be frame, but the vibrant red triangular form that pulls us towards the bottom left of the image is itself the marker of the corner as a starting place and as a problem for painting. In 1962 Town began a series of paintings called *The Tyranny of the Corner*, works in which he explored the fundamental imposition of corner geometries that we see in this canvas.

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

**ESTIMATE: \$25,000 – 30,000**





### 33 William Ronald

P11 RCA 1926 – 1998

#### Rhythms #2

oil on canvas, signed and dated 1958  
43 ¼ x 41 in, 109.9 x 104.1 cm

#### PROVENANCE

Acquired directly from the Artist by the present  
Private Collection, Toronto

WILLIAM RONALD WAS a founding member of the abstractionist group Painters Eleven, formed in 1953 in Toronto. Ronald had traveled to New York in 1952, and by 1955 he felt compelled to return, as the city was a hotbed of contemporary developments in art. Robert Hale, a curator at the Metropolitan Museum of Art, was a friend who introduced him to influential people and

arranged for him to sublet painter Larry Rivers's studio. Ronald would remain in New York and its environs until 1965, and being there reinvigorated his painting. He achieved considerable success there, and his work was taken on by the renowned Kootz Gallery. In 1957 he moved to a studio in Kingston, New Jersey, and affected by his natural surroundings, his previous motif of red and black central forms evolved, becoming more organic and amorphous and infused with rich colour. *Rhythms #2* is a powerful work from this vital period. Clusters of shapes created by Ronald's fluid brushwork interact, flow and condense into the centre. Active yet harmonious, hovering above a textural colour-field background, Ronald's energized form creates an indelible impression.

**ESTIMATE: \$25,000 – 35,000**



### 34 Raymond John Mead

CGP CSGA P11 1921 – 1998

#### Untitled

oil on canvas, signed and dated 1959  
40 ½ x 39 in, 102.9 x 99.1 cm

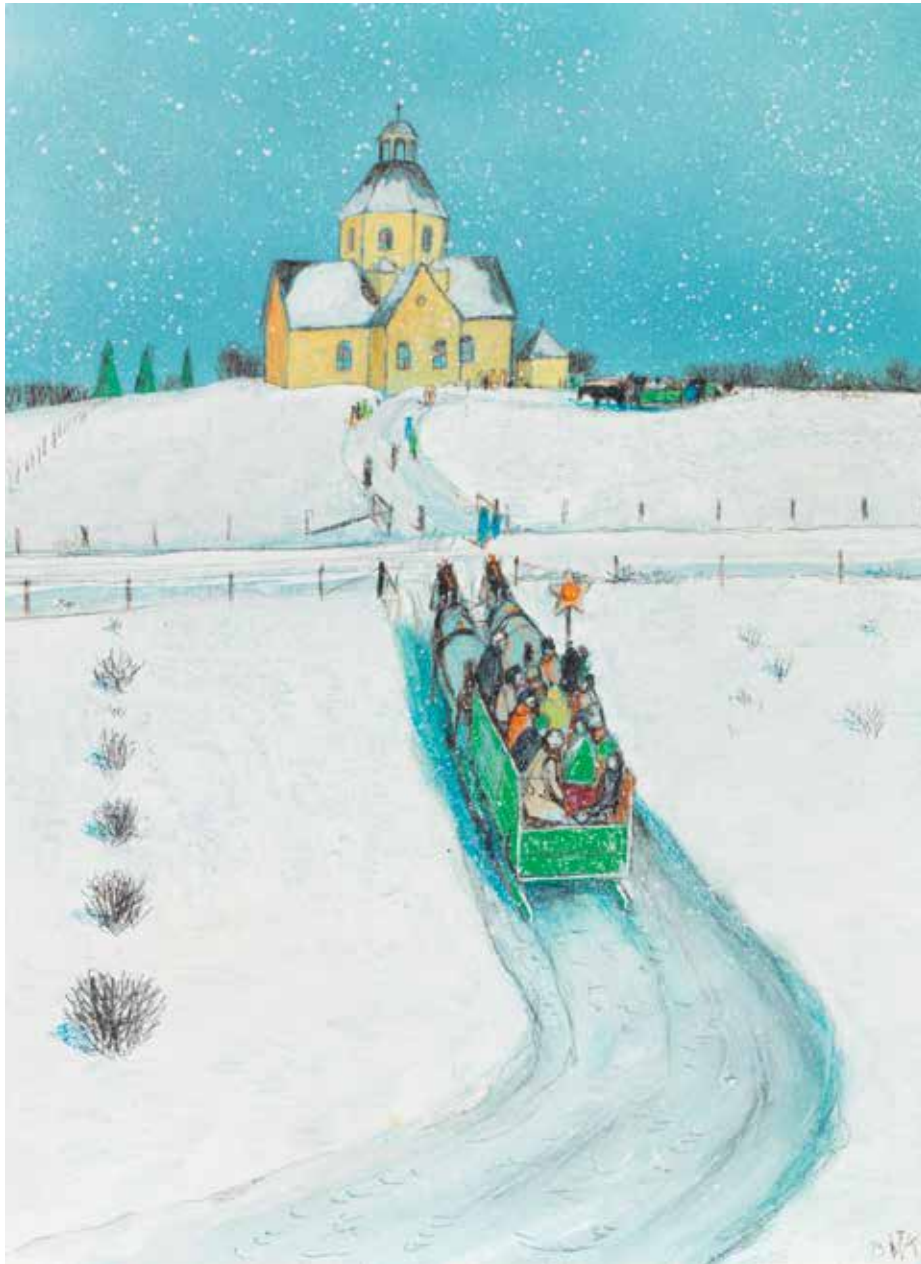
#### PROVENANCE

By descent to the present Private Collection, Toronto

RAY MEAD'S CAREER blossomed under the mentorship of artist Hortense Gordon, which led to Mead participating in annual exhibitions at the Art Gallery of Hamilton after 1947 and his involvement in the pivotal group Painters Eleven, formed in 1953 in Toronto.

Mead had settled in Hamilton, Ontario, after his service as a fighter pilot in the Royal Air Force in World War II. His exposure to North American scenery across Canada and the United States was a major source of inspiration, and he derived his horizontal and vertical planes directly from the landscape. Three suspended forms, the focal points of *Untitled*, show Mead's control of the pictorial composition, while his application of paint displays his development of colour through underpainting—a technique that he cultivated throughout his career. This 1959 oil on canvas, a magnificent work from a period of artistic growth for Mead, demonstrates key qualities that continued to be significant characteristics of works produced later in Mead's career.

**ESTIMATE: \$25,000 – 35,000**



## 35 William Kurelek

ARCA OC OSA 1927 – 1977

### Carolers Heading to Church

mixed media on board, initialed  
and dated 1975

12 x 8 ¾ in, 30.5 x 22.2 cm

#### PROVENANCE

Commissioned from the Artist  
By descent to the present Private  
Collection, Saskatoon

#### LITERATURE

William Kurelek, *Kurelek's Canada*,  
1975, page 112

WILLIAM KURELEK'S FINELY detailed paintings of the traditional Christmas celebrations of his childhood provide a window on his youth and life on the Canadian prairies in a time when many immigrant communities were tightly knit groups dominated by one unifying faith. Hard-working people who often faced hardships, they celebrated the traditions of their European past and raised their families. Holidays and times of religious celebration were opportunities when these traditions could be emphasized, and the exaltation that came with them would reinforce their importance. Kurelek and his brother were sent to high school in Winnipeg, and while there, the pair attended Ukrainian night school. There, as he stated, "we became better acquainted with the beauty of Ukrainian carols" and went out caroling in groups at Christmas. In this magical starlit scene the carolers approach the church holding aloft the star of Bethlehem, a symbol of their faith. The joy radiating from the carolers also reflects how important faith was personally to Kurelek, whose connection to Catholicism later in life brought him great peace.

This work is in the original frame made by Kurelek.

**ESTIMATE: \$40,000 – 60,000**





## 36 William Kurelek

ARCA OC OSA 1927 – 1977

### Playground

mixed media on board, initialed twice and dated 1976

6 x 8 1/8 in, 15.2 x 20.6 cm

#### PROVENANCE

Acquired directly from the Artist

By descent to the present Private Collection, Saskatoon

#### LITERATURE

Patricia Morley, *Kurelek: A Biography*, 1986, page 2

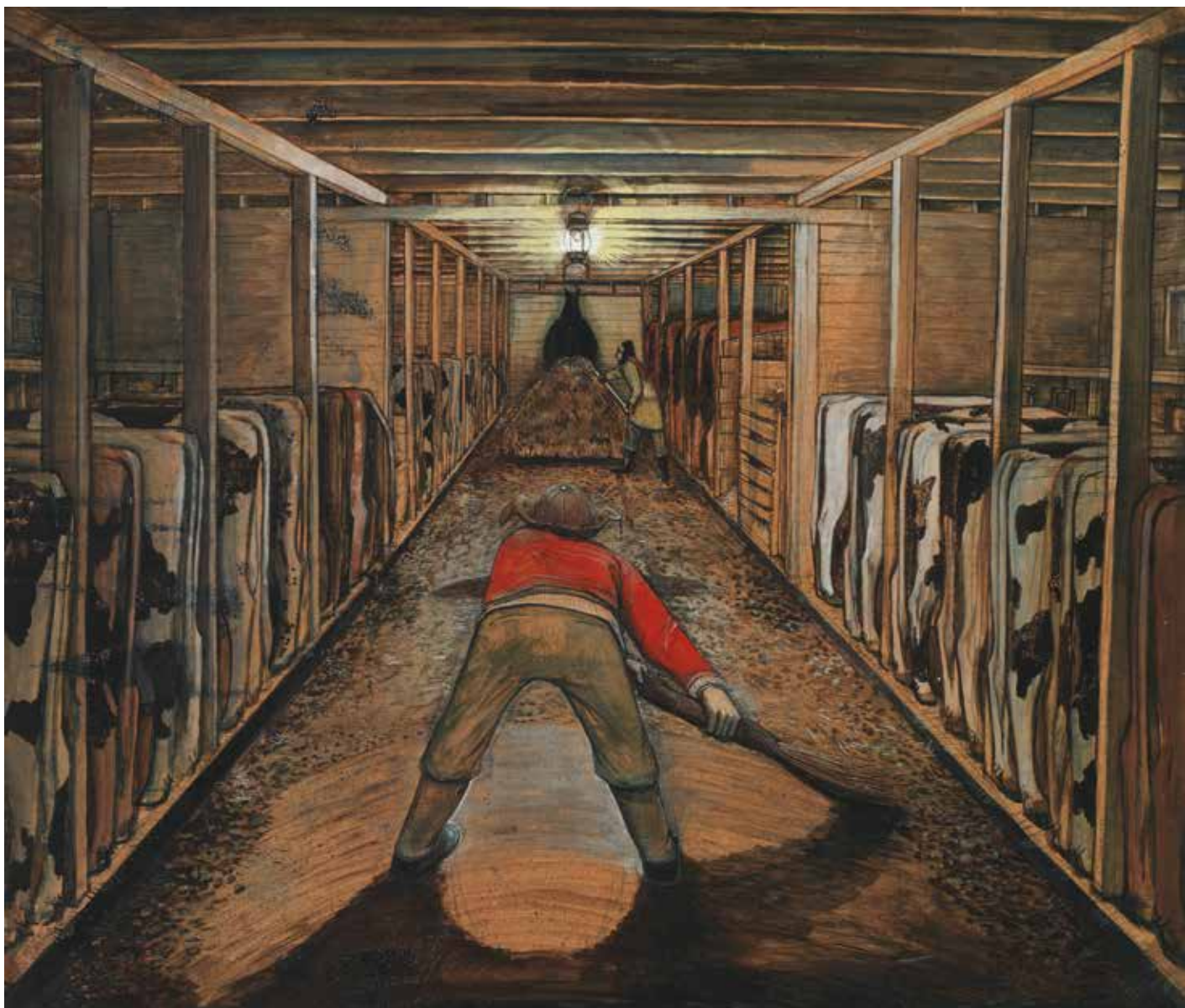
THIS CHARMING AND nostalgic painting of a school playground is a complex tableau of the games children play, drawn from William Kurelek's childhood experiences on the Prairies. He spent his early life on farms at Whitford, Alberta, and Stonewall, Manitoba. Kurelek was a sensitive child, and his memories of

his early life were highly detailed and insightful. He painted a series of works based on childhood games that were included in the book *A Prairie Boy's Summer*, paired with his recollections. Patricia Morley wrote that Kurelek's "scenes of people in groups, at work and at play, are in the tradition of the medieval Flemish masters ... Nothing escaped his notice or his brush. His narrative skill turned paintings into stories." In every corner, something different is occurring, from the youngsters engaged in rough-and-tumble wrestling to the two children who merely observe the scene. Each personality and interaction adds to the group dynamic and a sense of the community they form in Kurelek's empathetic portrayal of this innocent time.

This work is in the original frame made by Kurelek.

**ESTIMATE: \$20,000 – 30,000**





### 37 William Kurelek

ARCA OC OSA 1927 – 1977

#### Cleaning the Cow Barn in Winter

mixed media on board, signed and dated 1961  
and on verso signed, titled on a label and dated  
20 x 24 in, 50.8 x 61 cm

#### PROVENANCE

The Isaacs Gallery Ltd., Toronto  
Private Collection, Toronto  
Sold sale of *Important Canadian Art*, Sotheby's Canada  
in association with Ritchies, May 27, 2003, lot 7  
Private Collection

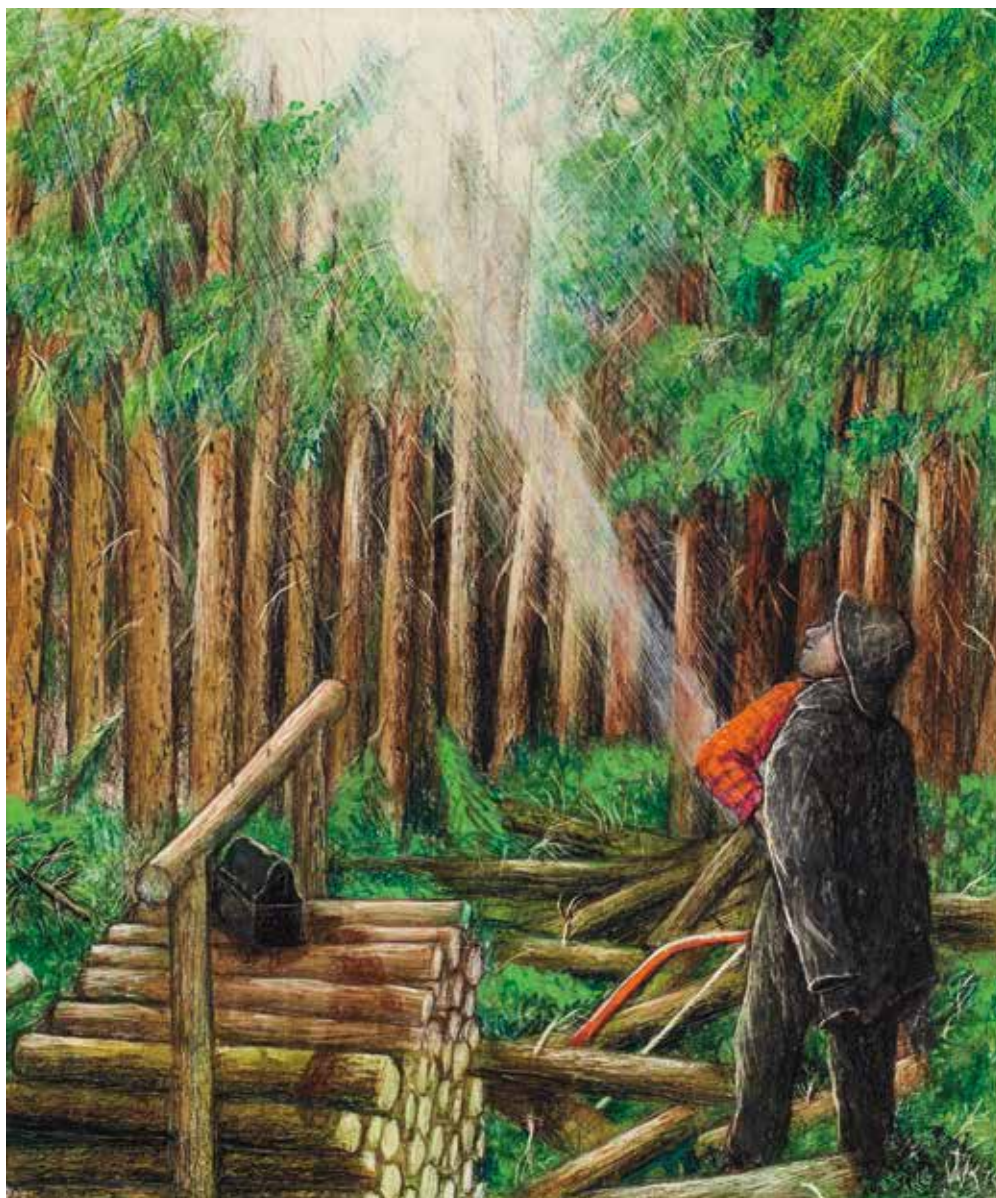
#### EXHIBITED

Art Gallery of Windsor, *William Kurelek: Artist with  
His Work*, 1972

IN A NOTE affixed to the verso, William Kurelek wrote: "In the winter, one of the major chores, both morning and evening immediately preceding milking, was to clean out the manure in the barn—heavy and not very pleasant work, done by lamplight since the days were very short. A single horse pulled a 'stoneboat' through on which the manure was piled with fork and shovel followed by a sweep-up with a broom made from loose pieces of shrubs. The stoneboat was then taken out in the fields and the manure roughly spread, while in the barn, a new bedding of straw was laid."

This work is in the original frame made by Kurelek.

**ESTIMATE: \$30,000 – 50,000**



### 38 William Kurelek

ARCA OC OSA 1927 – 1977

#### **Newfie Woodsman Doffing Rainwear**

mixed media on board, initialed and on verso  
titled and dated 1974 on the gallery label  
10 x 8 ½ in, 25.4 x 21.6 cm

#### **PROVENANCE**

The Isaacs Gallery Ltd., Toronto  
Private Collection, Toronto

#### **LITERATURE**

William Kurelek, *Kurelek's Canada*, 1975,  
page 21, reproduced page 20

IN HIS BOOK *Kurelek's Canada*, the artist illustrates industry and culture as well as family life in a variety of communities from

coast to coast. *Newfie Woodsman Doffing Rainwear* was used in this book to depict Newfoundland. In his description of this image, William Kurelek wrote, “Where I worked, the other woodsmen gave up during a downpour and returned to camp to play cards, but I bought a rubber rain outfit and set myself a twelve-hour a day work schedule, rain or shine . . . Rubber is clumsy and sweaty if you are working hard. One of the simplest joys comes when the sun finally breaks through the clouds and you can doff that rainwear and enjoy the relief of getting aired and cooled off.” An added element of Kurelek-style joy enlivens this work, found in the sense of reverence we see in the face of the woodsman as he looks towards the beam of sunlight that streams down on him through the trees.

This work is in the original frame made by Kurelek.

**ESTIMATE: \$25,000 – 35,000**



## 39 Lawren Stewart Harris

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

### Composition 10

oil on canvas, on verso signed, inscribed *Vancouver, BC* and stamped Lawren Harris LSH Holdings Ltd. 79, 1937  
40 x 32 ¼ in, 101.6 x 81.9 cm

#### PROVENANCE

Collection of the Artist  
LSH Holdings Ltd., Vancouver  
Martin Diamond Fine Art, New York, 1983  
Heffel Gallery Limited, Vancouver, 1990  
Mira Godard Gallery, Toronto, 1993 – 1996  
Sold sale of *Canadian Art*, Joyner Fine Art,  
November 15, 1996, lot 58  
Private Collection, Victoria

#### LITERATURE

Augustus Bridle, “Canadian Art Group Opens 1937 Salon,”  
*The Toronto Daily Star*, November 19, 1937, page 9  
*American Art Today*, Gallery of American Art Today,  
New York World’s Fair, National Arts Society,  
no. 211, 1939, reproduced page 92  
Alfred Morang, “Lauren [sic] Harris, Tireless Experimenter,”  
*New Mexico Daily Examiner*, circa 1939, reproduced  
upside-down  
Alfred Morang, “100 Artists Show Vitality of Southwest  
Art in Fiesta Show,” *The Santa Fe New Mexican*,  
September 1, 1939, page 1  
Paul Duval, “Lawren Harris’s Switch to Abstract Art Annoys  
Some, Stimulates Others,” *Saturday Night*, no. 54, October 9,  
1948, reproduced page 2, titled as *Mountain Form No. 6*  
Charles C. Hill, *Canadian Painting in the 1930s*,  
National Gallery of Canada, 1975, page 79, note 80  
Barbara Gallati, “Lawren Harris,” *Arts Magazine*, vol. 58,  
no. 5, January 1984, titled as *Painting #79*, page 50  
Dennis Reid, *Atma Buddhi Manas: The Later Work of  
Lawren S. Harris*, Art Gallery of Ontario, 1985, pages 26,  
30 and 73, reproduced page 72  
Peter Larisey, *Light for a Cold Land: Lawren Harris’s  
Work and Life—An Interpretation*, 1993, pages 133 and 135,  
reproduced plate 41  
Megan Bice, *The Informing Spirit: Art of the American Southwest  
and West Coast Canada, 1925 – 1945*, 1994, pages 82 and 165,  
dated circa 1937, reproduced plate 83

Andrew Hunter, *Lawren Stewart Harris: A Painter’s Progress*,  
The Americas Society, 2000, page 68, reproduced figure 35,  
page 53  
James King, *Inward Journey: The Life of Lawren Harris*, 2012,  
page 267  
Steve Martin et al., *The Idea of North: The Paintings of  
Lawren Harris*, Art Gallery of Ontario, 2015, reproduced  
figure 39, page 131

#### EXHIBITED

*Canadian Group of Painters*, Toronto, November 19 –  
December 19, 1937, traveling in 1938 to Montreal and  
Ottawa, titled as *Composition – 10*, catalogue #32  
New York World’s Fair, *American Art Today*, 1939, catalogue #211  
*Fiesta Show*, Santa Fe, August – September 1939  
Vancouver Art Gallery, *15th Annual British Columbia Artists’  
Exhibition*, September 21 – October 13, 1946, titled as  
*Mountain Form VI*, catalogue #52  
Little Centre, Victoria, *Exhibition of Abstract Paintings  
by Lawren Harris*, October 29 – November 17, 1946,  
titled as *Mountain Form VI*, catalogue #1  
Art Gallery of Toronto, *Harris*, October 16 – November 14,  
1948, titled as *Abstract Painting*, catalogue #70  
Willistead Art Gallery, Windsor, *Lawren Harris*, March 19 –  
April 2, 1958, traveling to the Elsie Perrin Williams  
Memorial Art Museum, London, Ontario  
Martin Diamond Fine Arts, New York, *Lawren Harris  
(1885 – 1970): Paintings of the Late Thirties*, November 8 –  
December 10, 1983 (reproduced on the exhibition invitation),  
titled as *Painting #79*, circa 1938  
Art Gallery of Ontario, Toronto, *Atma Buddhi Manas:  
The Later Work of Lawren Harris*, September 27 –  
November 24, 1985, traveling in 1986 to the Vancouver Art  
Gallery, the Winnipeg Art Gallery and the Art Gallery of  
Nova Scotia, Halifax, catalogue #23  
London Regional Art Gallery, *The Logic of Ecstasy*, March 10 –  
April 22, 1990, titled as *Untitled #79*, catalogue #41  
McMichael Canadian Art Collection, Kleinburg, *The Informing  
Spirit*, January 30 – April 17, 1994, traveling in 1994 – 1995 to  
the Vancouver Art Gallery; Colorado Springs Fine Arts Center;  
and Gibbes Museum of Art, Charleston, catalogue #83



FOLLOWING THE TRIUMPHANT compositions Lawren Harris developed during his 1930 trip to the Arctic with A.Y. Jackson, the rest of the first half of the 1930s was troubled. He was painting very little and the Group of Seven was dissipating. His life was in crisis—his marriage was in a shambles, and in 1934 he left his wife of 24 years, Trixie, for his friend's wife, Bess Housser. The new couple filed for divorces in Reno, Nevada, that summer, married a few weeks later, and to avoid the scandal's fallout in Toronto society, left Toronto for Hanover, New Hampshire.

Soon after his arrival in Hanover, Harris resumed painting and continued to abstract his images more overtly. He was also actively exhibiting in Boston and New York. Back in the swing of things, Harris executed his graphite drawing *Study for Composition 10*, circa 1937. Like his other abstractions of the period, this one derives from the landscape. A large triangular mountain defined by straight edges and arcs radiating laterally from its peak hovers above a predella of a mountain range. From the study to the painting, Harris made a 90-degree counter-clockwise rotation, eliminated the predella imagery and developed a more sophisticated linear design that employed his awareness of Jay Hambidge's book *Dynamic Symmetry* (1920).

Following Roald Nasgaard's convincingly drawn connections between Harris's aesthetic and the modern art and design he saw in the United States, *Composition 10*'s luminous overlapping and intersecting surfaces suggest images of industrial objects included in publications such as the Museum of Modern Art's *Machine Art* (1934). The translation of textures into black and white, photography's "objectivity," and the disruption of size and scale through reproduction are reworked by Harris into paintings with no hint of scale. These works used his distinctive blues, yellows, burnt sienna and raw umber and created new worlds of internal light and logic.

*Composition 10* was one of four abstract paintings Harris sent back to Canada for inclusion in his first showing of abstract paintings, at the 1937 *Canadian Group of Painters* exhibition. In his review of the exhibition, Augustus Bridle, an early champion of the Group of Seven, expressed disappointment with Harris's abstractions, saying they were "just mystic symbolism, elegant, ghostly, impossible." Not for the first time, Bridle was unprepared for Harris's new paintings.

*Composition 10* was well beyond Harris's Canadian peers and more attuned with the Russian artist El Lissitzky's *Proun* paintings, three of which were shown in the Société Anonyme's 1927 *International Exhibition of Modern Art* at the Art Gallery of Toronto, a show for which Harris had advocated. *Composition 10* is like some of the *Prouns* as it is a viable composition from any orientation—it was reproduced upside-down in New Mexico around 1939 and was listed as a horizontal painting in the 1948 Art Gallery of Toronto exhibition catalogue.

From Hanover, the Harrises moved to Santa Fe, New Mexico, in September 1938 and became engaged with the abstract



**LAWREN S. HARRIS**

**Study for Composition 10**

graphite on paper, circa 1937

18 x 23 ¾ in, 45.7 x 60.3 cm

Collection of the Vancouver Art Gallery, cat. #85.4

Gift of Mrs. Maragret H. Knox

Not for sale with this lot

painters who formed the Transcendental Painting Group that year. In late September of 1938, Harris wrote Eric Brown (director of the National Gallery of Canada) asking for the four abstractions shown in the 1937 *Canadian Group of Painters* exhibition to be sent to him in Santa Fe, and they appear to have been entered in Harris's exhibitions there. He was included in the *American Art Today* show at the 1939 World's Fair when his Transcendental Painting Group colleagues were charged with selecting art from New Mexico and included him as one of their own.

Soon after Harris's 1948 Art Gallery of Toronto retrospective, Northrop Frye described Harris's incremental developments as metamorphoses punctuated by periods of experiment. To Frye, Harris was the only important revolutionary painter in Canada, and in a nearly 60-year career with many turns and triumphs, *Composition 10* stands out as one of his sure-footed statements of ambition and achievement.

We thank Gregory Humeniuk, art historian, curator and author, for contributing the above essay. The author is indebted to Dennis Reid's cataloguing of *Composition 10* in his catalogue *Atma Buddhi Manas*.

**ESTIMATE: \$300,000 – 400,000**





Dennis Reid, Northrop Frye and Fredrik S. Eaton in front of *Composition 10*  
at *Atma Buddhi Manas*, Art Gallery of Ontario, September 26, 1985  
Photo: Art Gallery of Ontario, A-155134



## 40 Jack Hamilton Bush

ARCA CGP CSGA CSPWC OSA P11 1909 – 1977

### 3 on Purple

acrylic on canvas, on verso signed, titled, dated October 1969  
and inscribed *Acrylic Polymer W.B.*  
53 x 81 in, 134.6 x 205.7 cm

#### PROVENANCE

Collection of the Artist

André Emmerich Gallery, New York, 1969

Mrs. J.B. Taylor, Toronto, 1971

By descent from the above to a Private Collection,

Boston, 1983

Miriam Shiell Fine Art, Toronto

Private Collection, Toronto

JACK BUSH WAS tremendously accomplished as a painter and made a large contribution to the storied history of abstract painting in Canada and worldwide. The 1960s was his breakthrough decade. The group he co-founded and that exemplified abstract painting in Ontario so successfully, Painters Eleven, disbanded in 1960. In 1962, he had his first solo show in New York (at the Robert Elkon Gallery) and he received a Canada Council senior fellowship that took him to the United Kingdom and to Europe, where he consolidated his passion for the work of Henri Matisse and Joan Miró especially. He was in Clement Greenberg's *Post-Painterly Abstraction* show in 1964. This influential exhibit of 31 painters included Helen Frankenthaler, Ellsworth Kelly, Morris Louis, Kenneth Noland, Jules Olitski and Frank Stella, as well as fellow Canadians Kenneth Lochhead and A.F. McKay, and definitively marked abstraction's move away from Abstract Expressionism. In 1967 and 1968, Bush represented Canada at the *Bienal de São Paulo* and ceased work as a commercial artist to apply himself full time to painting. The list of accolades and accomplishments notwithstanding, it also has to be said that his paintings are just plain fun. *3 on Purple* is at once dramatic, dynamic and intriguingly subtle. It is a delight for the eye and for the mind.

Bush's deadpan title does not say it all. Three hard white forms do indeed dance vivaciously on a purple ground, but that is only an opening chord for an artist so enthralled by jazz. The purple expanse sits atop five thinner and multiply hued colour bands. Typically for Bush, these colours seem intuitively chosen for their individuality and their unforced collaboration. He is the last person to follow the rigid dictates of some abstract art, using only primary colours, for example, or painting in monochrome. The narrower bands might seem to be compressed by the much larger and dark-coloured purple field, or perhaps this dominant colour shape is launched upwards by those below—or both. All we know for sure is that Bush is at his playful best here.

Bush's masterly deployment of the three white forms commands our attention. First, they are startlingly white, in contrast with the flesh-coloured supporting canvas that he lets us see around the perimeter. The pigment used for these three forms is flat and saturated, again in distinction from the soft and porous ground. Commensurate though they are on first glance, each form is unique. The longest, in the centre, has hard edges all around. The other two are fraternal twins with one ragged edge, but one sits (almost) horizontally versus vertically. The centre slash is contained by the overall painted surface of the picture, though it traverses the purple and red bands in a jaunty way, as if on the move. The right-hand form lies completely, almost contentedly, inside the purple field, while its sibling nudges out of this compartment to flirt with the painting's support. As if to keep these variations on a theme playing, Bush extends the top of the purple area past the ground at two points, over the edge of the canvas and into the frame. Looking at *3 on Purple*, it is easy to imagine that these forms will change again in the blink of an eye.

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

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

**ESTIMATE: \$250,000 – 350,000**



THE JAMES AND ELIZABETH EAYRS COLLECTION OF MILTON AVERY



James Eayrs in a photograph showing his two passions, writing and art (a painting by Jean McEwen in the background), circa 1964  
*Courtesy of the family of James and Elizabeth Eayrs*

#### INTRODUCTION BY MARK CHEETHAM

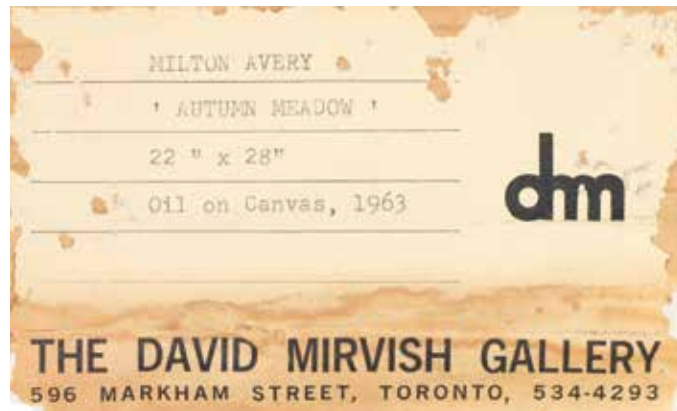
MILTON AVERY HAS come to be regarded as one of the most significant American artists of the twentieth century and a leader in modernism worldwide. He was an endearing figure painter, yet his greatest innovations were in landscape. Avery's unique work in the landscape genre enjoys several distinctions that also encapsulate his prominent place in art history.

His work was pivotal historically, standing between the home-grown themes of American Scene painting of the 1930s and that quintessential American movement, Abstract Expressionism, and both linked and challenged what came before and after it. A quiet person, Avery had a knack for talking with and influencing figures as significant as Mark Rothko, whose use of colour washes he helped to impel, and even Marcel Duchamp, whom Avery taught to play pool in the early 1950s. So pleased was Duchamp that he quipped that he should make calling cards stating "Marcel Duchamp—pupil of Milton Avery." While his painting is highly significant both aesthetically and in the development of American art, and though he was certainly celebrated in his lifetime, Avery also has the distinction of not being a household name today. Individual and visually captivating, paintings such as the four offered here and the five works in Heffel's November online sale are special to those in the know, notably collectors James and Elizabeth Eayrs.

It is instructive to know that James Eayrs, now 91, also collected work by Paul-Émile Borduas, David Milne and Jean Paul Riopelle, painters whose work addresses the eye in the most direct of ways. Underlining this mode of understanding art, in 1962, the renowned critic Hilton Kramer wrote in the first monograph published on Avery that it is "in Avery's aesthetic rather than in his biography that the key to his achievement will be found." Whether we would call his paintings "abstract" or not for these reasons, all retain a close relationship to observed nature. The four landscapes by Avery here do the same and could be considered amiable cousins to the Eayrs' Canadian pantheon. Avery has also been likened to Henri Matisse, an analogy that underlines the American painter's mastery of colour. Art historian and museum curator Barbara Haskell memorably dubbed him "one of America's greatest color poets."

In the foreword to Haskell's book accompanying the landmark 1982 to 1983 Avery retrospective, Tom Armstrong, then director of New York's Whitney Museum of American Art, provided an apt thumbnail of Avery's paradoxical legacy:

An independent thinker, Avery pursued his own aesthetic interests, which were often at odds with the dominant styles of the time. During the flood of enthusiasm for



American Scene painting in the 1930s, his work was criticized for being too abstract. When abstraction received critical acclaim in the 1950s, Avery was generally ignored because he refused to abandon all references to natural forms. In spite of the fact that his extraordinary abilities as a colorist strongly influenced several of the Abstract Expressionists—notably Mark Rothko, Adolph Gottlieb, and Barnett Newman—he never achieved a stature comparable to theirs during his lifetime.

James Panero later wrote in the same vein, "In the 1920s, Avery was a colorist when few wanted color; in the 1930s, he was a hazy impressionist when the world wanted hard detail; in the 1950s, he was a representationalist when all-over abstraction was the rage ... For those seeking The Next Big Thing," he continued, "Avery was chronically out of touch." However, thanks to astute collectors such as the Eayrs, and genial dealers such as David Mirvish, from whom the Eayrs purchased both lots 41 and 42, historians now praise Avery's prescience and his independence.

We thank Mark Cheetham, Professor of Art History at the University of Toronto and author of *Abstract Art Against Autonomy: Infection, Resistance, and Cure Since the 60s*, for contributing the introduction and essays on the Avery works from the collection of James and Elizabeth Eayrs.



## 41 Milton Avery

1893 – 1965 American

### Old Mountain, Young Trees

oil on canvas board, signed and dated 1962 and on verso signed, titled, dated and inscribed 2180  
24 x 30 in, 61 x 76.2 cm

#### PROVENANCE

Donald Morris Gallery, Detroit, June 1966  
David Mirvish Gallery, Toronto, July 1, 1966  
Collection of James and Elizabeth Eayrs, Toronto

#### LITERATURE

Barbara Haskell, *Milton Avery*, Whitney Museum of American Art, 1982, pages 8, 14 and 148 (introduction only)  
Clement Greenberg, "Milton Avery," *The Collected Essays and Criticism, Volume 4: Modernism with a Vengeance, 1957–1969*, 1995, page 42

FEW ARTISTS HAVE the poise to attempt—let alone to achieve—humour in their paintings. Milton Avery is one of these few. Here, his title sets up the terms of engagement between the simplified

and fundamental elements in the scene. Characteristically too, these basics are suggested with the utmost economy of means and without any attempt at naturalism. Avery's spring green trees seem to perambulate on sprightly legs, to dance in front of—even to tease—the now static old mountains, which appear weathered because of Avery's strong painted gestures and dark pigment. Young versus old, green versus brown: what we see is nature's regenerative cycle in a long and a short time span.

It is a measure of the quality of Avery's work in landscape especially that his work attracted the attention and fine prose of some of the most eminent and influential art writers of the day. Unequaled in influence was the American critic Clement Greenberg. Reassessing both Avery's work and his own less enthusiastic earlier responses to it, in 1957 Greenberg stated, "Nature is flattened and aerated in Avery's landscapes, but not deprived in the end of its substantiality." Avery's is a respectful and ultimately serious whimsy around nature.

We thank the Milton and Sally Avery Arts Foundation for confirming their positive opinion of this work. A document from the foundation will accompany this lot.

**ESTIMATE: \$100,000 – 150,000**





## 42 Milton Avery

1893 – 1965 American

### Autumn Meadow

oil on canvas board, signed and dated 1963 and on verso titled and dated on the gallery label  
22 x 28 in, 55.9 x 71.1 cm

#### PROVENANCE

David Mirvish Gallery, Toronto, 1969  
Collection of James and Elizabeth Eayrs,  
Toronto, February 28, 1969

#### LITERATURE

James Panero, "Milton Avery: Then & Now," *The New Criterion*,  
May 2004 (introduction and this lot)

MILTON AVERY'S AMIABLE landscapes constantly remind one that "simple" is the opposite of "simplistic." What do we see here? Guided by his characteristically laconic title, we read the yellow-green expanse as "meadow." This field of colour (and land) is not unbroken, but instead is articulated with a light touch that suggests various flora and diverse topography. While we will likely interpret the trees in the foreground as conventional

*repoussoir* elements that frame our view as three-dimensional, these forms lie flat on the support, as if pasted to the meadow. Trees on the hillsides are smaller, again suggesting distance in a conventional way.

A man of few words, Avery pronounced on the interpretation of his paintings in a 1931 interview: "The canvas must be completely organized through the perfect arrangement of form, line, color and space. Objects in the subject matter, therefore, cannot be painted representatively, but they must take their place in the whole design." He continued, "To those who do not see the aim of the artist, the effect seems to be a distortion... but to the painter it is simply the result of a planned organization of all the elements that enter into a painting in the space of the canvas. El Greco elongated his figures for the same reason." Painted in very thin oils to achieve Avery's signature delicacy, *Autumn Meadow* is perfectly balanced between the visual pleasures of an observed landscape and the playful elements of an abstract composition.

We thank the Milton and Sally Avery Arts Foundation for confirming their positive opinion of this work. A document from the foundation will accompany this lot.

**ESTIMATE: \$100,000 – 150,000**



### 43 Milton Avery

1893 – 1965 American

#### Dark Waters

watercolour and graphite on paper, signed and dated 1945 and on verso titled and inscribed A2027  
22 ½ x 30 ¾ in, 57.2 x 78.1 cm

#### PROVENANCE

Waddington Galleries, London, England, 1970  
Collection of James and Elizabeth Eayrs,  
Toronto, April 2, 1970

THE SEA WAS one of Milton Avery's constant motifs, whether depicted as a calm expanse of colour or more dramatically textured and vibrant, as in this example. Subtle though the greenery in this watercolour is, the rest of the image uses this delicate

medium to portray natural phenomena in their boldness. The "dark waters" of the title are interpreted by strongly gestural lozenge-shaped marks in the expansive foreground. Across a hint of sand that forms an isthmus in the middle of the work, we see a more distant stretch of dark blue water. Powerful zigzags in the otherwise white expanses to the left and right of the foreground water suggest a rocky basin and shoreline. The overall dynamism of this elemental scene could be said to preview the remarkable *Phenomenascapes* of Canadian painter Paterson Ewen (1925 – 2002), who also moved towards abstract notation while in the thrall of nature's forces.

We thank the Milton and Sally Avery Arts Foundation for confirming their positive opinion of this work. A document from the foundation will accompany this lot.

**ESTIMATE: \$25,000 – 35,000**





#### 44 Milton Avery

1893 – 1965 American

##### Beach Birds

mixed media on paper, signed and dated 1953 and on verso titled, dated on the gallery labels and inscribed 758B-25

17 x 22 in, 43.2 x 55.9 cm

##### PROVENANCE

Donald Morris Gallery, Detroit, 1969

Marianne Friedland Gallery, Toronto, January 10, 1969

Collection of James and Elizabeth Eayrs, Toronto

*BEACH BIRDS* CHALLENGES our perception in several intriguing ways. While clearly painted, the distinctively outlined birds are also reminiscent of Milton Avery's skill as a printmaker. These

bird forms are set on what we understand is a sand beach, but typically for Avery, they are not integrated naturalistically into the scene but instead sit against a flat and uniformly inflected plane. This support also appears as a middle band of subtle colour and texture sandwiched between two others. The stripes alternate in our vision, reading as sea, beach and sky as we move from bottom to top, but equally as three abstract zones on which the birds have alighted. Again, Avery provides a simple and stunningly subtle meditation on nature. In turn, we cannot help but take pleasure in what he so evidently appreciates deeply.

We thank the Milton and Sally Avery Arts Foundation for confirming their positive opinion of this work. A document from the foundation will accompany this lot.

**ESTIMATE: \$15,000 – 25,000**



## PROPERTY OF VARIOUS COLLECTORS

### 45 Josef Albers

1888 – 1976 German

#### Study for Homage to the Square: New Garland

oil on board, monogrammed and dated 1963 and on verso signed, titled, dated and inscribed variously  
16 x 16 in, 40.6 x 40.6 cm

#### PROVENANCE

Sidney Janis Gallery, New York  
Galerie Agnès Lefort, Montreal  
Private Collection, USA, 1966

#### LITERATURE

Frederick A. Horowitz, "Squares: Form, Color, and Meaning in Josef Albers's Homages," unpublished essay, page 49  
George Heard Hamilton, *Josef Albers: Paintings, Prints, Projects*, Yale University Art Gallery, 1956, catalogue essay, page 30  
Josef Albers, *Interaction of Colour*, 1963  
Interviews with Irving Finkelstein, taped in support of his PhD thesis, 1965, unpaginated  
John Coplans, *Serial Imagery*, Pasadena Art Museum, 1968, pages 48 and 49

#### EXHIBITED

John Daniels Gallery, New York, 1964  
Contemporary Arts Center, Cincinnati, *Paintings by Josef Albers*, May 6 – June 17, 1965, traveling in 1965 – 1966 to the Boise Art Association; Contemporary Art Association, Houston; Newcomb College, New Orleans; Forth Worth Art Center; Laguna Gloria Art Museum, Austin; Colorado Springs Fine Art Center; and the Cleveland Museum of Art  
Galerie Agnès Lefort, Montreal, 1966

IN 1963, THE German-American artist Josef Albers turned 75, and he had quite a year. Where many men his age might have thought of slowing down, Albers set to work with renewed vigour. In March, his huge Formica mural, *Manhattan*—now alas destroyed—was unveiled in the lobby of Walter Gropius's new Pan Am Building in New York. In June, on the birthday of his wife, Anni, Albers's great work of scholarship, *Interaction of Colour*, was published. In that year, too, he painted this work, *Study for Homage to the Square: New Garland*.

Albers had begun the *Homage* series in 1950, and he was still at work on it when he died in 1976. *New Garland* thus sits precisely at the halfway point of the project, in a year that was to be as productive for *Homages* as it was for Albers in general. Around 200 works from the series are known to survive from 1963. As Albers frequently destroyed paintings he found unsatisfactory, there will certainly have been many more. It is not impossible that, in the year *New Garland* was painted, he was making a picture a day.

Like all *Homages to the Square*, this one is on Masonite, a kind of industrial fibreboard. Albers claimed to dislike canvas because it "ran away from the brush." At least as important, though, was that Masonite was ordinary—not an art material but a workaday one, used in construction. His father, Lorenz, had been a *Dekorationsmaler*—a house-painter. Albers always insisted that it was from him that he had learned to make art and not from Wassily Kandinsky or Paul Klee, his seniors at the Bauhaus. The paint of *New Garland*, like that of all the *Homages*, will have been squeezed onto the panel straight from the tube and spread, unmixed, with a palette knife. All this, in 1963, would have been done in Albers's studio—a cramped basement room, low-ceilinged and strip-lit, under the small clapboard house where he and Anni lived in a modest suburb of New Haven, Connecticut. "There is no extraordinary without the ordinary," Albers would say. The point was to get much out of little, to make the everyday miraculous.

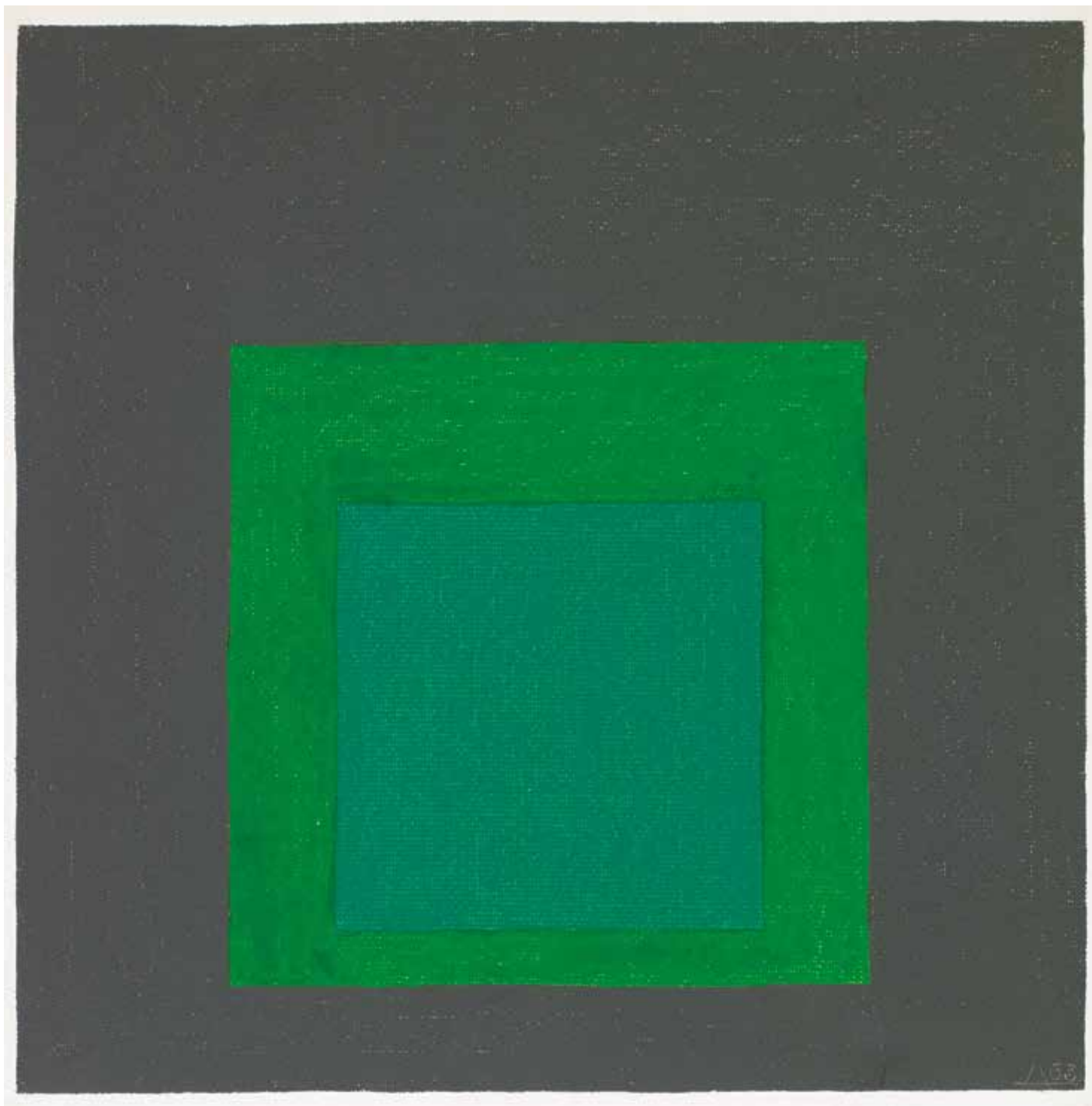
As with all the *Homages*, too, the back of *New Garland* is as intriguing as the front. Here, Albers tells us exactly how the picture was made—the paints he used (Bright Green, Green Light and Reilly's Grey), their manufacturer (Grumbacher), and what he did with them ("All in one primary coat directly from the tube"). This is an extraordinary thing for a painter to do, like a magician explaining to his audience how to pull rabbits out of hats. But, as much as he was an artist, Albers was also a teacher. The two were inseparable in his mind. With the *Homages* he worked like a scientist, experimenting again and again, day after day, with the way colours interact with each other—here, how the eye sees a green differently when juxtaposed with another green, and differently again when both are put next to a grey. "In visual formulation there is no final solution," Albers said. "Therefore, I work in series." His findings were laid out for everyone to see, on the back of *Homages* as in *Interaction of Colour*.

If all this makes a painting like *New Garland* sound clinical, the work itself shows otherwise. Albers may have thought like a scientist, but he saw like a poet. In this picture's three colours and squares is a world of emotion and meaning, all the more vivid for being unknown.

We thank Charles Darwent for contributing the above essay. Darwent is a London-based art historian and critic. His biography of Josef Albers will be published by Thames & Hudson in 2018.

This work will be included in the *Catalogue Raisonné of Paintings by Josef Albers* currently being prepared by the Josef and Anni Albers Foundation, registration #JAAF 1963.1.16.

**ESTIMATE: \$80,000 – 100,000**







## 46 Maqbool Fida Husain

1915 – 2011 Indian

### The Other Self

oil on canvas on board, signed in English and Devnagari,  
circa 1970  
36 ¾ x 26 ¼ in, 93.3 x 66.7 cm

#### PROVENANCE

Pundole Art Gallery, Mumbai, circa 1979  
Private Collection, United Kingdom  
Sold sale of *Modern and Contemporary South Asian Art  
including Indian Miniature Paintings*, Sotheby's London,  
June 8, 2012, lot 51  
Sold sale of *Summer Art Auction*, SaffronArt,  
June 20, 2013, lot 48  
Private Collection, Vancouver

#### LITERATURE

Henry Corbin, *History of Islamic Philosophy*, 1993, page 307  
“Overview of Indian Art: Contemporary Indian Painting,”  
SaffronArt, para. 2, [http://www.saffronart.com/sitepages/  
ArticleDetails.aspx?Articleid=9&pageno=1](http://www.saffronart.com/sitepages/ArticleDetails.aspx?Articleid=9&pageno=1), accessed  
August 16, 2017

M.F. HUSAIN, AS he is often called, was one of the most prominent Indian artists of the twentieth century. To specify his nationality is important, because he was both celebrated and controversial for his depictions of distinctly Indian themes. On the other hand, as a founding member of the Progressive Artists Group (1947–1956), he sought distance from overtly nationalistic subject matter and is a truly international artist. According to Henry Corbin, at the time of India's independence in 1947 and the partition of Pakistan, “one may discern three emphases common to artistic practice in most countries with a colonial past: an interrogation of Western influences on artistic expression, the overpowering need to establish a distinct identity and idiom for Indian art, and an engagement with the role and function of the artist in a country like India.” Husain successfully combined domestic and international artistic ideas to become a leader in both transnational and Indian modernism.

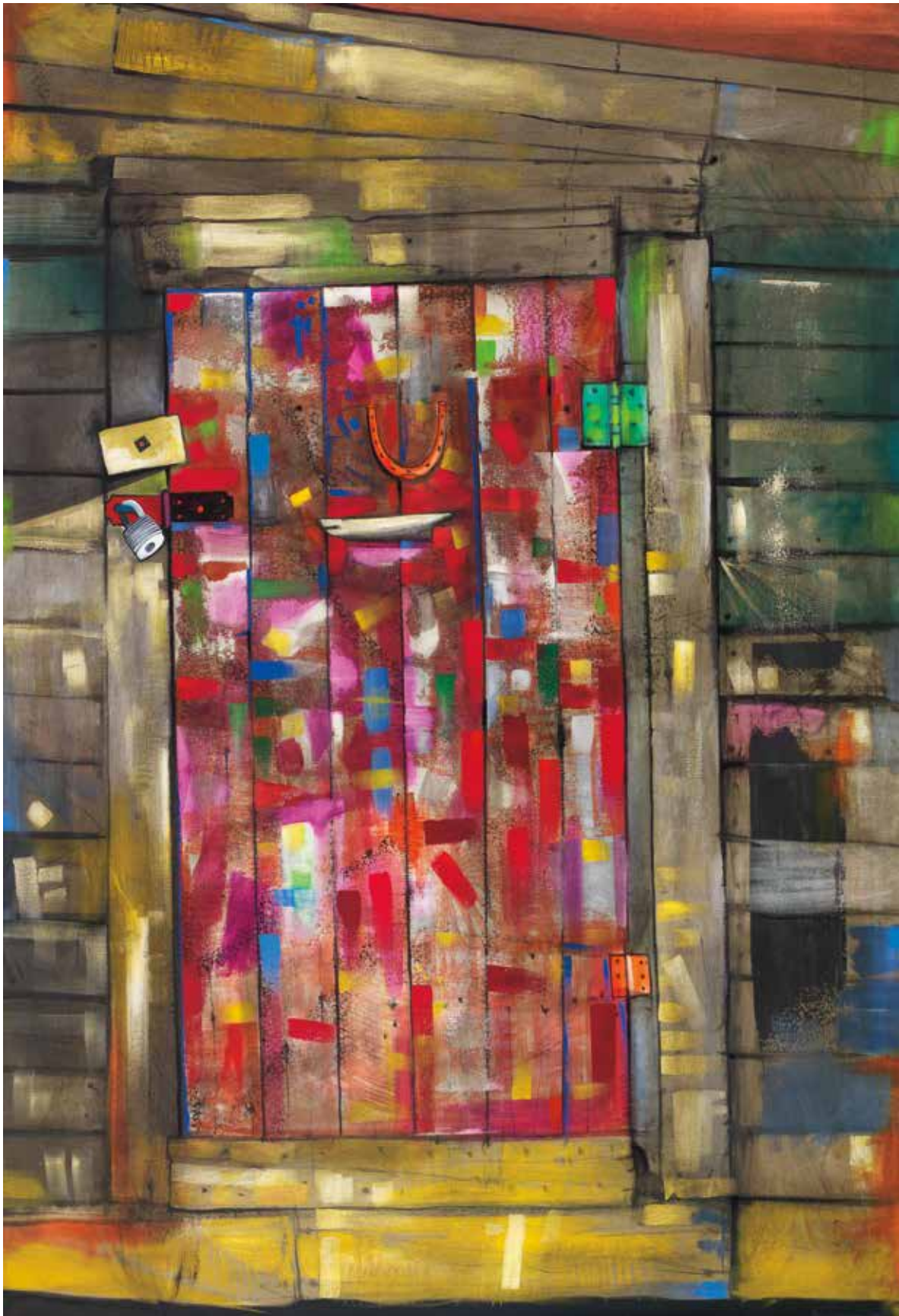
*The Other Self* is an intriguing painting on many levels. With a characteristically vibrant palette, sharply defined linearity, and his signature deployment of negative space, Husain describes what seems to be an animated conversation among four figures. In their different ways, the three female characters to the left respond to the smaller male figure to the right. He gestures boldly; they confer between themselves, or in the case of the seated woman in the centre, seem to react to his declarations. How are we to understand this dynamic image?

There is a contrast between the beautifully dressed women and the more humbly clad man. Their incommensurate sizes may suggest a difference in social status. Two elements in the painting also recommend a further, spiritual interpretation. The animated right-hand figure is shadowed by a much larger schematic form, a mysterious and more pensive bodily armature that greatly increases his size. Is this form an evocation of “the other self” of the title? Husain was Muslim. We can speculate that what the women witness is both the appearance of an unremarkable man and of a deity, a “theophany.” One authority notes that in Sufi metaphysics, “the world of phenomena is the theophanic world; in no way is it an illusion—its existence is real, since it is actually the theophany, the other self of the absolute. From this point of view, there is no real difference between Essence and Attributes: being is identical with thought.”

Two other details in the painting suggest a contrast between—but ultimately, the indivisibility of—the observed and the spiritual worlds. Three of the foreground figures have prominent feet. By contrast, the outlined “other self” is transparent and has no feet with which to stand on the earth. Also, the woman in the centre of the composition sits securely on the ground, but again by contrast, we come to notice that she responds to Husain's lightly drawn other self rather than to the man in white's more overt gestures, which are directed to the standing women on the left. In this complex painting, Husain has portrayed the interactions of quotidian reality and the absolute.

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

**ESTIMATE: \$200,000 – 300,000**



## 47 David Lloyd Blackwood

CPE CSGA CSPWC OSA RCA 1941 –

### Ephraim Kelloway's September Door '59

oil on canvas, signed and dated 1990

and on verso signed, titled and dated

70 x 48 in, 177.8 x 121.9 cm

#### PROVENANCE

Gallery One, Toronto

Private Collection

#### LITERATURE

David Blackwood, *David Blackwood: Ephraim Kelloway's Door Paintings 1985–1990*, Gallery One, 1990, foreword, reproduced, unpaginated

William Gough, *David Blackwood: Master Printmaker*, 2001, the 1990 etching *Passing Shadow* reproduced page 23 and the 1981 etching *Ephraim Kelloway's Door* reproduced page 24

#### EXHIBITED

Gallery One, Toronto, *David Blackwood: Ephraim Kelloway's Door Paintings 1985–1990*, October 6 – November 1, 1990

Growing up in outport Newfoundland during the 1940s and '50s I was surrounded by what the poet Desmond Walsh describes as “the greatness that made this place.” This greatness was rooted in the human spirit, the product of almost five hundred years of struggle and adversity.

—DAVID BLACKWOOD

DAVID BLACKWOOD IS a remarkable chronicler of early outport life in Newfoundland in his extraordinary paintings and prints. One of the many rich tales of the town of Wesleyville in Newfoundland concerns the Kelloway family (including brothers Alpheus, Jacob and Ephraim), who were the Blackwood family's next-door neighbours during David's childhood. The Kelloway house and outbuildings stood out against other local buildings—instead of being brightly painted, the clapboard structures remained natural grey. In a further departure from convention, in the mid-1950s Ephraim Kelloway began painting the door of his shed in different hues over several summers, reputedly changing the colour almost 50 times. He also attached a variety of objects to the surface, and in this work we see hinges, a horseshoe, and half of a model boat.

Kelloway's painted door made a strong impression on Blackwood—he was so fascinated by it that he later acquired it, moving it next to his Wesleyville studio building. He created drawings, watercolours and a series of paintings based on the door, stating that this motif became “a personal voyage of exploration and discovery in painting.” It also inspired his 1981 etching *Ephraim Kelloway's Door* and his 1990 etching *Passing Shadow*.

At some point, Kelloway ceased his decorations of the door, and then, through the actions of the elements, the weathering began to expose the underlayers of paint. In *Ephraim Kelloway's September Door '59*, Blackwood reveals a rich surface with a myriad of hues ranging from warm yellow, pink and red to cool blue and green. The actions of nature have created the illusion that Kelloway has made an abstract painting on his door. In this large and stunning work from the *Door* series, Blackwood emphasizes this illusion, treating the door as a tapestry of colour, and

then extending more muted patches and strips of colour around the door, as well as highlighting the wood siding above the door. Their golden tones give these brushed marks a quality of refracted light and pull the image up to the surface of the picture plane. This is consistent with Blackwood's statement about the motif being used as a “voyage of exploration,” as this painting is as much about paint, light and space as it is about the actual source image.

Blackwood has not only captured the door as a “richly painted and decorated icon,” but has also transformed it into a stunning modernist painting. Through his narrative he also connects us to change and the passage of time in Newfoundland and to the unique individuals who lived there. As Blackwood poetically stated, “Ephraim Kelloway was a passing shadow on the land and sea of Bonavista North but his door remains and the exploration continues.”

ESTIMATE: \$90,000 – 120,000





## 48 Lawren Stewart Harris

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

### LSH 138

oil on board, on verso signed, dated 1958,  
inscribed *F. 114* and stamped Lawren Harris  
LSH Holdings Ltd. 138  
30 1/8 x 22 in, 76.5 x 55.9 cm

### PROVENANCE

The Art Emporium, Vancouver, 1976  
Private Collection, Vancouver  
Sold sale of *Canadian Post-War &  
Contemporary Art*, Heffel Fine Art  
Auction House, May 15, 2013, lot 60  
Private Collection, Vancouver

### EXHIBITED

Vancouver Art Gallery, *Lawren Harris:  
Canadian Visionary*, March 1 –  
May 4, 2014

LAWREN HARRIS'S TRANSFORMATIVE journey to abstraction began after he left Toronto in 1934 for Hanover, New Hampshire, and later Santa Fe, New Mexico, where he became involved with the Transcendental Group of Painters. Before he left Canada, his landscapes, reduced to their essentials and radiant with light, reflected his deep interest in spirituality through his involvement with Theosophy, and showed the beginnings of his revolutionary leap to abstraction.

In 1940 he returned to Canada, settling in Vancouver late that year. He was soon established as a prominent figure in its art scene, and in 1958 was appointed honorary vice-president and guarantor of the Vancouver Art Gallery. Harris's abstract work continued to evolve through successive stages, and his work was influenced in the mid-1950s by the symbolism in Tantric Buddhist images from Tibet. Around this time, he was using calligraphic lines, often in a vertical format, as in this elegant work. Lines dance in a harmonious rhythm, contained within the painting's edges, yet free within that containment. The colour palette is light and radiant, a manifestation of Harris's creation of transcendent spiritual states through his paintings.

**ESTIMATE: \$25,000 – 35,000**

## 49 Bertram Charles (B.C.) Binning

BCSFA CGP CSGA OC RAIC RCA  
1909 – 1976

### Modern Doric

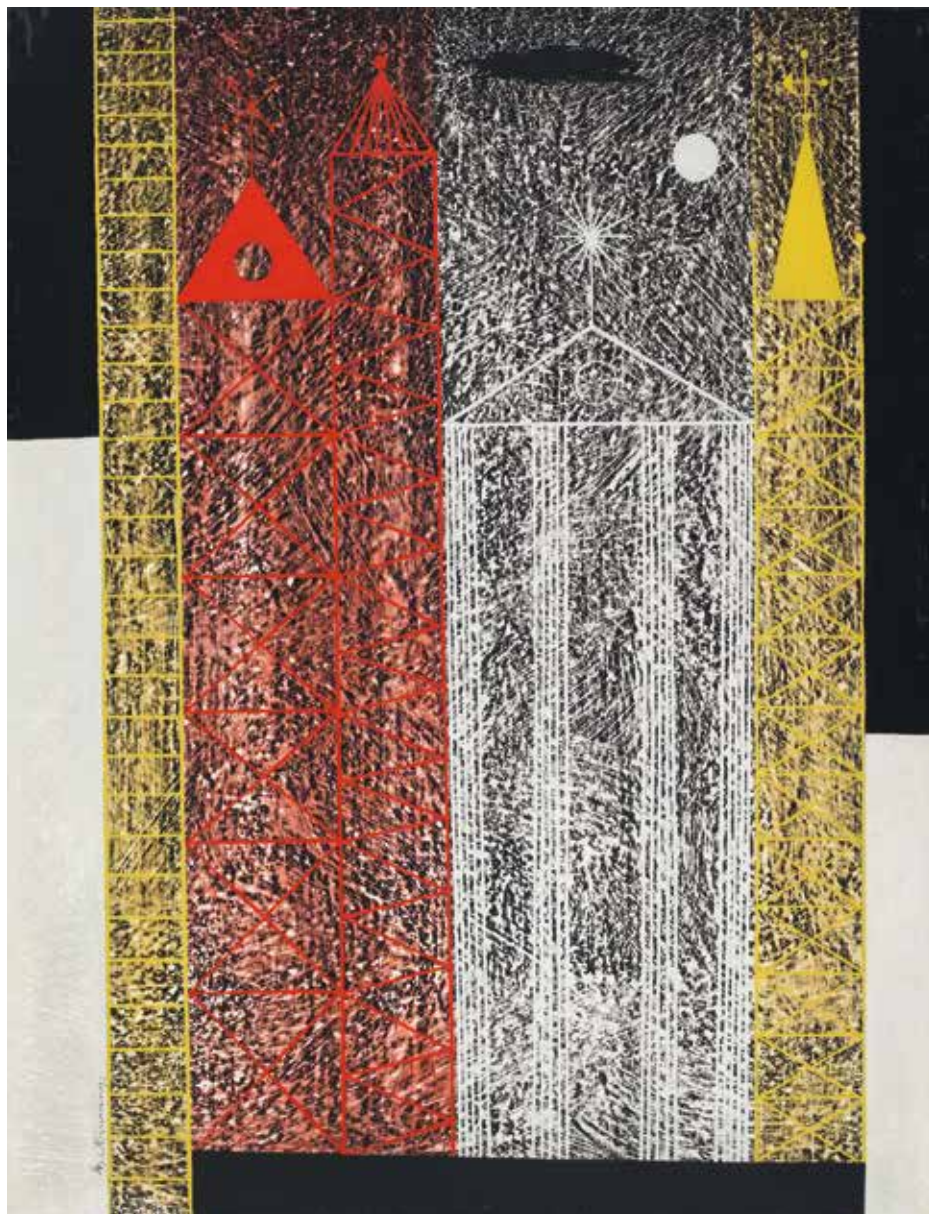
oil on board, signed and on verso titled and dated 1951 on the artist's label  
30 ¾ x 24 ¾ in, 78.1 x 62.9 cm

#### PROVENANCE

Private Collection, Toronto

B.C. BINNING WAS a leading figure in Vancouver's early art milieu, as an educator and as an artist who was part of the city's modernist scene, along with artists such as Gordon Smith and Jack Shadbolt. In 1949 Binning was appointed an assistant professor at the University of British Columbia's School of Architecture, and by 1955 he was the head of UBC's Fine Arts Department. *Modern Doric* refers to the classical architecture of the Doric column, developed by the Greeks and Romans, which was known for its smooth, rounded capitals. Binning's approach to his images, which pivoted around his ideas of form, space, colour and texture, was formal, but at the same time infused with elements of whimsy, such as the star and weather vane atop the towers. Binning overlays solid and transparent forms on a textured background, which oscillates with energy. He further energizes the image with bright red, yellow and white in his lines and forms, balanced by black and grey strips along the edges that contain and calm this energy. Cool yet vibrant, formal yet playful, *Modern Doric* is a stunning example of Binning's singular approach to modernism.

**ESTIMATE: \$20,000 – 30,000**









## 50 Gordon Appelbe Smith

BCSFA CGP CPE OC RCA 1919 –

### Pond Painting II

acrylic on canvas, signed and on verso titled  
and dated 1998 on the gallery label  
50 x 67 in, 127 x 170.2 cm

#### PROVENANCE

Equinox Gallery, Vancouver  
Private Collection, Ontario

GORDON SMITH'S 1990S *Pond* series was inspired by his visit to Claude Monet's famous home and garden at Giverny in 1995. While Monet's lush garden was cultivated, Smith's series included natural West Coast forest pools and marshes—as seen here in this colourful depiction of skunk cabbage blooming through the shreds of snow still lying in the hollows. This pungent and vigorous plant blooms in coastal wetlands in early spring, illuminating the forest floor with flashes of bright yellow.

The 1990s was a prime time period for Smith—his painting, such as the *Pond* series, was exciting and vital, and in 1997 he was given a retrospective at the Vancouver Art Gallery. *Pond Painting II* is an outstanding example of his joyous response to his immediate environment as well as his exceptional skill in handling paint and colour. His depiction of soft mosses and curving, slender grasses and twigs is quite exquisite. Blue tones in the shadowed snow and touches of bright red and orange further enliven the surface of this natural forest garden.

**ESTIMATE: \$50,000 – 70,000**



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

BCSFA CGP OC RCA 1913 – 2007

### Crofton Wharf

oil on canvas board, signed and dated 1965  
and on verso signed, titled, dated, inscribed  
13 / 26 / P grey 3 Mar 62 / F3552 / F / V and  
stamped with the Dominion Gallery stamp  
18 x 24 in, 45.7 x 61 cm

#### PROVENANCE

Dominion Gallery, Montreal  
Sold sale of *Important Canadian Art*,  
Sotheby's Canada, May 31, 1990, lot 154  
Heffel Gallery Limited, Vancouver  
Private Collection, Vancouver  
Sold sale of *Canadian Art*, Joyner Fine Art,  
May 26, 1992, lot 6  
Galerie Walter Klinkhoff Inc., Montreal  
Private Collection, Vancouver

#### LITERATURE

*E.J. Hughes: Paintings, Drawings & Watercolours*,  
Heffel Gallery Limited, 1990, reproduced and  
listed, unpaginated  
Jacques Barbeau, *The E.J. Hughes Album: The Paintings*,  
*Volume 1, 1932 – 1991*, 2011, reproduced page 43

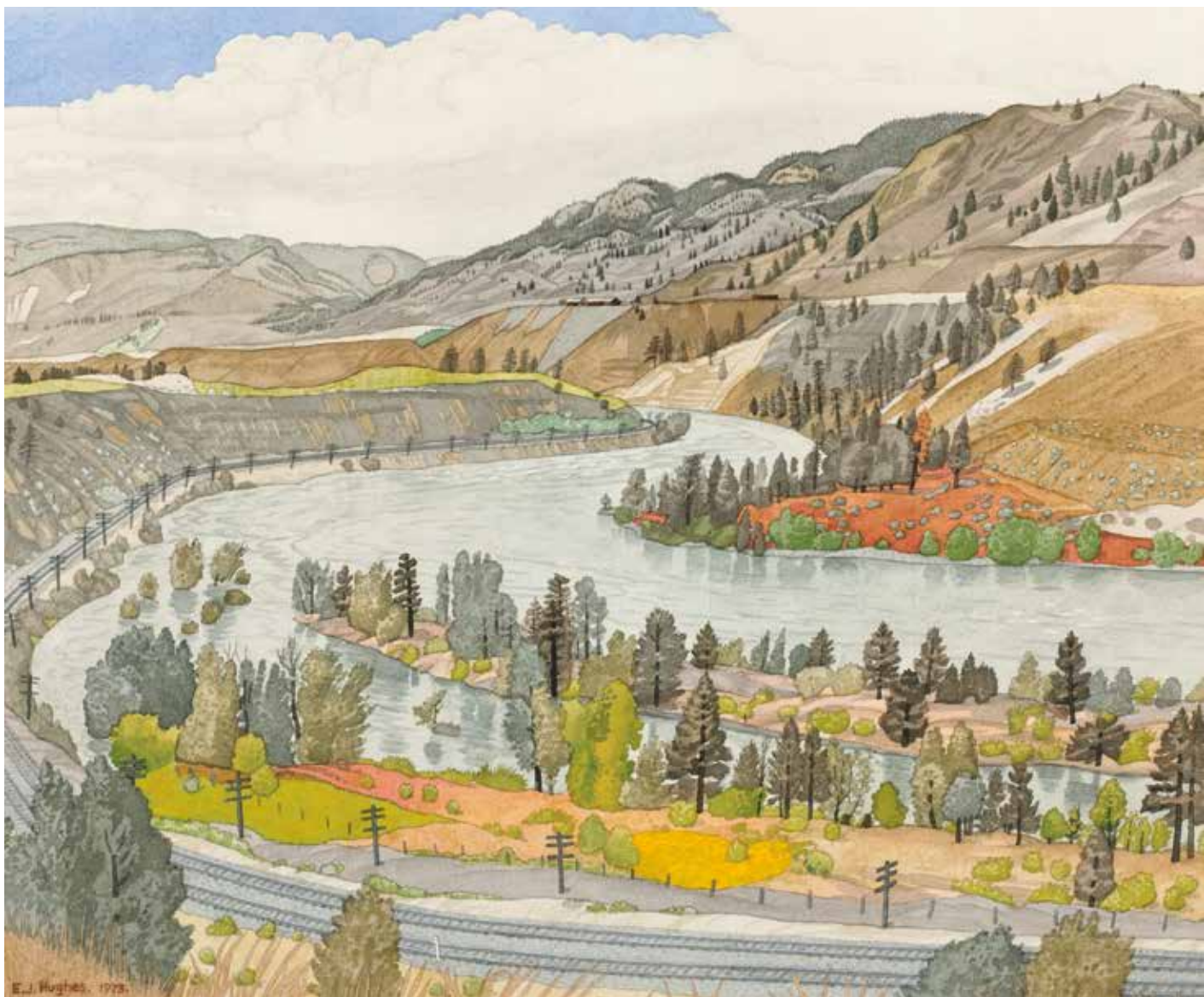
#### EXHIBITED

Heffel Gallery Limited, Vancouver, *E.J. Hughes: Paintings*,  
*Drawings & Watercolours*, November 3 – 29, 1990

IN 1965, E.J. HUGHES was living in Shawnigan Lake, in the south Cowichan Valley on Vancouver Island, and exploring the bays and oceanside settlements nearby. He often painted at Crofton, a small mill town, attracted by its picturesque harbour and ferry dock. Hughes's work of the 1960s is greatly sought after for its rich, heightened colouration and crystalline atmosphere. In *Crofton Wharf*, a cobalt ocean and turquoise sky contrast with bright colours in the dock and small boats, and golden grasses in the foreground. Hughes was fascinated by the formal lines of man-made structures, such as the red stripes on the raised traffic barrier and the repeated patterns in the wharf supports and gangway. This finely honed composition is marvelously detailed—in the distance, a ferry approaches from Saltspring Island, whose shore is dotted with brightly painted houses, and at the dock, a small group of people relax on pleasure craft. Hughes deftly captures the harmonious balance between human activity and the tranquility and beauty of nature that is so characteristic of Vancouver Island's east shore.

**ESTIMATE: \$100,000 – 150,000**





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

BCSFA CGP OC RCA 1913 – 2007

### The Thompson River, from Walhachin

watercolour on card, signed and dated 1973

and on verso signed, titled and dated

20 1/8 x 24 1/4 in, 51.1 x 61.6 cm

#### PROVENANCE

Dominion Gallery, Montreal

Estate of Michel Moreault, former director of the  
Dominion Gallery, Montreal

E.J. HUGHES MADE a number of sketching trips to the British Columbia interior and was specifically in the area of the Thompson River in 1956 and 1963. The winding nature of the river made it particularly visually attractive, and the vantage point at

Walhachin has an interesting history. Now a ghost town, it was once home to an affluent colony of English settlers and was called “Canada’s Camelot.” However, Hughes’s interest lies with the striking landscape—in the contrast between the arid hills and the river with rich growth along its banks, and the dramatic aerial view fading into the distance under banks of clouds. Emphasizing the serpentine line of the river is the railway and row of telephone poles running alongside it; their repeated man-made pattern is the kind of motif that intrigued the artist. Natural patterns are also captured—in the reflections of trees at the calm edges of the river and in the eddies at its centre. The date of 1973 reveals Hughes’s habit of revisiting sketches of his subjects; clearly this lofty panorama piqued his interest again some years after his initial visits.

**ESTIMATE: \$25,000 – 35,000**



### 53 Jack Leonard Shadbolt

BCSFA CGP CSPWC OC RCA 1909 – 1998

#### Woodwards Tower

watercolour and ink on paper, signed and dated 1946 and on verso titled and inscribed *from Old Central School Grounds* and \$55.00  
27 x 20 in, 68.6 x 50.8 cm

#### PROVENANCE

Acquired directly from the Artist by the present Private Collection, Toronto

#### LITERATURE

Scott Watson, *Jack Shadbolt*, 1990, page 36

AFTER WORKING IN London in 1945 for the official Canadian War Art Program, Jack Shadbolt returned in the fall of that year to Vancouver, where he resumed teaching at the Vancouver School

of Art and painting in a West End studio. After the war he was drawn to social realism; from 1945 to 1947 he depicted urban Vancouver in a series he called *The Canadian Scene*, stating, “I find my full satisfaction as an artist in the streets about me: in the strange façade of a modern city block built up of all the historic hangovers of old architectural styles.” Shadbolt’s early watercolours of urban Vancouver are greatly sought after, and this is an exceptional, finely detailed example. Woodward’s department store building rises in the background—constructed in 1903 in the Lower Eastside district, which was then the heart of Vancouver’s retail shopping area. The big W at the top was a distinctive element of Vancouver’s skyline, and considered so iconic that when the building was acquired by the City of Vancouver in 2003, a replica was installed. In this exceptional watercolour, Shadbolt sensitively captures the atmosphere of this area in 1946, with its historic architecture and bustling street activity.

**ESTIMATE: \$25,000 – 35,000**

## 54 Jack Leonard Shadbolt

BCSFA CGP CSPWC OC RCA 1909 – 1998

### Red Palms (Landscape with Turquoise Sea and Red Palms)

oil on canvas, signed and dated 1957 and on verso signed, titled twice, dated, inscribed 30 F and 4 on a label and stamped J.L. Shadbolt, North Glynde Avenue, North Burnaby, Vancouver, BC and Fournitures pour artistes Papeterie des écoles  
36 ½ x 28 ¾ in, 92.7 x 73 cm

#### PROVENANCE

Private Collection, Vancouver  
Sold sale of *Canadian Post-War & Contemporary Art*,  
Heffel Fine Art Auction House, November 25, 2010, lot 8  
The Art Emporium, Vancouver  
Private Collection, Vancouver

#### LITERATURE

Scott Watson, *Jack Shadbolt*, 1990, pages 77 and 78

IN SEPTEMBER OF 1956, Jack Shadbolt went to France on a year's leave of absence, funded by the Canada Council. After a sojourn in Paris, Shadbolt traveled south, staying at Menton in the French Riviera and at Collioure, a small fishing village near the Spanish border. Shadbolt's time in France was liberating, both in terms of his psyche and the effect of the light and colour of the South of France on his work. As Scott Watson writes, "It was as if something that had been long pent up was suddenly freed, as his senses opened up to new tastes, textures and sensations, especially colours. The cumulative effect was a narcotic intimation of paradise." He immersed himself in the sensory, experiencing the joy of living a slow, leisurely life of freedom under the Mediterranean sun—and let his hedonistic side bloom.

Shadbolt's palette shifted from his previous earth tones to brilliant light-filled hues. He expressed his passionate reaction to the southern French colours, stating, "I nearly went mad just out of Toulon. My first Mediterranean colour—cool melon, heliotrope, clear pale mineral blue." Up until the mid-1950s, Shadbolt had been working in water-based media on paper, but now he was painting in oil, the ideal medium for rich colour.

A committed modernist, in 1948 Shadbolt had spent time in New York, absorbing the theories of abstraction emerging there, and through the theories of Hans Hofmann and the work of American Abstract Expressionist painters, developing

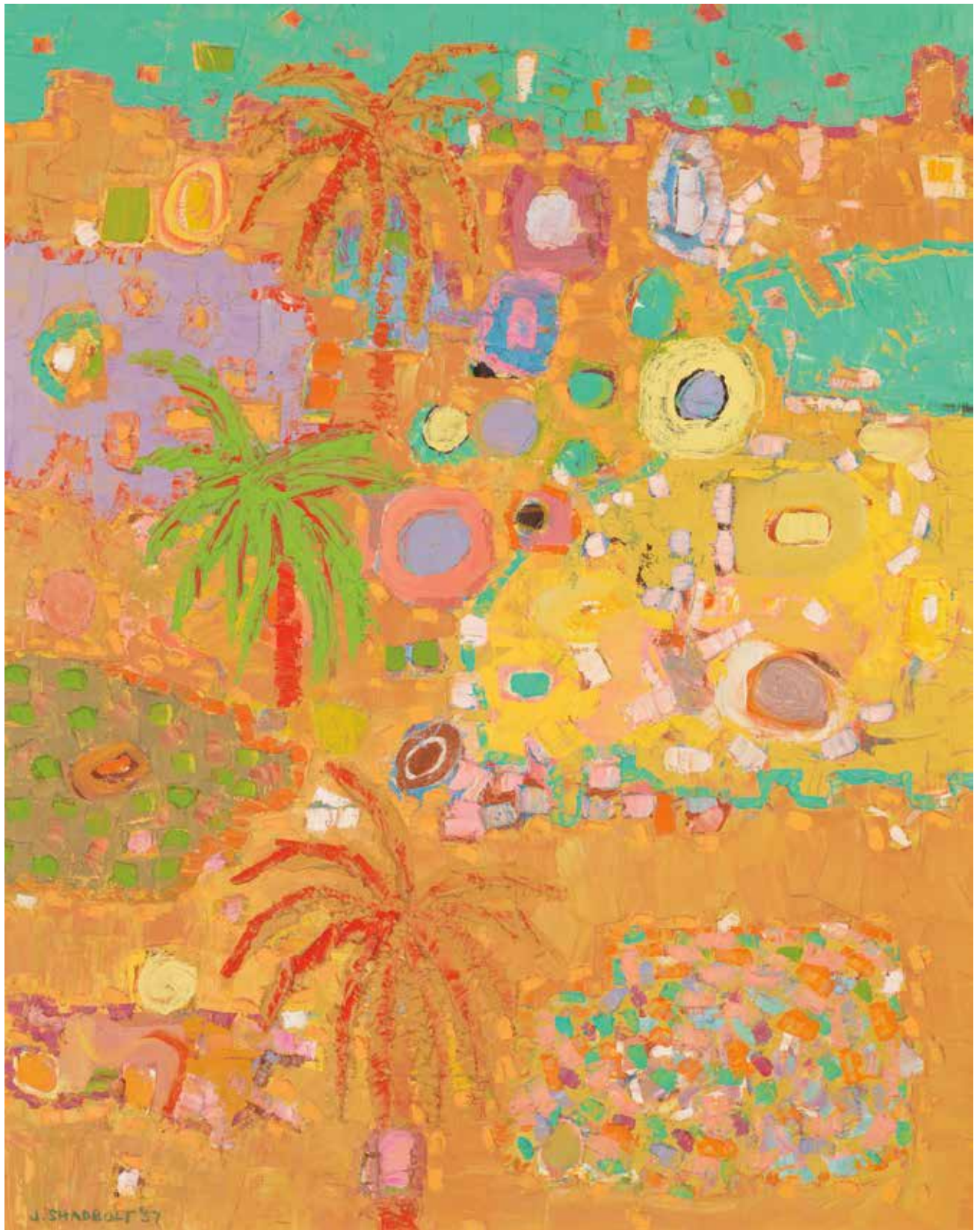
his awareness of space and the flattening of the picture plane. Shadbolt was also examining European work in museums there—scrutinizing the art of Pablo Picasso and delving into symbolic abstraction. In fact, Shadbolt's interest in European art stretched back to 1933, to the enthusiasm he felt for the work of Paul Cézanne seen at the Chicago World's Fair; at that time, as Scott Watson writes, "He had seen himself as belonging to the tradition of French modernism." Therefore, in 1956, seeing "Cézanne country" was important to him. After his first stop in Paris, he headed for the South of France and the Côte d'Azur, which had provided inspiration for Cézanne, Pierre Bonnard and Henri Matisse. Shadbolt admired Matisse, whose views of the Mediterranean from hotel rooms on the Riviera struck him with their lyricism and sensuality. In Collioure, he even rented a room in which Matisse once worked.

*Red Palms (Landscape with Turquoise Sea and Red Palms)* shows Shadbolt in possession of a well-developed command of modernist vocabulary. The canvas surface shows much push-pull action between abstract shapes at the front of the picture plane and areas that recede into abstracted landscape and vegetation, such as the palm trees. The paint is textured, and small mosaic squares applied with a palette knife recall the kind of mosaic pattern work produced by Jean Paul Riopelle at the same time as this canvas. *Red Palms* is a joyous dance of patterning of abstract form and line, playing between two- and three-dimensionality, but still rooted in landscape. Confirmation that this work was painted in France, rather than on his return to Canada, is seen in the stamp on verso, which reads "Fournitures pour artistes Papeterie des écoles."

In the early 1950s, Shadbolt had been working with abstract forms based on plants and insects, often sombrely reflecting on the cycle of growth and death. But in France, his use of abstracted form was utterly joyous. *Red Palms* is a tapestry of colour and shape, with luscious, saturated deep pastels and abstracted suggestions of ocean, land, docks and lush vegetation. On the wheel of existence, Shadbolt had found himself in the exuberant here and now of the light, heat and chromatic extravagance of the Mediterranean, and *Red Palms* is an outstanding example of the creative explosion he experienced there.

**ESTIMATE: \$25,000 – 35,000**









## 55 Jack Leonard Shadbolt

BCSFA CGP CSPWC OC RCA 1909 – 1998

### Garden in Green and Gold

oil on canvas, signed and dated 1957 and  
on verso titled, dated and inscribed 31E  
28 ¾ x 36 ½ in, 73 x 92.7 cm

#### PROVENANCE

The Isaacs Gallery Ltd., Toronto  
Private Collection, Ontario

#### LITERATURE

Scott Watson, *Jack Shadbolt*, 1990, page 57

THIS GORGEOUS PAINTING is from a pivotal time in Jack Shadbolt's career, one in which he reveled in the sensual pleasures of colour. In 1956, Shadbolt took a year's leave of absence

to go to France, and after stopping in Paris, traveled to the south to the exotic Côte d'Azur. In the town of Menton he settled into a hedonistic way of life—the sea, the sun and the beautiful gardens entered his consciousness and his work, as he enjoyed his pure sensory self. He revealed his desire to transform in a letter: “I want to stay in this Mediterranean meaning. I have too much conscience—too much Gothic—too much Western social-minded sense of responsibility.”

In this radiant painting, fragments of the garden drift and glow across a colour field of golden orange and green, and the closer you look, the more hues are revealed—from pink to emerald. Shadbolt's paint is textural, thick and rich, with built-up mosaic-like squares scattered through the background. In France, this West Coast modernist liberated a part of himself, and the results, as seen in *Garden in Green and Gold*, are spectacular.

**ESTIMATE: \$25,000 – 35,000**



## 56 **Antony (Tony) Scherman**

1950 –

### **The Blue Highway—Jim Morrison**

encaustic on canvas, on verso signed, titled,  
dated 2001 – 2002 and inscribed 01727  
30 x 40 in, 76.2 x 101.6 cm

#### **PROVENANCE**

Chac Mool Gallery, Los Angeles  
Private Collection, Montreal

EXECUTED BETWEEN 1998 and 2002, Tony Scherman's series *The Blue Highway* focuses on figures from popular culture, and this work is a cropped and magnified portrait of Jim Morrison, the lead singer of The Doors. Scherman shows him with his eyes closed and head tilted back, and one can easily imagine the

musician during one of his compelling performances. Revealing a dramatic chiaroscuro effect—reminiscent of stage lighting—Scherman's play of light and shadow is truly remarkable and imbues the work with an almost cinematic atmosphere. Morrison's sensuous lips and luscious curls are beautifully rendered in the ancient technique of encaustic, Scherman's preferred medium since the mid-1970s. It is a medium that the artist has complete mastery of. Scherman blends oil paint into fluid hot wax and applies it onto the canvas in successive layers, to achieve an optical mix of colours. In this piece, drips of blue, bright yellow and lilac wax demonstrate this complex process. Opulent and lush, Scherman's technique and style seem tailor-made to capture the allure of the magnetic Morrison.

**ESTIMATE: \$20,000 – 30,000**





## 57 Jean Albert McEwen

AANFM RCA 1923 – 1999

### Colonne sans fin no. 3

oil on canvas, on verso signed, titled and dated 1-4-1962  
40 x 60 in, 101.6 x 152.4 cm

#### PROVENANCE

Private Collection, Toronto

THE 1960S WERE a pivotal time period for Jean McEwen, and the pronounced vertical focus in the central column demonstrated here appears consistently in his work at this time. *Colonne sans fin no. 3* is a key precursor to his work of 1963, in which the artist began centring his works with a cruciform. McEwen's interest in the horizontal is already evident through his use of colour and

texture to accentuate movement across the canvas. Throughout his career, the artist developed his understanding of the effects of colour and composition through his experimentation with techniques, materials and compositional formats. Contrasts between light and dark in this work result in a chiaroscuro effect that adds drama and depth to the composition. Glowing yellow illuminates the dark hues that lurk beneath it, and emphasizes the surface texture. The artist's subtle use of purple, combined with the visible surface of the canvas along the margins, plays with the viewer's perception of space and contributes to the sophisticated sense of depth that has been developed on this magnificent canvas.

**ESTIMATE: \$40,000 – 60,000**

## 58 Jean Paul Lemieux

CC QMG RCA 1904 – 1990

### Chemin de bois

oil on canvas, signed and on verso signed,  
titled and inscribed *Expo: Les quatre  
saisons, cat. No. 6 (1976)*

21 ¾ x 18 ¼ in, 55.2 x 46.4 cm

#### PROVENANCE

Galerie Gilles Corbeil, Montreal  
Private Collection, Montreal

#### LITERATURE

Gilles Corbeil, *Jean Paul Lemieux: Les  
quatre saisons*, Galerie Gilles Corbeil,  
1976, reproduced page 9, listed page 16

#### EXHIBITED

Galerie Gilles Corbeil, Montreal,  
*Jean Paul Lemieux: Les quatre saisons*,  
April 9 – May 1, 1976, catalogue #6

*CHEMIN DE BOIS* is from Jean Paul Lemieux's theme of the four seasons—their march through the year marks the passage of time, which Lemieux was acutely aware of. Lemieux's paintings of winter are particularly eloquent, and in this image, there is a certain poignancy to the figure and dog, as they appear small within the snowy expanse. Lemieux's depictions of an isolated human figure in a landscape arose from his consideration of the existential relationship between human beings and the world they inhabit. Although his unique vision developed in his environment of Quebec, the scope of his work is universal.

In *Chemin de bois*, the snow is softly modulated; in this atmospheric and tactile work, Lemieux makes the viewer feel its soft fluffiness and depth, as it accumulates at the base of the bushes. Typical of Lemieux, his landscape is monochromatic—except for the red jacket of the figure, which adds a lively spark to the muted atmosphere. His brushwork is particularly in evidence here, with his malleable paint-strokes almost abstractly defining footprints on the path and the snow-laden woods in the background.

**ESTIMATE: \$30,000 – 50,000**





## 59 Ronald Albert Martin

1943 –

### Bright Red #2

acrylic on canvas, on verso signed, titled and dated May 1972  
83 ¾ x 72 in, 212.7 x 182.9 cm

#### PROVENANCE

Studio of the Artist  
Carmen Lamanna Gallery, Toronto  
Galerie Michael Werner, Cologne

#### LITERATURE

Brydon Smith and Pierre Théberge, *Boucherville, Montreal, Toronto, London, 1973: An Exhibition*, National Gallery of Canada, 1973, reproduced, unpaginated

#### EXHIBITED

Carmen Lamanna Gallery, Toronto,  
*Ron Martin*, December 30, 1972 –  
January 18, 1973, catalogue #25  
National Gallery of Canada, Ottawa,  
*Boucherville, Montreal, Toronto, London, 1973: An Exhibition*, July 5 –  
September 3, 1973, catalogue #26  
Galerie Michael Werner, Cologne,  
*Ron Martin: Bilder 1971 – 76*,  
July 3 – 31, 1978

IN *BRIGHT RED #2*, Ronald Martin's belief in the possibility of paint to act as subject matter is evident, as he focuses on the manipulation of his material to create a work exclusively concerned with the physicality of paint. In the catalogue for the 1973 National Gallery of Canada exhibition where 14 of Martin's red paintings were shown, Martin states that colour can "be totally representational of both its being and its appearance." During the 1950s and 1960s, the art world experienced a period of anxiety regarding the adequacy of art to translate meaning from the artist to the viewer. Reminiscent of the Action Painting of previous decades, the vibrant red paint applied in whirling strokes results in an exciting experience for the viewer. Martin conveys the movement of his body in his composition, and the gestural shapes create an active and moving composition made even more vibrant by his red-hot hues.

This painting was exhibited at the prestigious Galerie Michael Werner, one of the most important contemporary art dealers in the world, which exhibits Peter Doig and has helped to foster many artists' careers.

**ESTIMATE: \$15,000 – 25,000**



## 60 Iain Baxter&

oc 1936 -

### Door, Ballantyne Wharf, Vancouver, BC

Cibachrome transparency in  
light box, 2002

48 x 36 x 5 ½ in, 121.9 x 91.4 x 14 cm

#### PROVENANCE

Corkin Shopland Gallery, Toronto  
Private Collection, London

#### LITERATURE

MaryAnn Camilleri, *Carte Blanche*,  
*Volume 1: Photography*, 2006,  
reproduced, [http://www.macobo.com/  
essays/epdf/carte\\_blanche-promo.pdf](http://www.macobo.com/essays/epdf/carte_blanche-promo.pdf),  
accessed September 6, 2017

David Moos, editor, *Iain Baxter&: Works  
1958 - 2011*, Art Gallery of Ontario, 2012,  
page 55

#### EXHIBITED

Corkin Shopland Gallery, Toronto, *Iain  
Baxter&*, April 9 - June 26, 2005

IN HIS HIGHLY innovative approach to art-making, Iain Baxter& has worked across various media, such as photography, installation, sculpture and painting. He was an early pioneer of the light box, later used by Vancouver's photo-based artists. In 1967 Baxter& co-founded the art-making company N.E. Thing Co. with Ingrid Baxter; placing his work in this context was an example of his conceptual view of his art activities. Around this time he was working with slides, then, as David Moos wrote, "His fascination with the projected image assumed a new form when in 1969 NETCO exhibited its first light box works, essentially enlarging its slides and transforming the image into a three-dimensional object." Light box works were showcased at a National Gallery of Canada exhibition titled *N.E. Thing Co.: Environment*, in which Baxter& transformed a gallery space into the company's corporate headquarters. This compelling image, while a very real location—Ballantyne Wharf is a commercial dock of the Port of Vancouver—reads like an abstract painting with its textural, colour field-like backdrop and central target motif, reminiscent of Claude Tousignant's work. It is an intriguing example of Baxter&'s crossing of art boundaries.

This photograph was taken in 1968 and the light box was produced in 2002.

**ESTIMATE: \$40,000 - 60,000**





## 61 Lise Gervais

OMG 1933 – 1998

### Les jeux solaires

oil on canvas, signed and dated 1964 and  
on verso signed and titled on the gallery label  
40 x 40 ¼ in, 101.6 x 102.2 cm

#### PROVENANCE

John Schweitzer Gallery, Montreal  
Private Collection, Toronto

THE RICHLY TEXTURED and chromatic surface of Lise Gervais's *Les jeux solaires* perfectly demonstrates the sense of energy that she infused into her painting. Although too young to be a signatory of the 1948 *Refus global* manifesto (she was only 15 when it was published), Gervais was an ardent devotee of the Automatist movement. The group's use of expressive and instinctive brushwork especially appealed to her personal interest in texture and materiality. Here, bold swatches of saffron, yellow and black seem to erupt across the canvas, over a crisp white background. The vertical expanses of flaming orange and yellow glow like incandescent embers from the white plane, creating a palpable tension in the composition. Although carefully applied onto the surface of the work, those areas of colour are taut with the intuitive energy of the Automatist touch. Gervais expertly manipulates these vibrant hues in smooth impastos to create a highly dynamic and riveting composition.

ESTIMATE: \$25,000 – 35,000



## 62 Marcelle Ferron

AANFM AUTO CAS QMG RCA SAAVQ SAPQ 1924 – 2001

### Untitled

oil on canvas, signed and on verso  
inscribed *F* faintly, circa 1965  
10 ½ x 14 in, 26.7 x 35.6 cm

### PROVENANCE

Sold sale of *Important Canadian Art*, Sotheby's Canada  
in association with Ritchie's, May 29, 2006, lot 129  
Private Collection, Toronto

### LITERATURE

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

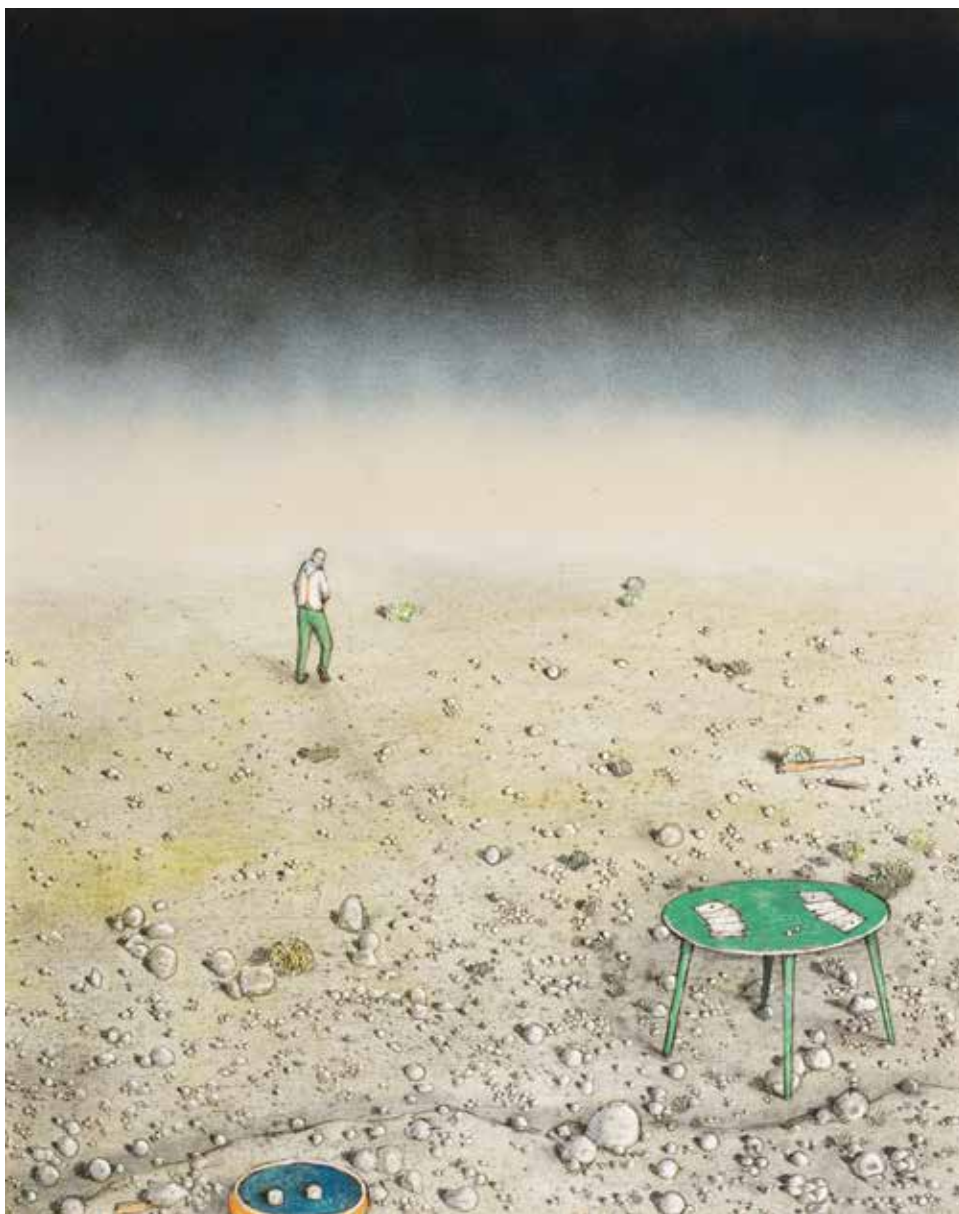
AFTER A PERIOD of working on her own, in 1946 Marcelle Ferron fortuitously met Paul-Émile Borduas, considered the theoretician of the Automatist group in Montreal. He invited her

to attend the École du meuble art school, and his advice affected the direction of her work. Ferron was the last to join the Automatist group, and she signed their manifesto *Refus global* in 1948. As Roald Nasgaard wrote, she “remained faithful to Automatist gesture throughout her career,” using a palette knife to apply lush strokes of thick paint across her surfaces. In *Untitled*, Ferron's active, gestural paint work creates layers and textures, and her use of a rich colour palette over a cream ground pushes her paintstrokes of green, orange, brown and red forward. It is an exciting work that engages our eye in movement across a surface crackling with vitality.

Ferron attained international exposure for her work—she lived in Paris from 1953 to 1965, and her work was in important group shows such as the *77th Annual Spring Exhibition* at the Montreal Museum of Fine Arts in 1960 and the *Bienal de São Paulo* in 1961.

**ESTIMATE: \$18,000 – 24,000**





### 63 William Kurelek

ARCA OC OSA 1927 – 1977

#### Gambling

mixed media on board, initialed and dated 1975  
and on verso titled and inscribed 11 on a label  
20 x 16 in, 50.8 x 40.6 cm

#### PROVENANCE

Acquired directly from the Artist by the present  
Private Collection, USA

IN *GAMBLING*, WILLIAM KURELEK shows us a mysterious narrative: a man walks away from a table that holds cards and dice, and another table or vessel with two more dice. The setting is equally mysterious: a stony landscape with small tumbleweed-type plants, and a horizon obscured by a bank of mist. Although the

field is evenly and strongly illuminated, the sky above the mist is blue fading into black. This work is from the *Temptations in the Desert* series—Kurelek was a staunch Roman Catholic and often dwelt on the state of man's soul. Could the man be walking away from a worldly temptation, or is he gambling on his choices in life? And who and where is the second player? The mist and dark sky give the scene a dreamlike quality, and the games set on the tables in the stony landscape have an element of surrealism. The two sets of cards imply the man has played his hand, yet he still looks back as he heads towards the unknown. Characteristic of Kurelek's work, the painting is finely detailed, and its enigmatic message causes the viewer to search every element in this intriguing image for clues.

This work is in the original frame made by Kurelek.

**ESTIMATE: \$14,000 – 18,000**



## 64 William Hodd (Bill) McElcheran

RCA 1927 – 1999

### Determined

bronze sculpture, on verso signed,  
editioned 2/9 and dated 1995  
29 ½ x 20 x 10 in, 74.9 x 50.8 x 25.4 cm

### PROVENANCE

Private Collection, Vancouver

### LITERATURE

Inge Lindemann, editor, *William Mac  
(William McElcheran): The Businessman*, 1991,  
pages 26, 27, 28 and 31

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

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

Please note: the bronze base measures  
10 ½ x 15 x 1 inches.

**ESTIMATE: \$15,000 – 20,000**



## 65 John Geoffrey Caruthers Little

ARCA 1928 –

### Patinoire d'autrefois—dans le bon vieux temps, St. Henri

oil on canvas, signed and on verso signed, titled, dated 2005 and inscribed variously  
16 x 20 in, 40.6 x 50.8 cm

#### PROVENANCE

Galerie Walter Klinkhoff Inc., Montreal  
Private Collection

THIS VIVACIOUS WINTER scene reflects John Little's love for Montreal neighbourhoods. Here he captures the colourful, lively nature of working-class Saint-Henri—historically occupied predominantly by European blue-collar workers. After studying at the Montreal Museum of Fine Arts school, Little began

working as a draughtsman at his father's architectural firm in 1951. When he turned to painting full time in 1953, this interest in architecture remained an integral part of his work. In *Patinoire d'autrefois—dans le bon vieux temps, St. Henri* (Skating Rink in the Good Old Days, Saint-Henri) he records the architecture of the area: its small sheds, its densely packed buildings and the long wooden staircases that connected their different levels. The ambience of the scene is palpable—wash hangs on the line and children play hockey on a backyard rink, showing the truly grassroots nature of this Canadian game. A soft blanket of snow accentuates the lines and angles of the buildings and their warm earth-toned colours, while the winter sky, grey yet bright, evenly illuminates the scene. All these elements make *Patinoire d'autrefois—dans le bon vieux temps, St. Henri* a classic winter painting from Little's oeuvre.

ESTIMATE: \$20,000 – 30,000





## 66 Stanley Morel Cosgrove

CAS CGP QMG RCA 1911 – 2002

### Nature morte au pichet

oil on board, signed and dated 1949 and on verso titled on the Galerie Martin label and certified by Galerie d'art Mayfair  
31 x 43 in, 78.7 x 109.2 cm

#### PROVENANCE

Galerie Martin, Montreal  
Galerie d'art Mayfair, Laval  
Private Collection, Vancouver

IN THE 1930S, Stanley Cosgrove was part of the modernist trend of the School of Paris in Montreal. In 1939 he traveled to New York to broaden his horizons, and he immersed himself in the work of European artists such as Pablo Picasso, Paul Gauguin, Georges Braque and Amedeo Modigliani. From there he went in 1940 to Mexico City, where he met José Clemente Orozco, from whom he learned the art of fresco painting. The techniques he acquired became a part of his work when he returned to Montreal in 1944.

Cosgrove is known for his classic still lifes, and *Nature morte au pichet* is a particularly fine and large-scale example from this

important early period. Among the qualities of these works are the delicate tonal relationships of his colours, such as the pinkish tones of the drapery contrasted with peridot shadowing we see here. The delicate light and the softly modulated brushwork give this work a velvety surface. Smooth, sure strokes of dark paint define form, providing structure to his fluid planes of muted pastel. The pitcher, fruit and dishes are carefully placed and radiate an eloquent simplicity, expressive of Cosgrove's sensitive feeling for his subject.

**ESTIMATE: \$25,000 – 35,000**

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Thank you for attending our sale of *Post-War & Contemporary Art*. Our *Fine Canadian Art Auction* will commence at 7:00 pm. Please view additional lots in our November Online Auction at [www.heffel.com](http://www.heffel.com), which closes Thursday, November 30, 2017. Lots can be viewed in our galleries in Vancouver, Calgary, Toronto or Montreal. Lot preview locations are designated with each item in our online catalogue.

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## TERMS AND CONDITIONS OF BUSINESS

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

### A. DEFINED TERMS

- 1. Auction House**  
The Auction House is Heffel Gallery Limited, or an affiliated entity;
- 2. Consignor**  
The Consignor is the person or entity named in the Consignment Agreement as the source from which the Property or Lot has been received for auction;
- 3. Seller's Commission**  
The Seller's Commission is the amount paid by the Consignor to the Auction House on the sale of a Lot, that is calculated on the Hammer Price, at the rates specified in writing by the Consignor and the Auction House on the Consignment Agreement Form, plus applicable Sales Tax;
- 4. Property**  
The Property is any Property delivered by the Consignor to the Auction House to be placed in the auction sale held by the Auction House on its premises, online or elsewhere and, specifically, that Property described by Lot number in the Auction House catalogue for the auction sale. The Auction House will have the authority to partition the Property into Lots (the "Lots" or "Lot");
- 5. Reserve**  
The Reserve is a confidential minimum price for the sale of the Lot, agreed to between the Consignor and the Auction House. The Reserve will not exceed the low estimate;
- 6. Knocked Down**  
Knocked Down means the conclusion of the sale of the Lot being auctioned by the Auctioneer;
- 7. Expenses**  
Expenses shall include all costs incurred, directly or indirectly, in relation to the consignment and sale of the Lot;
- 8. Hammer Price**  
The Hammer Price is the price at which the Auctioneer has Knocked Down the Lot to the Buyer;

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

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

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

- 12. Sales Tax**  
Sales Tax means the Federal and Provincial sales and excise taxes applicable in the jurisdiction of sale of the Lot;

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

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

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

### B. THE BUYER

- 1. The Auction House**  
The Auction House acts solely as agent for the Consignor, except as otherwise provided herein.
- 2. The Buyer**
  - a)** The highest Registered Bidder acknowledged by the Auctioneer as the highest bidder at the time the Lot is Knocked Down;

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

### 5. Payment of the Purchase Price

- a) The Buyer shall:
  - (i) Unless he has already done so, provide the Auction House with his name, address and banking or other suitable references as may be required by the Auction House; and
  - (ii) Payment must be made by 4:30 p.m. on the seventh (7th) day following the auction by: a) Bank Wire direct to the Auction House's account, b) Certified Cheque or Bank Draft or c) a Personal or Corporate Cheque. All Certified Cheques, Bank Drafts and Personal or Corporate Cheques must be verified and cleared by the Auction House's bank prior to all purchases being released. The Auction House honours payment by Debit Card or by Credit Card limited to VISA or MasterCard. Credit Card payments are subject to acceptance and approval by the Auction House and to a maximum of \$5,000 if the Buyer is providing his Credit Card details by fax, or to a maximum of \$25,000 if the Credit Card is presented in person with valid identification. Such Credit Card payment limits apply to the value of the total purchases made by the Buyer and will not be calculated on individual transactions for separate Lots. In all circumstances, the Auction House prefers payment by Bank Wire transfer.
- b) Title shall pass, and release and/or delivery of the Lot shall occur, only upon payment of the Purchase Price by the Buyer to 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 himself 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. 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 Form 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.

#### **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 the Auction House 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 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 which 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 his agent, whether express or implied; and
- 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.

#### **10. Guarantee**

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

#### **11. Attendance by Buyer**

- a) Prospective Buyers are advised to inspect the Lot(s) before the sale, and to satisfy themselves as to the description, attribution and condition of each Lot. The Auction House will arrange suitable viewing conditions during the preview preceding the sale, or by private appointment;
- b) Prospective Buyers are advised to personally attend the sale. However, if they are unable to attend, the Auction House will execute bids on their behalf subject to completion of the proper Absentee Bid Form, duly signed and delivered to the Auction House forty-eight (48) hours before the start of the auction sale. The Auction House shall not be responsible nor liable in the making of any such bid by its employees or agents;
- c) In the event that the Auction House has received more than one Absentee Bid Form on a Lot for an identical amount and at auction those absentee bids are the highest bids for that Lot, the Lot shall be Knocked Down to the person whose Absentee Bid Form was received first; and
- d) At the discretion of the Auction House, the Auction House may execute bids, if appropriately instructed by telephone, on behalf of the prospective Buyer, and the prospective Buyer hereby agrees that neither the Auction House nor its employees nor agents shall be liable to either the Buyer or the Consignor for any neglect or default in making such a bid.



## 12. Export Permits

Without limitation, the Buyer acknowledges that certain property of Canadian cultural importance sold by the Auction House may be subject to the provisions of the *Cultural Property Export and Import Act (Canada)*, and that compliance with the provisions of the said act is the sole responsibility of the Buyer.

## 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 C.1.b (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;
- b) The Consignor shall indemnify the Auction House, its employees and agents and the Buyer against all claims made or proceedings brought by persons entitled or purporting to be entitled to the Lot;
- c) 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
- d) The Consignor shall reimburse the Auction House in full and on demand for all Expenses or any other loss or damage whatsoever made, incurred or suffered as a result of any breach by the Consignor of Conditions C.2.a and/or C.2.c above.

### 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; and
- 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, it 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 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.

### 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 C.1.b (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 thirdparty 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 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; 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 his 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 it has the right to grant to the Auction House, and the Consignor does hereby grant to the Auction House, a nonexclusive, perpetual, fully paidup, 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 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 his 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.
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 errors that may occur in the operation of any 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 and all parties concerned hereby submit to the exclusive jurisdiction of the British Columbia Courts.
11. Unless otherwise provided for herein, all monetary amounts referred to herein shall refer to the lawful money of Canada.
12. All words importing the singular number shall include the plural and vice versa, and words importing the use of any gender shall include the masculine, feminine and neuter genders and the word "person" shall include an individual, a trust, a partnership, a body corporate, an association or other incorporated or unincorporated organization or entity.
13. If any provision of this Agreement or the application thereof to any circumstances shall be held to be invalid or unenforceable, the remaining provisions of this Agreement, or the application thereof to other circumstances, shall not be affected thereby and shall be held valid to the full extent permitted by law.

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

## PROPERTY COLLECTION NOTICE

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

### A. PROPERTY COLLECTION REQUIREMENT

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

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

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

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



## CATALOGUE ABBREVIATIONS AND SYMBOLS

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

## CATALOGUE TERMS

These catalogue terms are provided for your guidance:

### **CORNELIUS DAVID KRIEGHOFF**

In our best judgment, a work by the artist.

### **ATTRIBUTED TO CORNELIUS DAVID KRIEGHOFF**

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

### **STUDIO OF CORNELIUS DAVID KRIEGHOFF**

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

### **CIRCLE OF CORNELIUS DAVID KRIEGHOFF**

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

### **MANNER OF CORNELIUS DAVID KRIEGHOFF**

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

### **AFTER CORNELIUS DAVID KRIEGHOFF**

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

### **NATIONALITY**

Unless otherwise noted, all artists are Canadian.

### **SIGNED / TITLED / DATED**

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

### **BEARS SIGNATURE / BEARS DATE**

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

### **DIMENSIONS**

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

### **PROVENANCE**

Is intended to indicate previous collections or owners.

### **CERTIFICATES / LITERATURE / EXHIBITED**

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

### **ESTIMATE**

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

## HEFFEL'S CODE OF BUSINESS CONDUCT, ETHICS AND PRACTICES

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

Heffel, to further define its distinction in the Canadian art auction industry, has taken the following initiative. David and Robert Heffel, second-generation art dealers of the Company's founding Heffel family, have personally crafted the foundation documents (as published on our website [www.heffel.com](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 three decades of change, proof that our hard work, commitment, philosophy, honour and ethics in all that we do serve our Clients well.

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

### **HEFFEL GALLERY LIMITED**

#### **David K.J. Heffel**

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

#### **Robert C.S. Heffel**

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

## ANNUAL SUBSCRIPTION FORM

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

To order, return a copy of this form with a cheque payable to: Heffel Gallery Limited, 2247 Granville Street  
Vancouver, BC, Canada V6H 3G1  
Tel: 604-732-6505 · Fax: 604-732-4245 · Toll free: 1-800-528-9608  
mail@heffel.com · www.heffel.com

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*Fine Canadian Art / Post-War & Contemporary Art* \$80
- Two Years (eight catalogues)  
*Fine Canadian Art / Post-War & Contemporary Art* \$130

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### Canadian Art at Auction Index Online—tax included

Please contact Heffel Gallery to set up

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

### Billing Information

NAME

ADDRESS

CITY

POSTAL CODE

E-MAIL ADDRESS

RESIDENCE TELEPHONE

BUSINESS TELEPHONE

CREDIT CARD NUMBER

EXPIRY DATE

SIGNATURE

DATE

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

## COLLECTOR PROFILE FORM

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

### Artists of Particular Interest in Purchasing

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

7 \_\_\_\_\_

8 \_\_\_\_\_

9 \_\_\_\_\_

### Artists of Particular Interest in Selling

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

6 \_\_\_\_\_

7 \_\_\_\_\_

8 \_\_\_\_\_

9 \_\_\_\_\_



# SHIPPING AUTHORIZATION FORM FOR PROPERTY

Heffel Gallery Limited (“Heffel”) 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. 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. 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.

SALE DATE IF APPLICABLE

Please indicate your preferred method of shipping as per the available Heffel *Property Shipping Policies* as published online and available upon request.

All charges are collect for settlement by the Property Owner.

## Optional Insurance

Your Property will be insured at either the sale value, high estimated value or appraised value as listed and defined under Insured Value while in transit. Heffel does not insure ceramics, frames or glass. (Please note: works under glass and some ground shipments cannot be insured while in transit.)

- No, I do not require insurance for the Property listed on this form. (I accept full responsibility for any loss or damage to the Property while in transit.)

## Packing Options

- Soft Packed                       Hard Packed

## Shipping Carrier Options

Consolidated Ground Shipment (when available) to:

- Heffel Vancouver                       Heffel Montreal  
 Heffel Toronto                           Heffel Calgary

Or

By Heffel Approved Third-Party Carrier:

- FedEx                                       Other \_\_\_\_\_

CARRIER ACCOUNT NUMBER

## Shipping Quotation

- Yes, please send me a quotation for the shipping options selected above.  
 No shipping quotation necessary, please forward the Property as indicated above. (Please note: packing charges will apply in addition to shipping charges.)

PROPERTY OWNER’S NAME

SHIPPING ADDRESS

CITY

PROVINCE, COUNTRY

POSTAL CODE

E-MAIL ADDRESS

RESIDENCE TELEPHONE

BUSINESS TELEPHONE

FAX

CELLULAR

CREDIT CARD NUMBER

EXPIRY DATE

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

Lot Number and/or Property Description in numerical order	artist / title	Insured value
--	----------------	------------------

1

2

3

4

## Authorization for Collection

- The Property will be collected on my behalf

INDIVIDUAL OR COMPANY TO COLLECT ON MY BEHALF

DATE OF COLLECTION/PICKUP

SIGNED WITH AGREEMENT TO THE ABOVE

DATE

## HEFFEL GALLERY LIMITED

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

# ABSENTEE BID FORM

SALE DATE

BILLING NAME

ADDRESS

CITY

PROVINCE/STATE, COUNTRY

POSTAL CODE

E-MAIL ADDRESS

DAYTIME TELEPHONE

EVENING TELEPHONE

FAX

CELLULAR

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

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

SIGNATURE

DATE

DATE RECEIVED (FOR OFFICE USE ONLY)

CONFIRMED (FOR OFFICE USE ONLY)

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

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

1

2

3

4

5

6

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

MASTERCARD OR VISA #

EXPIRY DATE

NAME OF BANK

BRANCH

ADDRESS OF BANK

NAME OF ACCOUNT OFFICER

TELEPHONE

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

SIGNATURE

DATE

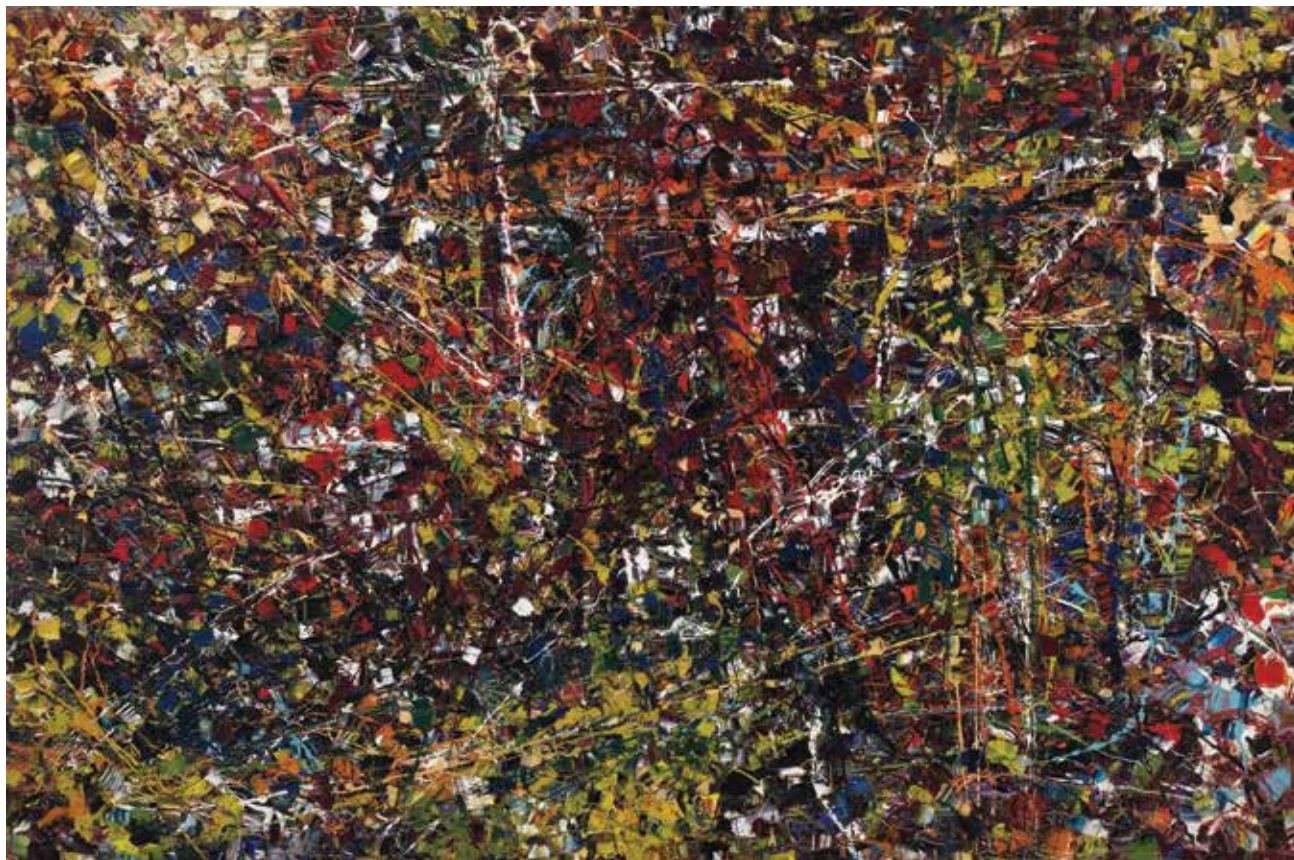
To allow time for processing, Absentee Bids should be received at least 24 hours before the sale begins. Heffel will confirm by telephone or e-mail all bids received. If you have not received our confirmation within one business day, please re-submit your bids or contact us at:

## HEFFEL GALLERY LIMITED

13 Hazelton Avenue, Toronto, ON, Canada M5R 2E1

Tel: 416-961-6505 · Fax: 416-961-4245

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**Jean Paul Riopelle**

**Vent du nord**

oil on canvas, 1952 – 1953  
51 x 76 ¾ in, 129.5 x 194.9 cm

**SOLD FOR A WORLD  
RECORD \$7,438,750**

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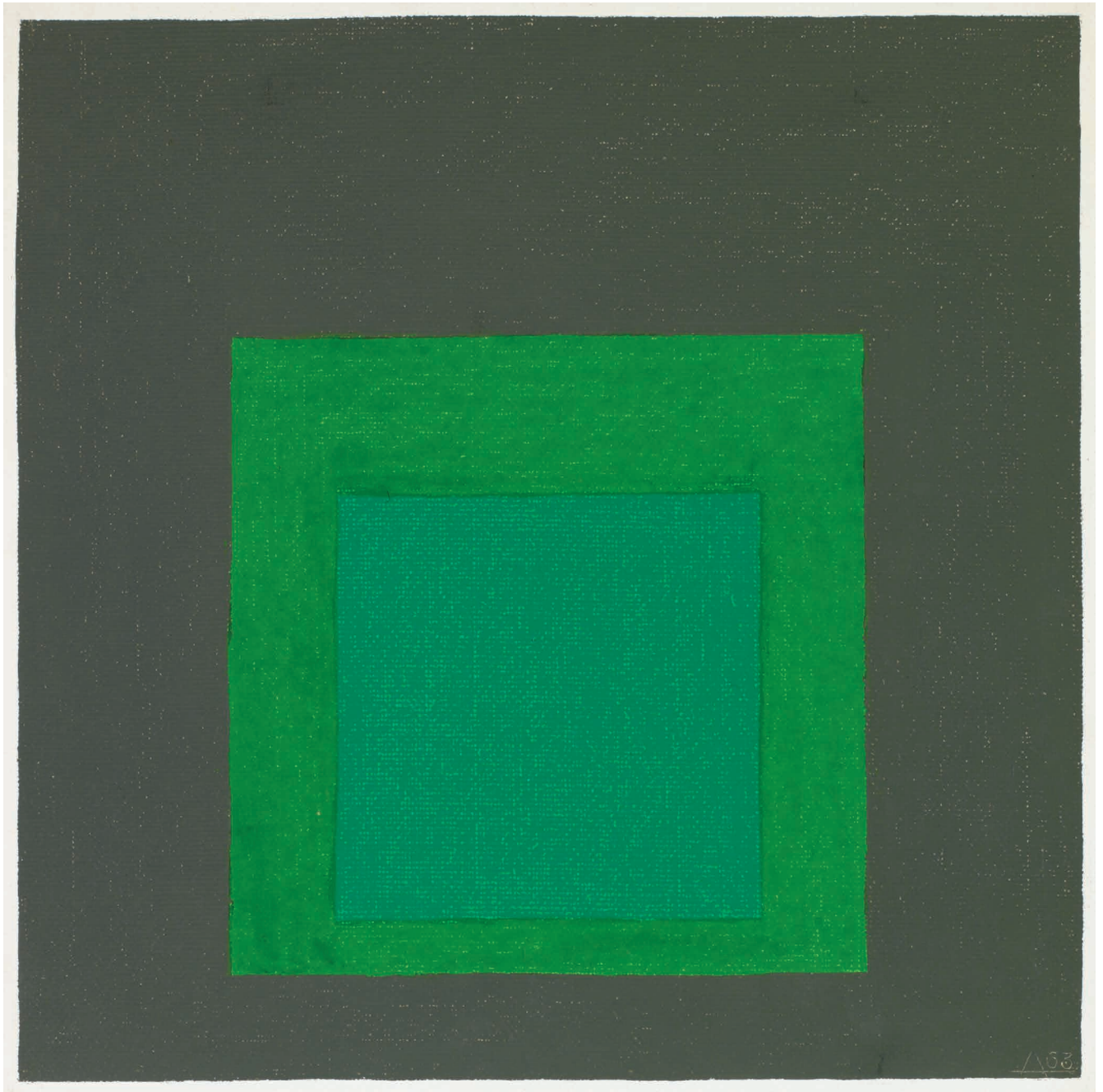
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