



FINE  
ART  
AUCTION  
HOUSE

**Heffel**

# POST-WAR & CONTEMPORARY ART

**SALE** WEDNESDAY, MAY 30, 2018 · 4 PM · TORONTO













## **POST-WAR & CONTEMPORARY ART**

### **AUCTION**

**Wednesday, May 30, 2018**

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

**7 PM Canadian, Impressionist & Modern Art**

Design Exchange

The Historic Trading Floor (2nd floor)

234 Bay Street, Toronto

Located within TD Centre

### **PREVIEWS**

**Heffel Gallery, Calgary**

888 4th Ave SW, Unit 609

Friday, April 13 through

Saturday, April 14, 10 am to 6 pm

**Heffel Gallery, Vancouver**

2247 Granville Street

Saturday, May 5 through

Tuesday, May 8, 11 am to 6 pm

**Galerie Heffel, Montreal**

1840 rue Sherbrooke Ouest

Thursday, May 17 through

Saturday, May 19, 11 am to 6 pm

**Design Exchange, Toronto**

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

Located within TD Centre

Saturday, May 26 through

Tuesday, May 29, 10 am to 6 pm

Wednesday, May 30, 10 am to noon

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

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# CONTENTS

4	Preview and Auction Location
5	Auction Details
	Selling at Auction
	Buying at Auction
	General Bidding Increments
	Framing, Conservation and Shipping
	Written Valuations and Appraisals
7	Post-War & Contemporary Art Catalogue
98	Heffel Specialists
100	Terms and Conditions of Business
106	Property Collection Notice
107	Catalogue Abbreviations and Symbols
108	Catalogue Terms
108	Heffel's Code of Business Conduct, Ethics and Practices
109	Annual Subscription Form
109	Collector Profile Form
110	Absentee Bid Form
111	Shipping Authorization Form for Property
112	Terms and Conditions for Shipping
113	Notice for Collectors
114	Index of Artists by Lot

# PREVIEW AND AUCTION LOCATION



## Preview and Auction Location

**DESIGN EXCHANGE** 

Preview: The Exhibition Hall (3rd floor)

Auction: The Historic Trading Floor (2nd floor)

234 Bay Street, Toronto

Located within TD Centre

Saleroom Cell 1-888-418-6505 or 604-418-6505

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

[www.heffel.com/auction/lotsbypreview\\_E.aspx](http://www.heffel.com/auction/lotsbypreview_E.aspx)

If you are unable to attend our auction, we produce a live webcast of our sale commencing at 3:30 PM ET. We do not offer real-time Internet bidding for our live auctions, but we do accept absentee and prearranged telephone bids. Information on absentee and telephone bidding appears on pages 5 and 110 of this publication.

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

[www.heffel.com](http://www.heffel.com)

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

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

Payment must be made by: a) Bank Wire direct to the Auction House's account, b) Certified Cheque or Bank Draft or

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## General Bidding Increments

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

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

## Framing, Conservation and Shipping

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

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**SALE** WEDNESDAY, MAY 30, 2018 · 4 PM · TORONTO

**POST-WAR &  
CONTEMPORARY  
ART**  
CATALOGUE

**FEATURING WORKS FROM**

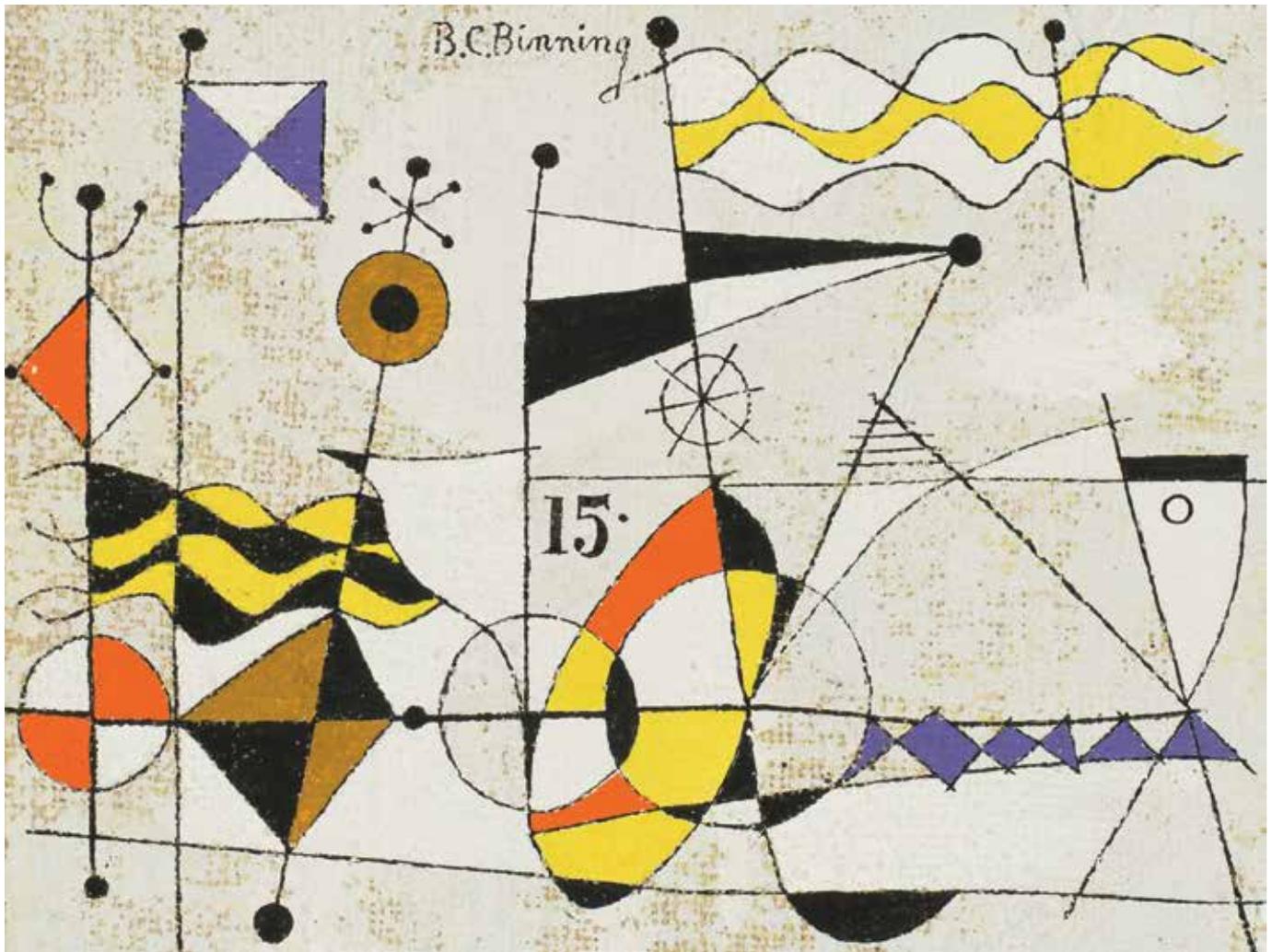
Mireille and Bernard Lagacé

The Langley Community Music School

The Family of Fred David Lebensold

The Estate of Serge Lemoyne

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

BCSFA CGP CSGA OC RAIC RCA 1909 – 1976

### Offshore Image

oil on burlap on board, signed and on verso

titled and dated 1957 on a label

8 ¼ x 10 ¾ in, 21 x 27 cm

#### PROVENANCE

J. Ron Longstaffe Collection, Vancouver

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

Auction House, November 24, 2005, lot 166

Private Collection

#### LITERATURE

Doreen E. Walker, *B.C. Binning: A Retrospective*, Fine

Arts Gallery, University of British Columbia,

1973, page 12

*Selected View: The Longstaffe Collection, 1959 – 1984*,

Vancouver Art Gallery, 1985, listed page 39

#### EXHIBITED

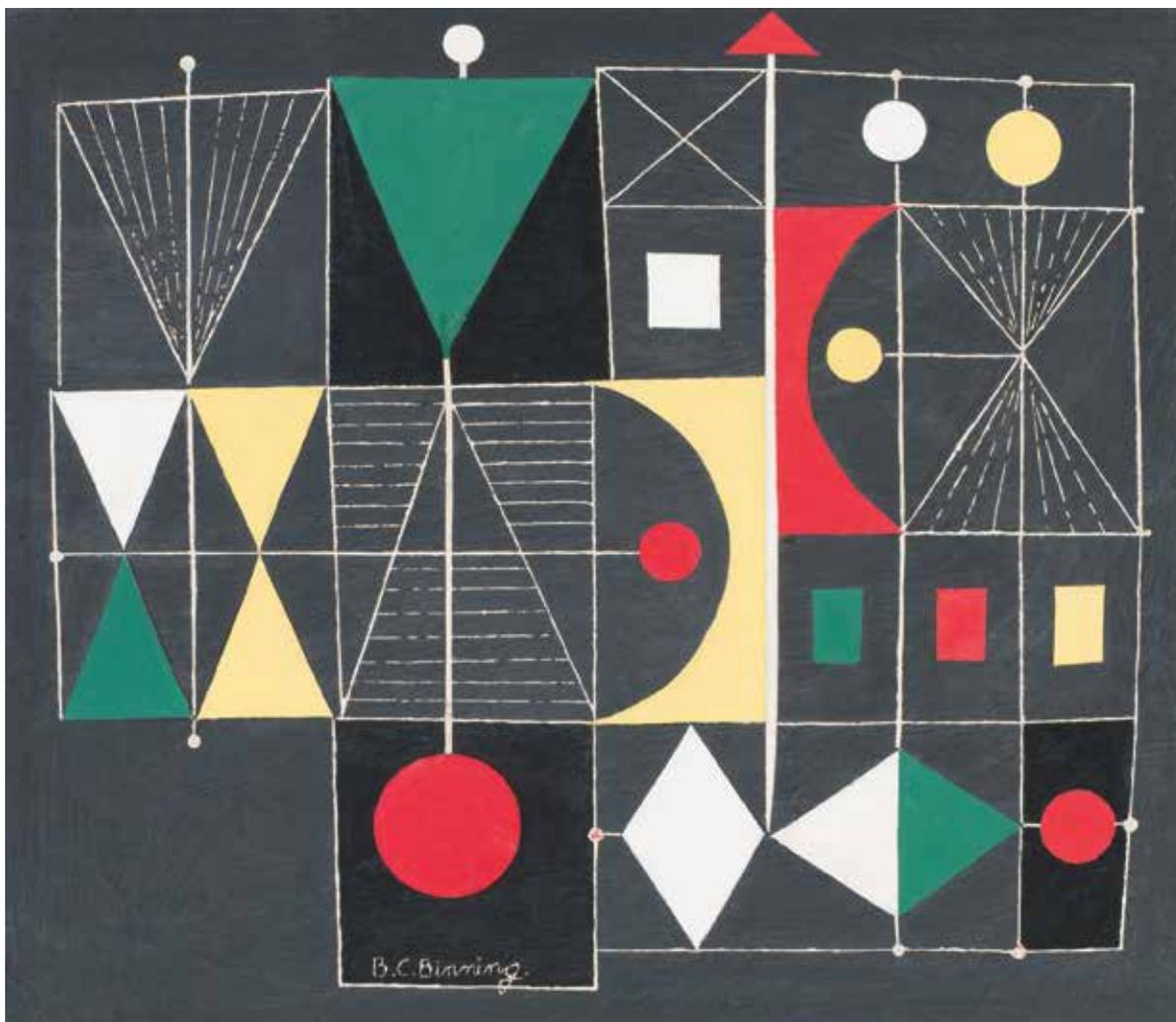
Vancouver Art Gallery, *Selected View: The Longstaffe Collection*,

1959 – 1984, January 12 – February 24, 1985

B.C. BINNING'S WORK is often described as lyrical and classical. His interest in nautical West Coast themes is seen in this exceptional painting, which has a fanciful and joyous atmosphere. As Doreen Walker comments: "In [Binning's] works, brightly coloured nautical forms are used as basis for imaginative inventions. Abstracted anchors, towers, navigation devices, weather stations and pennants become geometric motifs; and linear rigging forms a counterpoint to coloured masses... Miroesque and Klee-like qualities have been attributed to Binning's seascapes of the fifties, and in his use of wiry line and 'playfulness' and fantasy, such affinities may be found. 'I like Klee and Miro,' the artist acknowledged, and 'one unconsciously makes a little repertoire of what one likes.'" Binning achieved international acclaim—he exhibited in the United States, Europe, Mexico and South America, and participated in the prestigious *Venice Biennale* in 1954. A key figure in the modernist scene in Vancouver as both artist and educator, Binning also had national influence. He served on the Visual Arts Committee of the National Arts Centre in Ottawa and on the Canada Council for the Arts' Advisory Panel.

This work is in the artist's original frame.

**ESTIMATE: \$20,000 – 30,000**



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

BCSFA CGP CSGA OC RAIC RCA 1909 – 1976

### Signal Façade

oil on board, signed and on verso signed,

titled and dated 1952 on a label

16 1/8 x 18 1/8 in, 41 x 46 cm

#### PROVENANCE

Donated by the Artist to a fundraising event  
in Vancouver, circa 1960

Acquired from the above by the present  
Private Collection, Vancouver

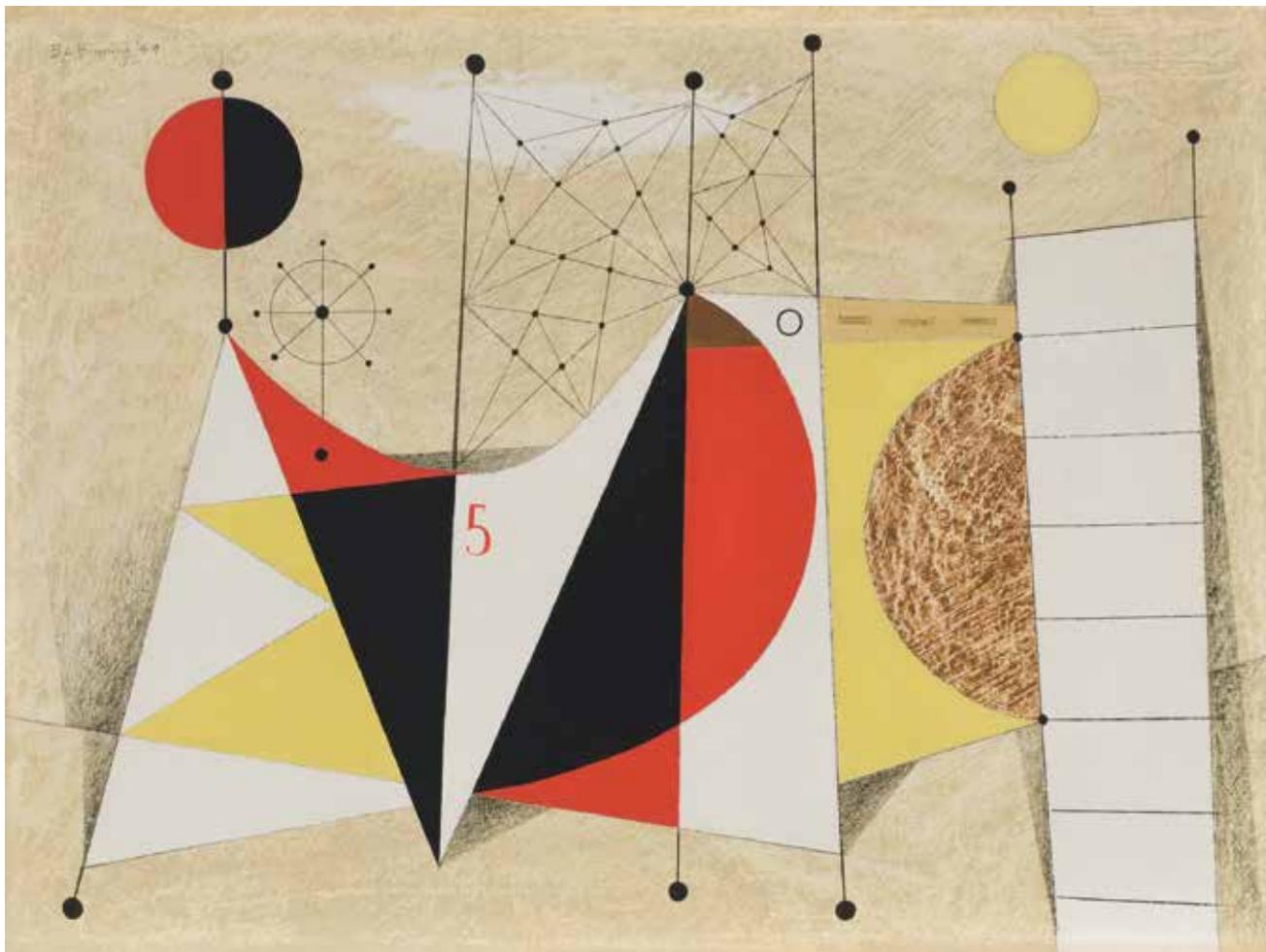
#### LITERATURE

Abraham J. Rogatnick, Ian M. Thom and Adele Weder,  
*B.C. Binning*, 2006, page 131

B.C. BINNING WAS an important figure in the West Coast scene, both as an artist who exhibited internationally and as an influential educator who founded the Department of Fine Arts at the University of British Columbia. Binning produced stunning

modernist paintings using abstracted West Coast nautical motifs, drawn from signals, buoys, flags and ships' rigging. Binning had a strong connection to the sea and often explored the coast in his sailboat. This work is one of his striking black background paintings, inspired by his experiences seeing night views of Vancouver's harbour from the water. Binning eloquently described one such sighting: "Suddenly you break out into all the lights of the harbour and the ships and so on, and all this black velvety summer night again with all these signals, lights flashing and neon signs... You know it's really quite stirring." *Signal Façade* is a vivid painting; geometric shapes of bright hues, interconnected in a grid of lines, pop forward from their dark background. Binning created a work that is both abstract and figurative, formal yet playful, a balance he intended to achieve and emphatically does. This work is in the artist's original frame.

**ESTIMATE: \$25,000 – 35,000**



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

BCSFA CGP CSGA OC RAIC RCA 1909 – 1976

#### Signal Station

oil on board, signed and dated 1949 and  
on verso titled on the exhibition label  
18 x 24 in, 45.7 x 61 cm

#### PROVENANCE

Acquired directly from the Artist by  
Barbara Pentland, Vancouver  
Gift from the above to the Langley Community  
Music School, 2000

#### LITERATURE

Abraham J. Rogatnick, Ian M. Thom and Adele Weder,  
*B.C. Binning*, 2006, page 126

#### EXHIBITED

Art Gallery of Toronto, 1950

WEST COAST MODERNIST B.C. Binning 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 and 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 exhibited internationally at venues such as the National Gallery of Art in Washington, DC, Mexico City's Museo de Arte Moderno, *Bienal de São Paulo*, Brazil, and the *Venice Biennale*, among others.

*Signal Station*, with its abstracted ship's hull and nautical forms, is a classic Binning painting. Binning drew his inspiration and imagery from his own experience of the West Coast. His home in West Vancouver was close to the ocean, and he spent his summers exploring the coastal waters in his sailboat the *Skookumchuck*. Binning commented, "Being a seaside person, small boats, ships and things of the sea are old loves of mine—I know them well and I find them ready forms for interpretation. They can be lyric, no doubt about that, grand and elegant with dignity and power, or jolly and happy for joy. They abstract well..."

The title refers to a vital element of Vancouver's early harbour communications. A signal station was situated at the top of Prospect Point (the waters below were so dangerous to ships it was once called Calamity Point)—and it operated up until 1939, after the Lions Gate Bridge was built. The station alerted ships entering and leaving the harbour about such important matters as tides, wind and the movements of other vessels. Signals were passed from the station to the Prospect Point Lighthouse on the rocks below, and they were essential to the port's shipping activities and maritime safety. On the deck of this station, as seen in early archival photographs, were the kind of forms that Binning incorporated into works such as this—round balls, triangular objects, rigging and flags.

*Signal Station* shows a step in evolution from Binning's paintings of only a year previous. In his well-known 1948 work *Ships in Classical Calm* (in the collection of the National Gallery of Canada) his brushwork is smooth, and his palette is cool greys, blues and greens. *Signal Station*, produced in 1949, reflects Binning's growing interest in textural effects. While his main forms are smoothly modulated, his background consists of softly brushed paint-strokes, creating a surface that also appears to be rubbed and incised. His palette was also changing—these textured backgrounds were often grey or beige, contrasted with forms charged with colour, as we see here in the hot red and golden yellow hues, given more punch by the adjacent black and white planes. *Signal Station* also includes references to the landscape, with the sun in the upper right and a slightly ragged, drifting cloud form at the top. Binning's use of line is unique. Although precisely plotted, his lines are not hard—they have slightly feverish edges and vary in pressure, expressing their organic, hand-drawn quality.

Besides being a painter and architect, Binning was also an influential educator who founded the Department of Fine Arts at the University of British Columbia, developed the UBC Fine Arts Gallery and organized the multimedia Festival of Contemporary Arts. He was a conduit for new ideas and outside influences, and was a catalyst for a growing sophistication in Vancouver's



Prospect Point Signal Station  
Photo: W.J. Moore  
City of Vancouver Archives, St Pk N93.1

art community. His social circle included prominent architects and artists such as Lawren Harris (who settled in Vancouver in 1940), Gordon Smith, Jack Shadbolt and Orville Fisher. Binning's importance as a central figure in the West Coast modernist scene cannot be underestimated.

The original collector of this work, Barbara Pentland, taught music at the University of British Columbia and knew Binning.

The proceeds of this sale will go towards an endowment fund for the Langley Community Music School.

This work is in the artist's original frame, and there is an unfinished sketch on verso.

**ESTIMATE: \$50,000 – 70,000**



#### 4 Johnny Inukpuk

1911 – 2007

##### Bear Attack

stone carving, circa 1970 – 1975  
18 x 22 x 31 in, 45.7 x 55.9 x 78.7 cm

##### PROVENANCE

Eaton's Art Gallery, Toronto  
Acquired from the above by the present Private Collection,  
Toronto, 1977

##### LITERATURE

George Swinton, "Eskimo Art Reconsidered," *artscanada*,  
nos. 162/163, December 1971 / January 1972, pages 85 – 94  
Jean Blodgett, editor, *Port Harrison / Inoucdjouac*,  
Winnipeg Art Gallery, 1977  
A. Barry Roberts, *The Inuit Artists of Inoucdjouac, P.Q.*, 1978  
Ingo Hessel, *Inuit Art: An Introduction*, 1998  
Céline Saucier, *Guardians of Memory: Sculpture-Women  
of Nunavik*, 1998

Maria von Finckenstein, *Celebrating Inuit Art, 1948 – 1970*,  
Canadian Museum of Civilization, 1999, page 59

Darlene Wight, *Early Masters: Inuit Sculpture 1949 – 1955*,  
Winnipeg Art Gallery, 2006, pages 82 – 87

Sandra Dyck, editor, *Sanattiaqsimajut: Inuit Art from  
the Carleton University Art Gallery Collection*, Carleton  
University Art Gallery, 2009, pages 31, 47, 187 and 189

Gerald McMaster, editor, *Inuit Modern: The Samuel and  
Esther Sarick Collection*, Art Gallery of Ontario, 2010,  
pages 26, 36, 64 and 105

Darlene Wight, *Creation and Transformation: Defining Moments  
in Inuit Art*, Winnipeg Art Gallery, 2012, page 89

JOHNNY INUKPUK WAS one of a few artists, including Akeekashuk and Osuitok Ipeelee, to become renowned for his strong, individual artistic style in the early years of contemporary Inuit art. Sought after by private collectors and public art galleries alike, Inukpuk's sculptures are known for their visual interest and composition, their expressive voluminous forms, their attention to detail, and the effective use of contrasting surface finishes.



detail

Inukpuk came from the community of Inukjuak (also spelled Inoucdjouac, formerly known as Port Harrison) in Nunavik (previously called Arctic Quebec). Inukjuak, on the east coast of Hudson Bay at the mouth of the Innuksuak River, is considered to be the birthplace of Inuit art, beginning in 1949.

Inukpuk was the camp leader at Kuttaaq, about 65 miles north of Inukjuak, a position which signaled the respect he had earned in his community. While admired for his hunting and trapping skills, Inukpuk has also acknowledged the role of sculpture in supporting his family. He said that when James Houston encouraged the Inuit to carve, beginning in 1948, carving gave them a new independence. Inukpuk moved his family, including his wife Mary and his children, into the settlement of Inukjuak in 1965. Two of his children—Charlie Inukpuk and Adamie Inukpuk—also became sculptors of note.

*Bear Attack* is a spectacular sculpture. In this magnificent work, Johnny Inukpuk clearly demonstrates his ability to master a very complex scene full of action, violence and tragedy. Although Inukpuk is better known for his sculptures of women—many with a commanding presence far exceeding their physical size—this theme does not totally define the artist. Here a massive bear dominates the scene with its huge volume, bulging limbs, and ferocious teeth that are firmly dug into the young woman. In addition to its evocative shape, the bear has been carefully rendered—its expressive, swelling form has been painstakingly etched to convey its textured coat. Its paws, even the one almost hiding under its body, are accurately depicted. They reveal the knowledge of a skilled hunter. Details of the woman under attack—her beautiful braids, the seaming and ties on her *kamiks* (boots), the curving hem of her *amautiq* (parka)—add authenticity to the scene. Yet their very prosaic quality also serves to underline the drama of the struggle.

To one side of the main scene, a woman with a baby perched in the hood of her *amautiq* struggles with a bear and seems at that moment to have the upper hand as she has the bear pinned down. Perhaps this depicts act 1 in the attack. Here too, the contrast in the finish and the attention to detail contribute to the complexity



detail

of the scene. Two other figures—a man trying to grab the bear in the main scene and an animal (perhaps a dog) biting at the bear's rump—are in the fight, but this is not an event that is going to turn out well.

There are other instances of Inukpuk depicting bear attacks in his work. The artist himself survived an attack by three polar bears, defending himself with a stick as his rifle was out of reach. The enormity of this event led the Inukjuak community of print-makers to help the artist record the scene in a 1974 stonecut print titled *A True Story of Johnny Being Attacked By Three Bears While In His Igloo*.

Most significant for an understanding of *Bear Attack* is a note from the artist that accompanied a smaller sculpture of a similar subject—it reveals the importance of oral history in his creative process. The translation of the note was given as follows:

This story happened somewhere between Great Whale River [Kuujjuarapik] and Port Harrison. There once lived a man named Asinasa who had a wife named Imialuk. They could not have babies so they had adopted a girl. The parents were hungry. Then one morning the girl caught a seal. She was on her way home walking to the shore when she was eaten by a polar bear. The father got home when it was getting dark and found that his daughter was eaten and nobody saw the seal. This happened in February 1926.

*Bear Attack* has a special place in any consideration of Inukpuk's long career as a leading Inuit sculptor. Emerging as it does from decades in private hands, it now adds considerably to the understanding of the importance of Inukpuk as an Inuit and Canadian artist. Moreover, it is a major artwork in its own right.

We thank Susan Gustavison, independent curator and author of numerous books and exhibition catalogues including *Northern Rock: Contemporary Inuit Stone Sculpture* and, most recently, *Pitaloosie Sails: A Personal Journey*, for contributing the above essay.

**ESTIMATE: \$15,000 – 25,000**



## 5 Takao Tanabe

oc 1926 –

### Gulf of Georgia

acrylic on canvas, signed and on verso signed, titled, dated November 1986 and inscribed *Errington*  
27 x 61 in, 68.6 x 154.9 cm

#### PROVENANCE

Mira Godard Gallery, Toronto  
Private Collection, Toronto

WEST COAST MODERNIST Takao Tanabe is celebrated for his serene depictions of the Pacific Ocean and the islands of British Columbia. He began his series of coastal landscapes after moving to Vancouver Island in 1980, drawing inspiration from his many ferry trips across the Strait of Georgia to and from Vancouver. *Gulf of Georgia* is an early example of this theme, displaying softened forms and a pastel palette, evoking romanticism and tranquility. The pink and apricot brush-strokes in the sea reflect the sunset in an abstract, ephemeral way, the light ever-shifting during those last few hours of daylight. In the distance subtle island shapes are visible, their details obscured by the blending of ocean and cloud. A sense of the techniques used in his Prairie paintings is evident, especially in the sky, where sheer swathes of colour glow. But unlike his Prairie paintings, which were thinly stained and spatially flat, here Tanabe has carefully layered his washes of colour, building up his surface to create greater depth and realism.

**ESTIMATE: \$40,000 – 60,000**

## 6 Joseph Hector Yvon (Joe) Fafard

OC RCA 1942 –

### Boxer Table

bronze, patina and glass sculpture,  
signed, editioned 3/3 and dated 1986  
15 ¼ x 30 ¼ x 30 ¼ in, 38.7 x 76.8 x 76.8 cm

#### PROVENANCE

Gallery Moos Ltd., Toronto  
Private Collection, Toronto

#### LITERATURE

Pierre Th  berge, *Joe Fafard: The Bronze Years*,  
Montreal Museum of Fine Arts, 1996,  
reproduced page 93, listed page 118  
Terrence Heath, *Joe Fafard*, 2007, page 169,  
reproduced pages 136 and 219, listed page 219

#### EXHIBITED

Montreal Museum of Fine Arts, *Joe Fafard:  
The Bronze Years*, November 21, 1996 –  
February 16, 1997, catalogue #78  
MacKenzie Art Gallery, Regina, *Joe Fafard*,  
September 29, 2007 – January 6, 2008,  
traveling in 2008 – 2009 to the National  
Gallery of Canada, Ottawa; the McMichael  
Canadian Art Collection, Kleinburg; the Art  
Gallery of Nova Scotia, Halifax; the Glenbow  
Museum, Calgary; and the Winnipeg Art  
Gallery, catalogue #33

JOE FAFARD PRODUCED a series of tables, using glass tops supported by cast bronze supports, which incorporate diverse imagery, from animals such as horses, cows and buffalo to the boxers in this sculpture. In these works, Fafard makes a useful object—a piece of furniture—into a fine work of art. Terrence Heath wrote, “The tables in particular are small exhibition spaces, domestic galleries. They are like rooms with sides and tops; within are exhibited pieces of sculpture, which are also part of the structure of the space itself.” The table supports are constructed in an intriguing manner—Fafard picked reeds from the banks of the creek on his land, encased them in slurry to make moulds, then cast them in bronze (Fafard called this the “lost-reed” process). The resulting forms then served as legs and connectors for his table supports. Along these connectors, Fafard positions the boxers and two spectators, enclosing them with ropes. He plays with perspective, making the onlookers smaller, contrasting with the larger, dominant boxers. Looking down through the glass, we form part of the spectating crowd, as we tower over Fafard’s whimsical and engaging scene.

**ESTIMATE: \$25,000 – 35,000**



detail

## 7 William (Bill) Pehudoff

RCA 1918 – 2013

### AC-64-3-A

acrylic on canvas, on verso signed, titled  
and inscribed *Blue Verticals*, 1964  
49 x 47 in, 124.5 x 119.4 cm

#### PROVENANCE

Newzones Gallery of Contemporary Art, Calgary  
Private Collection, Toronto

THE BOLD COLOUR-FIELD paintings of Saskatchewan artist William Pehudoff remain exemplary of this type of abstract art, whether regionally, nationally or in international circles. While he chose to live and work in Saskatchewan throughout his long career, he was well informed about American currents in abstraction in the 1950s and 1960s via the famous Emma Lake Artists' Workshops, at which prominent international artists and critics worked alongside Canadian artists. He participated in classes by Will Barnet, Herman Cherry, Clement Greenberg, Kenneth Noland and Donald Judd. At this time Pehudoff developed the distinctive style we see in this painting, one characterized by dramatic saturated colour and the subtle deployment of washes in acrylic paint, and in 1988, he led the Emma Lake workshop. The title of his major retrospective in 2011, *The Optimism of Colour*, is an apt description of his work.

Influential American critic Greenberg approvingly noticed Pehudoff's work and compared it favourably with the better-known Jack Bush. Both artists—and their American interlocutors, such as Noland and Jules Olitski—sought to have their vibrant paintings establish their own terms of reference, their own worlds within the frame. It is in appreciating the subtle expressions developed in paint that the considerable visual pleasures of *AC-64-3-A* arise as much for a viewer today as when it was painted in 1964.

One way in to the coordinates of colour and design in this painting is through Pehudoff's inscription of the phrase "Blue

Verticals" on the back of the canvas, just above its more neutral official title. Though only slightly off square, the effect of verticality is assured by the placement of all forms, whether blue (in two hues, lighter and darker), green, yellow-green, yellow or red. Blue dominates, forming the ground for these forms because the off-centre colour bands do not stretch to the bottom of the canvas. Pehudoff thus allows blue to flow freely over much of the surface.

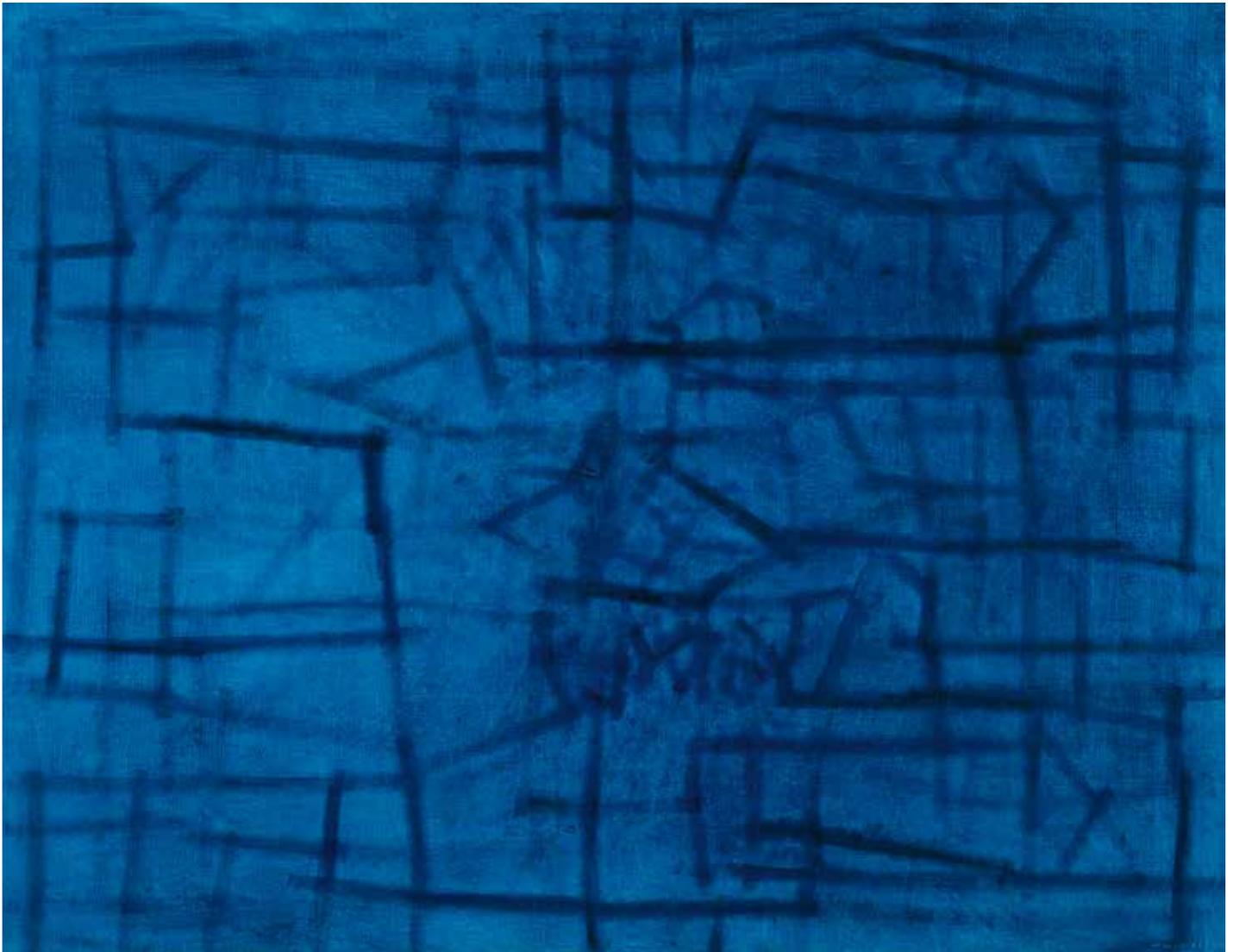
Edges are crucial to the artist's design. Pigment streams to a perfectly delineated border around the perimeter of the painting. The sense of precision and control stands in happy contrast to the artist's playful (but equally skilful) variation of edges and borders inside the frame. Prolonged viewing reveals a remarkable variety in these manipulations. Where the four colour bands meet at the top of the work, for example, he has left open, white ground showing through, creating highlights. In this same, almost climactic zone and along the extent of the blue/green border that runs down from it vertically for much of the surface, Pehudoff's characteristic staining techniques allow colour and form to meld and to blur any hard distinctions. One effect of this procedure is to create darkly stained passages that stand in contrast to the predominantly thin and opaque nature of the surface as a whole.

While Pehudoff consciously creates symmetries of colour and form across this surface, he avoids the rigidity of geometries and grids. If one is tempted to perceive a pattern—blue abuts green in several places, for example—no strict repetition can be found. We cannot predict what is going to happen in the painting, even after prolonged attention, except perhaps that it will continue to change before our eyes.

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

**ESTIMATE: \$25,000 – 35,000**





## 8 Kazuo Nakamura

CGP CSGA CSPWC P11 1926 – 2002

### Toronto 4 (Inner Structure)

oil on canvas, signed and on verso signed, titled and inscribed *Design for ceiling sculpture* [sic], *Terminal 1, Toronto International Airport* and indistinctly 1973  
24 x 31 in, 61 x 78.7 cm

#### PROVENANCE

Sold sale of *Canadian Fine Art*, Joyner / Waddington's,  
May 31, 2005, lot 282  
Private Collection, Toronto

#### LITERATURE

Roald Nasgaard, *Abstract Painting in Canada*,  
Art Gallery of Nova Scotia, 2007, page 115

KAZUO NAKAMURA WAS a Japanese-Canadian painter who was a founding member of the Toronto-based Painters Eleven group in the 1950s. Nakamura's works were more ordered than his

fellow members' very expressionist paintings—they are uncomplicated, often monochromatic, or produced in a small range of similar colours. Nakamura was fascinated with science, and this shows in the way he executed his paintings—he believed the patterns of science and art to be one and the same. In *Toronto 4 (Inner Structure)* he restricts himself to a palette of blues applied to a drawn grid. This title refers to the unseen universal patterns of scientific knowledge. For this series of works—done early in his career—Nakamura used razor blades and the edges of a piece of cardboard dipped in paint to create the structured lines. In this brilliant work viewers get a sense of his heritage from the way his painted lines resemble Japanese calligraphy.

As the inscription indicates, this painting was a study for works Nakamura produced for Toronto Pearson International Airport. His sculptures *Galaxy Numbers 1* and 2 were installed suspended from the ceiling in the old Terminal 1, closed in 2004.

**ESTIMATE: \$25,000 – 35,000**



## 9 William Paterson Ewen

AANFM RCA 1925 – 2002

### Lifestream

oil on canvas, signed and dated 1959

14 1/8 x 18 1/4 in, 35.9 x 46.4 cm

#### PROVENANCE

Acquired directly from the Artist by Mireille and Bernard Lagacé, Montreal, circa 1960

#### LITERATURE

Matthew Teitelbaum, *Paterson Ewen: The Montreal Years*, Mendel Art Gallery, 1987, page 23

PAINTED IN 1959, this work is part of Paterson Ewen's *Lifestream* series, in which he developed his personal voice. A slender white horizontal band bisects mustard quadrangles, which add rhythm to the composition. The inner drama of the piece revolves around the flattened bands of colour, stretched

across the canvas and demarcated by bold black outlines. This dramatic focus effectively emphasizes the horizontality of the work, suggesting a landscape. Art historian Matthew Teitelbaum wrote that with "a clear spatial organization which underlined the influence of the Plasticiens, and an earthy richness of color which recalled the Automatistes, the *Lifestream* works suggested a delicate traverse across space and through time." Ewen's lush fields of mustard, white, cobalt and teal, applied with great energy and in wide swathes of the brush, display his gestural prowess. With its strongly rhythmic composition and dynamic surface, this piece is a quintessential example from one of Ewen's important series of works.

**ESTIMATE: \$20,000 – 25,000**



## 10 Jean Albert McEwen

AANFM RCA 1923 – 1999

### Grand icône

oil on canvas, signed and on verso signed  
and titled, circa 1963  
19 ¾ x 17 ¾ in, 50.2 x 45.1 cm

#### PROVENANCE

Gift of the Artist to a Private Collector, Montreal  
Acquired from the above by the present Private  
Collection, Montreal

#### LITERATURE

Roald Nasgaard, *Abstract Painting in Canada*,  
Art Gallery of Nova Scotia, 2007, page 177

THIS ELEGANT OIL on canvas encapsulates the drama and intensity of Jean McEwen's distinctive approach to colour. Inspired by works from Colour Field painters such as Mark

Rothko and Barnett Newman, he set down layer upon layer of lustrous oil paint, building up to a mottled surface of delicate tonal variations. Art historian Roald Nasgaard writes about McEwen's practice: "His continuous coloured textures are built out of strata of superimposed paint layers, sometimes as many as a dozen. Their ever more variegated hues and tones lie in ambiguous depths, sometimes opaque and other times transparent and luminous." In *Grand icône*, McEwen arranges a fiery orange cruciform between two textured slabs of mustard yellow. Underlying layers of chartreuse, yellow and black emerge through the mottled surface of the central shape. The four corners of the piece are accentuated by thick rust and crimson squares. With its rich medley of colour and McEwen's unique handling of paint, *Grand icône* is intensely vibrant, and each form is imbued with texture and dazzling effects of transparency.

**ESTIMATE: \$30,000 – 50,000**



## 11 Jean Albert McEwen

AANFM RCA 1923 – 1999

### Les temps assassinés #1

oil on canvas, on verso signed, titled on the gallery labels and *Le temps assassiné* [sic], dated 1974 and inscribed #1  
60 x 90 in, 152.4 x 228.6 cm

#### PROVENANCE

Mira Godard Gallery, Toronto  
Corporate Collection, Toronto

#### LITERATURE

Constance Naubert-Riser, *Jean McEwen: Colour in Depth*,  
Montreal Museum of Fine Arts, 1987, page 48

AN EXPLORATION OF the power of colour is at the core of Jean McEwen's abstract paintings. In this mysterious work, a dark central rectangle dominates. As Constance Naubert-Riser wrote, "The artist comprehends space solely through colour," and here, this dark rectangle—a hovering, magisterial presence—is pushed forward by the bright splashes of peridot green in the background. There is even a further spatial layer—wisps and flickers of luminous white float through the surface of the dark rectangle and

push even further forward in the picture plane. The rectangle's slightly ragged, organic edges give it the illusion of a subtle quivering, adding to the sensation of motion caused by the energy of the radiant colour. This superb large-scale work envelops the viewer with its strong presence.

Starting in 1957, McEwen began to give his paintings poetic titles, and *Les temps assassinés #1* loosely and provocatively suggests the concept of time being killed. Even though the work is abstract, titles such as this give subtle nuances and depths of meaning to our perception of McEwen's works.

**ESTIMATE: \$35,000 – 45,000**



## 12 Guido Molinari

AANFM LP QMG RCA SAPQ 1933 – 2004

### Sans titre

oil on canvas, on verso signed, titled  
and dated 1953 on the gallery label  
12 ¼ x 14 in, 31.1 x 35.6 cm

#### PROVENANCE

Mayberry Fine Art, Winnipeg  
Private Collection

Acquired from the above by the  
present Private Collection

GUIDO MOLINARI WAS a dominant figure in the history of abstract painting in Canada, an original and innovative artist who was utterly independent. In the months following the 1953 group exhibition *Place des artistes* in Montreal, in which he participated, Molinari produced a long series of small oil paintings in which he juxtaposed areas of bright colour. *Sans titre* is a richly hued, vigorous example from this series. The mid-1950s were breakout years for Molinari, when his painting and writing propelled him into the forefront of the Montreal scene. He was exploring a new painterly space, producing works such as this with areas of pure colour, thickly applied with expressionist *élan*, with soft edges that bleed slightly into each other. Each colour area is held in dynamic tension by the ones next to it in an active, all-over surface. *Sans titre* is an outstanding work from this painterly, tactile phase in Molinari's work, before his surfaces would become smooth, his edges hard, and his brushwork minimized in his *Stripe* and *Quantificateur* works.

**ESTIMATE: \$30,000 – 40,000**



detail



### 13 Sam Francis

1923 – 1994 American

#### Untitled

double-sided acrylic on paper, on verso signed,  
dated 1988 and inscribed *Venice 1988*  
14 ¾ x 10 ⅝ in, 37.5 x 27 cm

#### PROVENANCE

Solomon & Co. Fine Art, New York  
Private Collection, New York  
Sold sale of *Contemporary Art*, Sotheby's New York,  
September 10, 2008, lot 242  
Schillay Fine Art Inc., New York  
Acquired from the above by the present  
Private Collection, June 2009

SAM FRANCIS WAS one of the twentieth century's most profound Abstract Expressionists. After graduating from the University of California, Berkeley in 1950 with a degree in art, Francis moved to Paris, where he would be named by *Time* magazine in 1956 as "the hottest American painter in Paris these days." While in Paris, Francis developed close friendships with fellow American artist Joan Mitchell and the Canadian artist Jean Paul Riopelle. In the 1970s to 1980s, Francis was working with a lush and vibrant palette and painting with elongated forms, drips and splatters. This is a classic gestural painting by Francis, full of energy and intensity. The multitude of colours, diverse textures and varying placements of paint are typical of his 1980s acrylic works on paper.

This work has been given the interim identification number of SF88-308 in consideration for the forthcoming *Sam Francis: Catalogue Raisonné of Unique Works on Paper*. This information is subject to change as scholarship continues by the Sam Francis Foundation.

**ESTIMATE: \$25,000 – 35,000**



verso



## 14 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

### Sans titre

ink and watercolour on paper, signed and dated 1947  
and on verso inscribed variously  
9 7/8 x 12 1/2 in, 25.1 x 31.8 cm

### PROVENANCE

Private Collection

### LITERATURE

Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné, Volume 1, 1939 – 1953, 1999*, reproduced page 155, listed page 413, catalogue #1947.057P.1947

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 its 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.

ESTIMATE: \$20,000 – 30,000



## 15 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

### Composition

ink and watercolour on paper, signed and dated 1948  
and on verso titled on the gallery label  
10 x 13 ¾ in, 25.4 x 34.9 cm

### PROVENANCE

Galerie Jolliet, Quebec City  
Private Collection, Quebec City

EXECUTED IN 1948, this watercolour is emblematic of Jean Paul Riopelle's exhilarating late 1940s and early 1950s period. The *Refus global* manifesto was published in August of the same year, and this document was the driving force behind the Automatist movement. It is now also regarded as a milestone in the modernization of Quebec, for exposing the province to the cosmopolitan ideas of the post-war era. During this period, Riopelle created highly rhythmic and effervescent works, and this piece

is no exception. *Composition* is a scintillating effusion of abstract form and colour. The surface of the work is covered with an elegant palette of soft yellow, cherry, orange, sienna and emerald. A complex web-like network of sharp, calligraphic black lines is arranged atop this colourful background, resulting in an organic and dynamic whole. The pictorial surface of the work is remarkably expressive and invites our eye to dance across it. The artist's energy is palpable through his profusion of brush-strokes, tangled colours and lines. *Composition* is a testament to a thrilling period in Riopelle's prolific career.

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

**ESTIMATE: \$20,000 – 30,000**

## 16 Rita Letendre

AANFM ARCA OC QMG 1928 –

### Printemps

oil on canvas, signed and dated 1960  
and on verso signed, titled and dated  
36 x 40 in, 91.4 x 101.6 cm

#### PROVENANCE

Acquired directly from the Artist by Mireille and Bernard  
Lagacé, Montreal, 1960

#### LITERATURE

“Art and Acrobatics... Rita Letendre,” *The Montrealer*,  
January 1962  
Gaston Roberge, *Rita Letendre: Woman of Light*,  
1997, page 12

#### EXHIBITED

Galerie de l'école des beaux-arts (group exhibition),  
Montreal, 1960

When I was a little girl of eleven, I used to daydream a lot,  
but I knew that I was only trying to escape from reality.

—RITA LETENDRE

THE QUÉBÉCOISE-ABENAKI PAINTER Rita Letendre was introduced to Paul-Émile Borduas and the Automatists during her studies at the École des beaux-arts in Montreal. In an interview in *The Montrealer* in 1962, Letendre recounts how “Borduas, Mousseau and Marcelle Ferron were in full revolution at that time. They distributed pamphlets at the Beaux Arts [school] telling where their paintings could be seen.” Their expressive and intuitive approach to art was much more in tune with Letendre’s interest in creative exploration than the traditional methods taught at the *école*.

She continued, “We found their paintings exciting. Then we discovered our contemporaries. People with whom we would develop our talents. For me there was Ulysse Comtois, the sculptor, and Gilles Groulx, the filmmaker, among others. I was convinced that I was going to revolutionize the universe, and all my friends thought the same about themselves.”

Later, her works were shown alongside the Automatists in pivotal exhibitions such as *La matière chante* in 1954 and *Espace 1955*

at the Montreal Museum of Fine Arts. Since then, she has dedicated herself entirely to painting and to exploring the possibilities of abstraction. “Representation suddenly seemed to me like a crutch,” she said. “I had discovered that the soul of a painting was not in the object represented but in the way it transmitted a sort of internalized emotion.”

Letendre’s works from the early 1960s are highly indebted to the Automatists’ revolutionary and expressive approach to abstraction. They are spirited and intense, and *Printemps* is no exception. In this compelling oil on canvas, Letendre skilfully laid thick slabs of colour side by side all over the surface of the canvas with her palette knife, building a mosaic of textured swathes in black, olive, white, yellow, cerulean blue and tomato red. Her undeniably liberated use of the palette knife showcases her remarkable range and quality of gesture as she reveals the very materiality of her medium. As she drags and scrapes her knife through the pigments, touches of underlying colour appear in transparency. By juxtaposing masses of colour against black impastos, which creates a push and pull effect between foreground and background, Letendre has created a dynamic composition. The title of this piece is itself noteworthy: *Printemps* (Spring) evokes renewal, rebirth and awakening.

Also noteworthy is the fact that this piece was shown in the 1960 group show at the Galerie de l’École des beaux-arts in Montreal. Bernard and Mireille Lagacé acquired it directly from Letendre, whom they knew well, and it has remained in their collection ever since. Bernard and Mireille Lagacé are, respectively, an acclaimed organist and harpsichordist and amongst the most prominent interpreters of baroque music of their generation. *Lifestream*, by Paterson Ewen, lot 9 in this sale, was also acquired by the Lagacés directly from the artist in 1960.

This masterpiece by Letendre is making its auction debut.

**ESTIMATE: \$40,000 – 60,000**





## 17 Guido Molinari

AANFM LP QMG RCA SAPQ 1933 – 2004

### Sans titre

Duco paint on board on wood,  
on verso signed and dated 1955  
24 x 30 in, 61 x 76.2 cm

### PROVENANCE

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

### LITERATURE

Sandra Grant Marchand, Roald Nasgaard and Guido Molinari,  
*Guido Molinari: une rétrospective*, 1995, listed page 70

### EXHIBITED

Wynick/Tuck Gallery, Toronto, *Guido Molinari: Important Works from the Plasticien Period*, June 2 – July 21, 1990  
Musée d'art contemporain de Montreal, *Guido Molinari: une rétrospective*, May 19 – September 17, 1995, traveling to the Macdonald Stewart Art Centre, Guelph; MacKenzie Art Gallery, Regina; Art Gallery of Windsor; and the Art Gallery of Nova Scotia, Halifax, catalogue #16

IN THE MIDST of radical change and growth in 1955 and 1956, 22-year-old Guido Molinari painted *Sans titre* and changed Canadian art history in two ways. His breakthroughs set him on the path towards the eradication of pictorial volume that would characterize his oeuvre. Further, as told to the consignee of this work, *Sans titre* had an impact on Molinari's fellow painter Paul-Émile Borduas, who said *Sans titre* influenced his own late black and white works.

Before *Sans titre*, Molinari had pointed out the limitations of his elders in the Automatists and the Plasticiens when he announced himself a theoretician of *molinarisme*. This happened only a decade after he began to visit Montreal's Dominion Gallery and started painting at age 13. He took evening courses at the École des beaux-arts (Montreal) while in high school, enrolled in the School of Art and Design at the Montreal Museum of Fine Arts (dropping out barely a year later), and made Surrealist-inspired automatic paintings at 18. Still in his early 20s, he embarked on a journey to transcend the suggestion of three-dimensional space in painting by extending Piet Mondrian's effort to destroy volume and plane.

In 1954 and 1955, Molinari made small, colourful *tachiste* paintings that undermined volume and confounded the plane through their careful placement of pure colour. In January 1955, he made his first trip to New York, where he saw paintings by Wassily Kandinsky at the Solomon R. Guggenheim Museum and by Mondrian at the Museum of Modern Art. A letter from the artist to the consignee tells us that Molinari painted *Sans titre* in November 1955—exactly when he was experimenting with the automobile lacquer Duco, and when his personal hybrid of painting and drawing crystallized.

Duco is the proprietary name of an automobile lacquer that was popular among artists in the 1940s and 1950s for its economy, fluidity and quick drying time. Molinari exploited its smooth application and flat and opaque finish, which allowed studies to be made with the rapidity of ink and to have the intensity of paint.



Guido Molinari: *une rétrospective*, Musée d'art contemporain de Montréal, May 19 – September 17, 1995 (*Sans titre* is shown second from left)  
Photo: Richard-Max Tremblay

In 1955 and 1956, Molinari made a prodigious number of studies with black Duco on white paper as well as paintings with black and white Duco, such as *Sans titre*. Painted on canvas or hardboard, Duco's smooth finish facilitated Molinari's rejection of the impastoed surfaces of the Automatists and showed his new visual austerity. Reduced to black and white, these paintings could have been perceived in terms of drawing, and their volumes read in terms of foreground and background as if rendered in another medium. Molinari's breakthroughs in this medium enabled him to advance the understanding of the pictorial equilibrium that he investigated throughout his career.

In *Sans titre*, movement implied by the horizontal and vertical bars at right and bottom is stilled, and the picture's mass unified by the black volume in the top-left quadrant. White painted over still wet black created pearly greys that Molinari heightened with strokes of white. The parity of black and white, and the negligible impasto in Molinari's painting had a different purpose than Borduas's *Figures schématiques* of 1956 (lot 18 in this sale) or Borduas's late black and white works of 1959, such as *Composition no 41 ou Cinq barres noires* (Musée d'art contemporain de Montréal, CR #20 05-1382), in which the materiality of paint is central. In his critical biography of Borduas, François Marc-Gagnon corroborates Molinari's comment to the consignee when he observes that the latter painting could have been done under the influence of Molinari.

*Sans titre* has had only one owner apart from the artist. The painting was retained by Molinari until the last decade of his life, and the consignee vowed to look after *Sans titre* before Molinari would release it. As an emancipating step in Molinari's aim to reinvent painting for himself, *Sans titre* remains as liberating now as it was then.

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

**ESTIMATE: \$40,000 – 60,000**



## 18 Paul-Émile Borduas

AUTO CAS QMG RCA 1905 – 1960

### Figures schématiques

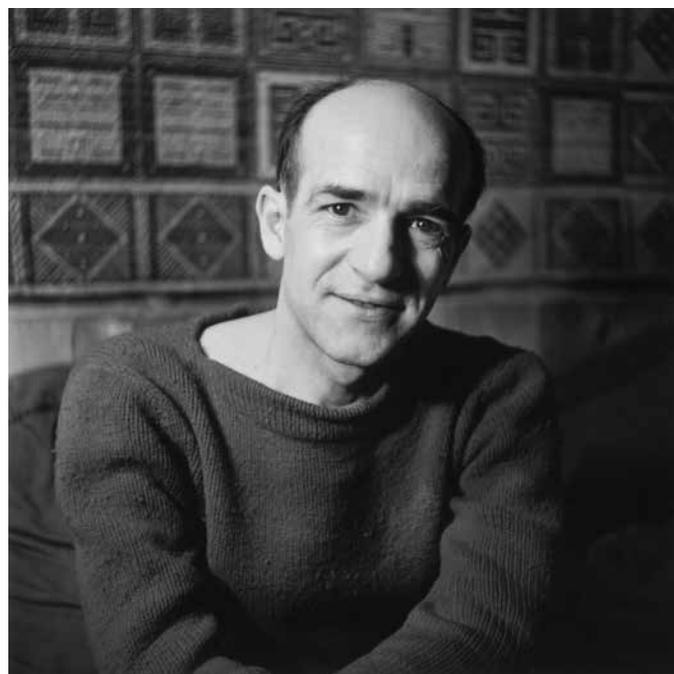
oil on canvas, signed and dated 1956 and on verso titled on the Martha Jackson Gallery label with Inventory #1911 and inscribed *MJG #1911* on the stretcher and *Dr. Mailhot* on a label  
51 1/8 x 76 7/8 in, 129.9 x 195.3 cm

### PROVENANCE

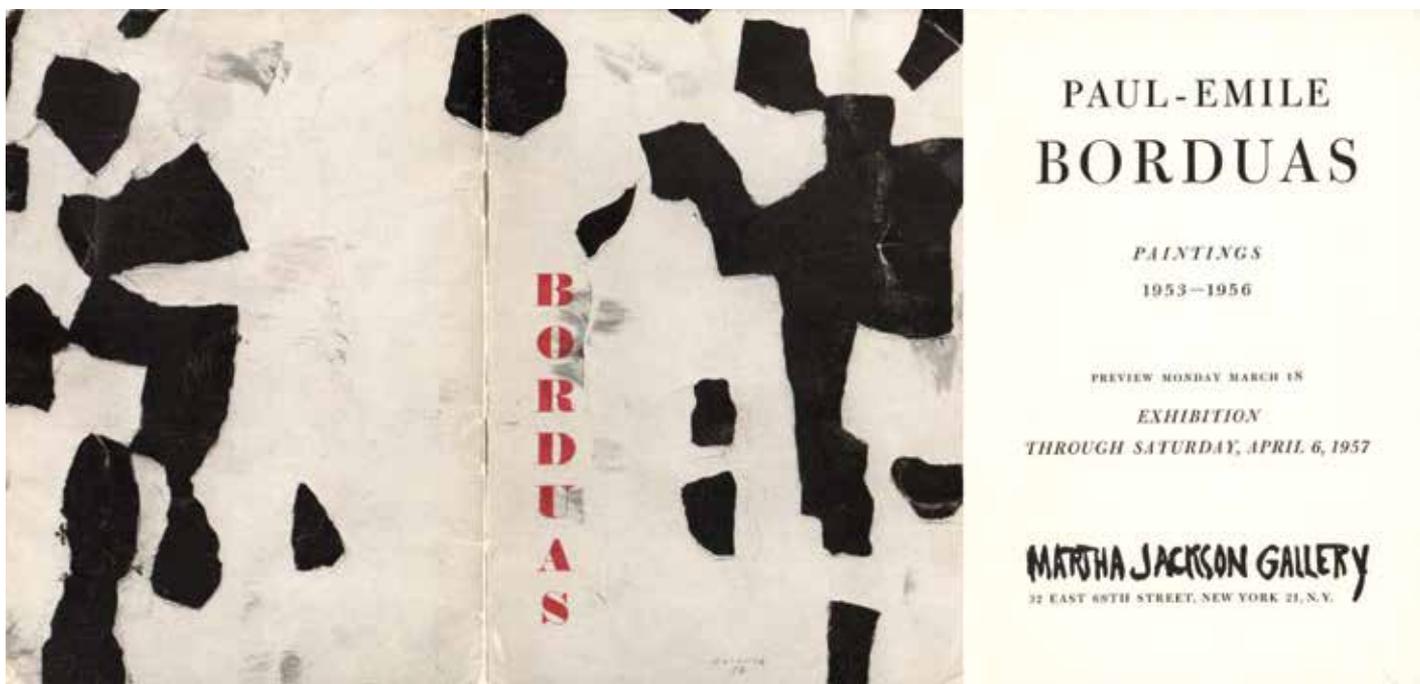
Acquired directly from the Artist by  
Martha Jackson Gallery, New York  
Gallery Moos Ltd., Toronto  
Dr. Paul Mailhot, Montreal  
Private Collection, Montreal

### LITERATURE

Martha Jackson, *Paul-Émile Borduas: Paintings 1953 - 1956*,  
Martha Jackson Gallery, 1957, reproduced front cover  
Guy Gagnon, "À la galerie Martha Jackson, de New-York.  
Exposition consacrée au peintre canadien Borduas. Des  
toiles de Montréal, New York et Paris," *Le Clairon* (Saint-  
Hyacinthe), March 21, 1957  
"Paul-Émile Borduas expose à New-York," *Le Devoir*,  
Montreal, March 25, 1957  
*Arte canadiense*, National Gallery of Canada, 1960,  
titled as *Figuras esquematicas*  
Robert Élie, Jean Éthier-Blais and Louis Jaque, "Hommage  
à Paul-Émile Borduas," *Vie des arts*, no. 19, summer 1960,  
mentioned page 31, reproduced page 30  
Willem Sandberg, *Borduas 1905 - 1960*, Stedelijk Museum,  
1960, reproduced  
Jean-René Ostiguy, "Un critère pour juger l'oeuvre de Borduas,"  
*Bulletin de la Galerie nationale du Canada / The National Gallery  
Bulletin*, no. 10, May 1, 1963, pages 14 and 15  
Evan H. Turner and Truman H. Brackett, *Paul-Émile Borduas  
1905 - 1960: A Loan Exhibition*, Hopkins Center for the Arts,  
Dartmouth College, 1967, reproduced figure 6  
Bernard Teyssède, "Borduas: Sous le vent de l'île," *Bulletin de la  
Galerie nationale*, vol. 6, no. 2, 1968, pages 22 - 31, reproduced  
Jean-René Ostiguy, *Un siècle de peinture canadienne: 1870 - 1970*,  
1971, page 49  
Paul Duval, *Four Decades: The Canadian Group of Painters and  
Their Contemporaries, 1930 - 1970*, 1972, reproduced page 104  
Gilles Toupin, "L'art québécois pris sur le vif," *La Presse*,  
July 3, 1976, page D-18  
François-Marc Gagnon, *Borduas and America / Borduas  
et l'Amérique*, Vancouver Art Gallery, 1977, mentioned  
pages 20, 23 and 43  
François-Marc Gagnon, *Paul-Émile Borduas (1905 - 1960):  
Biographie critique et analyse de l'oeuvre*, 1978, pages 410,  
411, 414, 497, 503 and 531, reproduced as figure 109  
François-Marc Gagnon, *Paul-Émile Borduas*, Musée des  
beaux-arts de Montréal, 1988, page 380  
François-Marc Gagnon, *Paul-Émile Borduas: A Critical  
Biography*, McGill-Queen's University Press, 2013,  
pages 400, 402 and 403



Portrait de Paul-Émile Borduas dans son atelier de Saint-Hilaire  
(Portrait of Paul-Émile Borduas in his Saint-Hilaire studio), 1951  
Silver print, Rolleicord  
Photo: Maurice Perron  
Collection of Musée national des beaux-arts du Québec, courtesy of Line-Sylvie Perron



#### EXHIBITED

Martha Jackson Gallery, New York, *Paul-Émile Borduas: Paintings 1953 - 1956*, March 18 - April 6, 1957, catalogue #8

National Gallery of Canada, Ottawa, *Troisième exposition biennale d'art canadien / The Third Biennial Exhibition of Canadian Art*, 1959, May - June 1959, traveling in 1959 - 1960 to the Elsie Perrin Memorial Art Museum, London; Agnes Etherington Art Centre, Kingston; London Public Library and Art Museum; École des beaux-arts, Montreal; Edmonton Art Gallery; Norman Mackenzie Art Gallery, Regina; Calgary Allied Arts Centre; Vancouver Art Gallery; Art Gallery of Greater Victoria; Musée de la province de Québec, Quebec City; and the Beaverbrook Art Gallery, Fredericton

Stedelijk Museum, Amsterdam, *Borduas 1905 - 1960*, December 22, 1960 - January 30, 1961

Museo Nacional de Arte Moderna, Instituto Nacional de Bellas Artes, Mexico City, *Arte canadiense*, November 22, 1960 - February 1961, titled as *Figuras esquemáticas*, catalogue #144

Currier Museum of Art, Manchester, New Hampshire, *Paul-Émile Borduas 1905 - 1960: A Loan Exhibition*, January 6 - 29, 1967, traveling to the Jaffe-Friede Gallery, Dartmouth College, Hopkins Center for the Arts, Hanover, February 3 - March 5, catalogue #20

Musée d'art contemporain de Montréal, *Trois générations d'art québécois: 1940 / 1950 / 1960*, June 30 - September 1, 1976, catalogue #27

Musée des beaux-arts de Montréal, *Paul-Émile Borduas*, May 6 - August 7, 1988, catalogue #115

IN 1956, PAUL-ÉMILE BORDUAS was living in Paris at 19 rue Rousselet, where he had been since September 27, 1955. He had an intense period of production a few months after his arrival in Paris, so 1956 was a great year in that respect. On November 28, 1956, Borduas wrote to his friends Gisèle and Gérard Lortie:

Did I mention that everything painted after your visit was purchased by the Martha Jackson Gallery of New York, in early September? This is by far and away my most important sale. She will be having a show in April. This show will be fateful: I'm full of anxiety or hope as my health determines. I promise to keep you up on whatever might happen...

In this letter, Borduas is referring first to the visit of the Lorties that took place in August of 1956. At this time they bought six paintings: *La Grimpée*, 3+3+4, *Vent d'hiver*, *Jeunesse*, *Signes suspendus* and *Ramage*, all recent works (dated 1956). The paintings were shipped to the Lorties on August 28. Borduas then refers to a visit by Martha Jackson that happened soon after, on September 5, 1956, when she bought nine of his most recent works: 3+4+1, *Figures schématiques*, *Froufrou aigu*, 3+3+2, *Vigilance grise*, *Le chant des libellules*, *La bouée*, *Clapotis blanc et rose* and *La boucle couronnée*,



detail

all of them dated 1956. They were shipped soon after this visit, on September 17. We have to conclude that they were painted in a very short time, between these two visits. It is rare that we can date a painting so accurately. *Figures schématiques* is, after 3+4+1, the biggest canvas of the series.

The show mentioned by Borduas was titled *Paul-Émile Borduas: Paintings 1953 - 1956*, and took place from March 18 to April 6, 1957. Fifteen paintings were exhibited, among which *Figures schématiques* was number 8. On the back of the painting is a label from the Martha Jackson Gallery, indicating that the gallery was situated at 22 E. 66th St. This was the first address of the gallery, which had opened in the fall of 1953. Three years later, the gallery would move to 32 E. 69th St., and Borduas would also exhibit at this location. Borduas and Martha Jackson considered *Figures schématiques* to be especially attractive, since it was reproduced on the cover of the catalogue, which was published with a preface by the gallery owner.

Subsequently, *Figures schématiques* was acquired by Gallery Moos, Toronto, and then sold to Dr. Paul Mailhot, an important Borduas collector in Montreal (his name appears on a label on the back of the painting).

Borduas's spring 1957 exhibition in New York was well received. Carlyle Burrows published an article in the *New York Herald Tribune* on March 24, 1957, entitled "Art: Native and Foreign Features"; Stuart Preston, a more important critic, wrote "Gallery Variety," which appeared in the *New York Times*,

March 24, 1957; and two short mentions were published in *ARTnews* (New York) in April and May. The exhibition was also mentioned in the Quebec press: *La Patrie*, March 21; *Le Devoir*, March 25; and *France-Amérique*, March 31, 1957.

*Figures schématiques* was shown extensively. First, it appeared in *The Third Biennial Exhibition of Canadian Art*, 1959, organized by the National Gallery of Canada, and traveled all over Canada (Kingston, London, Montreal, Edmonton, Regina, Calgary, Vancouver, Victoria, Quebec and Fredericton). Shortly after Borduas's death, the work was exhibited in Amsterdam, at the Stedelijk Museum, from December 22, 1960, to January 30, 1961, in the retrospective organized by Willem Sandberg, director of the museum from 1943 to 1963. It is reproduced in black and white in the catalogue.

Due to the initiative of the National Gallery in Ottawa, when Charles Comfort was director, *Figures schématiques* was included in the group show *Arte canadiense*, at the Museo Nacional de Arte Moderna, Instituto de Bellas Artes in Mexico, from November 22, 1960 to February 1961, under the title *Figuras esquemáticas* (#144 in the catalogue, which was published with a text by R.H. Hubbard, a devoted and early admirer of Borduas's painting).

Following that exhibition, our painting was included in two exhibitions in 1967 in New Hampshire titled *Paul-Émile Borduas 1905 - 1960*, at the Currier Museum of Art in Manchester, and at the Jaffe-Friede Gallery, Dartmouth College, Hopkins Center for the Arts, in Hanover. Evan H. Turner, who was then the director



of the Montreal Museum of Fine Arts, sponsored this project and authored the catalogue published on that occasion.

Our painting was then shown in Montreal, first at the Musée d'art contemporain in 1976, in an exhibition titled *Trois générations d'art québécois: 1940 / 1950 / 1960*, and then I included it in the big Borduas retrospective in the summer of 1988 at the Montreal Museum of Fine Arts (#115 in the catalogue).

*Figures schématiques* is a remarkable painting, and it is interesting to compare it to two important paintings of the period: *Expansion rayonnante*, 1956 (in the collection of the Musée des beaux-arts de Montréal), which preceded it, and *3+4+1*, also from 1956 (in the collection of the National Gallery of Canada), which followed it. In *Expansion rayonnante*, the black shapes are well contained in the area of the painting—none of them touch the edges of the painting. In comparison, *Figures schématiques* makes a resolute attempt to use the space afforded by the canvas's lateral edges. The left side is invaded by black shapes that appear to enter from outside. On the right side, in contrast, the black shapes appear to be exiting the pictorial area. Between the two sides is

a broad area of white. One of the consequences of this arrangement is that it is not possible to read the black “figures” as shapes on a white background, as we are constrained to do in *Expansion rayonnante*, but rather we read them as shapes moving with the white and respecting the flatness of the painting. It is the critic Clement Greenberg who defined flatness, or bi-dimensionality, as specific to painting and tri-dimensionality as specific to sculpture. Any attempt to create the illusion of depth by perspective, by superposition or otherwise was condemned by Greenberg as inauthentic. It could be said that *Figures schématiques* conformed to his dictate.

In *3+4+1*, Borduas is attracted again by the periphery of the canvas, but not in a symmetrical system, as in *Figures schématiques*. The black shapes suggest a more circular approach to every side, not only to the left and right sides, as in *Figures schématiques*. The title *3+4+1* provides us with a key in how to read the painting: first the three big shapes along a broad curve in the centre, then the four shapes in the bottom left corner, and finally the little patch on the opposite upper corner. In comparison, the reading



OPPOSITE:

**PAUL-ÉMILE BORDUAS**

**3 + 4 + 1**

oil on canvas, 1956

78 ¾ x 98 ¾ in, 199.8 x 250 cm

Collection of the National Gallery of Canada

Purchased in 1962

Not for sale with this lot

THIS PAGE:

**PAUL-ÉMILE BORDUAS**

**Expansion rayonnante**

oil on canvas, 1956

45 ½ x 35 in, 115.7 x 89 cm

Collection of the Montreal Museum of Fine Arts, 1978.22

Gift of Dr. and Mrs. Max Stern

Not for sale with this lot

of *Figures schématiques* is simpler and more direct. “Schematic,” as indicated in the dictionary, means a symbolic or simplified presentation.

It is rare that a painting of this importance appears on the market, especially one from Borduas’s Black and White period in Paris. This work is perhaps the largest Borduas canvas in private hands. *Figures schématiques* should give joy and pride to its next collector.

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

This work is included in François-Marc Gagnon’s online catalogue raisonné of the artist’s work at <http://www.borduas.concordia.ca>, #2005-0104.

**ESTIMATE: \$3,000,000 – 5,000,000**



## 19 Paul-Émile Borduas

AUTO CAS QMG RCA 1905 – 1960

### Mes pauvres petits soldats

oil on canvas, signed and dated 1949  
and on verso titled and dated on the gallery labels  
18 7/8 x 22 3/8 in, 47.9 x 56.8 cm

#### PROVENANCE

Gérard Lortie, April 1954  
Marlborough-Godard, Toronto  
Private Collection, Edmonton

#### EXHIBITED

Montreal Museum of Fine Arts, *67th Annual Spring Exhibition*, March 14 – April 9, 1950, catalogue #102  
Art Gallery of Toronto, *Borduas and De Tonnancour: Paintings and Drawings*, April 20 – June 3, 1951  
Montreal Museum of Fine Arts, *Borduas et les Automatistes*, January 26 – February 13, 1952  
Montreal Museum of Fine Arts, *Art of Quebec*, August 18 – September 7, 1952  
Richardson Brothers Art Gallery, Winnipeg, 1953  
Edmonton Art Gallery, *Modern Painting in Canada*, July 7 – August 30, 1978, catalogue #10

THE PROVENANCE OF this painting is worth noting. Gérard Lortie, an industrialist who made his fortune in the leather trade, met Paul-Émile Borduas thanks to historian and art critic Maurice Gagnon—then a teacher at l'École du meuble, like Borduas—who was also working as an agent for Dr. Max Stern of Dominion Gallery. Gagnon succeeded in convincing several businessmen (in addition to Lortie, Maurice Corbeil and Gérard Beaulieu) of the benefit, even if only in terms of investment, of collecting works of contemporary art. In the case of Lortie, it went further than that. He became a friend of Borduas and, working as his agent, helped sell his paintings in Ottawa, Toronto and Winnipeg. Lortie was married to Gisèle Morin, daughter of the famous notary Victor Morin. This fact is less trivial than one would think. Accustomed to notarized documents and archives, Gisèle Lortie kept strict accounts of transactions made for Borduas by her husband, and

carefully preserved their correspondence. This was a bonus for art historians, since the Lortie documentation was bequeathed to the Musée d'art contemporain de Montréal!

Thanks to this documentation, we know that on April 21, 1954, Borduas wrote a long letter from New York to Gérard Lortie suggesting that he acquire for a lump sum 13 of his oldest paintings, which were then scattered throughout Canadian art galleries. At the time, our painting was in Winnipeg, in the Richardson Brothers Art Gallery on Portage Avenue. Lortie accepted Borduas's offer and became the collector of *Mes pauvres petits soldats*.

*Mes pauvres petits soldats* was painted in 1949, a year after the publication of the *Refus global* manifesto and after Borduas's dismissal from l'École du meuble. Henceforth, he had to make a living from his painting. He was not sure his "poor little soldiers" would suffice to deal with the situation now facing him.

In any event, it is remarkable that in its formal structure Borduas's painting does not present itself like a number of objects standing out from a background receding into infinity, as was the case in his earlier Automatist works such as *Carquois fleuris* and *Parachutes végétaux*, but rather like fragments of objects floating in an undefined space. It is a direction that Borduas's painting increasingly adopted thereafter and which allowed him to better understand American Abstract Expressionist painting when he moved to New York in 1953. The American painters—one thinks of Jackson Pollock, Mark Rothko, Clyfford Still and many others—tended to see a typically European (and thus "outdated," according to Clement Greenberg) characteristic in maintaining the notion of object. In the new approach, painting could free itself from the obligation of form and seek in all directions a new expansion and density, from Colour Field to dripping.

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

This work is included in François-Marc Gagnon's online catalogue raisonné of the artist's work at <http://www.borduas.concordia.ca/#2005-0322>.

**ESTIMATE: \$80,000 – 120,000**



## 20 Jean Paul Lemieux

CC QMG RCA 1904 – 1990

### Le temps retrouvé—Kent House 1913

oil on canvas, signed and on verso titled, inscribed and labeled 1768 and stamped with the Galerie L'Art Français stamp, circa 1972  
26 x 32 in, 66 x 81.3 cm

#### PROVENANCE

Galerie L'Art Français Ltée, Montreal  
Private Collection, Toronto

#### LITERATURE

Michèle Grandbois, *Jean Paul Lemieux: Life & Work*,  
Art Canada Institute, 2016, page 4

MANY OF THE qualities that make Jean Paul Lemieux's work from any phase of his long career perennially appealing are apparent in this quietly captivating painting. The openness of the image field characteristically combines with a strong interest in figures, to whom we cannot help but ascribe narratives. His palette here is particularly bold—note the crepuscular blue emanations in the predominantly black ground that fills most of the surface—yet the strength of colour is also softened by its tactility. The painting is in all ways gratifyingly subtle.

*Le temps retrouvé—Kent House 1913* is set in a place of great importance in Lemieux's childhood and in his later recollection—Kent House—whose form constitutes the background of this painting. Located not far from Quebec City and near the famous Montmorency Falls, it is now called Manoir Montmorency. It was in these elegant, and for him at the time, idyllic surrounds that Lemieux spent his summers and falls as a child. It was here too, in 1914, that he first had inklings of life as an artist, thanks to meeting a painter from the United States at the resort. "His name was Parnell," Lemieux would later recall. "I got into the habit of going to watch him work, and I saw him paint some very big canvases. I was fascinated. That was when I began to make sketches."

*Kent House 1913* is remarkable in its presentation of a time just before this auspicious meeting in 1914. It is fruitful to think of the painting as a member of a select group of works, begun in the 1960s, in which Lemieux self-consciously recalled his childhood: *Nineteen Ten Remembered*, from 1962, and *Summer of 1914*, from 1965. In the earlier of these two family portraits, the artist is shown between his parents, facing us as they face one another. *Summer of 1914* is also set on the grounds of the elegant Kent House. Here the artist as a boy and his mother both face us. *Kent House 1913* is similarly autobiographical but not literally a self-portrait. The figures promenading from left to right are dressed



**JEAN PAUL LEMIEUX**  
**Nineteen Ten Remembered**

oil on canvas, 1962  
42 x 57 ½ in, 106.7 x 146 cm  
Sold sale of *Canadian Post-War & Contemporary Art*,  
Heffel Fine Art Auction House, November 24, 2011, lot 18

Not for sale with this lot

in ways similar to his parents in the paintings of 1962 and 1965. There is even a hint of a beard on the man's face, reminiscent of Lemieux's father in *Nineteen Ten Remembered*. Perhaps instead of showing himself in this place as he remembers it, Lemieux here dwells on the memory of the place and of his parents in an attempt to re-establish how he saw these stylish figures as a child.

In later work such as *Anguish* (1988), Lemieux would show more troubled recollections of the past and would reflect on our present relationships with the cosmos, but here, his early childhood is projected as innocent and happy. That he would locate the inception of his artistic predilections in this frame is significant to his largely affirmative meditations in art throughout his life.

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

**ESTIMATE: \$200,000 – 300,000**



## 21 Paul-Émile Borduas

AUTO CAS QMG RCA 1905 – 1960

### Untitled Abstraction with Green

oil on canvas, on verso signed, titled on the gallery label, inscribed with the Dominion Gallery inventory #A2758 on the gallery label and stamped with the Dominion Gallery stamp, 1959

36 ¼ x 28 in, 92.1 x 71.1 cm

#### PROVENANCE

Acquired directly from the Artist by Dominion Gallery, Montreal  
Acquired from the above by a Prominent Montreal  
Collection, 1960

Sold sale of *Canadian Art*, Joyner / Waddington's,  
June 3, 2003, lot 70  
Private Collection, California

THE MERE MENTION of an artist's name can conjure in the mind a prototypical image-type. Such is the case with Paul-Émile Borduas. He was the esteemed leader of the Automatists, an inspirational teacher and the principal driving force behind the game-changing manifesto the *Refus global*. His works are a ubiquitous presence in exhibitions, public collections and museum permanent installations and are recounted in every art historical text concerning the art of the period. We can thereby be excused

for presuming that we know well his major achievements and the developmental path of his all-too-brief mature career. Borduas was a restless, inventive spirit, constantly evolving and taking significant stylistic leaps. This will have some bearing upon our appreciation and contextualization of the work *Untitled Abstraction with Green*.

Borduas's impact upon the younger members of the Automatists is a matter of public record. However, the production of his own artworks is surprisingly scant from 1941 to 1953. This is usually attributed to his heavy teaching schedule. Things would further deteriorate—he lost his job amidst the fury produced by the revolutionary nature of *Refus global*, and went through a divorce. It has been remarked that due to poor health, he turned increasingly to the less physically demanding medium of works on paper, although this is not an entirely satisfactory explication of this choice. In 1947 he began to develop and exhibit the first of his signature-style palette knife abstractions.

In the absence of vibrant commercial galleries, it was difficult for Borduas to make a living through the sale of his art alone. He was disheartened by the lack of support for progressive art in Montreal. He sought entry to the United States but was denied by McCarthy-era America. However, he won his battle with the FBI, and in 1953 Borduas left Quebec and spent the summer working at the seaside town of Provincetown, Massachusetts. He never again returned to take up residence in Canada. One presumes that Borduas met renowned German Expressionist Hans Hofmann, who conducted a legendary school at Provincetown which was a mecca for distinguished artists such as Lee Krasner, Joan Mitchell and Canadians Alexandra Luke, Jock Macdonald, William Ronald and Takao Tanabe. In fall of 1954 Borduas moved to a Greenwich Village studio in New York. It is legend that he met at the Cedar Bar with leading Abstract Expressionists Willem de Kooning, Adolph Gottlieb, Jackson Pollock and Franz Kline.

It was in America that Borduas created his stellar all-over abstractions. He had a 1954 solo exhibition at Passadoit Gallery. Although it is recorded that it was not a financial success, Robert Motherwell commented favourably on his work and a 1953 oil was sold to Roloff Beny, at that time a respected Canadian abstract painter. Thereafter, he established a lifelong relationship with the Martha Jackson Gallery.

In 1954, works by Borduas, along with B.C. Binning and Jean Paul Riopelle, represented Canada at the *Venice Biennale*. In 1955 he represented Canada at the *3rd Bienal de São Paulo*. Despite his many exhibition inclusions, Borduas was dissatisfied by the response to his work in America. He speculated that things might be better in Paris and he set sail for the city on September 21, 1955. Once there, he began to reinvent his art. Borduas reintroduced figure-ground, part by part and asymmetrical composition. He limited his palette to primarily black and white. In 1959, credited to his admiration for Piet Mondrian, the preponderance of his new work adopted a geometric, rectilinear format.

Yet Borduas, Canada's most celebrated exponent of impasto palette-knife constructed works, continued with his lifelong commitment to make and exhibit watercolours, gouache and ink drawings. Axiomatically a brush, not a palette knife, is the necessary tool. One might surmise that he began to seek a way to emulate the organic, free-form results of his works on paper in his oils on canvas.

In May 1959 the Galerie Saint-Germain hosted his first solo exhibition in Paris. The list of 17 works is now lost, however, it



**PAUL-ÉMILE BORDUAS**

**Composition 44**

oil on canvas, 1959

36 ¼ x 28 ¾ in, 92 x 73 cm

Collection of Montreal Museum of Fine Arts, 1994.4

In 2005, on the occasion of the 40th anniversary of the museum's Association of Volunteer Guides, the museum dedicated this work to all association members as a token of its gratitude.

Photo: Montreal Museum of Fine Arts

Not for sale with this lot

did include *Abstraction en bleu*, 1959 (collection of the Art Gallery of Ontario). Might it also have included other works near-identical in compositional construction, such as *Composition 44*, 1959 (collection of the Musée des beaux-arts de Montréal) and *Untitled Abstraction with Green*, 1959? These late-career works channel his interest in Japanese calligraphy, as well as the declarative flamboyant brushwork of Motherwell and Kline. He was looking to the future, not to his own past. Ten months later he died of a heart attack, on February 22, 1960.

This is a rare work from the final year of his life; the other two known related works reside in prestigious public collections. The work of Borduas is in nearly every significant Canadian public collection, as well as the Museum of Modern Art in New York and the Albright-Knox Art Gallery in Buffalo. The Prix Paul-Émile-Borduas is named in his honour.

We thank Jeffrey Spalding, CM, PRCA for contributing the above essay. Spalding has contributed many exhibition catalogue essays concerning the art of Quebec and abstraction, among them *Jean Paul Riopelle* (for the Montreal Museum of Fine Arts, which traveled to the Hermitage); *Françoise Sullivan* (Musée d'art contemporain de Baie-Saint-Paul); *Jacques Hurtubise* (Art Gallery of Nova Scotia); *Max Ernst* (traveled to the Phoenix Art Museum); and *Takao Tanabe* (Vancouver Art Gallery).

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

**ESTIMATE: \$300,000 – 500,000**



## 22 Jean Paul Lemieux

CC QMG RCA 1904 – 1990

### Le Cavalier dans la neige

oil on canvas, signed and dated 1968

35 x 54 in, 88.9 x 137.1 cm

#### PROVENANCE

Private Collection, Toronto

Private Collection, California

#### LITERATURE

Guy Robert, *Lemieux*, 1978, reproduced page 216

John R. Porter and Pierre Théberge, *Hommage à Jean Paul Lemieux*, National Gallery of Canada, 2004, reproduced page 45, listed page 118 (painting included in the artist's 1974 *Autoportrait* reproduced page 52)

## EXHIBITED

National Gallery of Canada, Ottawa, *Hommage à Jean Paul Lemieux*, October 2004 – January 2, 2005, traveling in 2005 to the Musée national des beaux-arts du Québec, Quebec City, and the McMichael Canadian Art Collection, Kleinburg, catalogue #44

THIS SUPERB 1968 painting by Jean Paul Lemieux, *Le Cavalier dans la neige*, has resurfaced. It was one of the great works displayed at the exhibition organized by John R. Porter and Pierre Thériège, *Hommage à Jean Paul Lemieux*, at the National Gallery of Canada, Ottawa (October 2004 – January 2005), an exhibition that was then presented at the Musée national des beaux-arts du Québec and at the McMichael Canadian Art Collection in Kleinburg. The painter himself also favoured this piece. Indeed, we find it in his *Autoportrait* (Self Portrait), 1974, with another major work, *Visiteur du soir* (The Evening Visitor), 1956.

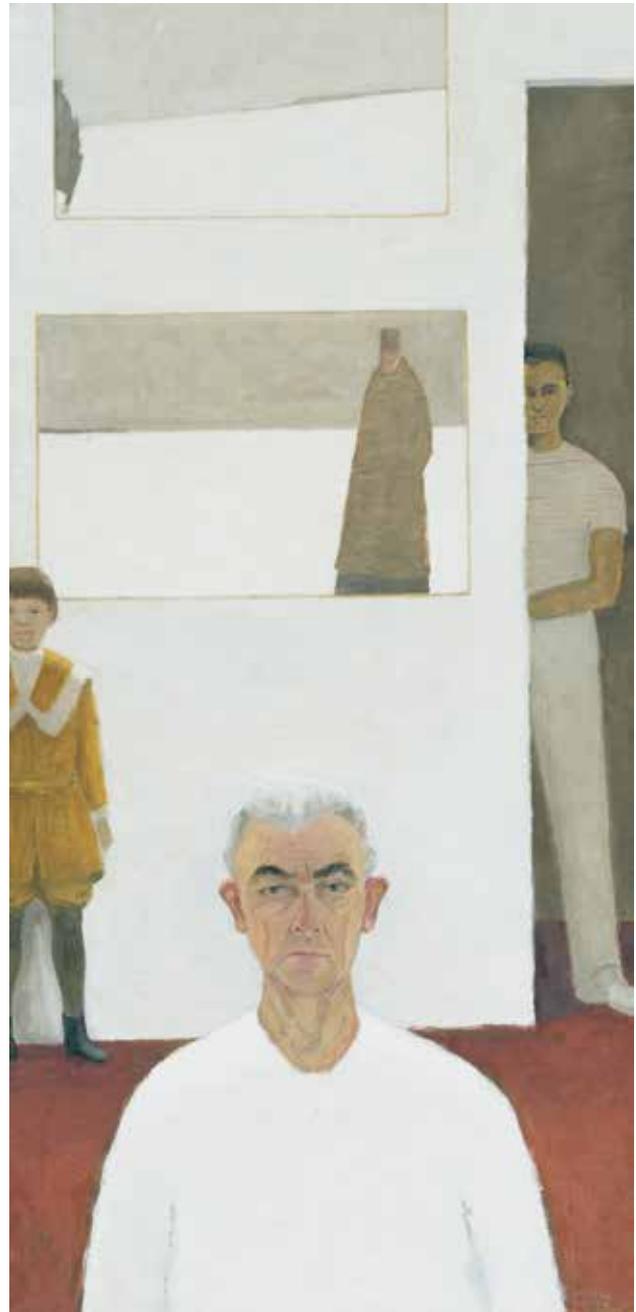
Lemieux relegated his horseman to the far left, a style of framing familiar to us through photography, which suggests that the landscape revealed in the visible pictorial space actually extends to the left and right beyond what is shown. We know Lemieux was taken with the horizontality of the Quebec landscape. On the right, he also observed a line of hills looming up against the horizon. But above all, we are struck by the expanse of snow in the foreground that smooths any roughness from the earth, and by the winter sky in the background. This sky is especially notable, with its pale sun glowing through a thin layer of grey clouds. Lemieux is an outstanding painter of winter skies.

A Lemieux landscape is rarely without some figure. Here, the horseman is difficult to identify at first, as he heads towards the background, with his back turned to us. Lemieux does not show us the path of the horseman in the snow—it is of no consequence to the artist to show where he is going. Lemieux's horse and rider are pure presences that hold only a minimal identity, existing outside of the present time in which horsemen are rare, having been replaced by the automobile. However, by being present in this landscape, they define the area as a “place.”

Every worthy artist creates a world. In Lemieux's world we recognize ourselves, which gives his work its immense attraction. Though he objected to the idea, we have wanted to make him into a quintessential painter of Quebec. He cited his success in Moscow and Czechoslovakia to support the idea that his painting had a universal quality and should not be considered part of a new Quebec regionalism. Politically, we know that Lemieux was not too keen on the separatist cause. Also, he saw himself more as a disciple of Ozias Leduc than of Marc-Aurèle Fortin. Leduc also painted the Québécois landscape, including his Mont-Saint-Hilaire, but he knew how to give it that universal character that is reclaimed by Lemieux.

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: \$700,000 – 900,000**



### JEAN PAUL LEMIEUX

#### Autoportrait

oil on canvas, 1974

65 ¼ x 31 ¼ in, 167 x 79 cm

Collection of Musée national des beaux-arts du Québec, 2001.01

Acquisition made possible thanks to a contribution from the Foundation

of Musée national des beaux-arts du Québec

© Jean Paul Lemieux Estate

Photo: Patrick Altman, MNBAQ

Not for sale with this lot

## 23 Jean-Philippe Dallaire

QMG 1916 – 1965

### Masque

oil on canvas, signed and on verso signed, titled, dated 1964, inscribed *Vence AM, France* and stamped with the Dominion Gallery stamp

21 x 19 in, 53.3 x 48.3 cm

#### PROVENANCE

Dominion Gallery, Montreal  
Galerie Michel-Ange, Montreal  
Private Collection, Montreal

QUEBEC ARTIST JEAN DALLAIRE was known for his modernist paintings that combined figuration and abstraction and showed influences from Symbolism, Cubism and Surrealism. His artistic career was diverse—he worked as a mural painter, draughtsman, illustrator at the National Film Board, teacher at the École des beaux-arts in Quebec City and tapestry designer. In 1959, Dallaire moved to the South of France, to Vence, an ancient hill town known for its beauty. The light was brilliant in Vence, and in response, Dallaire heightened his palette to great vivacity, ranging here from acid yellow and hot red to deep cobalt and green. During this period, the figure was central to Dallaire's imagery, and the realm of the imagination dominated. He depicted magicians, Martians and unusual small people—in a joyful, carnivalesque atmosphere. *Masque* has a dreamlike feeling and, typical of the artist's works from this period, the flattened planes of the figure are shown against a simplified colour-field background. Dallaire has abstracted and flattened the head of his figure into a mask, and its direct yet enigmatic gaze makes this a penetrating and intriguing image.

**ESTIMATE: \$30,000 – 40,000**





## 24 Jean-Philippe Dallaire

QMG 1916 – 1965

### Nature morte

oil on canvas, signed and on verso signed, titled on the Dominion Gallery label, dated 1963 – 1964 and inscribed *Vence AM*  
21 ¼ x 25 ½ in, 54 x 64.8 cm

#### PROVENANCE

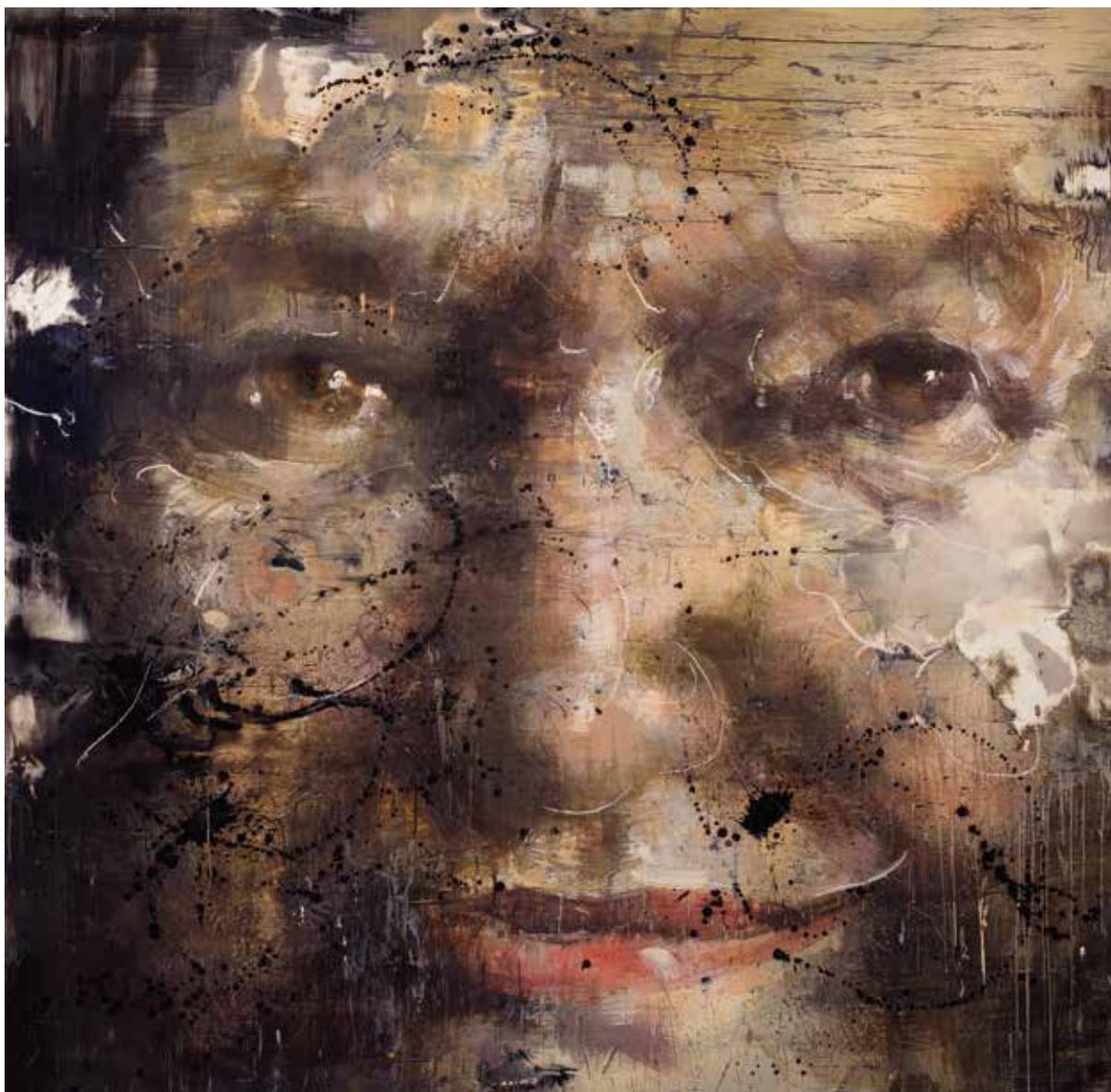
Dominion Gallery, Montreal  
Private Collection, Montreal  
Sold sale of *Canadian Post-War & Contemporary Art*,  
Heffel Fine Art Auction House, November 26,  
2009, lot 44  
Private Collection, Toronto

#### LITERATURE

Michèle Grandbois, *Dallaire*, Musée du Québec,  
1999, page 151

JEAN DALLAIRE EXECUTED this painting in Vence, a region of Alpes-Maritimes in the South of France that he held dear. Beginning in 1959, he was energized by the area's luminous and magnificent surroundings. As with previous great artists before him, Dallaire was mesmerized by the purity of the light of this region, and this light infuses his work from this period. But Dallaire, being a Canadian in France, also had his own distinct cultural viewpoint on what he saw. Michèle Grandbois wrote, "À Vence, Jean Dallaire s'abandonne entièrement au ludisme de la couleur, de la ligne et de la texture" (In Vence, Jean Dallaire abandons himself entirely to the playfulness of colour, line and texture), exemplified in this fine still life with its crisp Mediterranean blues and greens. Dallaire mixed fruit with playing cards on the tabletop in a playful way, and through its fluid composition and flattened space gave the painting a free and modern quality. In *Nature morte*, Dallaire's modernist vision has evolved from the breakthroughs Paul Cézanne attained with his influential still lifes in the late nineteenth century.

**ESTIMATE: \$20,000 – 30,000**



## 25 Antony (Tony) Scherman

1950 –

### **Banquo's Funeral, Witch No. 3**

encaustic on canvas, on verso signed,

titled and dated 1994 – 1996

84 x 84 in, 213.4 x 213.4 cm

#### **PROVENANCE**

Galerie Daniel Templon, Paris

Private Collection, Montreal

THIS HYPNOTIC WORK is from Tony Scherman's *Banquo's Funeral* series, its imagery drawn from William Shakespeare's play *Macbeth*. In the play, the three witches are prophets and forces of fate—they predict Macbeth's future, both his rise and his downfall. They gather in an atmosphere of thunder, lightning and fog, and their collective cry of "Double, double toil and trouble;

/ Fire burn and caldron bubble" is unforgettable. In contrast to the conventional crone-like representation of *Macbeth's* witches, Scherman depicts the Third Witch with a beguiling smile, warm eyes and luscious red lips. She is seen in dramatic close-up, which relates more to film productions of the play, as does her more modern and youthful appearance. Her visage seems benign, but knowledge of the artist's reference to her identity adds complicated and mysterious psychological undertones. Scherman's layered handling of the wax medium of encaustic is exquisite—glowing skin seems transparent, the background recedes into dark depths, and lines and dripping on the surface give the effect of looking through a veil. *Witch No. 3* enchants us, but at any moment she may cry, "'Tis time, 'tis time."

Please note: this work is unframed.

**ESTIMATE: \$20,000 – 30,000**

## 26 Michael James Aleck Snow

OC RCA 1929 -

### On the Hero Myth

oil on canvas board on wood, signed and dated 1955 and on verso signed, titled and dated

17 ½ x 14 ¼ in, 44.5 x 36.2 cm

#### PROVENANCE

Private Collection, Montreal

#### LITERATURE

Dennis Reid, Philip Monk and Louis Dompierre, *The Michael Snow Project*, Art Gallery of Ontario and The Power Plant Contemporary Art Gallery, 1994, reproduced page 262

#### EXHIBITED

Art Gallery of Ontario and The Power Plant Contemporary Art Gallery, Toronto, *The Michael Snow Project*, March 11 - June 5, 1994, catalogue #156

STANDING FIERCELY, THE imposing figure in Michael Snow's *On the Hero Myth* is a strikingly modern take on the classical subject of the hero. Executed in 1955, this work shows a mythical figure with a spectacularly muscular body, victoriously clenching his weaponry. Snow layers his energetic painterly gestures using a rich palette of pinks, beiges, soft yellows and lavenders over a mottled background of maroons, blues, purples and reds. The hero commands the centre of the composition, part icon and part anatomical illustration. Lilac, cobalt, purple and red lines run across his torso, arms and face, resembling the circulatory system. Various areas of the work are identified by yellow and white arrows with traces of indistinct text inscriptions. Typically semi-divine, heroes are mythical characters who, facing adversity, achieve extraordinary feats by calling upon their strength, intelligence and bravery. Although powerful, this hero is also vulnerable, with his exposed gleaming red heart, reminding us of his mortal nature.

**ESTIMATE: \$12,000 - 16,000**





## 27 Gordon Appelbe Smith

BCSFA CGP CPE OC RCA 1919 –

### Pacific Rim #6

acrylic on canvas, signed and on verso  
titled and dated 2005  
60 x 67 in, 152.4 x 170.2 cm

#### PROVENANCE

Equinox Gallery, Vancouver  
Private Collection, Vancouver

#### LITERATURE

Andy Sylvester et al., *Gordon Smith: Don't Look Back*, 2014,  
essay by Ian Wallace, page 123, reproduced page 147

#### EXHIBITED

Equinox Gallery, Vancouver, *Gordon Smith*, 2005

Smith is a painter in the modern tradition: free to mark the canvas in any way imaginable, free of the need to illustrate the specific subject and to allow the medium be simply the material trace of his presence in the world, as an affirmation of self. Surrounded by the grandeur of the landscape in the regional setting of the Pacific Northwest, his artistic vocabulary inevitably responds to nature.

—IAN WALLACE

AS A MODERNIST, Gordon Smith freely gathers inspiration from many sources, both historical and contemporary. In his studies during a trip to San Francisco in 1951, he was exposed to American Abstract Expressionists such as Clyfford Still, Richard Diebenkorn and Elmer Bischoff, awakening in him an awareness of gesture and an interest in the materiality of paint. While still retaining what he gained from this experience, in *Pacific Rim #6*, he reaches back to the work of Group of Seven painter Arthur Lismer.

Smith traveled to Long Beach on the west coast of Vancouver Island, to see where Lismer had painted almost every summer from 1951 to 1968, depicting inner forest subjects and beachscapes. Long Beach is exposed to the pounding of the Pacific Ocean, and many interesting objects are thrown up on its shore. Lismer's beachscapes were close-ups of the tumble of shells, seaweed, plant materials and driftwood that he found there. His approach was textural and his forms recognizable, although roughly rendered, and his works exuded the raw vitality that he sensed there.

*Pacific Rim #6*, like Lismer's beachscapes, is based on a snapshot of a section of beach blown up in scale, but abstracted, with the work's all-over surface an entanglement of white-based thick



#### ARTHUR LISMER

##### Still Life

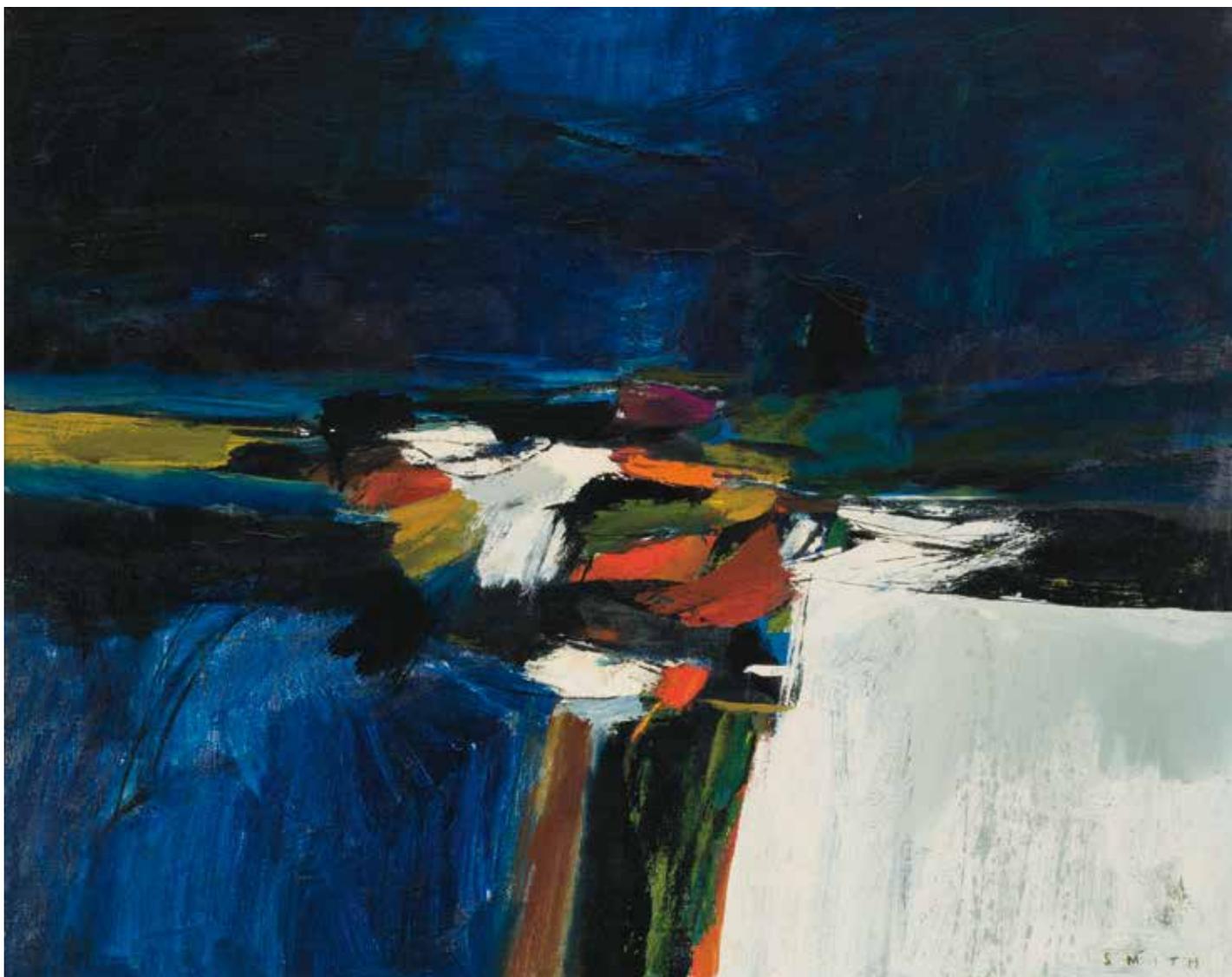
oil on canvas board, 1962  
16 x 20 in, 40.6 x 50.8 cm  
Sold sale of *Fine Canadian Art*, Heffel Fine Art  
Auction House, November 30, 2017, lot 308

Not for sale with this lot

strokes of paint that writhe and entwine. Smith does not entirely leave landscape behind—his abstraction is informed by it. These pale paint-strokes are based on the forms of driftwood bleached white by long exposure to sunlight. They criss-cross an underlying layer rich in colour—the flotsam of the beach rendered in dabs and patches of orange, gold, mint, dark green, pink, tones of purple, brown and grey.

Equally important to his image is his awareness of the materiality of paint itself and his play with elements in the abstracted surface. Dripping runs down the canvas, evidence of the painterly process, and these thin lines come forward and spatially define the front of the picture plane. Smith also scatters letters through the right side of the work, a reference to traces of language and, possibly, in a more modern sense, to graffiti. In this masterful work from the *Pacific Rim* series, Smith immerses us in the sensuality of paint, in the beauty of the pale radiance that dominates his palette, and in the ever-shifting movement of form that mesmerizes the eye.

**ESTIMATE: \$50,000 – 70,000**



## 28 Gordon Appelbe Smith

BCSFA CGP CPE OC RCA 1919 –

### Abstract

oil on canvas, signed and on verso  
inscribed 8 (circled), circa 1964  
24 x 30 in, 61 x 76.2 cm

### PROVENANCE

Acquired directly from the Artist, 1964  
By descent to the present Private Collection,  
British Columbia

BY THE 1960S, Gordon Smith was well established in modernist circles in Vancouver and on the national art scene. He had trained in San Francisco and studied art history at Harvard University. Travel, along with exposure to modernist trends, had

informed his keen and inquiring spirit—he spent most of 1960 in England and Europe on a Canada Council senior fellowship. Smith's ease with the language of abstraction is clear in this richly hued, dynamic painting. His use of a horizontal movement of forms across colour fields is a development from his early 1960s abstracted landscapes, which included elements derived from beachscapes and city views at the water's edge. However, here Smith takes a further step into abstraction; we are immersed in a surface of saturated colour in which flashes of red, purple, gold and orange gleam against a backdrop of turquoise drifting in deep cobalt, suggesting illusory depths. Then the white field pulls us back to the surface as it slips off the picture plane at the lower corner. Smith's masterful command of the elements of this abstract composition is exhilarating.

**ESTIMATE: \$20,000 – 30,000**



## 29 **Gordon Appelbe Smith**

BCSFA CGP CPE OC RCA 1919 –

### **Canyon Wall**

oil on board, signed and on verso titled  
on a label, circa 1951  
47 ½ x 11 ½ in, 120.6 x 29.2 cm

#### **PROVENANCE**

Private Collection, Toronto

#### **LITERATURE**

Denise Leclerc, *The Crisis of Abstraction in Canada:*

*The 1950s*, National Gallery of Canada, 1992, page 182

Ian M. Thom and Andrew Hunter, *Gordon Smith:*

*The Act of Painting*, Vancouver Art Gallery, 1997,

page 18, the 1951 canvas *Vertical Abstraction*

reproduced page 67

IN 1951 GORDON SMITH attended the California School of Fine Arts in San Francisco, where he painted under Elmer Bischoff. This proved to be a pivotal point in his career at a time when Abstract Expressionism galvanized the scene, and Smith was swept up into the excitement of this liberating movement. Denise Leclerc writes that “Bischoff’s classes together with Clyfford Still’s compelling presence on the scene drove Smith to undertake works in which the handling of the paint and the very act of painting were the ultimate reasons for creating.” Smith was galvanized by his experience of Bischoff’s experimental approach—he declared, “It was a real shock treatment . . . At the time it was absolutely new and a revelation.” From then on, the paint on the canvas would be as important as the subject for Smith. *Canyon Wall* is an outstanding example of Smith’s abstract work from this crucial time. It is very similar to the 1951 canvas *Vertical Abstraction*, which was included in the prestigious 1992–1993 National Gallery of Canada exhibition *The Crisis of Abstraction in Canada: The 1950s*.

**ESTIMATE: \$20,000 – 30,000**

### 30 Gordon Appelbe Smith

BCSFA CGP CPE OC RCA 1919 –

#### Untitled

acrylic and collage on canvas, signed  
and on verso signed and dated 2017  
39 ¾ x 45 ½ in, 101 x 115.6 cm

#### PROVENANCE

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

#### LITERATURE

Andy Sylvester et al., *Gordon Smith: Don't Look Back*, 2014,  
essay by Ian Wallace, page 123

GORDON SMITH IS an important West Coast modernist, who throughout his career has continued to absorb innovations in the art world and to push his own boundaries, and whose spirit of experimentation and fine body of work are respected by both collectors and fellow artists. Smith in return is supportive of his contemporaries and of younger generations of artists. Well-known photo-based painter Ian Wallace acknowledged the artist's importance, writing, "Smith was an active member of the next generation, who in the 1940s and 1950s, continued to introduce the Modern Movement to the region. He was part of a generation of painters, architects, poets, musicians, writers, educators, designers and a large audience of individuals that were the creators of a progressive social life; they supported a vision of social progress and experimentation and the means of expression to convey it, which was inherited by the next generation up to the present."

In 1951, Smith had traveled to San Francisco, where he studied at the California School of Fine Arts. Here he came into contact

with artists such as Elmer Bischoff, a teacher who challenged his concept of painting. While he was in San Francisco, the artists whose work he saw, such as Clyfford Still, Richard Diebenkorn and Arshile Gorky, further expanded his horizons. Smith became aware of the physicality of paint, the possibilities of its handling, and how its manifestation on the surface affects the viewer, and this discovery would always be a part of his oeuvre.

This work is from Smith's 2017 *Collage Paintings* series. Smith has used collage elements before in his work, such as sticks and bits of cloth in his *Black* series, and text elements such as stenciled words. In *Untitled*, he makes collage a prime focus, building his surface with paint and paper, and incorporating torn pages from sources such as art magazines, newspaper articles and Art Gallery of Ontario and Heffel catalogues (such as a glimpse of Jack Shadbolt's *Coast Indian*, sold in Heffel's spring 2017 auction). He includes diverse and evocative image fragments, as well as text elements, tossing them all together in a playful mix. These fragments express memories and emotions, distilled from his personal experiences and random images he is drawn to.

The way Smith wields paint is free and spontaneous—he strokes, splatters and drips his pigment on. His paint palette is predominantly black, but also includes grey, grey-green and white, applied to the canvas with brushwork that is fluid and textural. Dabs and patches of pulsing colour—red, purple, blue, yellow, pink and orange—flicker throughout the work. In *Untitled*, Smith has created an activated, all-over surface in which the collage elements dance in the dark paint. It is a rich and evocative work, a fine example of his continually inventive, modernist approach.

**ESTIMATE: \$30,000 – 40,000**





### 31 William Ronald (Bill) Reid

1920 – 1998

#### Gold Transformation Pendant and Necklace, Dogfish Woman Design with detachable Female Mask

22 karat gold sculpture, 1983

13 x 5 ½ x 1 in, 33 x 14 x 2.5 cm

#### PROVENANCE

Equinox Gallery, Vancouver

Acquired from the above by the present

Private Collection, Vancouver, 1984

#### LITERATURE

Karen Duffek, *Bill Reid: Beyond the Essential Form*, UBC Museum of Anthropology, 1986, pages 10, 11 and 53, and the 1982 boxwood pendant entitled *Dogfish Woman* reproduced pages 35 and 52

Doris Shadbolt, *Bill Reid*, 1986, page 153, reproduced pages 162, 163 and 166, and the 1982 boxwood carving entitled “Transformation” Pendant with detachable “mask,” *Dogfish Woman* reproduced pages 50 and 51

IN 1982, BILL REID carved a *Dogfish Woman* pendant for his wife Martine from boxwood, and in 1983, he cast this extraordinary gold pendant from this original work. In the 1986 UBC Museum of Anthropology catalogue, Karen Duffek praised the pendant design as “one of Reid’s most unique explorations of ancient imagery.” Exquisite in its detail and complexity, it took the form of a flat disc with an overhanging mask that is removable. The disc, carved in low relief, is the traditionally stylized Haida Dogfish shark form, inscrutable and ferocious, with domed forehead, gill slits, sharp teeth and downturned mouth. Around it curves the Dogfish body, including tiny human figures that represent vertebrae. Overtop of the central disc is a removable mask, a representation of the mythical Dogfish Woman.

The theme of transformation is integral to Haida art. The Dogfish Woman mask depicts a supernatural shaman who takes her power from the Dogfish spirit, who in Haida myth could transform from shark to woman and back again. On her face are the gill slits of the shark, she has a beak-like nose and a mouth with a labret—the mark of a high-born Haida woman—and on her head is a crown-like form. Her face is strong and expressive—she gazes outward into the unknown, smiling as though possessed by an ecstatic vision.

Doris Shadbolt wrote, “Reid’s early attraction to the dogfish was probably an admiration for its ‘classical representation’ which, he says, ‘may well be the most ingenious exercise in abstraction in the whole Haida bestiary.’” The dogfish was also a favourite theme of his grandfather’s—legendary carver Charles Edenshaw. In the powerful imagery of transformation in this pendant, Reid taps into the realm of the past, and the Haida people’s interactions with the mysterious ocean and its creatures, from which these symbolic forms were created.

Reid was a visionary artist who reawakened the glorious past of Haida artists through a contemporary lens. He was also an extraordinary technician, using refined and sophisticated techniques in the production of his jewellery, and his work in gold is exquisite. In 1970, he began using the lost-wax method. This work was cast from the boxwood original using a silicone rubber mold and the lost-wax process, and is a unique work. Adding to



detail

the luxuriant quality of the cast 22 karat gold pendant, the chain is composed of segments of gold. Reid’s precise use of line and command of space within the confines of the small circular disc and the mask are masterful. Reid stated that every structure “must have for every thrust a counter thrust, then each object becomes a frozen universe, filled with latent energy... Where form touches form, the line is compressed, and the tension almost reaches the breaking point, before it is released in another broad flowing curve... All is containment and control, and yet always there seems to be an effort to escape.”

Reid had a deeply felt connection with his ancestors, but he also had a modern vision and produced new interpretations of the old forms. Not only does this work embody the transformative myth of Dogfish Woman, but it also shows Reid’s own transformative journey from traditional to contemporary and back again. In this superlative gold pendant, Reid both recreates and renews the myth of the supernatural power of Dogfish Woman.

The diameter of the pendant is 3 ¾ inches, and the overall length is 13 inches. The weight of the gold is 200 grams.

This work is included in the forthcoming catalogue raisonné of Reid’s work being compiled by Dr. Martine Reid, Researcher and Honorary Chair, Bill Reid Foundation.

**ESTIMATE: \$225,000 – 275,000**



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

BCSFA CGP OC RCA 1913 – 2007

### Ashcroft (On the Thompson River in Central BC)

oil on canvas, signed and dated 1965 and on verso signed, titled, dated and inscribed *M555 Photo* and with the Dominion Gallery inventory #B3552  
32 x 48 in, 81.3 x 121.9 cm

#### PROVENANCE

Dominion Gallery, Montreal  
Galerie Walter Klinkhoff Inc., Montreal  
Private Collection, Toronto

#### LITERATURE

Jane Young, *E.J. Hughes, 1931 – 1982: A Retrospective Exhibition*, Surrey Art Gallery, 1983, reproduced page 67 and listed page 94  
Leslie Allan Dawn and Patricia Salmon, *E.J. Hughes: The Vast and Beautiful Interior*, Kamloops Art Gallery, 1994, page 39  
Jacques Barbeau, *The E.J. Hughes Album: The Paintings, Volume 1, 1932 – 1991*, 2011, reproduced page 43

#### EXHIBITED

Surrey Art Gallery, *E.J. Hughes, 1931 – 1982: A Retrospective Exhibition*, November 18 – December 11, 1983, traveling in 1983 – 1985 to the Art Gallery of Greater Victoria; Edmonton Art Gallery; Glenbow Museum, Calgary; National Gallery of Canada, Ottawa; and the Beaverbrook Art Gallery, Fredericton, catalogue #28

E.J. HUGHES WAS already well known for his stunning West Coast landscapes when in 1956, sponsored by Vancouver art collector Doreen Norton, he took his first sketching trip to the British Columbia interior. Hughes was greatly impressed by what he saw; he wrote to Norton, “I can understand your enthusiasm in the country up there. The views are really magnificent.” In 1958, supported by a Canada Council fellowship, he returned to the Okanagan and to the area northeast of the Okanagan Valley. He made detailed graphite sketches that he later used in his studio at Shawnigan Lake, on Vancouver Island, to produce oils such as this magisterial work. This stunning panorama showcases Hughes’s keen powers of observation and his ability to divine the essence of the landscape. Here he captures both the fine details of the town, overshadowed by its dramatic setting, and the vastness of the surrounding landscape, from the sinuous Thompson River to the striking clouds rolling up over the distant mountains. The colour palette in this canvas is brilliant and intense—a hallmark of his sought-after 1960s works. Hughes’s unique and powerful vision of the landscape in works such as this made him one of the most important landscape painters in Canada.

**ESTIMATE: \$125,000 – 175,000**

### 33 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

#### Sans titre

oil on canvas, on verso signed and inscribed variously  
and *88 Rue Chardon Lagache, Paris, 1955*  
21 3/8 x 18 in, 54.9 x 45.7 cm

#### PROVENANCE

Galerie Agnès Lefort, Montreal  
Private Collection, Toronto  
By descent to a Private Collection, Toronto  
Sold sale of *Fine Canadian Art*, Heffel Fine Art  
Auction House, May 23, 2007, lot 133  
Private Collection, Montreal  
The Art Emporium, Vancouver  
Private Collection, Vancouver

#### LITERATURE

Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné*,  
*Volume 2, 1954 - 1959*, 2004, reproduced page 193,  
catalogue #1955.006H.1955

THIS MAGNIFICENT *SANS TITRE* from 1955 is essentially a classic of the so-called mosaic period. How should we define the main characteristics of the works of this period? The first characteristic, and that which earns the style its name, is that the painting is made up of small parts, juxtaposed to one another and not superimposed, resembling the small blocks of marble (tesserae) historically used in mosaics.

The second feature is that these blocks of paint are obtained by pressing the palette knife against the pigment, which first has been deposited onto the canvas by tubes of paint held in the hand, creating a moment of invisibility when the blade of the knife covers the painting surface. The importance of this “unseen” cannot be overstated. It is this element that introduces a moment of surprise in the development of the painting and that Riopelle attributed to “total chance” when he wanted to differentiate himself from the Automatists. For example, Paul-Émile Borduas never wanted to lose visual control over his painting during his Automatist period, such as in his paintings *Carquois fleuris* or *Parachutes végétaux*. On the contrary, Riopelle, who practised decalcomania, was very attracted by the effects of invisibility in the development of a painting.

Another characteristic, which, at first glance, seems fairly inconsequential, is that the shape of the patches of paint obtained with the knife resembles the shape of the tool used to produce them, as Riopelle avoided sliding his knife sideways—instead preferring to press (or flatten) the paint already on the canvas. Later on, at the end of his career, Riopelle sought to obtain this “resemblance by imprint,” to use an expression from G. Didi-Huberman, by using an aerosol spray can. By spraying an object with pigment and placing it on the flat canvas laid on a table, Riopelle obtained impressions that were essentially negatives, revealing a form when the object was removed. But in 1955, we are not there yet.

The fourth feature is that the formats adopted by Riopelle for his paintings are essentially classics of French painting: an increase in height for portraits, an increase in width for still lifes and landscapes, yet greater increase in width for seascapes. These were the formats used by painters such as Gustave Courbet, Eugène Delacroix and Henri Matisse, whom Riopelle admired.

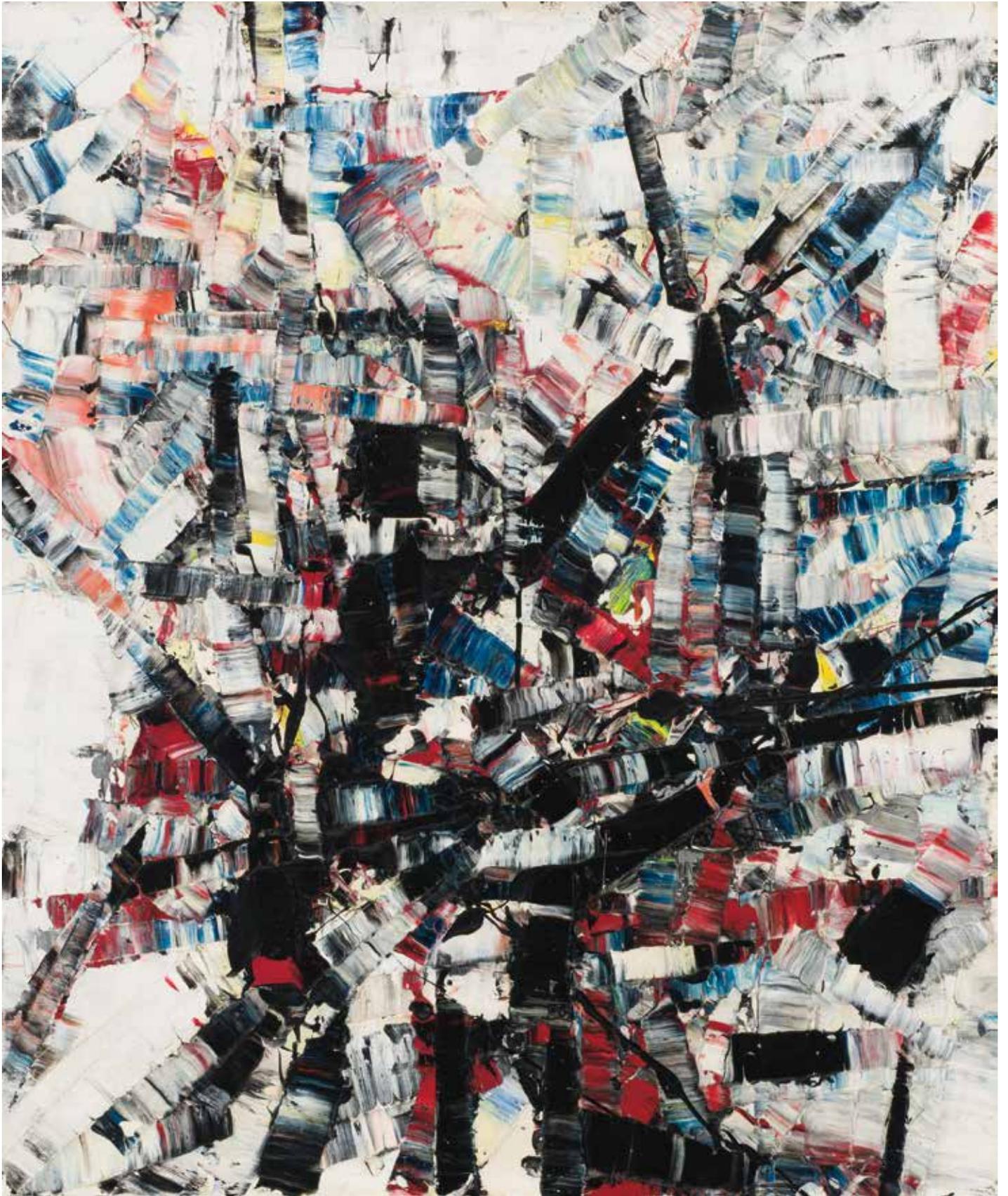
It goes without saying that in works of this period, their abstract character is quite evident, although Riopelle was always ready to reject the difference between the abstract and the figurative in relation to his paintings. As he said, his painting does not take anything from nature, but it goes *towards* nature.

At times, Riopelle felt the need to streak the painted surface with filaments of white thrown with a flick of the wrist using a stick dipped in paint. That is not the case here.

In *Sans titre*, 1955, the contrasting black, white and red dominate but do not exclude the more discrete traces of yellow, orange and blue. Colour here has a denotative function and serves to distinguish the patches of paint rather than to suggest more or less figurative connotations. Furthermore, if we follow the edges of the patches of paint, which often have a slight relief compared to the rest of the canvas, we perceive the movements that animate this mass of paint here, slightly to the right and top of the composition.

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: \$300,000 – 500,000**





## 34 Jean Paul Riopelle

AUTO CAS OC QMG RCA SCA 1923 – 2002

### Composition rouge et noir

oil on canvas, signed and dated 1953 twice and on verso signed, titled on the Galerie van de Loo label, dated and inscribed 1353/80 on the Galerie van de Loo label  
15 ¾ x 31 ½ in, 40 x 80 cm

#### PROVENANCE

Arthur Tooth & Sons, London  
Galerie van de Loo, Munich  
Private Collection, Switzerland  
Helly Nahmad Gallery, New York  
Private Collection, Vancouver

#### LITERATURE

Yseult Riopelle, *Jean Paul Riopelle Catalogue Raisonné, Volume 1, 1939 – 1953*, 1999, reproduced page 389, catalogue #1953.049H.1953

THIS MYSTERIOUS PAINTING by Jean Paul Riopelle has a well-known and exemplary provenance. We know which galleries it moved through before coming into the hands of its recent owners. Riopelle first presented it in the famous London gallery Arthur Tooth & Sons, known for having endorsed the Impressionists in their time. Then, *Composition rouge et noir* was shown at Galerie van de Loo on Maximilianstrasse in Munich, a particularly avant-garde gallery that exhibited members of the COBRA movement such as Pierre Alechinsky, Asger Jorn and Henri Michaux. After that, we find our painting in a private collection in Switzerland. The Helly Nahmad Gallery on Madison Avenue is next in the provenance of our painting, headed by Hillel “Helly” Nahmad. It is here that the current owner acquired this painting.

I describe this painting as mysterious because Riopelle had not accustomed us to predominantly black works sparingly highlighted with colour here and there—red, orange, blue and yellow in this case. The other well-known example of this presentation style is *Blue Night*, the painting Riopelle showed at *Younger European Painters* at the Solomon R. Guggenheim Museum in 1953. This exhibition was organized by curator, art critic and museum director James J. Sweeney amidst a controversy about whether Paris or New York City was the world leader in modern art.

One wonders whether the monochromatic aspect of *Composition rouge et noir* stems from Riopelle’s unwavering fondness



detail

for sculpture. When he could afford it, he made bronzes, works that are also of a single dominant colour, for example, *La Joute*, his major sculpted work. His friend the American critic Patrick Waldburg, who lived in Paris, spoke of his works as “sculptures in oil,” an expression that pleased Riopelle, who used it several times.

The fact remains that in *Composition rouge et noir* Riopelle was breaking away from the all-over “mosaic” style that dominated his output in the 1950s, a style characterized by a juxtaposition of marks without any indication of movement. In contrast, here certain strokes are accompanied by streaks of colour, thus suggesting movement. Flashing with brilliant colour in velvety black, this mysterious canvas, *Composition rouge et noir*, previously shown in England, Germany and New York, now makes its debut at auction in Canada.

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: \$300,000 – 500,000**



## 35 Charles Gagnon

ARCA 1934 – 2003

### Morning

oil on canvas, signed and on verso signed, titled, dated 1962 twice, inscribed #2874 and MG and stamped twice with the Moore Gallery stamp  
50 x 44 in, 127 x 111.8 cm

#### PROVENANCE

Jerrold Morris Gallery, Toronto  
The Moore Gallery Ltd., Hamilton  
Private Collection, Toronto

#### EXHIBITED

Jerrold Morris Gallery, Toronto, March 16 – April 3, 1963

CHARLES GAGNON'S PAINTINGS remain something of a surprise and a discovery for those more familiar with the pillars of Montreal abstraction in its efflorescence through Automatism and two generations of Les Plasticiens. Esteemed for his lyrical abstract paintings and also for his work in photography, assemblage and film, Gagnon is unique. Where his fellow Quebec abstractionists—Paul-Émile Borduas especially—typically looked to and spent much more time in Paris than in New York City, Gagnon worked in the United States for five years, from 1955 to 1960. He kept abreast of work there and in Montreal; to his great credit, his painting drew from both contexts, but remained individual.

*Morning* was painted not long after Gagnon's return to Montreal from New York. It is an expansive, airy and consummately subtle canvas. At first glance, the thinly applied paint reads almost as a monochrome, but the sense of sameness across the surface soon gives way to a realization of variations in tone, texture and colour moving together in a dynamic dance. Most of the surface is light in tone, making the green drips to the right and the yellow and black swatches in the middle left more outspoken. Because thin, smooth paint dominates, areas of relief—the drips again—are all the more noticeable. Much of the canvas exudes a flesh tone because of pink pigment subtending other, whiter shades.

It is said that Gagnon's abstraction stayed close to his observations of nature, to landscape in some cases. Unless one seeks the complete purity of non-referentiality that was promoted by some in the United States at this time, Gagnon's translations of the world and its phenomena are a strength. Beginning with its title, *Morning* signals just this humanist entanglement with what we see and feel, whether it is dawn light or perhaps the hint of a horizon line and sun across the top middle of the canvas. If one is keyed to landscape as a genre as well as the external world of nature, there is even a recollection here of J.M.W. Turner's late watercolour experiments using washes of pigment to evoke the fleeting effects of light. So radical were these paintings in the early nineteenth century that some were destroyed by Turner's executor, John Ruskin. Today we are more able to enjoy their evocativeness.

New York saw the intersection of Eastern as well as American and European culture in the later 1950s when Gagnon worked there. He has recorded his interest in Zen Buddhism at this time, specifically his fascination with the notion of the full, yet also empty, "void," a concept that provides another key to this work. We may focus on the gestures here, on the movements of paint and colour. At the same time, though, we perceive the spaciousness of this painting, its lack of insistence that we see specifically this or that form. Since its inception in the early twentieth century and especially during the heyday of Abstract Expressionism that Gagnon learned from, abstraction has been promoted as a cipher of personal freedom. In *Morning*, that privilege seems to point to something beyond the individual.

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

**ESTIMATE: \$60,000 – 80,000**



36 **Thomas Sherlock  
Hodgson**

CGP CSPWC OSA P11 RCA 1924 – 2006

**Anglican Congress**

oil on canvas, signed and dated 1963 and on verso signed, titled and inscribed 107  
*King St. E. Toronto / \$450 / \$550*  
43 x 37 in, 109.2 x 94 cm

**PROVENANCE**

Private Collection, Toronto

**LITERATURE**

J. Russell Harper, *Painting in Canada: A History*, 1966, page 391  
Roald Nasgaard, *Abstract Painting in Canada*, Art Gallery of Nova Scotia, 2007, page 106

TOM HODGSON WAS the youngest member of the iconic Painters Eleven group and one of the first in the group to paint on very large canvases. He developed a distinct and individualistic style of lyrical abstraction that by the early 1960s was well received nationwide. J. Russell Harper recognized the narrative of action in Hodgson's canvases, commenting, "Hodgson, an Abstract Expressionist, paints the figure with a vigorous facility which has been described as reminiscent of Willem de Kooning." Hodgson was an Olympic champion paddler, and the motions of the sport are often reflected in the brushwork of his abstract paintings. As Roald Nasgaard stated, "Hodgson became the consummate spontaneous gestural painter of the Painters Eleven, gutsy and aggressive, but finally lyrical and sensuous." Painted a few years after the breakup of Painters Eleven, *Anglican Congress*, with its lush green, gestural brushwork and subtle allusion to the human form, is a fine example of Hodgson's sensuous approach to abstraction.

**ESTIMATE: \$15,000 – 25,000**



## 37 Charles Gagnon

ARCA 1934 – 2003

### Quelles sont les... (#4)

acrylic on board, on verso signed twice, titled, dated 1981 and inscribed *Montreal* and *Acrylique*  
10 <sup>3</sup>/<sub>8</sub> x 13 <sup>1</sup>/<sub>8</sub> in, 26.4 x 33.3 cm

#### PROVENANCE

Galerie Yajima, Montreal  
Acquired from the above by the present  
Private Collection, Montreal, 1982

#### LITERATURE

Gilles Godmer, Olivier Asselin and Louis Goyette,  
*Charles Gagnon*, Musée d'art contemporain de Montréal,  
2001, reproduced page 104 (please note: the painting is  
misidentified on this page) and listed page 219  
Roald Nasgaard, *Abstract Painting in Canada*,  
Art Gallery of Nova Scotia, 2007, page 204

#### EXHIBITED

Galerie Yajima, Montreal, *Recent Paintings by Charles Gagnon*,  
May 13 – June 12, 1982  
Musée d'art contemporain de Montréal, *Charles Gagnon*,  
February 8 – April 29, 2001, catalogue #105

BOTH HIGHLY EVOCATIVE and visually striking, *Quelles sont les... (#4)* well exemplifies the strength and enduring significance of Charles Gagnon's oeuvre. This rare piece belongs to a series of about 10 works included in a 1982 exhibition held at Galerie Yajima, in Montreal. Gagnon produced few works in each decade, resulting in an extremely coherent and powerful oeuvre. Here, overlapping billows of ecru, periwinkle, mint green, turquoise and blush cover the board's surface and, quite exceptionally, also its frame. The artist displays a remarkable range and quality of brush-strokes, contrasted by the hard edges of a second rectangle sitting within the composition. An even greater contrast with the expressive and unrestrained brushwork is the presence of a ruler, a measuring tool synonymous with order, affixed to the bottom of the frame. This conceptual addition foreshadows Gagnon's future interventions, such as words and photographs that would appear in the late 1980s, which challenged strict notions of abstraction. In the words of Roald Nasgaard: "Gagnon's work is a confirmation that painting can at once be abstract, representational, figurative and conceptual."

**ESTIMATE: \$14,000 – 18,000**

## 38 Jack Hamilton Bush

ARCA CGP CSGA CSPWC OSA P11 1909 – 1977

### Strawberry

acrylic polymer emulsion on canvas, on verso signed, titled, dated March 1970 and inscribed *Toronto* and *Acrylic Polymer W.E.*  
68 1/8 x 91 1/8 in, 173 x 231.5 cm

#### PROVENANCE

André Emmerich Gallery, New York, July 22, 1970 – summer 1971  
Mr. and Mrs. Alan Kotliar  
Private Collection, Toronto  
Sold sale of *Important Canadian Art*, Sotheby's Canada,  
October 30, 1990, lot 49  
Benjamin Swirsky  
Sharon London Liss Inc., Toronto  
Miriam Shiell Fine Art, Toronto  
Private Collection, Montreal

#### LITERATURE

*Jack Bush: New Paintings*, André Emmerich Gallery, 1970,  
reproduced on the cover  
Kenworth Moffett, "Jack Bush: Illusions of Transparency,"  
*ARTnews* 70, no. 1, March 1971, reproduced pages 42 and 44  
Hoestere, "Acryl in Lyrischer Abstraktion: Pure-Color-Malerei  
Wird zur Dominierenden 'Kunstrichtung in New York,'" *Süddeutsche Zeitung*, September 15, 1971, reproduced  
William J. Withrow, *Contemporary Canadian Painting*,  
1972, reproduced page 66  
Karen Wilkin, editor, *Jack Bush*, 1984, "Jack Bush in the 1970s,"  
page 57, reproduced page 57  
Marc Mayer and Sarah Stanners, *Jack Bush*, National Gallery of  
Canada, 2014, essay by Adam Welch, "'New York Hot Licks':  
Jack Bush After Clement Greenberg," pages 69 and 70

#### EXHIBITED

André Emmerich Gallery, New York, *Jack Bush: New Paintings*,  
October 24 – November 12, 1970

JACK BUSH'S ABSORBINGLY playful *Strawberry* is a prime example of the breakthrough in the treatment of his paintings' grounds that came in 1969, and which the artist developed for the rest of his career. Bush typically worked in series as a way to address issues that challenged his vision of what abstract art should be. The varied band of saturated colours that we see across the bottom of *Strawberry* is a familiar, though always nuanced, feature of canvases from the late 1960s. Strikingly different from this earlier work, however, is his working of the ground. Where a few years earlier Bush would abut his colour scales to fields of smooth, monochromatic colour, here we see a mottled and light-heartedly pink ground applied thinly with a roller.

Charles W. Millard, quoted in Karen Wilkin's monograph, offered a formal reading of the import of this innovation in

*Strawberry*, one that accords with both Bush's way of talking about his paintings and the priorities of the famous American art critic Clement Greenberg (1909 – 1994), with whom Bush conversed about abstraction extensively for 20 years: "The juxtaposition of the modulated ground with a fringe of stripes at the bottom threatened to subvert the declarative flatness that Bush consistently sought in his mature work." *Strawberry* successfully resisted this issue, Millard claimed, thanks to "the assertiveness of the freely drawn 'U' on top of the ground, which pulled the upper part of the composition to the surface of the canvas and held it there in tension with the stripes." This interpretation in turn suggests two connected—yet in some ways opposite—ways to think about this painting. One is to query the much-discussed Bush-Greenberg relationship; the other is to look with renewed vigour at what Bush does within the frame.

Without detailing the profound connections between Bush and Greenberg that began with a studio visit in Toronto in 1957, it is worth emphasizing that this was an ongoing relationship that even affected the presentation of *Strawberry* in New York's prestigious André Emmerich Gallery in the fall of 1970. Greenberg was instrumental in securing this top-tier representation in New York for Bush. He was also in the habit of hanging Bush's shows there, sometimes without the artist's presence. But there was an important change with the fall 1970 exhibit in which *Strawberry* figured so prominently: Bush hung this show initially, but recalled that "Clem came at 12:30 & of course re-hung it, eliminating & bringing back works I'd decided against." *Strawberry* was clearly in favour.

Greenberg's disapproval of much that Bush did is also important to how we see the painting today. In contrast to his published support of American peers Helen Frankenthaler, Morris Louis and Kenneth Noland, the critic wrote little about Bush. Greenberg offered one possible reason in 1980, after Bush's death in 1977: Bush "put into his pictures such things as travel souvenirs, flags, road signs, emblems, knowing well enough that they weren't supposed to belong in canonically abstract art." But that was then. Because we are no longer restricted by such purist priorities, by aversions to what was called "imagism," the large U-shape that Millard suggested functions to assert flatness can also be seen to take us away from the canvas itself to the associations that Bush teases us with in his title. "Strawberry" of course refers to the hue of both the ground and the "U." Looking reveals that there both is and is not a strawberry here.

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

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

**ESTIMATE: \$350,000 – 450,000**





## 39 Jack Hamilton Bush

ARCA CGP CSGA CSPWC OSA P11 1909 – 1977

### Narrow Image

oil on canvas, on verso signed, titled, dated 1963 and inscribed  
*oil / to Barry Austin with best wishes, love, and all that jazz, Jack*  
80 x 70 in, 203.2 x 177.8 cm

#### PROVENANCE

A gift from the Artist to Barry Austin, December 1964  
Evelyn Aimis Fine Art, Toronto  
Christie's, New York, May 8, 1984, lot 23  
Frank H. Porter, Cleveland  
The Main Trust of Frank H. Porter, Cleveland  
Acquired from the above by a Private Collector  
*Open House*, Christie's, New York, January 12, 2009, lot 59  
Miriam Shiell Fine Art, Toronto  
Private Collection, Alberta

#### LITERATURE

Elizabeth Kilbourn, "Art and Artists: The Greenberg Gospel,"  
*The Toronto Daily Star*, February 22, 1964, page 30  
Iris Nowell, *Painters Eleven: The Wild Ones of Canadian Art*,  
2009, reproduced page 52

#### EXHIBITED

Gallery Moos, Toronto, *Jack Bush*, February 20 – March 4,  
1964, catalogue #5  
Newzones Gallery of Contemporary Art, Calgary, *Bush and*  
*Perehudoff: Modern to Contemporary*, May 28 – June 25, 2011

IN 1953 JACK BUSH participated in the groundbreaking exhibition *Abstracts at Home*. Shortly thereafter, Painters Eleven was formed to promote exhibitions dedicated to abstraction, and their work showed their admiration of second-generation Abstract Expressionism. A breakthrough occurred when Painters Eleven exhibited at the Riverside Art Museum, New York, in 1956. Clement Greenberg, the most astute observer and powerful art critic of the day, was invited to Toronto to conduct solo studio visits, and Bush clearly benefited from his counsel. Greenberg's main messages were to forget the "Tenth-Street Touch," the Abstract Expressionist "hot licks," a pervasive habit that inhibited many artists from making a stylistic evolution. He also advised Bush to minimize the use of black to allow colour to take precedence (the default painterly solution of the 1950s was a dominant flourish of black gestures). Greenberg preferred Bush's watercolours and suggested that he emulate their effect in his oils. Bush was, after all, the president of the Canadian Society of Painters in Water Colour.

The 1957 Park Gallery Painters Eleven exhibition sounded another wake-up call. *Warrior* (1956, 84 x 108 inches) by Oscar Cahén dwarfed the other works in the room. The other Painters Eleven works were domestic-scaled, easel-sized pictures. In the last months of his life, Cahén had anticipated the format necessary to address the needs of contemporary spaces. *Warrior* employed a new touch, a muted olive-coloured stained background offset by full-intensity opaque paint on top. These promising explorations were cut short by Cahén's untimely death.

Bush began the total reinvention of his approach in 1959 and 1960. He selected larger canvases, and thereafter only infrequently used black as small accents. He primed his canvases with a protective barrier coat of rabbit-skin glue. This allowed him to simulate a "stain" background without the glaring harshness of an

undercoat of brilliant white gesso. It is this lightness of touch that produced the soft warmth and glow that is in keeping with the spirit of Mark Rothko, Henri Matisse and Pierre Bonnard. The progress of his transformation was meteoric.

Nothing, however, prepared us for the sheer inventive audacity of his *Fishtail* series, such as *Narrow Image*. In his other works from the early 1960s, the vertical elements are "grounded." One can conjure them as abstracted recollections of flowers, the solitary pine, or a standing figure. *Narrow Image* free-floats—it is simply a central image of stacked colour interactions operating upon a coloured atmospheric ground. Its example would greatly inspire the work of David Bolduc.

The colour palette of *Narrow Image* is vintage Bush. The colour juxtapositions approach being a primary triad of red, yellow and blue. Yet tangerine certainly is not yellow and that is not primary red. Bush's colour notes are akin to a virtuoso jazz master—just when you anticipate where he is headed next, he throws things off-kilter, all to the positive. His mature work has always been linked to Post-Painterly Abstraction, but Bush is an anomaly within the shared tenets of the group. To progress he moved backwards: his works relish old-school, classic compositional devices, such as figure-ground and illusory space.

Throughout his early career his aesthetic frame of reference was Canada, consequently, up to 1961 his exhibitions were primarily in Canada. Paintings such as *Narrow Image* gained him entry into a world dialogue. After 1962 the preponderance of his exhibitions occurred at renowned international venues, commercial dealers such as the Robert Elkon Gallery and the André Emmerich Gallery, both in New York; Waddington Galleries, London; Nicholas Wilder Gallery, Los Angeles; and David Mirvish Gallery, Toronto. His clientele and following became global.

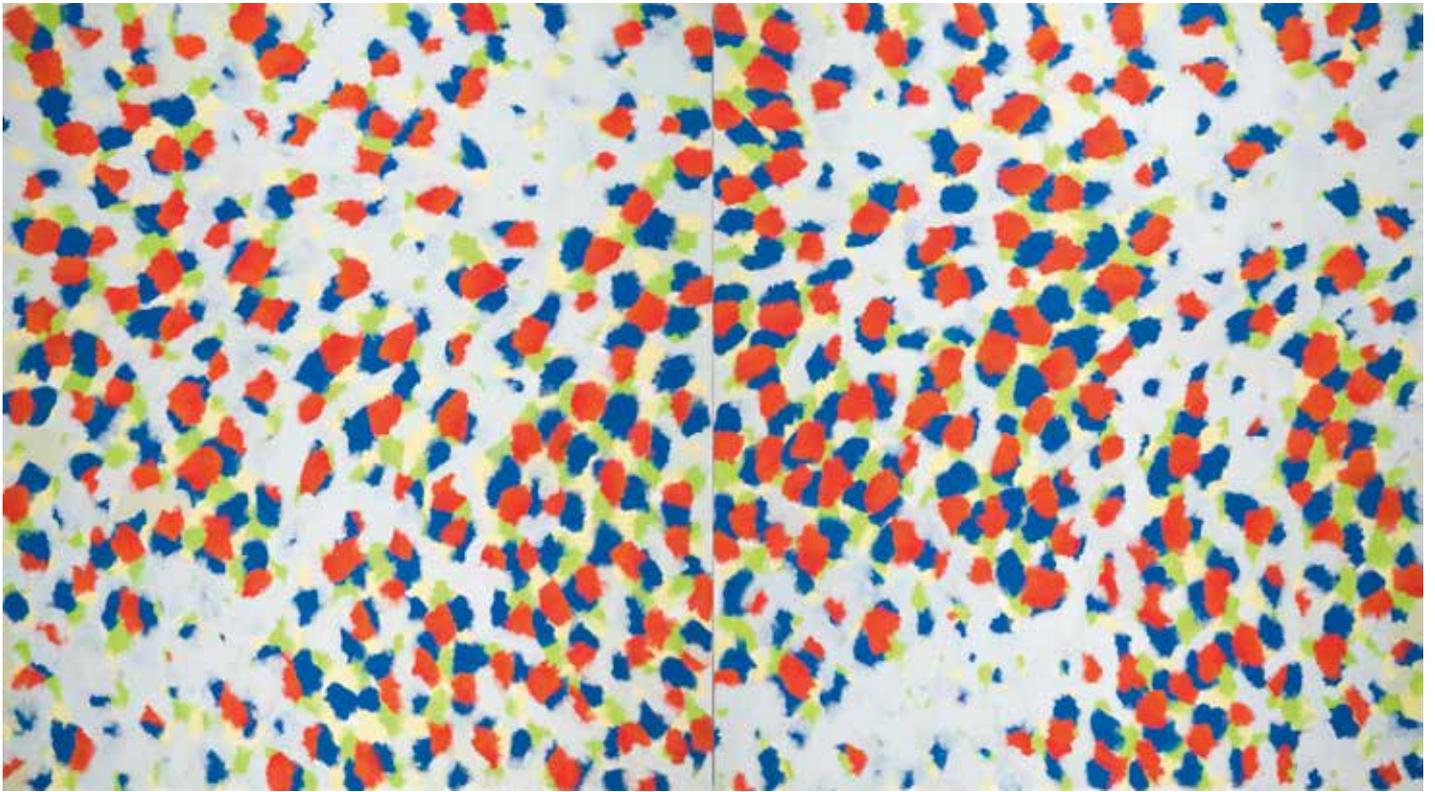
Bush's work was exhibited at the Tate Gallery, London; the Museum of Modern Art, New York; the Carnegie Institute, Pittsburgh; the San Francisco Museum of Modern Art; and the Musée d'Art Moderne, Paris. He was included in the historic exhibition *Post Painterly Abstraction* (1964) at the Los Angeles County Museum of Art. He and Jacques Hurtubise represented Canada at the 1967 *Bienal de São Paulo*. Bush's work made important contributions to international contemporary art. He and Jean Paul Riopelle are the sole Canadians chronicled in *History of Modern Art* by H.H. Arnason, used worldwide as a university survey text.

His works have been avidly collected (often in depth), by some of the most astute, discerning international private collectors and corporations. Notable among these, *Narrow Image* was previously part of the distinguished collection of Frank H. Porter, of Cleveland. Frank and his wife Nancy were enthusiastic and sharp collectors who owned works by artists such as Pablo Picasso, Jean Dubuffet, Kenneth Noland, Ellsworth Kelly and Morris Louis. In 2003, the Porter estate gifted an unrestricted bequest valued between \$60 million and \$70 million to the Cleveland Foundation, which funds arts, education and community programs. It is no surprise that *Narrow Image* was once included in such a smart collection.

We thank Jeffrey Spalding for contributing the above essay. Spalding is an artist, curator, author and educator. For more than 40 years, Spalding has served in leadership roles at art museums and educational institutions. He is a member of the Order of Canada.

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

**ESTIMATE: \$350,000 – 450,000**



## 40 Gershon Iskowitz

CSGA RCA 1921 – 1988

### Highlands #3

oil on canvas diptych, on verso signed,  
titled and dated 1975 on both canvases  
85 x 152 ¼ in, 215.9 x 386.7 cm

#### PROVENANCE

Gallery Moos Ltd., Toronto  
Cineplex Odeon  
Sold sale of *Important Canadian Art*, Sotheby's in association  
with Ritchie's, November 22, 2004, lot 78  
Private Collection, Toronto

#### LITERATURE

David Burnett, *Cineplex Odeon: The First Ten Years*,  
1989, reproduced page 55  
“Gershon Iskowitz,” National Gallery of Canada, [https://  
www.gallery.ca/collection/artist/gershon-iskowitz](https://www.gallery.ca/collection/artist/gershon-iskowitz),  
accessed March 7, 2018

GERSHON ISKOWITZ'S MAGICAL abstracts were often inspired by landscape. In this he joins a distinguished lineage of painters, including pioneers such as Piet Mondrian and Wassily Kandinsky, circa 1910, and, even earlier, the Swedish artist Hilma af Klint (1862–1944), all of whom imagined and expressed nature's forces in an abstract idiom. Lawren Harris memorably abstracted from landscape as he moved into abstraction in the mid-1930s. Much of Jean Paul Riopelle's abstract painting in the 1970s was directly based on the forms and stark tonal contrasts of arctic icebergs.

*Highlands #3* is an exuberant painting, an expression of freedom and dynamic movement conveyed by colour and Iskowitz's keen sense of space. Rather than fixing on a theme or point of visual emphasis, the design of the coloured marks encourages our eyes to keep moving, even to blur as they take in the whole. This effect is stronger if one imagines looking down into this work rather than at something ahead on the same plane. Iskowitz's biography suggests this reading. His abstract paintings from this,

the most productive phase of his career, were triggered by a helicopter ride from Winnipeg to Churchill, in northern Manitoba, in 1967. If one has flown in this way, it is not difficult to feel in this painting the exhilaration and apparent ease of floating over the land. We can imagine clouds, land and trees, and perhaps most of all, vast space. But *Highlands #3* is not a landscape; it has analogues in the land but stretches our perception beyond the topographic.

Iskowitz frequently adopted the diptych form that we see in *Highlands #3*. What effects might this double image and the presentation of a strong midline have on our sense of the canvas? First and last, this internal border underlines that we are looking at painting, at a surface that is manifestly manipulated, rather than through a window onto nature. The internal division made by the bifurcation of this work also encourages a comparison across the centre, but instead of a fold that makes a mirrored image, we see a playful disparity in markings to the left and right. The line also slows down our ineluctable habit of reading from left to right, even though this is clearly a dynamic painting. If overall the painting asserts a left and right, perhaps this fact makes clear that we have a left and right eye and thus see with binocular vision. We might call this effect the “humanism” of Iskowitz's work. As he said, “My paintings are not abstract, they are real, they are very very much real, I see those things... I paint what I see.”

Knowing an artist's biography can be a trap for the ways we see and think about their work, because too often life's events and art's purposes do not align as perfectly as we might wish. However, that Iskowitz was born in Poland, was the only member of his family to survive internment in concentration camps during World War II, came to Canada in 1949 and gradually painted his way through personal and human trauma via landscape to arrive ultimately at a free and joyous abstract expression—this story needs to be known and celebrated.

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

**ESTIMATE: \$90,000 – 120,000**



## 41 Sorel Etrog

RCA 1933 – 2014

### Mask

wood panel sculpture with applied relief,

1959 – 1960

43 ¼ x 22 x 1 in, 109.9 x 55.9 x 2.5 cm

### PROVENANCE

Acquired directly from the Artist by architect

Fred David Lebensold (1917 – 1985)

By descent to the present Private Collection,  
Montreal

### LITERATURE

Theodore Allen Heinrich, *The Painted Constructions 1952 – 1960 of Sorel Etrog*, 1968, pages 7 and 91, listed page 102 and reproduced page 105, catalogue #63, and *White Scaffolding* reproduced page 55, catalogue #27

IN THE INTRODUCTION to his revelatory 1968 monograph, Theodore Heinrich acknowledges that Sorel Etrog's bronze and marble sculptures were, at that time, the artist's most commonly known creations. Heinrich goes on to say: "Etrog's work in the round must appear to have evolved with extraordinary rapidity... but this was not an instant reputation in the current mode. The story of his artistic development was much longer... and had its foundation in an unusual medium, the painted construction."

Etrog began to create his painted constructions in 1952, only two years after his family found their way to Israel following their harrowing experiences as inhabitants of wartime Romania. His childhood years, first under German occupation and then the Russians in the post-war period, were to affect his psyche throughout his adult life. Nonetheless, the symbolic elements of his earliest constructions reflect his more optimistic life in Israel: the lively harbours, his growing passion for music, and the scaffolding created to build structures for a new, young society.

While serving in the Israeli army, Etrog was also able to begin more formal art studies. Fully expecting to be a painter, he kept these relief works hidden from instructors and friends alike until 1955, when he was invited to join the Ein Hod artists colony south of Haifa. There, encouraged by his mentors and fellow artists, he continued to work on his innovative and unique painted reliefs. Having sold several privately, in 1958 Etrog mounted his first solo exhibition, in Tel Aviv. That show was critically well received in Israel and, more significantly, the young artist was offered a scholarship to study at the Brooklyn Museum, an opportunity that ultimately led to Etrog's encounter with Sam and Ayala Zacks in Manhattan. The Zacks soon acquired his 1957 construction *White Scaffolding*, the first of many Etrog works they were to acquire after inviting him to visit Canada and then becoming his supportive and devoted patrons.

*Mask* is one of the few larger reliefs by Etrog from this period of his career. Heinrich reports a change in the maker's aesthetic goals by 1960, explaining, "The painterly attack of surfaces



Fred David Lebensold, circa 1960

Courtesy of the family of Fred David Lebensold

remains consistent to the end, but the tempo of sculpture's winning battle toward aggressive three-dimensional form... accelerates remarkably in the last group." One can see how closely the increasingly rough textures on the surface of *Mask* resemble Etrog's treatment of bronze at the time.

The prescient private collectors of *Mask* were Mr. and Mrs. Fred Lebensold. Etrog's affectionate inscription to them in the Heinrich book that accompanies this lot confirms a close friendship that surpassed a mere commercial relationship. Lebensold's highly accomplished and extensive career as a celebrated Montreal architect and teacher would account for an added level of communication between artist and patron. In 1950 he was a founding member of the firm now known as Arcop, which oversaw the construction of many landmark buildings, including Montreal's Place Ville Marie, Place Bonaventure and Salle Wilfrid-Pelletier, as well as the National Arts Centre in Ottawa and the Fathers of Confederation Building in Charlottetown. Although we are not witness to their private conversations, one can only assume that Lebensold's own gifts and experience gave him an added appreciation for Etrog's mastery of the elements of design, colour and texture in this powerful work.

This lot is accompanied by the following two books: Theodore Allen Heinrich, *The Painted Constructions 1952 – 1960 of Sorel Etrog*, 1968, and William J. Withrow, *Sorel Etrog*, 1967. The Withrow book bears the following inscription by the artist: "To my dearest friends Ruth and Fred Lebensold who I admire and their warmth I cherished most. Etrog. Toronto, April 1968."

**ESTIMATE: \$30,000 – 50,000**



## 42 Hans Hartung

1904 – 1989 German

### T1950-57

charcoal, pastel and oil on paper on canvas,  
signed and dated 1950 and on verso titled  
and inscribed 2116 and 2112  
19 x 28 ¾ in, 48.3 x 73 cm

#### PROVENANCE

Collection Odile Degand, Paris, 1952  
Galerie Arditti, Paris, 1962  
Sold sale of the Collection L.P.H., Palais Galliera, Paris, 1970  
Galleria Ruggerini & Zonca, Milan, 1990  
Sold sale of *Twentieth Century Art Day Sale*, Christie's London,  
June 29, 2000, lot 378  
Private Collection, Montreal

#### LITERATURE

*Collection L.P.H.—Palais Galliera*, Palais Galliera, Paris, 1970,  
reproduced as catalogue #39, unpaginated  
*Hartung*, Galleria Ruggerini & Zonca, Milan, 1990, reproduced  
on the cover and as catalogue #7, unpaginated  
Anne Pontégnie, editor, *Hartung: 10 Perspectives*, 2006, page 81  
Fondation Hartung Bergman, "Biographie," [http://  
fondationhartungbergman.fr/wphh/biographie](http://fondationhartungbergman.fr/wphh/biographie),  
accessed January 31, 2018

#### EXHIBITED

Galleria Ruggerini & Zonca, Milan, *Hartung*, 1990

HANS HARTUNG WAS a prime exponent of post-World War II abstract painting in Europe—its refinement as well as its passion. He was a leader of what is most inclusively titled the "Nouvelle école de Paris," which embraces such directions as *art informel*, lyrical abstraction and *tachisme*. This personal, expressive type of painting ran parallel to Abstract Expressionism in the United States. Often considered alongside French artists Jean Fautrier and especially Pierre Soulages (with whom he shared the International Grand Prize for painting at the *Venice Biennale* in 1960), Hartung was born in Germany. He fled after the negative state reaction to his first solo show in Dresden in 1931. Hartung fought with the French Foreign Legion in Africa and became a French citizen in 1946.

T1950-57 sits squarely in the period 1946 to 1954, which is seen as the apex of Hartung's 60-year career. Like many artists who suffered through World War II and its aftermath, he saw abstraction as a universal visual language more direct than any other. It was in many ways considered therapeutic, redemptive and utopian, a mode in which to express the fullest range of personal emotions and existential hope. The skein of dark, calligraphic lines that we see here can be thought of as Hartung's "psychograph," a personal, emotional signature and exploration.

T1950-57 is lightened by the use of pastels, with the result that it is less visually fraught than much of his earlier work. Referring in 1946 to his earlier propensities, Hartung wrote, "My drawings were marked by twisted, strange, entangled strokes, resembling desperate scratches [...] It was vehement and rebellious painting. Like myself. I felt like I had been cheated. Aside from a few Frenchmen who had enlisted, the other painters had spent the war as refugees elsewhere. They never stopped working, and progressing" (translated from the French). While his characteristic slashing black lines are prominent in the 1950 painting, they no longer dominate the surface. They move in a spacious environment; some are so lightly applied that they meld with the pastel background. Against a softly tinted canvas support, thin and colourful pastel washes have been applied, and they establish the space of the surface. This ultimately regular substrate also maps the plane over which Hartung laid down his characteristically sweeping gestures in black. The contrasts in the image thus produced suggest a dynamic balance between the immediacy of his calligraphic marks and the coloured forms on which they play. His interest in mathematical relationships can be traced in the restraint of this painting. The look and mood of this work is thus airier and more playful than in the past.

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 the forthcoming Hans Hartung catalogue raisonné being prepared by the Fondation Hartung Bergman, Antibes.

**ESTIMATE: \$70,000 – 90,000**



## 43 Andy Warhol

1928 – 1987 American

### Karen Kain (F. & S. IIB.236)

screenprint with diamond dust on Lennox Museum board, signed and editioned TP 6/25 and on verso stamped Andy Warhol 1980, 1980

40 x 32 in, 101.6 x 81.3 cm

#### PROVENANCE

Private Collection, Toronto

#### LITERATURE

Frayda Feldman and Jörg Schellman, editors, *Andy Warhol Prints: A Catalogue Raisonné, 1962 - 1987*, 4th edition, 2003, page 181, trial proofs reproduced pages 114 and 181, catalogue #IIB.236

WILLIAM HECHTER, a Canadian art and film enthusiast among many other things, was the publisher, along with Andy Warhol, of this iconic portrait of prima ballerina Karen Kain. Hechter was keen to work with Warhol and was compelled to present the idea of a Canadian subject—a first for the artist. Crediting his wife with the proposal of Kain, he explained that convincing the artist was as simple as picking up the phone and dialing Warhol's number at the Factory. "He said he'd love to do it," explained Hechter, "and then I thought I'd better call Karen and ask her!" Warhol spoke of a recent party where he danced with Kain, and he thought the idea was terrific. The rest is history—Hechter and Kain flew to New York to meet Warhol in his studio, where he photographed her with very little lighting, using his legendary Polaroid camera. Once the final image was chosen, Warhol and Hechter together published a series of 200 screenprints. This work is a rare trial proof, with different colours, making it particularly important as each is a unique image.

The catalogue raisonné states that there are 25 trial proofs signed and numbered in pencil at lower right. Each print is unique. *Karen Kain* was published in an edition of 200, 30 AP, 5 PP, and 25 TP by William Hechter, Toronto, and printed in New York by Rupert Jasen Smith.

**ESTIMATE: \$30,000 – 40,000**

## 44 Andy Warhol

1928 – 1987 American

### Flowers (F. & S. II.65)

screenprint on paper, on verso signed  
and editioned 107/250, 1970  
36 x 36 in, 91.4 x 91.4 cm

#### PROVENANCE

Dunkelman Gallery, Toronto  
Private Collection, Toronto

#### LITERATURE

Frayda Feldman and Jörg Schellman,  
editors, *Andy Warhol Prints: A  
Catalogue Raisonné, 1962–1987*,  
4th edition, 2003, reproduced  
page 76, catalogue #II.65

THIS VIBRANT IMAGE, from a portfolio of ten screenprints, was adapted by Andy Warhol from a photograph of hibiscus flowers by Patricia Caulfield. Warhol was fascinated by repeated images, and he used the same template while varying the hues of the flowers and the background in each print in the edition. The *Flowers* prints show Warhol's affinity for design and his roots in advertising through his simplification of the image for greatest impact. At the time they were produced, the *Flowers* screenprints were considered a departure from his images referring to mass culture and brands, such as his *Campbell's Soup* series. A flower is timeless and simple—but Warhol also had his finger on the pulse of popular culture, and this image, with its saturated, almost psychedelic intensity of colour, has an association with the Flower Power movement of the 1960s. These *Flowers* are not just emissaries of nature, but are Pop Art icons.

This edition consists of 250 screenprints signed in ballpoint pen and numbered with a rubber stamp on verso; some are dated. There are 26 Artist's Proofs, signed and lettered A to Z in ballpoint pen on verso. The printer was Aetna Silkscreen Products Inc., and the edition was published by Factory Additions, both in New York.

**ESTIMATE: \$30,000 – 40,000**





## 45 William Kurelek

ARCA OC OSA 1927 – 1977

### Satan's Web (Rural Quebec Today)

mixed media on board, initialed and dated 1976  
and on verso titled *Satan's Web* and titled on the  
gallery labels and inscribed *M*  
28 x 20 in, 71.1 x 50.8 cm

#### PROVENANCE

The Isaacs Gallery Ltd., Toronto  
Galerie d'art Michel de Kerdour, Quebec City  
Private Collection, Quebec

#### LITERATURE

Patricia Morley, *Kurelek: A Biography*, 1986, page 266

WILLIAM KURELEK WAS working on illustrating the pioneer roots of the main ethnic groups in Canada, and in 1976, he traveled to Quebec. He was interested in its countryside and villages, and he spent time in Charlevoix County, northeast of Quebec City. In this fascinating and finely detailed painting, Kurelek depicts the changes in Quebec's traditional rural society brought by modern pursuits and technology, which he felt eroded its original simple lifestyle and Roman Catholic faith. In the pursuit of winter pleasure, residents tow children across the landscape with snowmobiles rather than the children cross-country skiing as they once did. A plane streaks across the sky, symbolic of the fast movement of present-day life. The cross that dominates the scene—a traditional wayside shrine—is superimposed on the hydroelectric tower, a kind of contemporary technological cross. Kurelek's deliberate message pits spiritual faith against modernity. The artist was a passionate Roman Catholic, who regretted, in his words, "the waning of the Church in Quebec... its loss of authority on moral matters." *Satan's Web* is a potent example of Kurelek's intense vision, which compelled him to embed messages with a deeper meaning in this seemingly idyllic scene.

This work is in the original frame made by Kurelek.

**ESTIMATE: \$50,000 – 80,000**



details



## 46 William Kurelek

ARCA OC OSA 1927 – 1977

### Sorry Early Bird

mixed media on board, initialed faintly  
and on verso titled, dated 1977 on the  
gallery label and inscribed *circa 1977*  
24 x 48 in, 61 x 121.9 cm

#### PROVENANCE

The Isaacs Gallery Ltd., Toronto  
Private Collection, Norway

#### LITERATURE

William Kurelek, *A Prairie Boy's Winter*, 1973, unpaginated

IN HIS BOOK *A Prairie Boy's Winter*, William Kurelek took note of the migration habits of crows on the prairies, and included his paintings *Crows Leaving Before Winter* and *Return of the First Crow*. He observed, “The crows had been loitering around in great flocks, quarreling, cawing and raiding farmers’ cornfields... They flew south every fall about this time to escape the harsh prairie winter.” In spring, although other birds such as the robin and the prairie horned lark arrive early, for Kurelek, the return of the crow was the most important. He wrote, “Crows came back singly, or in pairs, about the end of March. It was then they were sighted by the children on their way to or from school. The lucky first-sighters threw up their hands, and even their caps, in exultation, chanting, ‘I saw it! I saw it! I saw the first crow! Spring’s here!’” Although a harbinger of spring, this crow has found itself back a bit too soon and bows its head against the wind-driven snow—hence Kurelek’s empathetic title, *Sorry Early Bird*.

This work is in the original frame made by Kurelek.

**ESTIMATE: \$150,000 – 250,000**



detail



## 47 Marcelle Ferron

AANFM AUTO CAS QMG RCA  
SAAVQ SAPQ 1924 – 2001

### Autoportrait

oil on canvas, signed and dated 1991  
and on verso signed and titled  
57 ¾ x 45 in, 146.7 x 114.3 cm

#### PROVENANCE

Galerie d'art Michel Bigué, Saint-  
Sauveur-des-Monts, Quebec  
Private Collection, Montreal

#### LITERATURE

Robert Enright, *Marcelle Ferron:  
Monograph*, Galerie Simon Blais,  
2008, page 13

#### EXHIBITED

Galerie d'art Michel Bigué, Saint-  
Sauveur-des-Monts, Quebec, *Marcelle  
Ferron: Oeuvres de 1950 à 1992*, May 16 –  
June 12, 1992

MARCELLE FERRON'S *AUTO PORTRAIT* is a painterly *tour de force* produced in 1991, almost 20 years after her return to painting in 1972. For a decade prior to 1972, she had dedicated her practice to stained glass, which was informed by her handling of colour and space in her earliest painted works. In *Autoportrait*, Ferron covers the monumental canvas with the full range of her brushwork, turning it into a rich expanse of colour and texture. From large swathes of cerulean blue and deep coral to ribbons of inky black, the incredible dexterity with which Ferron applies her paint to the surface of this work is masterful, and she creates dazzling effects of luminosity. Her planes of colour fold and unfold in fluid, wavelike movements. The composition is restless and dynamic, yet seems to follow an internal order. When discussing Ferron's works, art critic Robert Enright wrote, "They have an irresistible physical presence and an equally compelling rhythm." *Autoportrait* certainly embodies these qualities.

**ESTIMATE: \$25,000 – 35,000**



## 48 Jacques Hurtubise

ARCA SAPO 1939 – 2014

### Salamala

acrylic, charcoal and pastel on 12 assembled canvases, signed and dated 1975 and on verso signed, titled, dated and inscribed #57 on the National Gallery of Canada exhibition label  
36 x 48 in, 91.4 x 121.9 cm

#### PROVENANCE

Galerie Jolliet, Quebec City  
Private Collection, Quebec City

#### LITERATURE

Alain Parent, "Dessins du Québec / Drawings from Quebec,"  
*National Gallery of Canada Journal*, no. 19, November 1, 1976,  
page 3

#### EXHIBITED

National Gallery of Canada, Ottawa, *Dessins du Québec / Drawings from Quebec*, National Gallery of Canada National Programme, 1976 – 1977, catalogue #57

CHARGED WITH VISCERAL energy, a torrent of paint, charcoal and pastel streams diagonally across the canvas. From right to left, soft grey striations swell, then fade, accentuated by black and white splatters. The overall composition feels intensely gestural and unrestrained. However, the remarkably spontaneous and expressive splashes of Jacques Hurtubise's *Salamala* are not what they seem. These spills are not accidental, but instead deliberate, expertly contoured constructions that have been part of the artist's practice since the mid-1960s. In 1970, he began using small square canvases, painted as individual works and then secured together to form a grid, allowing him various options. *Salamala*, executed in 1974, consists of 12 individual square canvases. When discussing the work, Alain Parent, former curator at the Musée d'art contemporain de Montréal, stated, "[*Salamala*'s] pictorial character, the direction of the flowing of acrylic, and the rubbed charcoal effect are as radical in their expressiveness as the decomposition of space implied by the total separateness of one square to another (each square possessing an autonomy relative to the overall space defined)."

ESTIMATE: \$15,000 – 25,000



## 49 Serge Lemoyne

1941 – 1998

### Pointe d'étoile

acrylic on canvas, on verso signed,  
dated 8 janvier 1978 and inscribed 12  
52 ½ x 108 ¼ in, 133.4 x 275 cm

#### PROVENANCE

Estate of the Artist

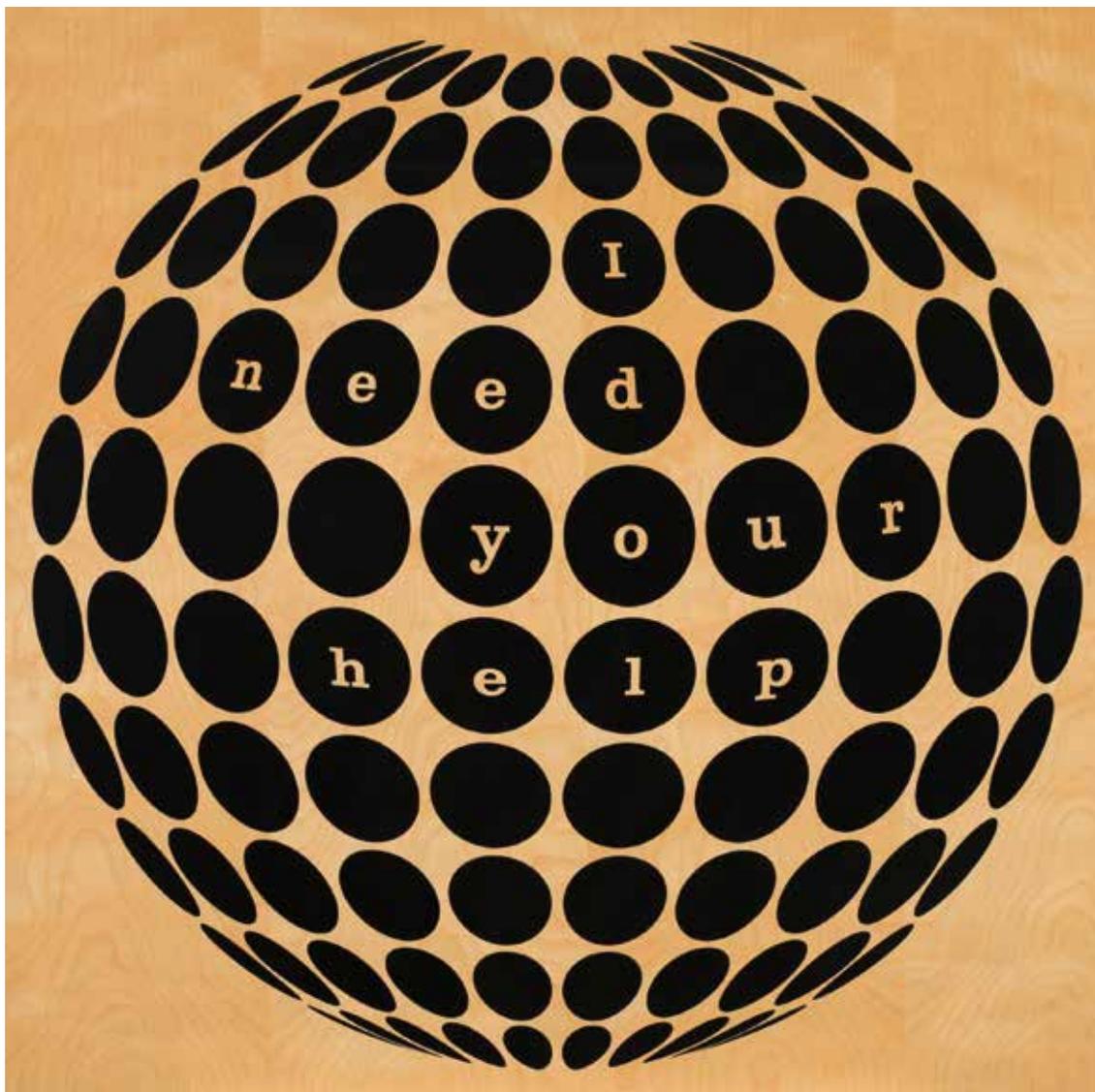
VIBRATING WITH ENERGY and audacious painterly bravura, *Pointe d'étoile* (Star Tip) is an electrifying work from Quebec art's *enfant terrible*, Serge Lemoyne. Executed in 1978, it is a stunning example from the artist's celebrated *Bleu-blanc-rouge* period. Lemoyne was a champion of art's democratization; he was dedicated to producing art that was accessible to everyone. Therefore, during a period spanning more than a decade, from 1969 to

1980, he restricted his practice to the three emblematic colours of the Montreal Canadiens hockey team: red, white and blue, a culturally significant trio of colours. Lemoyne's abstractions are engaging, and viewers can immediately recognize their pop culture reference. Distinguished by its triangular format, this work is part of the *Pointe d'étoile* series, painted during the mid-1970s. Within the pictorial space, a crisp white chevron, demarcated by thin bands of bare canvas, separates a red and a blue section. The composition's sharp and deliberate diagonals are contrasted by the gestural painterly drippings in the centre of the work. The effect of this dynamic composition combined with the canvas's format is one of vigorous movement.

Please note: this work is unframed (as intended by the artist).

The dimensions of each side are as follows: 108 ¼ x 85 ¼ x 66 ⅝ inches.

**ESTIMATE: \$25,000 – 35,000**



## 50 Steven Shearer

1968 –

### I Need Your Help

acrylic on board, on verso initialed, dated 1994  
and stamped Studio of Steven Shearer  
42 x 42 in, 106.7 x 106.7 cm

#### PROVENANCE

S. L. Simpson Gallery, Toronto  
Acquired from the above by an important  
Private Collection, Vancouver

#### LITERATURE

Josée Drouin-Brisebois, *Steven Shearer: Exhume to Consume*,  
National Gallery of Canada, 2011, page 9

IN THE BOOK on the art of Steven Shearer accompanying his participation in the 2011 *Venice Biennale*, Marc Mayer wrote that in “evoking a tension between youthful rebellion and the social

forces that try to constrain it, Shearer celebrates this anarchistic, defiant aggression and invests it with a sense of cathartic dignity that stems in part from his own experiences as a teenager in suburbia.” Through the ever-changing forms of his work, Shearer connects to the continuum of art-making, but with a contemporary vision that draws on pop culture. He has often used text in his work—such as in his *Poem* series (1999), in which he gave voice to the ennui and alienation of youth subculture. In *I Need Your Help*, Shearer imbeds an evocative line of text within a cool Victor Vasarely-style Op Art globe (the stacked letters also form other words vertically). Although depicted in calm, carefully formed letters, the message “I need your help” provokes strong emotional reactions—is it a personal plea? is it the globe of the world asking us to stop our destructive activities?

From his Vancouver base, Shearer has built an international profile, and he is represented by Galerie Eva Presenhuber, a leading contemporary gallery in Zurich.

**ESTIMATE: \$15,000 – 25,000**



## 51 Rodney Graham

oc 1949 –

### Oxfordshire Oak, Swalcliffe

monochrome colour print, on verso editioned Artist's Proof  
on the letter of authentication signed by Rodney Graham, 1990  
84 x 60 in, 213.4 x 152.5 cm

#### PROVENANCE

Acquired directly from the Artist by an important Private  
Collection, Vancouver

BORN AND SCHOOLED in British Columbia, Rodney Graham is an artist, filmmaker and musician who lives and works in Vancouver. He is widely acknowledged as an innovator whose work has reshaped the nature of contemporary photo-based art. Graham, along with his lifelong esteemed colleagues, developed an approach referred to as photo-conceptualism. Their enduring impact has led to them being referred to collectively as the Vancouver School. Graham's photo images are often witty, humorous and uncanny. This posture has led to his work being included in a staggering number of the most significant international exhibitions and avidly collected by prestigious world art museums.

Paradoxically, Graham does not consider himself to be a photographer. He reports that he does not even own a camera. Instead, akin to a film director or architect, Graham envisages the desired outcome and works with others to achieve the result. Some of his most celebrated early work, commencing in 1979, employed a unique adaptation of the camera obscura. If one passes light through a pinhole into a darkened room, then a sharply focused image appears on the adjacent wall. This phenomenon has been known and used by scientists for centuries. Many artists, most famously Johannes Vermeer, adapted the technology to act as a drawing aid to help achieve perfectly proportioned, highly realistic paintings. The camera obscura, or pinhole camera, is the elemental technology that led to the evolution of both still photography and motion pictures. The initial step was to allow the upside-down pinhole image to expose either a photosensitive paper or negative. Once complete, the image would simply be turned "right side" up.

Graham's fascination with the camera obscura led him to display his pictures inverted, just as the camera created them. He has used this technique to capture a range of subjects. However, unquestionably his signature image has been a lone, inverted, isolated oak tree. The selection should give us pause to wonder: why an oak? After all, Canada's emblem is the maple; and Canadian art history is replete with images of solitary pine trees. Graham, as a resident of Vancouver, is constantly surrounded

by trees of all species in parklands and wilderness, and they are ever present on the urban horizon. The mighty Douglas fir is perhaps most responsible for the historical influx of new inhabitants to work in the lumber industry, and the tourism industry has long branded the province as Super, Natural British Columbia. Graham's art seems to not want any part of the expected nationalist, romantic, symbolic messaging. Instead of following the example of Henry David Thoreau's return to a simpler ascetic life spent alone with nature, he looked to Europe.

Graham's works picture trees primarily from England and Europe. Just as he returns to the rudiments of black and white photography, his oaks recall some of the first uses of the tree as the principal element of an artwork. The tree is not just a backdrop or accompaniment to a historical narrative or a compositional prop, but is instead the central "character" in an artwork. Notably one thinks of Rembrandt van Rijn's *De drie bomen* (1643), Gustave Courbet's great oak in *The Oak of Flagey* (1864) and countless paintings of majestic, stolid oak trees by Barbizon School artists.

As mentioned, Graham has been recognized by his inclusion in the most influential exhibitions of international contemporary art, including *documenta IX* (1992), the *Whitney Biennial* (2006), and the *Carnegie International* (2013), and he has had solo exhibitions at the Vancouver Art Gallery, the Art Gallery of Ontario and the Museum of Contemporary Art, Los Angeles (2004), among many others. Graham represented Canada at the *47th Venice Biennale* in 1997. He is the recipient of many international awards—among them the Gershon Iskowitz Prize (2004), the Kurt Schwitters Prize (2006) and the Audain Prize for Lifetime Achievement in the Visual Arts (2011). He was appointed an officer of the Order of Canada in 2016.

Graham's work is in the collection of the Centre Georges Pompidou in Paris and the Metropolitan Museum of Art and the Museum of Modern Art in New York. Five of his inverted tree works are in the collection of the Whitney Museum of American Art, including *Oxfordshire Oak, Swalcliffe*, a work the museum lists as a unique print. Our work is the same image in a different size and is an Artist's Proof.

We thank Jeffrey Spalding for contributing the above essay. Spalding is an artist, curator, author and educator. For more than 40 years, Spalding has served in leadership roles at art museums and educational institutions. He is a member of the Order of Canada.

Accompanying this lot is a letter of authentication signed by Rodney Graham and dated October 11, 2002.

**ESTIMATE: \$60,000 – 80,000**



## 52 Jeff Wall

oc 1946 –

### A Wall in a Former Bakery

transparency in light box, 2003

46 x 59 ½ in, 116.8 x 151.1 cm

#### PROVENANCE

Monte Clark Gallery, Vancouver

Private Collection, Vancouver

#### LITERATURE

Matthew Barney, Tony Oursler, *Jeff Wall*, Sammlung Goetz, 1996, page 89

*Jeff Wall: Photographs, 1978–2004*, Tate Modern, 2005,  
<http://www.tate.org.uk/whats-on/tate-modern/exhibition/jeff-wall/jeff-wall-room-guide/jeff-wall-room-guide-room-5>,  
para. 4, accessed November 15, 2017

Michael Newman, *Jeff Wall: Works and Collected Writings*, 2007, reproduced page 196

Sean O'Hagan, "Jeff Wall," *The Guardian*, November 3, 2015,  
<https://www.theguardian.com/artanddesign/2015/nov/03/jeff-wall-photography-marian-goodman-gallery-show>,  
para. 14, accessed November 15, 2017

What interested me...was to make pictures that had specific relationships with certain kinds of painting...certain kinds of cinema...and certain kinds of photography...and to find a way of hybridising all that I admired about all those things...I thought, for my purposes, that painting needed to be more psychologically intense, cinema needed to be "arrested" (according to the concepts from Barthes and Benjamin), and photography needed to be made more viable at the scale of the human body, the scale of natural vision, a scale that painting had mastered.

—JEFF WALL on his choice of the medium  
of transparency in light box

ONE OF THE most influential artists working today, Jeff Wall has long been internationally well known, and his work has made an important contribution to viewing photography as a vital contemporary art form. From the early 1990s into the next decade, Wall periodically produced photographs in light boxes of abandoned interior spaces soiled by age and use—such as *Diagonal Composition* from 1993 (collection of the Tate Modern, London), showing an old, worn sink; *Staining Bench, Furniture Manufacturer's* from 2003; and this bakery interior, also from 2003, its wall and ceiling

smudged by the heat of a baking oven. In reference to these works, the Tate Modern commented: "These discovered scenes focus attention on the ordinary and overlooked, or as Wall puts it, on 'the unattributed, anonymous poetry of the world.'"

In addressing this theme of interior spaces showing the wear of their usage in Wall's work, Michael Newman discusses the "difference between abstract painting and photography: an abstract painting can be dirty, or be made of dirt, but it can't represent the dirty. In the photograph, dirt becomes a picture, giving rise to its own kind of beauty." *A Wall in a Former Bakery* is not conventionally sublime, like a beautiful landscape; its attraction arises from examining the images of the everyday and our aesthetic reactions to them—accepting the real. In this work, the old oven and any evidence of the machines are both gone, as are the people who once engaged in this industry. All we see are the remnants of a metal structure at the right edge. The work documents absence, something left behind, but without reference to the story of what actually happened here, other than the identification established by the title. However, this absence is strangely evocative. Images such as this one document the passage of time that has scarred and eroded these surfaces, and evoke the thriving industry that once was there, left behind by modernization.

As Wall stated in the *Guardian*, "Like painting, my work is very much about composition. That is where the feeling flows—more so than in the expressions on faces or the possible social meanings." Formally, this image is simple and strong in its composition, and is dominated by vertical, diagonal and horizontal lines. Its planes make it almost abstract, but it is still spatial, dimensional. The backlighting makes the flat surfaces glow, giving rise to the association of the pale stained wall with a colour-field painting. The scorched area rises into the ceiling, its shape and hot orange colour indicating the past presence of heat and the imprint of fiery particles from an oven. Not only does the smudge refer to something elemental, but its shape can also suggest something arising from the subconscious—a mysterious presence. This resonance is a product of Wall's cinematographic approach to image, and associations such as this make *A Wall in a Former Bakery* a potent and evocative image.

This light box transparency was produced in an edition of 6. Another edition of this image is in the collection of the Emanuel Hoffman Foundation in Basel, Switzerland.

The dimensions of the entire light box are 53 ¼ x 65 ¾ x 9 ⅞ inches.

**ESTIMATE: \$125,000 – 175,000**



### 53 Edward Burtynsky

OC RCA 1955 –

#### **Shipbreaking #27 with Cutter, Chittagong, Bangladesh, 2001**

chromogenic colour print, on verso signed,  
titled, editioned 3/5 and dated 2002  
40 x 50 in, 101.6 x 127 cm

#### **PROVENANCE**

Nicholas Metivier Gallery, Toronto  
Private Collection, Montreal

#### **LITERATURE**

Lori Pauli et al., *Manufactured Landscapes: The Photographs  
of Edward Burtynsky*, National Gallery of Canada, 2003,  
reproduced page 146  
Marc Mayer et al., *China: The Photographs of Edward Burtynsky*,  
2005, reproduced page 17

#### **EXHIBITED**

National Gallery of Canada, Ottawa, *Manufactured Landscapes:  
The Photographs of Edward Burtynsky*, January 31 – May 4, 2003,  
traveling in 2004 – 2005 to the Art Gallery of Ontario, Toronto,  
and the Brooklyn Museum of Art, New York

IN HIS LARGE-SCALE photographs, Edward Burtynsky often takes us to places not usually visited, and in his *Shipbreaking* series, he exposes the fate of large ships at the end of their life-span. Single-hulled oil tankers, decommissioned naval ships and commercial vessels are brought from all over the world to the shores of Bangladesh to be deconstructed for salvage. The metal is used for the steel industry, and Burtynsky stated, “I looked upon the shipbreaking as the ultimate in recycling.” The process is pre-industrial—men and boys carry out this work with their hands and simple tools—and it is dangerous. As the ships are broken up, towering chunks of rusted steel, angular and jutting, are left standing on the beach. Powerful images such as this provoke many associations, including post-apocalyptic landscapes. The monolithic metal plates also resemble huge sculptures, recalling the work of sculptors such as Richard Serra in rusted steel, and they are strangely beautiful. In compelling images such as this, Burtynsky expands our perspective and provokes us to reflect on how we affect the landscapes of the world.

**ESTIMATE: \$8,000 – 12,000**



## 54 Edward Burtynsky

OC RCA 1955 –

### Rice Terraces #2, Western Yunnan Province, China, 2012

chromogenic colour print, on verso signed, titled, editioned 3/6 and dated 2013  
48 x 64 in, 121.9 x 162.6 cm

#### PROVENANCE

Nicholas Metivier Gallery, Toronto  
Private Collection, Montreal

#### LITERATURE

Wade Davis, editor, *Burtynsky: Water*, 2013, page 9,  
reproduced pages 131 and 202

EDWARD BURTYNSKY IS internationally renowned for his powerful large-scale photographs that explore the effects of human activities on our planet. In 2008, Burtynsky began a series about water, based on the themes of distress, control, agriculture, aquaculture, waterfront and source. Foremost in his mind was how we control and redirect water for our own purposes, reshaping the world in ways that are sometimes

benign and sometimes not. Burtynsky stated, “I feel this project encompasses some of the most poetic and abstract work of my career.” Taken from far above, this photo of rice paddies in China flooded in the spring is quite abstract. The lines of the paddies, contoured to the landscape, form an organic pattern that dominates the image. Aquaculture in China has been practised for at least 2,400 years, although recently, industrial terracing has posed a danger to the landscape through deforestation and flooding. This striking photograph shows traditional rice terracing, in which biodiversity is promoted through the cultivation of molluscs, shrimp, frogs and fish during the wet season—an outstanding example of a sustainable approach to agriculture.

**ESTIMATE: \$8,000 – 12,000**



**55 Harold Barling Town**

CGP CPE CSGA OC OSA P11 RCA 1924 – 1990

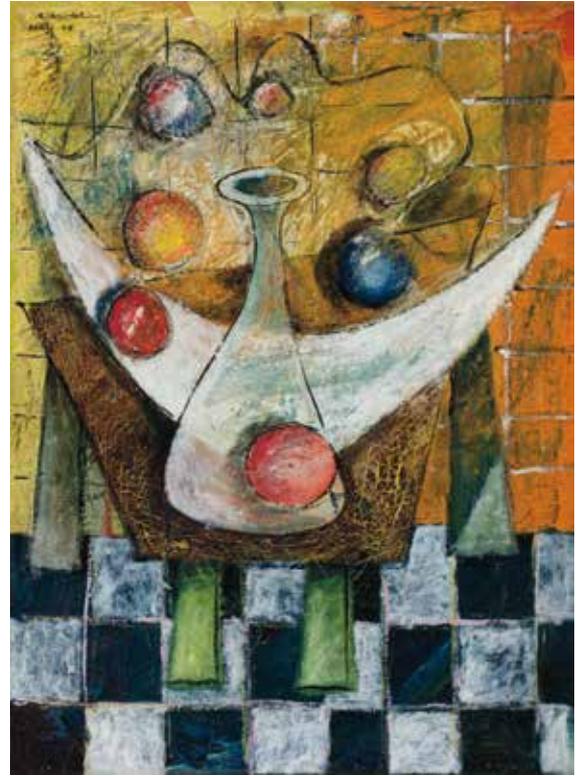
**Untitled**

oil on board, on verso dated circa 1958 – 1960  
and inscribed *From the estate of Harold Town,*  
1999, *David Silcox, Trustee*  
24 x 24 in, 61 x 61 cm

**PROVENANCE**

Estate of the Artist  
Private Collection, Montreal

**ESTIMATE: \$8,000 – 12,000**



**56 Charles Daudelin**

ASQ CAS RCA 1920 – 2001

**Table de clown**

oil on canvas, signed, dated 1946 and inscribed  
*Paris* and on verso titled and inscribed 509  
21 ½ x 15 in, 54.6 x 38.1 cm

**PROVENANCE**

Galerie Simon Blais, Montreal  
Private Collection, Montreal

**ESTIMATE: \$6,000 – 8,000**



**57 William Goodridge Roberts**

CAS CGP CSGA CSPWC EGP OC OSA PY RCA 1904 – 1974

**Still Life with Blue Curtains**

oil on board, signed and on verso  
titled on the gallery label, circa 1960  
32 x 32 in, 81.3 x 81.3 cm

**PROVENANCE**

Galerie de Bellefeuille, Montreal  
Private Collection, Montreal

**ESTIMATE: \$8,000 – 12,000**



**58 Léon Bellefleur**

AANFM CAS PY QMG 1910 – 2007

**Helvetique**

watercolour and gouache on paper,  
signed, titled and dated 1962  
24 3/8 x 19 in, 61.9 x 48.3 cm

**PROVENANCE**

Galerie Jean-Pierre Valentin, Montreal  
Private Collection, Montreal

**ESTIMATE: \$3,000 – 4,000**



**59 Tom Hopkins**

1944 – 2011

**Past and Present: Sensing**

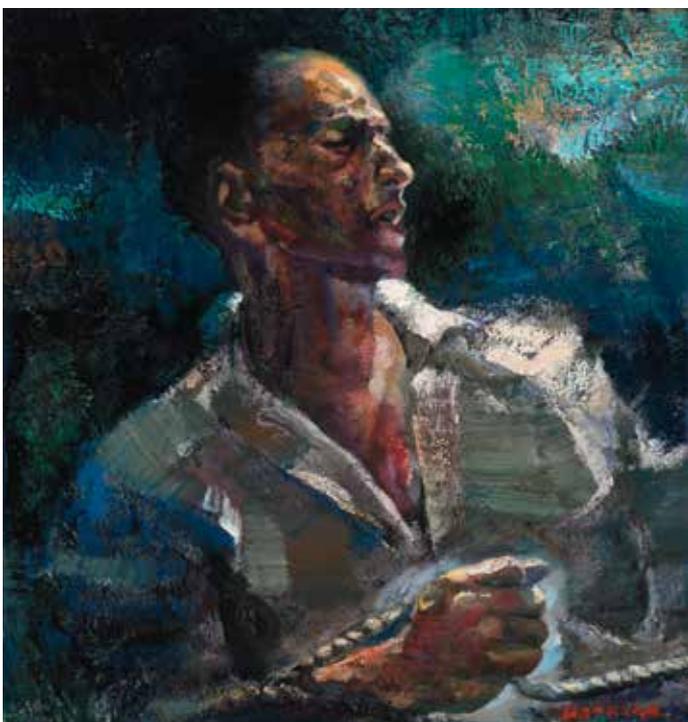
oil on canvas, signed and on verso signed,  
titled and titled *Blind Woman* on the gallery  
label and dated 1997

46 x 44 in, 116.8 x 111.8 cm

**PROVENANCE**

Galerie de Bellefeuille, Montreal  
Private Collection, Montreal

**ESTIMATE: \$8,000 – 10,000**



**60 Tom Hopkins**

1944 – 2011

**Rider**

oil on canvas, signed and on verso  
signed, titled and dated 1997  
20 ½ x 18 ½ in, 52.1 x 47 cm

**PROVENANCE**

Galerie de Bellefeuille, Montreal  
Private Collection, Montreal

**ESTIMATE: \$2,500 – 3,500**

**61 David Bierk**

1944 – 2002

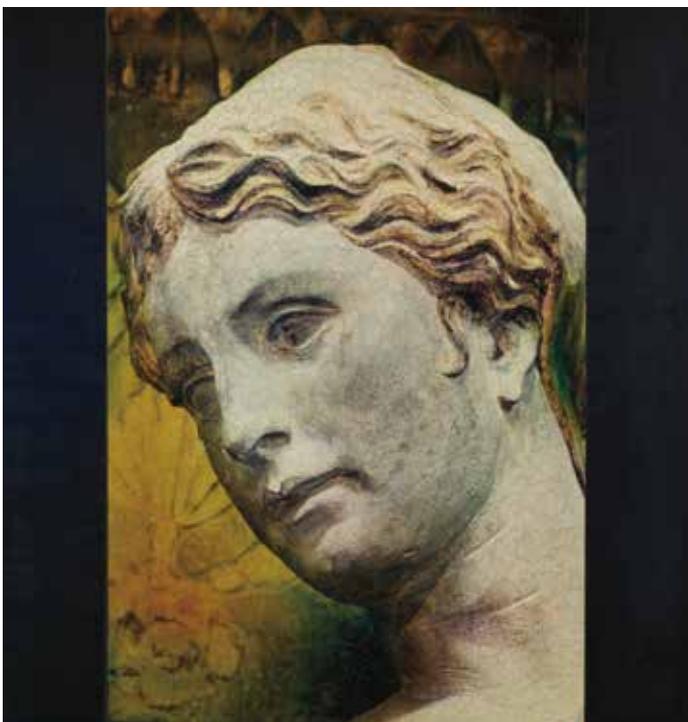
**A Eulogy to Mankind to Donatello**

photograph, oil and steel on board, initialed  
and on verso signed and titled and dated 1998  
on the gallery label  
32 x 32 in, 81.3 x 81.3 cm

**PROVENANCE**

Mira Godard Gallery, Toronto  
Private Collection, Montreal

**ESTIMATE: \$4,000 – 6,000**



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  11. **Buyer's Premium**  
The Buyer's Premium is the amount paid by the Buyer to the Auction House on the purchase of a Lot, which is calculated on the Hammer Price as follows: a rate of twenty-five percent (25%) of the Hammer Price of the Lot up to and including \$25,000; plus twenty percent (20%) on the part of the Hammer Price over \$25,000 and up to and including \$5,000,000; plus fifteen percent (15%) on the part of the Hammer Price over \$5,000,000, plus applicable Sales Tax;
  12. **Sales Tax**  
Sales Tax means the Federal and Provincial sales, excise and other taxes applicable in the jurisdiction, applicable to the sale of the Lot;
  13. **Registered Bidder**  
A Registered Bidder is a bidder who has fully completed the registration process, provided the required information to the Auction House and has been assigned a unique paddle number for the purpose of bidding on Lots in the auction;
  14. **Proceeds of Sale**  
The Proceeds of Sale are the net amount due to the Consignor from the Auction House, which shall be the Hammer Price less Seller's Commission at the Published Rates, Expenses, Sales Tax and any other amounts due to the Auction House or associated companies;
  15. **Live and Online Auctions**  
These *Terms and Conditions of Business* apply to all live and online auction sales conducted by the Auction House. For the purposes of online auctions, all references to the Auctioneer shall mean the Auction House and Knocked Down is a literal reference defining the close of the auction sale.
- ### B. THE BUYER
1. **The Auction House**  
The Auction House acts solely as agent for the Consignor, except as otherwise provided herein.
  2. **The Buyer**
    - a) The Buyer is the highest Registered Bidder acknowledged by the Auctioneer as the highest bidder at the time the Lot is Knocked Down;

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

### 3. Buyer's Price

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

### 4. Sales Tax Exemption

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

### 5. Payment of the Purchase Price

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

### 6. Descriptions of Lot

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

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

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

#### **7. Purchased Lot**

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

#### **8. Risk**

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

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

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

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

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

#### **10. Guarantee**

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

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

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

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

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

## 12. Export Permits

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

## C. THE CONSIGNOR

### 1. The Auction House

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

### 2. Warranties and Indemnities

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

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

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

### 3. Reserves

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

### 4. Commission and Expenses

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

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

#### 5. Insurance

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

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

#### 6. Payment of Proceeds of Sale

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

#### 7. Collection of the Purchase Price

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

#### 8. Charges for Withdrawn Lots

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

#### 9. Unsold Lots

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

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

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

#### 10. Consignor's Sales Tax Status

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

#### 11. Photographs and Illustrations

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

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

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

#### D. GENERAL CONDITIONS

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

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

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

## PROPERTY COLLECTION NOTICE

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

### A. PROPERTY COLLECTION REQUIREMENT

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

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

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

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

## CATALOGUE ABBREVIATIONS AND SYMBOLS

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

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

## COLLECTOR PROFILE FORM

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

### Artists of Particular Interest in Purchasing

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

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### Artists of Particular Interest in Selling

1 \_\_\_\_\_

2 \_\_\_\_\_

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# ABSENTEE BID FORM

SALE DATE

BILLING NAME

ADDRESS

CITY PROVINCE/STATE, COUNTRY

POSTAL CODE E-MAIL ADDRESS

DAYTIME TELEPHONE EVENING TELEPHONE

FAX CELLULAR

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

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

SIGNATURE DATE

DATE RECEIVED (FOR OFFICE USE ONLY)

CONFIRMED (FOR OFFICE USE ONLY)

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

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

- 1
- 2
- 3
- 4
- 5
- 6

To be sure that bids will be accepted and delivery of Lots not delayed, bidders not yet known to Heffel should supply a bank reference letter at least 48 hours before the time of the auction. All Absentee Bidders must supply a valid 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  
 mail@heffel.com · www.heffel.com

# SHIPPING AUTHORIZATION FORM FOR PROPERTY

Please contact the Shipping Department at 1-800-528-9608 for questions regarding shipping.

Please return this signed form via e-mail to [shipping@heffel.com](mailto:shipping@heffel.com) or via fax to 416-961-4245.

## Property Information

\_\_\_\_\_  
SALE DATE, IF APPLICABLE

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

in numerical order	artist / title	(mandatory)
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1	_____	_____
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2	_____	_____
---	-------	-------

3	_____	_____
---	-------	-------

4	_____	_____
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## Shipment Destination

\_\_\_\_\_  
PROPERTY OWNER'S NAME

\_\_\_\_\_  
SHIPPING ADDRESS

\_\_\_\_\_  
CITY PROVINCE/STATE, COUNTRY

\_\_\_\_\_  
POSTAL CODE E-MAIL ADDRESS

\_\_\_\_\_  
DAYTIME TELEPHONE EVENING TELEPHONE

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

## Loss and Damage Liability Coverage

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

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

## Packing and Carrier Options

### PLEASE SELECT A PACKING METHOD

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

### PLEASE SELECT A CARRIER

Consolidated ground shipment (when available) to:

- Heffel Vancouver  Heffel Montreal
- Heffel Toronto  Heffel Calgary

OR

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

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

## Shipping Quotation

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

## Payment Information

\_\_\_\_\_  
CREDIT CARD NUMBER

\_\_\_\_\_  
EXPIRY DATE

## Authorization for Collection

- I do not require shipping or packing services from Heffel. I authorize for my Property to be retrieved on my behalf by:

\_\_\_\_\_  
AUTHORIZED THIRD PARTY'S FULL NAME

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

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

\_\_\_\_\_  
DATE

## HEFFEL GALLERY LIMITED

13 Hazelton Avenue, Toronto, ON, Canada M5R 2E1  
Tel: 416-961-6505 · Fax: 416-961-4245  
[mail@heffel.com](mailto:mail@heffel.com) · [www.heffel.com](http://www.heffel.com)

## TERMS AND CONDITIONS FOR SHIPPING

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

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

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

conclusive evidence that Heffel was liable to make such payment; and  
(iii) Notify any insurer of the existence of the indemnity contained in these *Terms and Conditions for Shipping*.

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

### PACKING OPTIONS

#### Soft packed

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

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

#### Hard packed (Custom Crate)

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

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

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

### SHIPPING TRANSPORTATION CARRIER OPTIONS

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

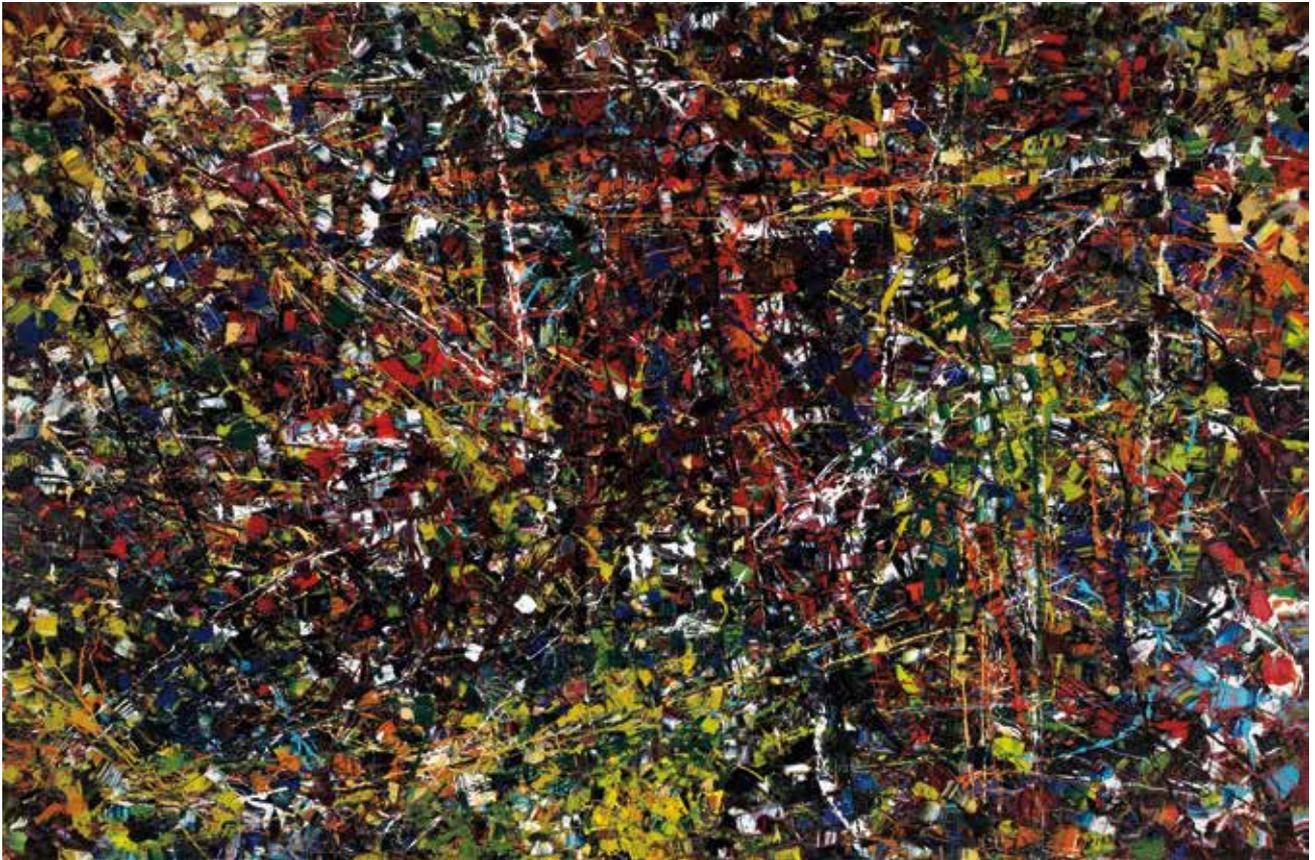
Consolidated rates, in addition to the Packing Options outlined above, between our offices are as follows. All fees are exclusive of applicable taxes.

#### Regional (maximum range of two provinces)

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

#### National

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



**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**

## **INVITATION TO CONSIGN**

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# **Heffel**

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## INDEX OF ARTISTS BY LOT

### A–C

Bellefleur, Léon 58  
Bierk, David 61  
Binning, Bertram Charles (B.C.) 1, 2, 3  
Borduas, Paul-Émile 18, 19, 21  
Burtynsky, Edward 53, 54  
Bush, Jack Hamilton 38, 39

### D – E

Dallaire, Jean-Philippe 23, 24  
Daudelin, Charles 56  
Etrog, Sorel 41  
Ewen, William Paterson 9

### F – G

Fafard, Joseph Hector Yvon (Joe) 6  
Ferron, Marcelle 47  
Francis, Sam 13  
Gagnon, Charles 35, 37  
Graham, Rodney 51

### H–I

Hartung, Hans 42  
Hodgson, Thomas Sherlock 36  
Hopkins, Tom 59, 60  
Hughes, Edward John (E.J.) 32  
Hurtubise, Jacques 48  
Inukpuk, Johnny 4  
Iskowitz, Gershon 40

### K–L

Kurelek, William 45, 46  
Lemieux, Jean Paul 20, 22  
Lemoynes, Serge 49  
Letendre, Rita 16

### M–P

McEwen, Jean Albert 10, 11  
Molinari, Guido 12, 17  
Nakamura, Kazuo 8  
Perehudoff, William (Bill) 7

### R–S

Reid, William Ronald (Bill) 31  
Riopelle, Jean Paul 14, 15, 33, 34  
Roberts, William Goodridge 57  
Scherman, Antony (Tony) 25  
Shearer, Steven 50  
Smith, Gordon Appelbe 27, 28, 29, 30  
Snow, Michael James Aleck 26

### T–Z

Tanabe, Takao 5  
Town, Harold Barling 55  
Wall, Jeff 52  
Warhol, Andy 43, 44





B.C. Binning



15.



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