



FINE
ART
AUCTION
HOUSE

Heffel

**CANADIAN,
IMPRESSIONIST &
MODERN ART**

SALE WEDNESDAY, JULY 15, 2020 · 7 PM · TORONTO

Picasso









CANADIAN, IMPRESSIONIST & MODERN ART

AUCTION

Wednesday, July 15, 2020

5 PM Post-War & Contemporary Art

7 PM Canadian, Impressionist & Modern Art

Design Exchange

The Historic Trading Floor (2nd floor)

234 Bay Street, Toronto

Located within TD Centre

PREVIEWS

Heffel Gallery, Vancouver

2247 Granville Street

Saturday, June 20 through

Tuesday, June 23, 11 am to 6 pm

Galerie Heffel, Montreal

1840 rue Sherbrooke Ouest

Thursday, July 2 through

Saturday, July 4, 11 am to 6 pm

Design Exchange, Toronto

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

Located within TD Centre

Friday, July 10 through

Tuesday, July 14, 10 am to 6 pm

Wednesday, July 15, 10 am to 1 pm

Heffel Gallery Limited

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

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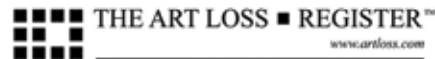
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Our Annual Subscription Form can be found on page 97 of this
catalogue.

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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	Canadian, Impressionist & Modern Art Catalogue
86	Heffel Specialists
88	Terms and Conditions of Business
94	Property Collection Notice
95	Catalogue Abbreviations and Symbols
96	Catalogue Terms
96	Heffel's Code of Business Conduct, Ethics and Practices
97	Annual Subscription Form
97	Collector Profile Form
98	Absentee Bid Form
99	Shipping Authorization Form for Property
100	Terms and Conditions for Shipping
101	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 Telephone 1-888-212-6505

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The Buyer and the Consignor are hereby advised to read fully the *Terms and Conditions of Business* and *Catalogue Terms*, which set out and establish the rights and obligations of the Auction House, the Buyer and the Consignor, and the terms by which the Auction House shall conduct the sale and handle other related matters. This information appears on pages 88 through 96 of this publication.

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

www.heffel.com/auction/lotsbypreview_E.aspx

Please note that we produce a live webcast of our sale commencing at 4:30 PM ET. If you are unable to attend our sale,

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

www.heffel.tv

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Our Estimates are in Canadian funds. Exchange values are subject to change and are provided for guidance only. Buying 1.00 Canadian dollar will cost approximately 0.70 US dollar, 0.63 euro, 0.56 British pound, 0.66 Swiss franc, 74 Japanese yen or 5.4 Hong Kong dollars as of our publication date.

AUCTION DETAILS

Selling at Auction

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

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

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

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If you are unable to attend our auction in person, you can bid by completing the *Absentee Bid Form* found on page 98 of this catalogue. Please note that all *Absentee Bid Forms* should be received by Heffel at least 24 hours prior to the commencement of the sale. Bidding by telephone, although limited, is available. Please make arrangements for this service well in advance of the sale. Telephone lines are assigned in order of the sequence in which requests are received. We also recommend that you leave an *Absentee Bid* amount that we will execute on your behalf in the event we are unable to reach you by telephone. Real time live auction online bidding is available subject to 24 hour pre-registration approval through Heffel's website.

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

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General Bidding Increments

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

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


Framing, Conservation and Shipping

As a Consignor, it may be advantageous for you to have your artwork re-framed and/or cleaned and conserved to enhance its saleability. As a Buyer, your recently acquired artwork may demand a frame complementary to your collection. As a full-service organization, we offer guidance and in-house expertise to facilitate these needs. Buyers who acquire items that require local delivery or out-of-town shipping should refer to our *Shipping Authorization Form for Property* on page 99 and our *Terms and Conditions for Shipping* on page 100 of this publication. Please feel free to contact us to assist you in all of your requirements or to answer any of your related questions. Full completion of our shipping form is required prior to purchases being released by Heffel.

Written Valuations and Appraisals

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





SALE WEDNESDAY, JULY 15, 2020 · 7 PM · TORONTO

**CANADIAN,
IMPRESSIONIST
& MODERN ART
CATALOGUE**

FEATURING WORKS FROM

The Family of Lawren S. Harris

The former Collection of Mr. and Mrs. A. Crawford Kenny

A Prominent Private Collection, Montreal

& other Important Private and Corporate Collections



101 Walter Joseph (W.J.) Phillips

ASA CPE CSPWC RCA 1884 – 1963

Totems, Alert Bay

watercolour on paper, signed and on verso titled on the gallery labels, dated circa 1935 on the Masters Gallery label and inscribed 37
10 x 14 ½ in, 25.4 x 36.8 cm

PROVENANCE

Gainsborough Galleries, Calgary
Mr. and Mrs. Peter Savage
Masters Gallery Ltd., Calgary
Private Collection, British Columbia

LITERATURE

Roger Boulet, *The Tranquility and the Turbulence*, 1981, page 97
Maria Tippet and Douglas Cole, *Phillips in Print: The Selected Writings of Walter J. Phillips on Canadian Nature and Art*, 1982, page 123

WALTER J. PHILLIPS traveled to the West Coast in 1927. Visiting Stanley Park in Vancouver, he saw Indigenous totem poles that had recently been erected by settlers, including one from Alert Bay. Determined to see more, he journeyed to Alert Bay, staying at the home of his sister. Phillips wrote, “In the long street of the native village there are two splendid house posts and one decaying pole,” likely the ones we see in this evocative image. As Phillips was gathering material for woodcuts and watercolours, he also visited the First Nations villages of Tsatsisnukomi, Mamalilicoola and Karlukwees. Phillips’s skill as a watercolourist was legendary—and *Totems, Alert Bay* is an exceptional example. West Coast images, particularly including totem poles, are rare and sought after, and Phillips’s depiction of this street is full of fascinating details, from the two native figures to the careful recording of the motifs of the totem poles.

A number of fine colour woodcuts resulted from this trip, including *Jim King’s Wharf, Alert Bay* (1927), *The Waterfront, Alert Bay* (1928) and *Thunderbird, Alert Bay* (1930).

ESTIMATE: \$30,000 – 40,000



102 Walter Joseph (W.J.) Phillips

ASA CPE CSPWC RCA 1884 – 1963

Mt. Rundle in Winter

watercolour on paper, signed and dated 1950
15 x 20 in, 38.1 x 50.8 cm

PROVENANCE

Private Collection, British Columbia

LITERATURE

Roger Boulet, *The Tranquility and the Turbulence*, 1981,
a similar 1949 watercolour entitled *Mount Rundle*
reproduced page 186, and a similar 1952 watercolour
entitled *Rundle in Winter* reproduced page 192

IN 1926, WALTER J. PHILLIPS made his first trip to the Rocky Mountains from his Winnipeg base, camping and hiking to get good sketching views of the magnificent scenery. Phillips traveled to the Rockies again in 1936, to paint scenes for Frederick Niven's

book *Colour in the Canadian Rockies*, which included a summer scene of Mount Rundle. Phillips's relationship with this stunning landscape was further cemented when, in 1940, he became an instructor for the summer program at the Banff School of Fine Arts, where he taught for 20 seasons. He built a house in Banff in 1946, and Mount Rundle was visible from his favoured sketching locations nearby, along the shoreline at the Vermilion Lakes. He depicted this striking peak in watercolour numerous times, in all seasons, and in several colour woodcuts. *Mt. Rundle in Winter* is a stunning work that demonstrates Phillips's mastery of watercolour. His ability to capture sunlight and atmospheric effects is superb, such as in the ethereal cloud drifting behind the peak, and in the brilliant white snow contrasted by blue shadows and the flanks of the mountain.

ESTIMATE: \$20,000 – 30,000



103 Alexander Young (A.Y.) Jackson

ALC CGP G7 OSA RCA RSA 1882 – 1974

St. Joachim, Quebec / Houses in Winter (verso)

double-sided oil on board, signed and on verso
titled on a label and dated 1930 on the frame
8 ½ x 10 ½ in, 21.6 x 26.7 cm

PROVENANCE

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

LITERATURE

Arthur Lismer, *A.Y. Jackson: Paintings, 1902 – 1953*, Art Gallery
of Toronto and National Gallery of Canada, 1953, page 6
A.Y. Jackson, *A Painter's Country: The Autobiography of
A.Y. Jackson*, 1958, page 57
Naomi Jackson Groves, *A.Y.'s Canada*, 1968, page 66

The stretch of eighty miles or so north-eastward from St. Joachim, either along the shoreline past Petite Rivière and Millard to Baie St. Paul, or up over the high plateau where St. Ferréol and St. Tite des Caps are located in County Montmorency with the magnificent Laurentians to

the north, and eastward from there into County Charlevoix, encloses another favourite region for AY's winter-spring sketching expeditions during the years from 1923 onward.

—NAOMI JACKSON GROVES, *A.Y.'s Canada*

A.Y. JACKSON'S SKETCHING trips up and down the "painting trails" on either side of the St. Lawrence River during his Group of Seven years are legendary. He is justifiably renowned for his depictions of Quebec villages and rural farms, which were both affectionate and insightful, as Jackson captured their unique look and atmosphere. Jackson loved the old barns, simple houses, and horse-drawn sleighs and sledges, and he mourned modernization when it happened. He knew the people who lived in this region intimately, as he stayed in small hotels and boarded in private houses on his painting trips, and he was a subject of curiosity from passersby when he was painting out of doors.

On one early trip to Cacouna, Jackson was painting with fellow artist Albert H. Robinson, and the pair were asked if they were spies (the war still being fresh in some people's minds). Locals were perplexed by his choice of subjects; as Jackson related, "The villagers could not understand why we painted old houses and barns." Over time, however, images such as these have become



verso

ever more precious to all of us as records of a traditional way of life, becoming part of our Canadian identity.

Jackson's expert abilities with his oil sketches, done on the spot, were attested to by his fellow Group of Seven artist Arthur Lismer:

Jackson is the most consummate sketcher I have ever known. These little panels, handy on the trail, could be handled as easily as an expert marksman uses a quiver full of arrows... There is something cosmic in his interpretation of the movement of earth and sky and weather forms in his paintings... Always it seems that he grasps the fundamental unity of spirit and technique.

In this intact work, Jackson used both sides of his board support—when on sketching trips, sometimes he would run out of panels and, unwilling to abandon his painting, would then paint on the other side as well. *St. Joachim, Quebec* is a classic Quebec winter scene by Jackson. The horse and sledge carrying firewood is a much sought-after motif in Jackson's work, and his sensitivity to rhythm in the scene shines—from the rutted road to the rounded piles of snow and the lean of the houses, everything settles into the contours of the land, and nothing conforms to

the limitation of a straight line. The overcast day gives an overall even light and Jackson keeps his colour values close, based on a range of ochres and grays. However, Jackson includes a few bright colours to add vivacity to the image—the rich orange-red door, the gold in a door frame, and emerald green in the dormer window and roof edge in the nearest house. Over the houses farther down the street, distant mountains rise, reminding us of the surrounding landscape.

On the other side, *Houses in Winter* captures a scintillating winter day; it exhibits an interesting play of shadows across the snowbanks, cast by the profiles of the houses and the gaps in the snake fences. These shadows make the snow appear brighter, creating a stronger impression of sunlight. More awareness in the patterning of shape is exhibited in the vertical and horizontal patterns in both the houses, the ladder and the cross-form electrical pole.

St. Joachim, Quebec and *Houses in Winter* are a fine opportunity for a collector to possess two Group-period images imbued with Jackson's deep feeling for the distinctive identity of Quebec's rural life of this period.

ESTIMATE: \$25,000 – 35,000



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

ALC CGP G7 OSA RCA 1873 – 1932

Peaks Above Lake O'Hara

oil on board, signed and dated 1929 and on verso signed, titled, inscribed 1 (circled) / 5115 / 2 and monogrammed with the artist's initials and 1932
8 ½ × 10 ½ in, 21.6 × 26.7 cm

PROVENANCE

By descent to the present Private Collection, Michigan

LITERATURE

Lisa Christensen, *The Lake O'Hara Art of J.E.H. MacDonald and Hiker's Guide*, 2003, page 59

J.E.H. MACDONALD'S FIRST trip to the Rocky Mountains was in 1924. While there, he experienced his first sight of Lake O'Hara, and he returned to this area on subsequent trips, painting it numerous times. It particularly affected him, and he wrote about this landscape and the uplifting state of mind it induced in his travel journals, which included poetry:

Lovely the morning
Lifts her tiara
Over the snow crests
Lighting O'Hara
Far do you call me
Heavenly mountains
Lead my soul wandering
By your green fountains.

The ever-changing weather, light and atmospheric conditions around Lake O'Hara were an inspiration for MacDonald as he produced on-the-spot oil sketches such as this. To get this view, MacDonald hiked up into the steep slopes around the lake, and this eagle's-nest vantage point is particularly striking. The sculpted pyramidal peak pierces the sky and looms above the small but brilliant patch of Lake O'Hara's turquoise water below. In this stunning oil, executed in the classic Group of Seven sketch size of 8 ½ × 10 ½ inches, MacDonald has masterfully created the illusion of a large-scale landscape of epic grandeur.

ESTIMATE: \$50,000 – 70,000



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

ALC CGP G7 OSA RCA 1873 – 1932

The Lilac Bush at the Artist's Home—Thornhill House

oil on board, initialed and on verso signed, titled and titled variously, dated 1929, inscribed *TM* and variously and numbered 293/2898/6977
8 ½ x 10 ½ in, 21.6 x 26.7 cm

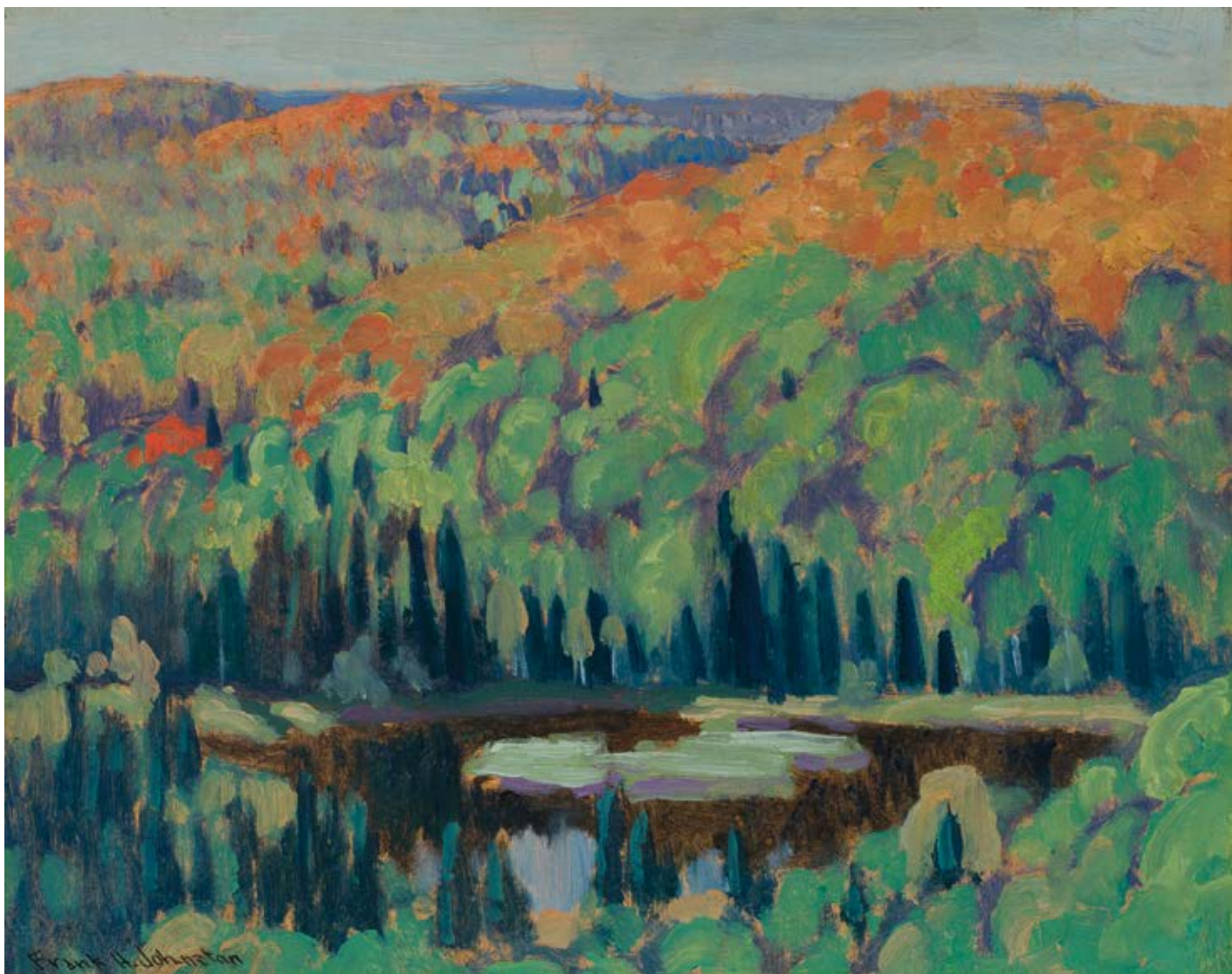
PROVENANCE

Collection of Mr. and Mrs. A. Crawford Kenny, Toronto
Galerie Walter Klinkhoff Inc., Montreal
Sold sale of *Canadian Art*, Joynier/Waddington's,
November 23, 2004, lot 26
The Art Emporium, Vancouver, March 31, 2006
Private Collection, Vancouver

IN 1911, J.E.H. MACDONALD moved to Thornhill, north of Toronto, where he acquired the Victorian-era farmhouse Four Elms, named for the towering trees that surrounded it. Four Elms had an orchard and garden and was surrounded by fields, and

for the sensitive and poetic MacDonald, it was the perfect rural retreat—he kept the property all his life and passed it on to his son, Thoreau. MacDonald invited other members of the Group of Seven to stay there, and he painted sketches of the surrounds, such as this fine scene. He responded to the sensuality of the lush vegetation and produced one of his best known canvases there, *Tangled Garden*, in the collection of the National Gallery of Canada. In 1929, MacDonald was appointed principal of the Ontario College of Art, but Thornhill remained a sanctuary from his busy teaching life. In this work, the lilac bush is the central focus, and the viewer can imagine the perfume from the profuse and luxuriant flower stalks wafting over the sweet scent of the grassy fields. MacDonald's brushwork, particularly in the mauve blooms, emphasizes the vibrant quality of the lilac bush, and the rich blue sky, green grass and pale aura over the house emphasize the energetic charge of this pastoral scene.

ESTIMATE: \$25,000 – 35,000



106 Frank Hans (Franz) Johnston

ARCA CSPWC G7 OSA 1888 – 1949

Algoma

oil on board, signed Frank H. Johnston
and on verso titled and dated 1916
10 ½ x 13 in, 26.7 x 33 cm

PROVENANCE

By descent within the family of the Artist, Ontario

EXHIBITED

Huronian Museum, Midland, Ontario, June 30 – September 5,
2000

West Parry Sound District Museum, Ontario, *Franz Johnston:
Rebel Among Rebels*, July 1 – September 29, 2001

IN 1915, FRANK JOHNSTON returned to Toronto from New York, where he had worked at the Carleton Studios, a design firm.

He resumed his former life as a commercial artist and associated with his friends at the Arts and Letters Club. He painted at every opportunity and went north under the urging of Dr. James MacCallum, the well-known patron of the Group of Seven. This is an exceptionally fine early work by Frank Johnston. With its lofty vista from a high vantage point and the autumn colours creeping through the bright hills that surround the lake, it is a quintessential Group composition. The darkness of the lake creates a focal point, a still point for the eye to rest. Rich hues of purple and teal green run through the trees, which contain contrasts of evergreens and rounded deciduous forest. Johnston's *Algoma* is sumptuous, and contains much for the eye to linger over.

This work has been in the collection of the family of the artist, and this is the first time it has been offered for sale.

ESTIMATE: \$25,000 – 35,000

107 Frank Hans (Franz) Johnston

ARCA CSPWC G7 OSA 1888 – 1949

October Birches

oil on board, signed Frank H. Johnston and on verso signed, titled and inscribed *One of his earliest pai...* [incomplete] on a remnant of a previous paper backing, circa 1918 – 1920
8 ½ x 6 in, 21.6 x 15.2 cm

PROVENANCE

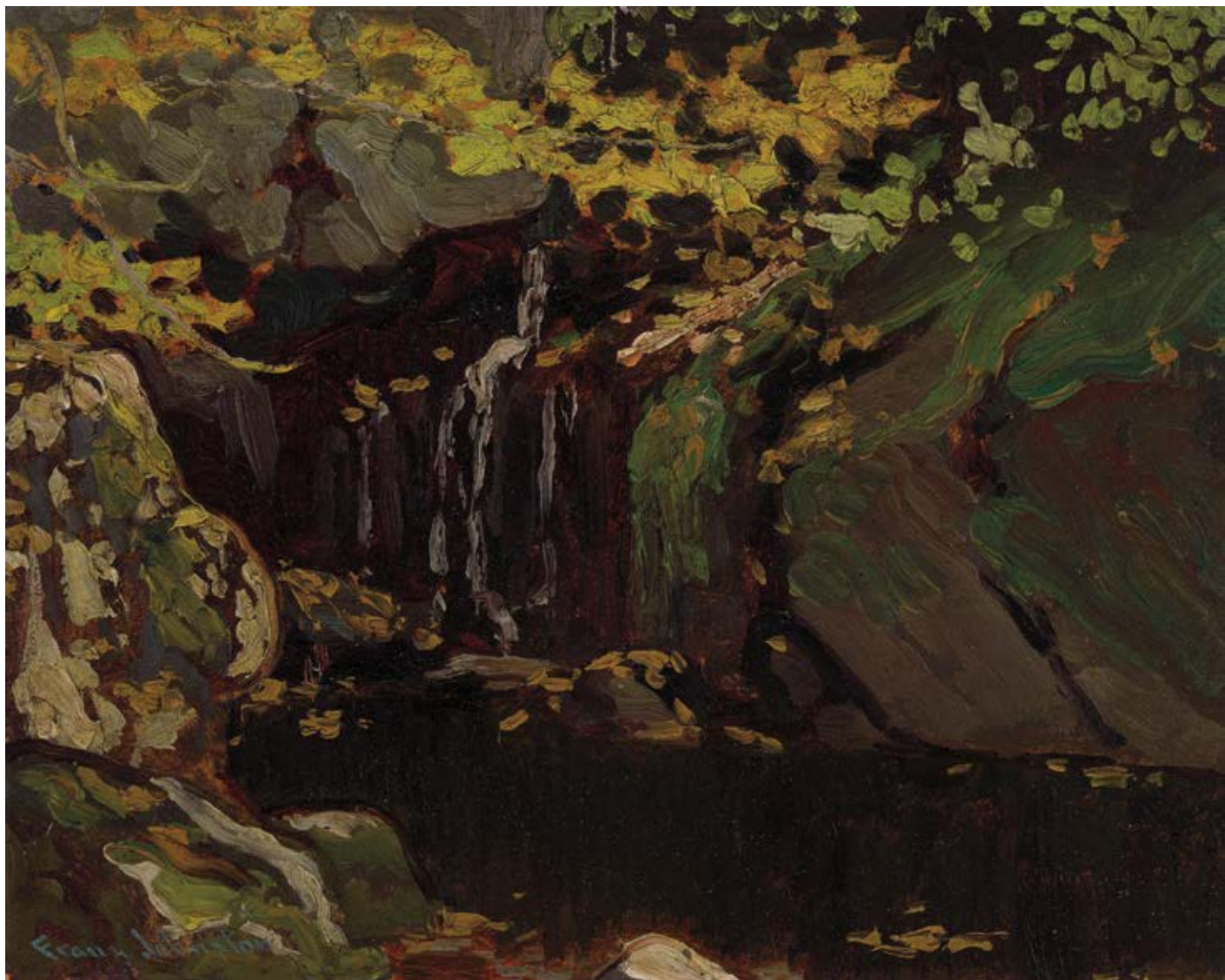
Collection of Mr. and Mrs. A. Crawford
Kenny, Toronto
Bequeathed to the present Private
Collection, Toronto

NOTABLY SIGNED Frank H. Johnston, this signature places the production of this intimate oil sketch in the period of Johnston's career when he was most closely aligned with the artists with whom he would form the Group of Seven. Though his aesthetic would later gravitate towards a more classical style, his approach during this period was grounded in the Group's search for a means of authentically expressing the landscape around them. This search would uproot many of the artistic norms that represented values broadly held across Canada.

This dense yet tranquil forest interior is described in rich textures, with the earthy palette of the leaves and foreground heightened by delicate hints of blue in the background. Though executed in a gestural manner, in its flatness, the sketch retains a subtle element of Art Nouveau, an important influence for Johnston and the Group. The birch trees reaching to the very top of the image emphasize the verticality of the composition, which is deftly contrasted by a single horizontal branch.

ESTIMATE: \$15,000 – 20,000





108 Frank Hans (Franz) Johnston

ARCA CSPWC G7 OSA 1888 – 1949

Waterfall, Algoma

oil on board, signed and on verso titled *Algoma* and inscribed by the artist *This painting is an authentic painting by Franz Johnston, circa 1918 – 1920*
10 ½ x 13 ¼ in, 26.7 x 33.7 cm

PROVENANCE

Collection of Mr. and Mrs. A. Crawford Kenny, Toronto
Bequeathed to the present Private Collection, Toronto

THIS BEAUTIFULLY TEXTURED work bears many of the hallmarks of Frank (Franz) Johnston's work produced on the famed Algoma boxcar sketching trips. Undertaken by Johnston and some of the other artists who would soon be formally known as

the Group of Seven, these journeys were forays deep into the landscape they sought as their inspiration. Though the sketch is signed Franz Johnston as his later works would be, the rugged and expressive style of this painting—with thick, jewel-like applications of an organically toned palette—speaks more to that earlier period. It is complementary in many ways to *October Birches*, lot 107 in this sale, which is more definitively from that time. The subject, too, speaks to the far removed locations visited on the Algoma excursions. Here, Johnston employs a ruggedly Impressionistic technique to depict the trickling of a hidden forest waterfall. The tangible volume of the large mossy stones surrounding it, as well as the overhanging autumn branches, contrasts with the glassiness of the pool, creating a bucolic stillness.

ESTIMATE: \$15,000 – 20,000



109 Frank Hans (Franz) Johnston

ARCA CSPWC G7 OSA 1888 – 1949

Forest

oil on board, signed and on verso inscribed by the artist *This is an authentic painting by Franz Johnston*, circa 1918 – 1920
10 ½ x 13 ¼ in, 26.7 x 33.7 cm

PROVENANCE

Collection of Mr. and Mrs. A. Crawford Kenny, Toronto
Bequeathed to the present Private Collection, Toronto

A WONDERFUL STUDY in form, colour and texture, this oil sketch also speaks to the many influences that contributed to Frank (Franz) Johnston's style. Though his method would later resolve into a more classically romantic approach, this gestural work prefigures that period and places it more in line with the

sensibilities of the Group of Seven. Though formally exhibiting with them only once, in their first eponymous exhibition—which took place 100 years ago this spring—Johnston painted with them for much of the decade prior to that. Their common vision was born from the confluence of their shared influences. While inspired by European Impressionism and Nordic modernism, many of the Group were also employed as graphic designers. This particular work's flattened composition and clearly delineated areas of pattern relate to Johnston's own training as a commercial artist. In addition to Toronto, this career took him to Philadelphia and New York, where he worked with renowned designers such as Louis Fancher, and contributed to a style that would find full expression in works such as this.

ESTIMATE: \$12,000 – 16,000



110 Franklin Carmichael

CSPWC G7 OSA RCA 1890 – 1945

Winter in the Woods

oil on board, on verso inscribed O5-2-B and stamped

Estate of Franklin Carmichael, circa 1917

8 1/8 x 10 in, 20.6 x 25.4 cm

PROVENANCE

Estate of the Artist, Toronto

Ada Carmichael, wife of the Artist, Toronto

By descent within the family of the Artist

A.K. Prakash & Associates, Toronto, 2010

Private Collection, Toronto

THIS PAINTING IS a superb example of Franklin Carmichael's early mature work, one that shows the fluid and indelible interrelation between an artist, their peers and the artistic movements of their time. Based on similar examples, this work was likely produced in the period between Carmichael's return from abroad in 1914 and the Group of Seven's first exhibition in 1920, whose centennial we celebrate this year. In 1913, seeking an education he felt was unavailable in Toronto, Carmichael enrolled at the Royal Academy of Fine Arts in Antwerp, at the recommendation of his colleagues Arthur Lismer and Frederick Varley. Importantly, the academy provided its students with a classical training, but also encouraged them to work outside the studio. The aesthetics of Belgium, the birthplace of Art Nouveau, had a lasting influence

on Carmichael's style. Subtle notes of this movement can be read here in the modernism of his brushwork, and it is much more evident in his larger works of the period.

Via connections from his fiancée, Ada Went, and through Lismer, after studying in Belgium, Carmichael began a brief stay in England. There he was exposed to the two British titans of light, J.M.W. Turner and John Constable. Their engagement with the natural effects of light and atmosphere opened new avenues of expression for the young artist. Combined with the influences from Antwerp, this exposure laid the foundations for Carmichael's distinctive voice seen here. However, the outbreak of World War I curtailed his time abroad, and he returned to Toronto.

The impact of Carmichael's circle of friends then came to the fore. The fall and winter of 1914 to 1915 was undoubtedly important, for the artist became a resident of the recently completed Studio Building in Toronto, along with his friend and former colleague Tom Thomson. Carmichael's senior by more than 12 years, Thomson had never been overseas, but he had been brought up to speed on modern streams of contemporary painting by A.Y. Jackson the year before. Thomson was approaching the pinnacle of his abilities, and had begun a series of forest snow studies that would include *Snow in the Woods*, 1916 (figure 1), now in the McMichael Canadian Art Collection. Thomson's influence can be readily seen in our painting in the bold gestures of the paint's application, though the expression is entirely Carmichael's.

Another emergent influence of the period came from two more of Carmichael's companions. After meeting J.E.H. MacDonald at his exhibition of small works at Toronto's Arts and Letters Club in 1911, Lawren Harris became further convinced of the necessity of a fresh approach to the Canadian landscape. A crucial catalyst for this exploration was the exhibition at Buffalo's Albright Art Gallery entitled *Exhibition of Contemporary Scandinavian Art*. There, in January of 1913, Harris and MacDonald were confronted with expressive, bold, modernist depictions of the wild landscapes that surrounded the Scandinavian artists. It was evidence that artists need not go elsewhere to seek inspiration—it could be all around them. Their responsibility lay only in developing the means to express the landscape's particular resonance. What resulted were canvases such as Harris's *Snow, Algonquin Park*, 1915 (figure 2), in the collection of the Art Gallery of Ontario. It clearly expresses the goals he set out to achieve, and Carmichael's interpretation of this solitary poetry is present in this work as well.

When viewed on its own, *Winter in the Woods* is a beautiful and intimate example from the outset of Carmichael's prominent career. When placed within a larger context, it is a prime vehicle for understanding the confluence of movements and styles that propelled the evolution of the Group of Seven, whose complementary visions would then go on to influence each other. What remains for us today are artworks such as this one, still celebrated a century later.

ESTIMATE: \$50,000 – 70,000



FIGURE 1: TOM THOMSON

Snow in the Woods

oil on panel, 1916

8 7/8 × 10 3/4 in, 21.9 × 27 cm

McMichael Canadian Art Collection, 1981.78.1

Purchased with funds donated by Mr. R.A. Laidlaw, 1971

Not for sale with this lot



FIGURE 2: LAWREN HARRIS

Snow, Algonquin Park

oil on canvas, 1915

18 1/4 × 20 3/16 in, 46 × 51.6 cm

Thomson Collection, Art Gallery of Ontario, AGO10.106737

Sold by Heffel, May 23, 2007, lot 8

Not for sale with this lot



111 Emily Carr

BCSFA CGP 1871 – 1945

House and Totems

oil on board, signed with the Estate stamp and on verso signed with the Estate stamp, titled on the Dominion Gallery labels, inscribed with the Dominion Gallery inventory #A154 and #B8386/72 E (circled)/S/87 & 88 (circled) and stamped twice with the Dominion Gallery stamp with the original 1448 St. Catherine West address, circa 1928
16 ¼ x 14 in, 41.3 x 35.6 cm

PROVENANCE

Dominion Gallery, Montreal
Acquired from the above by a Private Collection, Ottawa, 1951
Dominion Gallery, Montreal
Acquired from the above by Woltjen/Udell Gallery,
Edmonton, 1990
Private Collection, Calgary

IN 1912, EMILY CARR first visited the Gitksan village of Gitwangak (Kitwanga) on the Skeena River. Greying weather-worn totem poles and monumental art still stood proudly along the riverbank, with houses and graves nearby. She spent several days sketching and painting, carefully delineating the totem poles; her compositions showing them in their original locations within the village setting remain an important historical resource today.

Revisiting the village in 1928, Carr was shocked at the transformation. Many of the poles she had carefully sketched in 1912 had suffered from weather, flooding and age, prompting the Canadian government to begin in 1926 an ambitious “restoration project” aimed at preserving the poles—which by now were of significant tourist interest. The Canadian National Railway’s Kitwanga station enabled tourists to disembark and view the poles, but how much better might the experience be if the poles were closer to the line and fallen poles were supported? The project involved cutting down totem poles at their bases, repainting and then re-erecting them (conveniently for tourists) in single lines along a road farther back from the river. In the first two seasons a total of 16 poles were so “restored,” and when Carr arrived in 1928, the appearance of the village was greatly altered.¹

In a letter to Eric Brown, director of the National Gallery of Canada, she wrote:

I found the poles greatly deteriorated in the last 15 years. The restored ones have lost much of their interest and subtlety in the process. I appreciate the difficulty of restoring them, and it is certainly better to do it than let them utterly disappear, as they must have in a few years, but that heavy loads of all over paint drowns them. I wish they would put on the preservatives and leave the colour, not soak the whole pole in grey paint.²

Anthropologist Marius Barbeau recorded the name of the left-most pole in our painting as “Frogs-Hanging-Down.” With three figures visible, The Person of the Doorway stands above a Beaver gnawing on a stick, supported by a squatting Chief of Frogs figure. The centre pole, “Whereon-Climbs-Frog,” has a large Frog climbing upward, supported by a Half Bear at the base. On the right, “Man-in-the-Copper-Shield” pole depicts a Frog hanging downwards, supported by a Kwohamon or Half-Way-Out figure.³

In *House and Totems*, Carr focused on the lower figures of three totem poles rather than attempting to delineate entire poles as she had in 1912. Knowing that the poles had been moved eliminated her need to document in the manner of her earlier visit. The poles on the left and right had originally been erected near each other, but the central pole was moved now with the restoration to stand alongside them.⁴ She was interested in the comparative opportunities presented by three poles in close proximity and compositional framing. In this lively work, the colour contrasts between their now-painted carved features boldly projected a new aesthetic, as Carr moves toward what Doris Shadbolt called her “mature years.”

We thank Kathryn Bridge for contributing the above essay. Bridge is the Curator Emerita, History and Art at the Royal British Columbia Museum and author of the introductory essay to the 2004 edition of Emily Carr’s memoir *Klee Wyck*. She recently authored a catalogue essay for the exhibition *Emily Carr: Fresh Seeing—French Modernism and the West Coast* at the Audain Art Museum, which opened in September 2019 and traveled to the Beaverbrook Art Gallery in March 2020.

1. See David Darling and Douglas Cole, “Totem Pole Restoration on the Skeena, 1925–30: An Early Exercise in Heritage Conservation,” *BC Studies*, August 1980, 29–48

2. Emily Carr to Eric Brown, October 1, 1928 (National Gallery of Canada Archives 7–1), quoted in Gerta Moray, *Unsettling Encounters: First Nations Imagery in the Art of Emily Carr* (Vancouver: UBC Press, 2006), 295.

3. A diagram of the original placement of the poles prior to restoration is in George F. MacDonald, *The Totem Poles and Monuments of Gitwangak Village*, Studies in Archaeology, Architecture and History (Ottawa: National Historic Parks and Sites Branch, Parks Canada, 1984).

4. Marius Barbeau, *Totem Poles of the Gitksan, Upper Skeena River, British Columbia*, Bulletin (National Museum of Canada) no. 61, Anthropological Series no. 12 (Ottawa: F.A. Acland, 1929).

Included with this lot is Emily Carr’s memoir *Klee Wyck*, published by Oxford University Press, Toronto/London, 1941. The book won the 1941 Governor General’s Award and occupies an important place in Canadian literature.

ESTIMATE: \$200,000 – 300,000



112 Emily Carr

BCSFA CGP 1871 – 1945

Crécy-en-Brie, France

oil on canvas, signed, 1911

13 x 16 in, 33 x 40.6 cm

PROVENANCE

Continental Galleries, Montreal, 1960

Private Collection, Ontario

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

May 25, 2005, lot 84, titled as *Town in Brittany*

Private Collection, Vancouver

EMILY CARR'S BRIEF period of study in France was concentrated in the year 1911, when she worked with several teachers—notably the British expatriates John Duncan Fergusson and Phelan Gibb. It was particularly in her work with the latter artist at Crécy-en-Brie and later in Saint-Efflam, in Brittany, that Carr developed a vocabulary of bright, Post-Impressionist colour and an approach to landscape that was to serve her well upon her return to Canada. As was the case when she had studied in Cornwall years before, Carr worked out of doors, but now, thanks to a freeing of her colour palette from naturalism, she was able to express herself more brilliantly. The handling of colour, light and the paint itself achieves a new freedom in these works and established Carr as an artist of consequence. While in France, Carr depicted the villages she worked in and the surrounding landscape. She seems to have been particularly interested in the architecture of the French countryside, and several cottages appear in paintings from this period. The work expresses Carr's new confidence as a painter, and it is this confidence that allowed her to return to Canada and produce the brilliant 1912 canvases of First Nations subject matter.

ESTIMATE: \$90,000 – 120,000



113 Robert Wakeham Pilot

CGP OSA PRCA 1898 – 1967

Quebec Winter Twilight

oil on canvas, signed
19 x 24 in, 48.3 x 61 cm

PROVENANCE

Private Collection, Alberta

LITERATURE

Paul Duval, *Canadian Impressionism*, 1990, page 138

PAUL DUVAL WROTE that Robert Pilot “was a master of twilight, that transient time of day when artificial lamps and natural light are joined in the same vibration. That insubstantial effect is at its

most magical in winter, when the dominant fields of white reflect both light sources, placing every form within an identical tonal fabric.” Duval’s comments apply especially to this work, in which this expert Impressionist depicts a Quebec town bordering on the St. Lawrence River with a soft ambience. Taupes, greens and oranges of the houses, whose lights glimmer from the windows, are engulfed by the gathering blue of twilight. His handling of snow is masterful, from the light snow settled on rooftops to the snow lying on ice pans in the river. The boat pulling away, with grey vapours rising from its smokestack, was a favoured motif of the artist. In *Quebec Winter Twilight*, Pilot captured a spellbinding sense of timelessness.

ESTIMATE: \$20,000 – 30,000

114 Robert Wakeham Pilot

CGP OSA PRCA 1898 – 1967

Old Houses, Quebec

oil on canvas, signed and on verso

signed, titled and dated 1955

28 x 22 in, 71.1 x 55.9 cm

PROVENANCE

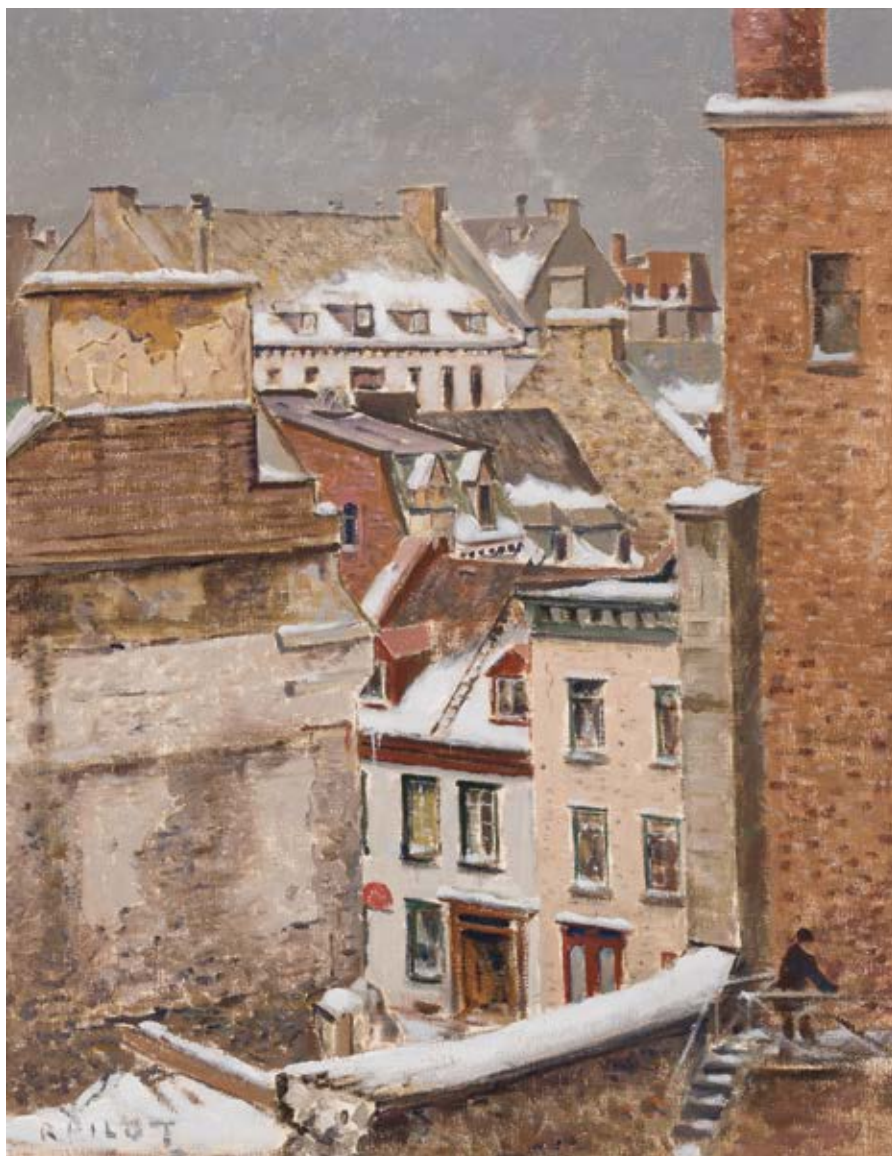
Private Collection

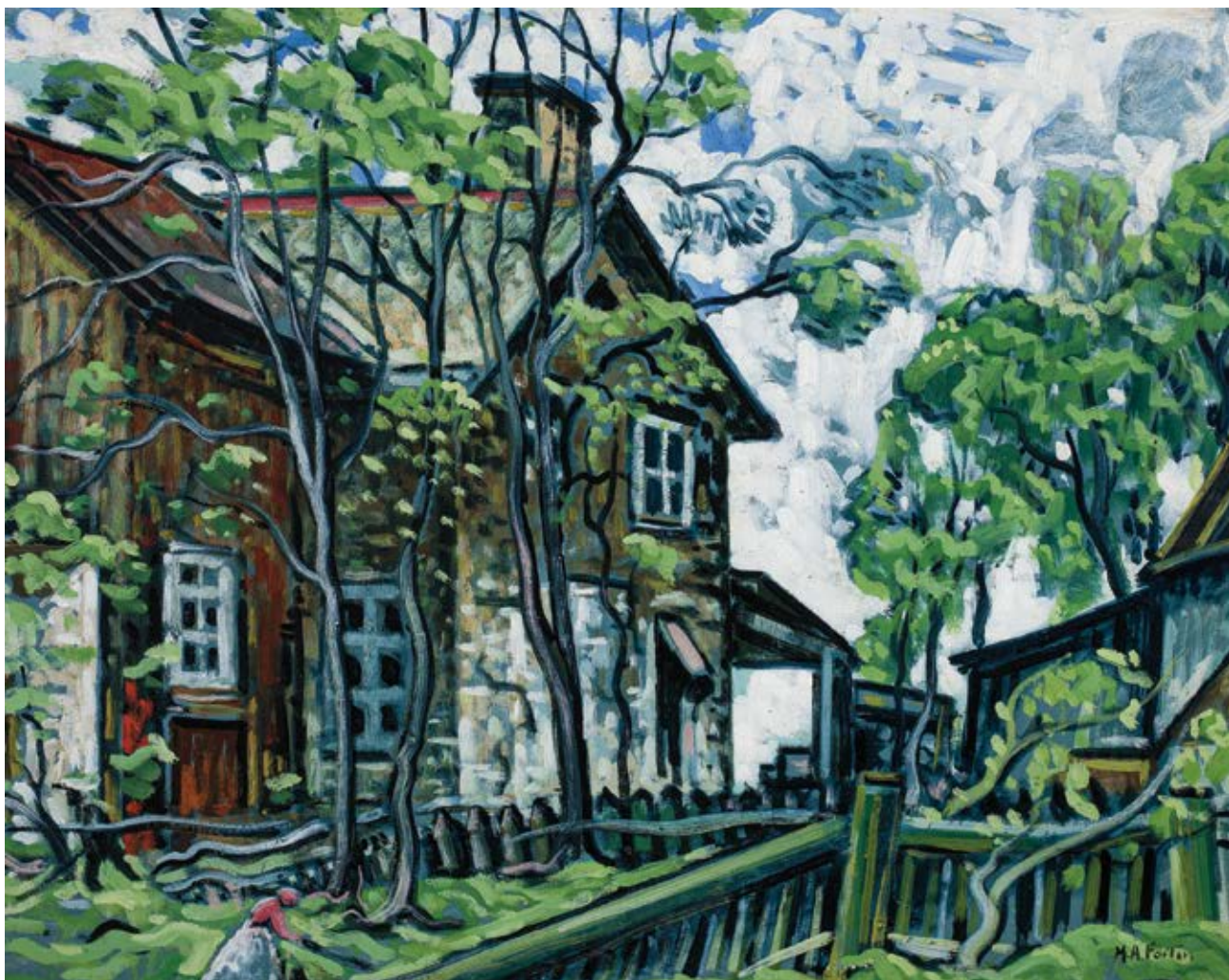
Sold sale of *Important Canadian Paintings, Drawings, Watercolours, Books and Prints of the 19th and 20th Centuries*, Sotheby's & Co. (Canada) Ltd., May 12, 1975, lot 46

Private Collection, Florida

ROBERT PILOT WAS the last important Canadian Impressionist artist. He traveled to Paris in 1920 to study at the Académie Julian and was strongly influenced by his stepfather, the Impressionist Maurice Cullen. Pilot painted in Quebec City, Montreal and outlying towns, depicting urban scenes that ranged from monuments and prominent landmarks to traditional neighbourhoods such as this one. In this view, Pilot has chosen a remarkable perspective looking at successive layers of buildings set at interesting angles to each other. Although the neighbourhood is dense, Pilot opens up the work with his vantage point from a terrace, forming a kind of window into the congregation of old houses. Pilot's sensitivity to atmosphere is fully present, and he illuminates the buildings with an overall soft and even light from a delicate mauve sky, with the white snow settled along ledges and roofs acting as another light source. His colour palette, with its subtle tones of beige, taupe, ochre, grey and mauve, is quite exquisite. Pilot pulls our attention into the central buildings with colour accents of golden brown and red, suggesting the warm presence of their inhabitants.

ESTIMATE: \$25,000 – 35,000





115 Marc-Aurèle Fortin

ARCA 1888 – 1970

Grand orme, maison ancestrale

oil on board, signed and on verso titled on the labels, 1939
22 x 28 in, 55.9 x 71.1 cm

PROVENANCE

A Prominent Corporate Collection, Montreal

LITERATURE

René Buisson, *Marc-Aurèle Fortin: un maître inconnu*, Musée

Marc-Aurèle Fortin, 1995, titled as *Maison ancestrale*,
reproduced page 145

Michèle Grandbois, editor, *Marc-Aurèle Fortin: The Experience
of Colour*, Musée national des beaux-arts du Québec, 2011,
essay by Richard Foisy, page 56

EXHIBITED

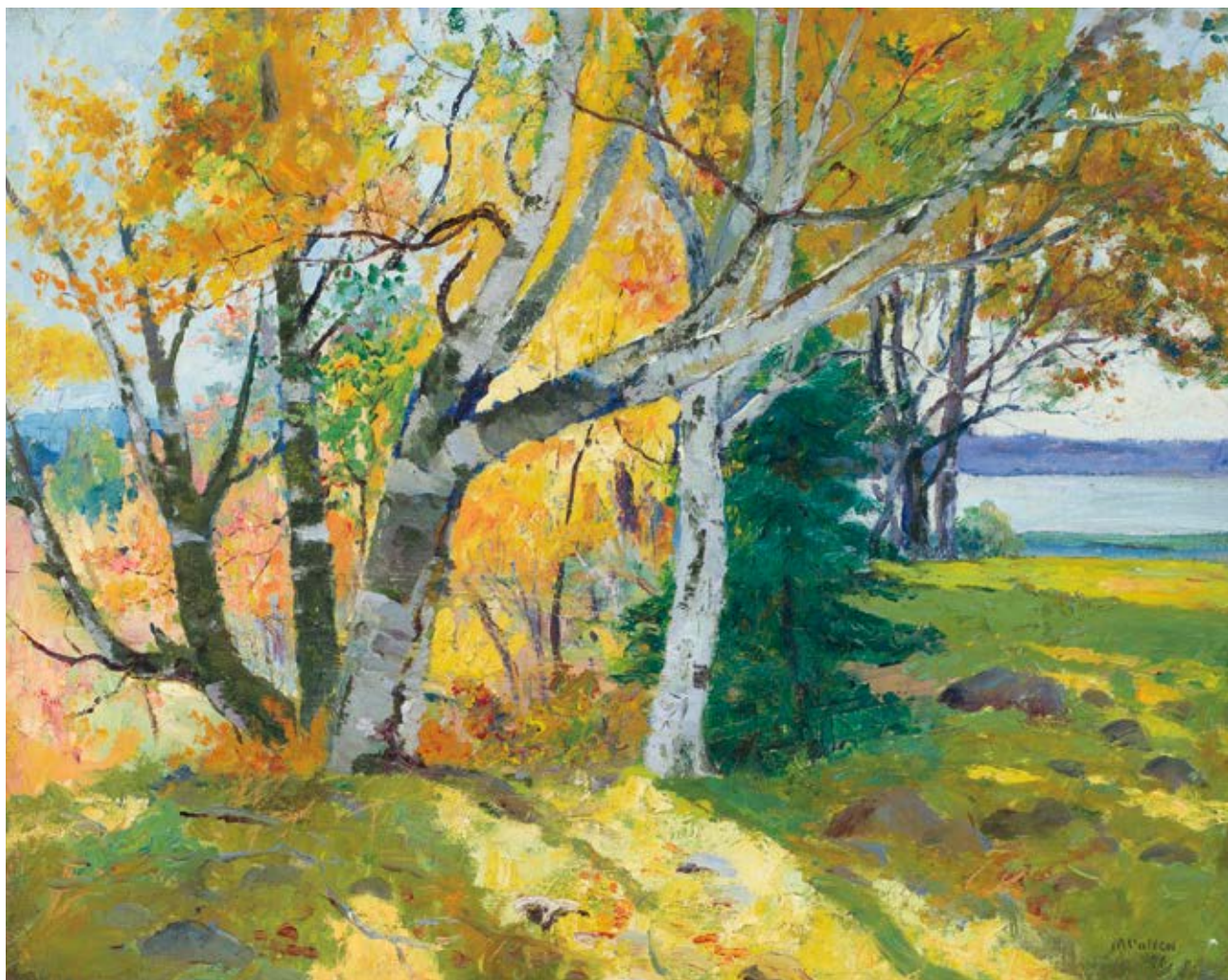
Musée Marc-Aurèle Fortin, Montreal, June 7 – September 6,
1994, catalogue #P500

NATURE IS SUMPTUOUS in Marc-Aurèle Fortin's oeuvre,
especially in his series of tall trees, which spanned the 1920s

and 1930s. Throughout that period, his childhood village of Sainte-Rose and its huge elms provided much inspiration. *Grand orme, maison ancestrale*, a large oil on board dating from the late 1930s, is a remarkable example of his “symphonies in green,” as art critic Jean Chauvin called them. Lively brush-strokes, in varying shades of green from olive to moss, depict the lush foliage of the trees under which an ancestral house is tucked away. Touches of bright blue sky appear from underneath the white clouds, applied in expressive strokes. In this sea of cool greens and blues, the artist ingeniously added a figure painted in contrasting red and white. Juxtaposed with this petite woman, Fortin's classic elms appear even more towering. The sense of wonder for nature and its mighty trees is palpable in his works and we are reminded of the childhood he knew in Sainte-Rose. Art historian Richard Foisy wrote: “The adult held the paintbrush, but it was the child who saw the world, and joy is not the least of the qualities seen in this body of work.”

This work will be included in the forthcoming catalogue raisonné of the artist's work, #H-0531.

ESTIMATE: \$40,000 – 60,000



116 Maurice Galbraith Cullen

AAM RCA 1866 – 1934

Sunny Day, Île d'Orléans

oil on canvas, signed and dated indistinctly and on verso certified by the Cullen inventory #639
18 x 21 ¾ in, 45.7 x 55.2 cm

PROVENANCE

Private Collection, Montreal

By descent to a Private Collection, Ontario

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

Auction House, May 25, 2006, lot 72

Private Collection, Vancouver

MAURICE CULLEN STUDIED art in Paris, and he returned to Canada a convert to the Impressionist movement. After his return to Montreal in 1895, he traveled constantly between Quebec City and Montreal. He became a familiar figure sketching out of doors in Lévis, across the St. Lawrence River, and on Île d'Orléans, east of Quebec City. In 1899, Cullen spent the summer around the village of Beaupré, also sketching at Île d'Orléans, a microcosm of traditional French culture. He had friends there

and also visited resident artist Horatio Walker. Cullen was also known to have sketched at Île d'Orléans with internationally renowned Canadian Impressionist James Wilson Morrice when the latter was in Quebec. In this glorious autumn scene, Cullen shows his absorption of Impressionist tenets in his depiction of light and the softly painted autumn leaves. He did not employ the fractured brush-stroke and fragmentation of colour used by the French Impressionists, instead preferring a more solid paint treatment in which light and colour did not disintegrate form. In this shining work, sunlight rakes across the landscape, casting pools of yellow in the grass and illuminating the central tree, whose golden glow creates a sublime incandescence.

ESTIMATE: \$20,000 – 30,000

117 Lawren Stewart Harris

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

North East Corner of Lake Superior (Lake Superior Sketch xxxviii)

oil on board, on verso signed, titled *North East Corner of Lake Superior* on the board and *Lake Superior Sketch xxxviii* on a label and inscribed with the Doris Mills inventory #4/38, circa 1926 – 1927
12 x 15 in, 30.5 x 38.1 cm

PROVENANCE

Acquired directly from the Artist, circa 1950
By descent to the present Private Collection, British Columbia

LITERATURE

Doris Mills, *L.S. Harris Inventory*, 1936, Lake Superior Sketches, Group 4, catalogue #38, listed, titled as *Lake Superior Sketch*, location noted as the Studio Building, a drawing of this work illustrated by Hans Jensen page 8

FOR LAWREN HARRIS, the north shore of Lake Superior was a place for experimentation and artistic discovery. His regular autumn visits of the 1920s allowed for the development and honing of his unique visual vocabulary, which he was then effectively able to utilize in his efforts to communicate the spirit of this awe-inspiring environment, perhaps more so than anywhere else he painted. As fellow Group of Seven member A.Y. Jackson described, “It was this country that gave Harris the motives for many of his best known canvases. There was a feeling of space, dramatic lighting, the stark forms of rocky hills and dead trees, and beyond, Lake Superior, shining like burnished silver. However bold the artist’s conception of it was, it seemed inadequate.”¹

For Harris, the artistic mission was to capture the underlying truth of a place, as opposed to a realistic depiction. He claimed, “Real art never seeks factual truth. It seeks to express the character and spirit of a scene in its own plastic language: not the branch of a tree, but the urge of its growth. Yet, art is not caprice; art is essentially organization and order.”² In pursuit of this goal, Harris could be systematic in his exploration, often choosing certain viewpoints or subjects to revisit repeatedly in an effort to find the most effective mode of organization for what he sought to express.

North East Corner of Lake Superior, (*Lake Superior Sketch xxxviii*) depicts one such viewpoint, looking east from a hill on the Coldwell Peninsula towards Peninsula Harbour and the location of the present-day town of Marathon, with Detention Island in the right foreground. The paintings Harris was able to produce from this perspective are primarily focused on the exciting, ethereal effects of light and how it plays off the varied, charismatic cloud forms and the reflective expanse of water. As

Harris later recalled, “There were skies over the great Lake Superior which, in their singing expansiveness and sublimity, existed nowhere else in Canada.”³ The artist’s fascination with these skies, at different times of day and in a variety of moods, is documented in this series of works, including this glowing oil sketch. In the triumphant *Lake Superior* (Thomson Collection, Art Gallery of Ontario), the view is depicted with dramatic yellow shafts of light descending onto the lake below from twisted forms of dynamic clouds. A similar situation is depicted in *Lake Superior Sketch LI* (collection of the Art Gallery of Windsor), where sunbeams dramatically shine spotlight patches on the lake. In the monumental *Morning, Lake Superior* (sketch sold by Heffel in November 2018, lot 136; canvas in the collection of the Montreal Museum of Fine Arts), there is a tranquil calm as the sun shines brightly on the water and otherworldly clouds hover in the stillness of the early day.

Conversely, in this work, *North East Corner of Lake Superior*, (*Lake Superior Sketch xxxviii*), there is an inherent tension: while the clouds bask in glorious light, their robust heavenly forms energized from above, beneath there is an ominous darkness cast by the shadows of these same dense structures. A bleached dead tree stands as a skeletal witness to the sheets of illumination, acting as solemn company for the audience, together observing from a distance. The electrifying blue that dominates the picture is a vibrant exaggeration of the artist’s perception, amplifying the intensity of the scene and bringing it alive with excitement.

This dramatic work is Harris at his poetic best, distilling the experience of such a humbling spectacle into tangible visual form. His faith in the arts to communicate such ideas is clear in his quote from 1933: “For the arts epitomize, intensify and clarify the experience of beauty for us, as nothing else can.”⁴ In this work, Harris certainly succeeds in demonstrating this capacity, as he does in many of his best paintings.

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

1. A.Y. Jackson, “Lawren Harris: A Biographical Sketch,” in *Lawren Harris: Paintings, 1910 – 1948*, ed. Sydney Key (Toronto: Art Gallery of Toronto, 1948), exhibition catalogue, 11.

2. Lawren Harris, quoted in Bess Harris and R.G.P. Colgrove, eds., *Lawren Harris* (Toronto: Macmillan, 1969), 14.

3. Lawren Harris, “The Group of Seven in Canadian History,” *Report of the Annual Meeting of the Canadian Historical Association* 27, no. 1 (1948): 34.

4. Lawren Harris, “Theosophy and Art,” *Canadian Theosophist* 14, no. 5 (15 July 1933): 129.

ESTIMATE: \$250,000 – 350,000





118 Lawren Stewart Harris

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

North Shore, Lake Superior III (Lake Superior Sketch LXIX)

oil on board, signed and on verso signed, titled variously and inscribed with the Doris Mills inventory #4/69 / *not for sale* (crossed out) / *Lake Superior Sketch LXIX* on a label, circa 1926
12 x 15 in, 30.5 x 38.1 cm

PROVENANCE

Collection of the Artist
Brownlee Walker Haydon, New York then Los Angeles
By descent to the present Private Collection, Los Angeles

LITERATURE

Doris Mills, *L.S. Harris Inventory*, 1936, Lake Superior Sketches, Group 4, catalogue #69, listed, titled as *North Shore, Lake Superior III*, location noted as the Studio Building, a drawing of this work illustrated by Hans Jensen page 13

IN SEARCH OF new, distinctly Canadian landscapes to paint, Lawren Harris and the other members of the Group of Seven actively explored the country from their base in Toronto, collecting source material in the form of pencil and oil sketches for the grand canvases they would later develop in their studios.

As Harris honed his artistic ideas, he changed his subject matter and the destinations for his sketching trips. Since he organized the Group's collaborative ventures, the destinations reflected his own journey and continuous evolution, which seemed to be the most persistent of all the members. After the decorative and vibrant landscapes of Algoma (which Jackson described as "too opulent for Harris"),¹ he found himself gravitating to, and reveling in, the openness of Lake Superior, the heights of the Rockies and the serenity of the Arctic. All of these locations were important in Harris's major landscape period of the twenties, but Superior was his most frequent sketching ground, a place he visited on at least seven different trips between 1921 and 1928. Not only did he work there when he was at the height of his enthusiasm for representational painting, but this environment allowed him to push further the boundaries of his distinctive and unique vision for art. As so clearly demonstrated in this work, Harris was moving towards an approach that was, in the words of Bess Harris and R.G.P. Colgrove, "vigorously selective, and sought to have no element, no line or colour in the picture that did not contribute to the unified expression."²

North Shore, Lake Superior III (*Lake Superior Sketch LXIX*) is Harris pushing the boundaries of his representative approach, by not just paring down the representation of the land to its essentials, but also actively searching out compositions that allowed him to focus on form and space alone. Harris's ideals of grandeur and expansiveness were matched perfectly to the high hills on the north shore of Lake Superior, cleared of "distracting" minutiae by forest fires two decades prior. It was a country aligned with his thoughts on the creative spirit, which he saw as "austere," with

"no sentimentality, no soothing for any complacencies, no pretty comfort."³

In works such as this, the composition is straightforward and uncluttered, with the exposed rock, traces of snow and fallen remnants of trees the only details portrayed in the foreground. Though simple, the colouring of this work is refined, showing Harris's mastery of subtle variation in tones and reflecting his strong powers of observation and translation. The far hill's deep purples, maroons and burnt oranges are characteristic of Harris's depictions of late autumn, and their richness and depth evokes the idea of the muscle and sinew of the country being revealed, emphasizing strength and vitality, even in its austerity. The sky, in contrast, is fully animated, with glowing light emanating from behind clouds that seem barely able to stay aloft with such weight.

Boldly, Harris has forgone any specific central focus of this work. The sense of navigable space and the inviting blue of the distant land instead pull you into the landscape. By 1925, Harris had started using larger panels for his oil sketches, moving to 12 x 15-inch panels such as this. This expansion in size was not to allow for more detail in his compositions, but instead to allow for more space and sense of expansion in the volume he was seeking to portray. His works in this period became portals to three-dimensional realms, often where heavy skies hung over the deep distance of a far horizon.

The "not for sale" notation on the verso of this work indicates that Harris initially did not want to part with it before he had a chance to reflect and fully consider its significance. Presumably once he had done so, he let it go, and it was acquired by fellow artist Brownlee Walker Haydon, who had a shared interest in theosophy, and then by descent to a private collection in Los Angeles.

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

1. A.Y. Jackson, *A Painter's Country: The Autobiography of A.Y. Jackson* (Toronto: Clarke, Irwin, 1958), 57.

2. Bess Harris and R.G.P. Colgrove, eds., *Lawren Harris* (Toronto: Macmillan, 1969), 51.

3. *Ibid.*, 72.

ABOUT THE PROVENANCE

THIS FINE PAINTING was unearthed earlier this year by family members sorting through boxes that their father, artist Brownlee Walker Haydon, had stored since moving from New York to Los Angeles around 1948. Born in Saskatchewan in 1914, Haydon was raised in Chicago, but the family maintained their connection with Canada, visiting relatives in Toronto annually. In the 1930s, Haydon moved to New York to become an artist. It is unknown whether Haydon acquired the painting in New York, on one of his visits to Canada, or while building a cabin in Vermont (Harris moved to nearby New Hampshire in 1934).

ESTIMATE: \$125,000 – 175,000



119 Maurice Galbraith Cullen

AAM RCA 1866 – 1934

The Ferry, Quebec

oil on canvas, signed and dated 1904 and on verso titled on the gallery label, inscribed *no. 6629* and certified by the Cullen inventory #824
23 3/8 x 28 3/4 in, 60 x 73 cm

PROVENANCE

Acquired directly from the Artist by a Private Collection
By descent to a Private Collection, Vancouver
Heffel Gallery Limited, Vancouver
Acquired from the above by the present Private Collection,
Vancouver, 2002

LITERATURE

Hughes de Jouvancourt, *Maurice Cullen*, 1978, reproduced page 9, titled as *Quebec from Lévis, Harmony in Blue*
Crystal S. Parsons, *Maurice Cullen and His Circle*, National Gallery of Canada, 2009, a similar circa 1905 canvas entitled *Winter Evening, Quebec*, in the collection of the National Gallery of Canada, reproduced page 8

THE VIEW OF Quebec City from Lévis across the wide St. Lawrence River was a classic image for Maurice Cullen, especially scenes including the ferry that crossed between the two centres. In these scenes he also captured the highly picturesque profile of Quebec City at the top of the cliff, with its striking historic buildings such as the Citadel, the Seminary and Notre-Dame Cathedral. This view was also a popular subject for other artists, such as Cullen's fellow Canadian Impressionist James Wilson Morrice, whose well-known painting *The Ferry*, 1907 (in the collection of the National Gallery of Canada), depicts the train station at Lévis in the foreground and, in the background, Cap Diamant.

Cullen had studied in France at a time when the Impressionists were changing the art world. In 1895, he was living and painting at 8 rue Milton in Paris. He was elected an associate member of the Société nationale des Beaux-Arts and had shown his work at the Paris *Salon*. However, that same year he was drawn back to Montreal, bringing with him the groundbreaking new movement

that had so strongly influenced him in France. Cullen's espousal of Impressionist tenets contributed to disrupting the dominant influence of European art over art buyers in Canada—who were collecting Dutch genre painting and works of the Barbizon School, with their dark colours and foreign subjects. Cullen would transform his Quebec scenes by making atmosphere the focus, and depicting the clarity and freshness of Canadian light with a pastel palette.

For Cullen, this view of Quebec City, which he painted in all seasons, offered many fine opportunities to depict atmosphere and light. Here the effects of air and water, in the misty ambience and softly shifting river currents, are a counterpoint to Quebec City's shadowed land mass and buildings. Plumes of smoke from the ferry in the foreground and the ship in the background coil sinuously to the side and then upwards, giving a sense of movement and spatial perspective. Cullen shows his expert handling of composition by using the darkened land to highlight the pale smoke of the background ferry, and the golden, reflected sun to contrast with the smouldering exhalation of the ferry nearest to the viewer. His palette of predominantly blue tones is the perfect foil for the gold hues.

In *The Ferry, Quebec*, Cullen inspires in us a heightened sensitivity to and appreciation for the special atmospheres of Quebec. He captured the ephemeral impressions of the scene rather than an exacting and scientific reproduction of its appearance. As Paul Cézanne once stated, "Painting from nature is not copying the object, it is realizing sensations." Cullen provides enough detail to let us know exactly where we are, but makes the feeling of being there the most important element. Cullen sketched in all weather and seasons and at all hours of the day and night to capture the subtleties of light and air in his sketches, bringing what he absorbed back to the studio to execute canvases such as this extraordinary work. He imparts a sublime beauty to our experience of the scene, particularly through his vision of the spectacular sky, with its sweeping, curved motion, and the glorious golden light that breaks through the clouds and spills down in a gleaming path across the water.

ESTIMATE: \$150,000 – 250,000



120 Clarence Alphonse Gagnon

CAC RCA 1881 – 1942

The Hills of Baie St. Paul (La vallée solitaire)

oil on canvas, signed and on verso titled on the gallery labels, dated circa 1920 on the Klinkhoff Gallery label, inscribed with the inventory #1297b and certified by William Watson on the Watson Art Galleries label, 1908 – 1913

19 ½ x 25 ½ in, 49.5 x 64.8 cm

PROVENANCE

Watson Art Galleries, Montreal, late 1920s

Mr. and Mrs. J.B. Ryan, Quebec

Galerie Walter Klinkhoff Inc., Montreal

Private Collection, Vancouver

LITERATURE

Hélène Sicotte and Michèle Grandbois, *Clarence Gagnon, 1881 – 1942: Dreaming the Landscape*, Musée national des beaux-arts du Québec, 2006, pages 9, 114 and 115

A.K. Prakash, *Impressionism in Canada: A Journey of Rediscovery*, 2015, a photograph of the 1913 installation of the Gagnon exhibition at Galerie A.M. Reitlinger, including this painting, reproduced page 576

EXHIBITED

Galerie A.M. Reitlinger, Paris, *Exposition Clarence A. Gagnon*, November 27 – December 16, 1913, titled as *La vallée solitaire*, catalogue #31
Galerie Walter Klinkhoff Inc., Montreal, *Clarence Gagnon Retrospective Exhibition*, September 9 – 20, 1975, titled as *Coucher de soleil [sic]*, *Baie-Saint-Paul*, catalogue #41

The art of Clarence Gagnon has always been—and is still—remarkable for its freshness, its finely drawn compositions, its luminous palettes, its power to evoke and the authenticity of its representation. Whether embracing a majestically broad vista or portraying the main street of a historic village, whether depicting activities on the farm or in the forest, it reflects its author’s deep connection to the traditional life and heritage of an enchanted realm.

—JOHN R. PORTER, General Director, Musée national des beaux-arts du Québec, 1993 – 2008

CLARENCE GAGNON’S RELATIONSHIP with Baie-Saint-Paul, in Charlevoix County, began as early as 1902, and it was a location that became very dear to him. Gagnon moved back and forth between Canada and France often, and during his sojourn in Quebec from 1908 to 1909, he stayed in Baie-Saint-Paul. In 1912, he again returned to Quebec and settled immediately in Baie-Saint-Paul, traveling back to Paris in 1913. Michèle Grandbois notes that *The Hills of Baie St. Paul (La vallée solitaire)* was painted between 1908 and 1913, sometime during these two sojourns in Baie-Saint-Paul, when Gagnon was preparing the work to be shown at his 1913 exhibition at Galerie A.M. Reitlinger, in Paris. Most of the works in that show were winter scenes featuring the Charlevoix region. A photograph of the installation at Reitlinger, reproduced here, confirms that our painting was in that show, titled as *La vallée solitaire* in the show’s listing of works. This was an important exhibition that consisted of 75 oil paintings and engravings, and it was a turning point in Gagnon’s career, establishing his prominence as an artist both internationally and in Canada. Grandbois states that this was likely the first solo exhibition of a Quebec artist in Paris at that time.

The gallery was located in Paris’s 8th arrondissement, and its interior was bathed in natural light from a skylight. The walls were painted blue, which had the effect of making the snowscapes glow. Reviews were generally positive, and it is amusing to read that some critics expected these Canadian winter scenes to have “the melancholy and gloomy bleakness of frozen wastes.” But on seeing the work, critic François Thiebault-Sisson of *Le Temps* expressed that he “sensed an enlivening atmosphere, a delicious clarity, ‘a fresh air that cools the brain, expands the lungs, kindles courage and strength.’” News of Gagnon’s success in this show reached Canadian newspapers, who quoted the French critics’ remarks in their articles.

Gagnon continued to return to Baie-Saint-Paul; he was there from 1914 to 1917 and again from 1919 to 1924. Finally, in 1936,



The Hills of Baie St. Paul (La vallée solitaire) exhibited at Galerie A.M. Reitlinger in Paris, 1913

he returned permanently to his beloved Baie-Saint-Paul. This canvas is a gorgeous view of the Laurentian hills around Baie-Saint-Paul. As a colourist, Gagnon’s skills were superb, and here his palette is particularly stunning, made more vibrant by their contrast to his use of white and pale dove grey. These opulent blue hues are at their deepest and most electric in the flanks of the mountains in the foreground, fading to paler tones through the successive layers of mountains—hazy with mist at the last layer—then finally moving into a glowing turquoise in the sky. Gagnon’s brushwork is assured—his paint-strokes establish directional movement in the landscape, from vertical streaks in the foreground mountain to an upward diagonal of snowfields in the third layer.

Gagnon executed his oil sketches out of doors, traveling by skis in the winter, and carrying a shoulder bag with a paintbox, sketchbook and a folding stool made especially for him by the village blacksmith. The artist preferred the landscape of Charlevoix that surrounded Baie-Saint-Paul above all others, and his vision of it deepened and intensified over his many years of living there. Luminescent and beautiful, this superb large canvas is an extraordinary painting from Gagnon’s body of work depicting this area.

We thank Michèle Grandbois, co-author of *Clarence Gagnon, 1881 – 1942: Dreaming the Landscape*, for her assistance in researching this lot.

ESTIMATE: \$150,000 – 250,000



121 **Lawren Stewart Harris**

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

North of Lake Superior

oil on board, on verso inscribed *North of Lake Superior /*

Lawren Harris / ST#B 87, circa 1923

12 x 15 in, 30.5 x 38.1 cm

PROVENANCE

Private Collection, Ontario

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

Auction House, November 23, 2007, lot 92

Private Collection, Toronto

LITERATURE

Jeremy Adamson, *Lawren S. Harris: Urban Scenes and Wilderness*

Landscapes, 1906 – 1930, Art Gallery of Ontario, 1978, pages

123, 124 and 132

IN 1921 LAWREN HARRIS, in the company of A.Y. Jackson, continued on from their painterly explorations of Algoma to the north shore of Lake Superior. They boarded a Canadian Pacific Railway freight and viewed the North Shore panorama unfold before them. Rossport was their final destination, for only a few days before they returned to Toronto. But the impact was lasting for Harris—this was a primordial landscape of barren shoreline with smooth rocky islands, set against the the expanse of the world’s largest freshwater lake. Forest fires had stripped the area of growth, making the scene austere. Harris could not forget it. Here was a landscape, spare, stark and open, that would come to embody his ideals for a period of eight years.

This landscape, scraped clean to essential forms by successive ice ages, was in direct contrast to Algoma, which had occupied the Group of Seven from 1918 to 1921—a lush land full of intimate views of canyons, creeks and waterfalls. Lake Superior, in

contrast, was timeless, brooding and mystical. As Jackson wrote, “The Shore is absolutely primeval: the heavy, black rocks, like solid darkness... It is really like the first craggy breaking of dawn on the world, a sense of primeval darkness just behind, before, the Creation...” Harris painted at least two studies on that introductory trip.

In March of 1923, after a period of being a member-at-large, Harris joined the International Theosophical Society’s Toronto Lodge. Other artists in the Group of Seven were conversant with its teachings, but Harris was truly immersed in it. Theosophy, an anti-materialist philosophy, believed that “only spirit was present in the universe and they interpreted this spiritual ‘matter’ as the occult life-essence which was manifested in light.” At this time, no other Canadian artist was as committed as Harris to this mystical vision through his art.

North of Lake Superior is a powerful work from circa 1923 that embodies Harris’s theosophical concerns. It depicts a dramatic scene of dark landforms looking out into a horizon full of light. In the foreground is a narrow ledge, Harris’s viewing platform. These landforms, the exposed ancient rock of the Canadian Shield, are highlighted with blue and dark maroon, and they are, as Jackson said, a “primeval darkness.” They appear to hover, due to the water reflecting the light from a distance, and their forms seem echoed in the clouds. Everything is still and silent, and seems to stretch to infinity at the horizon, where exists a realm of bright, white light. In abstracted landscapes such as this, Harris was moving beyond the physical world to represent the realm of the spiritual that theosophy had revealed to him. For Harris, light symbolized spirit, and that spirit illuminates the darkness of *North of Lake Superior*. Vast and mysterious, Lake Superior is a timeless place, and Harris has captured it perfectly.

ESTIMATE: \$150,000 – 250,000



122 Emily Carr

BCSFA CGP 1871 – 1945

Forest Interior

oil on canvas, signed and on verso inscribed ST# A403 and Date 30/1/74 / No. 2711 on the Art Emporium label, circa 1929
24 ¾ x 15 in, 62.9 x 38.1 cm

PROVENANCE

The Art Emporium, Vancouver, 1974
Acquired from the above by George and Geraldine Biely, 1974
Estate of Geraldine Biely, Vancouver, 2015
By descent to the present Private Collection, Vancouver

LITERATURE

Doris Shadbolt, *The Art of Emily Carr*, 1979, page 62, the circa 1929 – 1930 *Forest Interior* canvas, Newcombe Collection, Provincial Archives of British Columbia, titled as *Untitled*, reproduced page 97, catalogue #70
Maria Tippett, *Emily Carr: A Biography*, 1979, page 167
Emily Carr, *The Complete Writings of Emily Carr, Growing Pains*, 1993, page 453
Emily Carr, *Hundreds and Thousands: The Journals of Emily Carr*, 2006, pages 56 and 57

FROM 1928 TO 1931, Emily Carr was evolving from the Post-Impressionist influences that had entered her work as a result of her trip to France in 1911. Her development came about through both external influences and her own internal evolution. In September of 1928, American artist Mark Tobey, whom she had met earlier at a Pacific Northwest exhibition in Seattle, came to Victoria to teach a master class in her studio. He then stayed for three weeks to teach in Ina Uhthoff's studio, and his advice was influential.

Carr told Eric Brown, director of the National Gallery of Canada, "I think [Tobey] is one of the best teachers I know of... I felt I got a tremendous lot of help from his criticisms." His advice was about form, as he was particularly interested in the Cubism of Georges Braque and Pablo Picasso, and he also advised her to increase the contrast of light and shade in her work. Carr absorbed the influence of Cubism, and its energized expression of motion and energy entered her work, to its great advantage. Tobey's influence accelerated her evolution, but although Carr took pointers from Tobey, he was not her guru.

Another outside influence on Carr's work during this period was Lawren Harris. Carr had met him in Toronto in 1927. Seeing his work at his studio was a revelation, and she respected his opinions. In 1929, Harris advised her to leave her native subject matter for a year or so, to instead express, as he described it, "the exotic landscape of the island and coast." In Carr's native subjects, the woods were present, but as backdrops for villages and curling around the bases of totems.

Carr accepted Harris's advice, because a new perspective had been emerging in her mind. As she wrote in *Growing Pains*, "I had become more deeply interested in woods than in villages. In them I was finding something that was peculiarly my own." She was also well aware of First Nations peoples' supernatural relationship with their environment. The mystery and power of primordial West Coast forests was something that First Nations peoples mythologized, such as in the figure of D'Sonoqua, the intimidating wild woman of the woods, depicted by Carr in her circa 1930 canvas *Guyasdoms D'Sonoqua* (collection of the Art Gallery of Ontario).



EMILY CARR, Forest Interior

oil on canvas, circa 1929 – 1930, 23 ¼ x 14 ¼ in, 59 x 36.1 cm
Newcombe Collection, #PDP00932
Courtesy of Provincial Archives of British Columbia
Not for sale with this lot

When Carr decided to immerse herself in the forest, bringing her materials with her to paint on the spot, she experienced her own powerful spiritual connection there, one that uplifted and sustained her personally and artistically. This passage from her journal *Hundreds and Thousands* conveys the intensity of her feeling:

Go out there into the glory of the woods. See God in every particle of them expressing glory and strength and power, tenderness and protection... Feel their protecting spread, their uplifting rise, their solid immovable strength... Listen, this perhaps is the way to find that thing I long for: go into the woods alone and look at the earth crowded with growth... pushing its way upward towards the light and air, each one knowing what to do, each one demanding its own rights on the earth.

Typical of this time period, in *Forest Interior*, we see Carr's absorption of Cubism in the hatched triangles on the forest floor, the stepladder-like zigzag stylization in the far upper left half and the horizontal hatching behind the central tree forms. Thick trunks rise to the top of the picture plane, like columns in a cathedral, and Carr uses bare canvas and pale paint hues to show light from the sky illuminating the interior down to the forest floor. It is in paintings such as this that we feel Carr's spiritual connection with the forest—this is her church, her link with the divine. But even while absorbed by the life energy of the forest, at the same time she shows her modernist affiliation with important international movements, with the work of artists finding their creative pulse in other parts of the world.

Forest Interior is a rare and important work. A very similar canvas (figure 1), also titled *Forest Interior*, circa 1929 – 1930, in the Newcombe Collection, Provincial Archives of British Columbia, is reproduced in Doris Shadbolt's 1979 book *The Art of Emily Carr* on page 97, indicated as *Untitled*.

ESTIMATE: \$150,000 – 250,000

123 Peter Clapham Sheppard

ARCA OSA 1879 – 1965

Market Stand Woman, Bonsecours Market

oil on canvas, signed and on verso stamped
with the estate stamp, circa 1930 – 1935
36 x 30 in, 91.4 x 76.2 cm

PROVENANCE

Private Collection, Toronto

BORN, RAISED AND EDUCATED in Toronto, Peter Clapham Sheppard was a contemporary of the Group of Seven whose career began similarly when he started working in commercial art in his late teens. His fine art career overlapped the Group's as he started exhibiting in the mid-1910s, hit his stride in the mid-1920s, and further defined his personal content and style into the 1930s. In those decades he exhibited regularly in the annual exhibitions of the Ontario Society of Artists and the Royal Canadian Academy of Arts, the spring exhibitions of the Art Association of Montreal (now the Montreal Museum of Fine Arts), and at the Canadian National Exhibition, in Toronto.

Like Tom Thomson, Sheppard left few biographical details for the art historian and biographer. Unlike Thomson, Sheppard had a prolific career working in Toronto, New York, Ottawa and Montreal, and he left a prodigious body of work. Although Sheppard left no explicit statements about his motivations, the longer arc of his career has a variety and texture missing from Thomson's. Distinct from his contemporaries in the Group, and including even Lawren Harris, Sheppard's interest in urban subjects spanned decades. His is an art engaged with the urban milieu, which he perceived empathetically. Sheppard's artistic approach and aspirations gel in *Market Stand Woman, Bonsecours Market*, which offers a distinct contrast to Harris's detached, if not aloof, urban scenes.

Compared with his smaller *Bonsecours Market*, sold by Heffel in November 2018 (lot 122), and *The Market, November* (circa 1934),

both of which evoke the commotion of an urban market, *Market Stand Woman, Bonsecours Market* captures one vendor's quiet isolation. In this painting Sheppard described a common moment in the urban sphere. In the split second before the start of a long day, an anonymous worker's stolen reverie is broken by a commotion. In that moment we see the seller's acuity and focus in sharp relief.

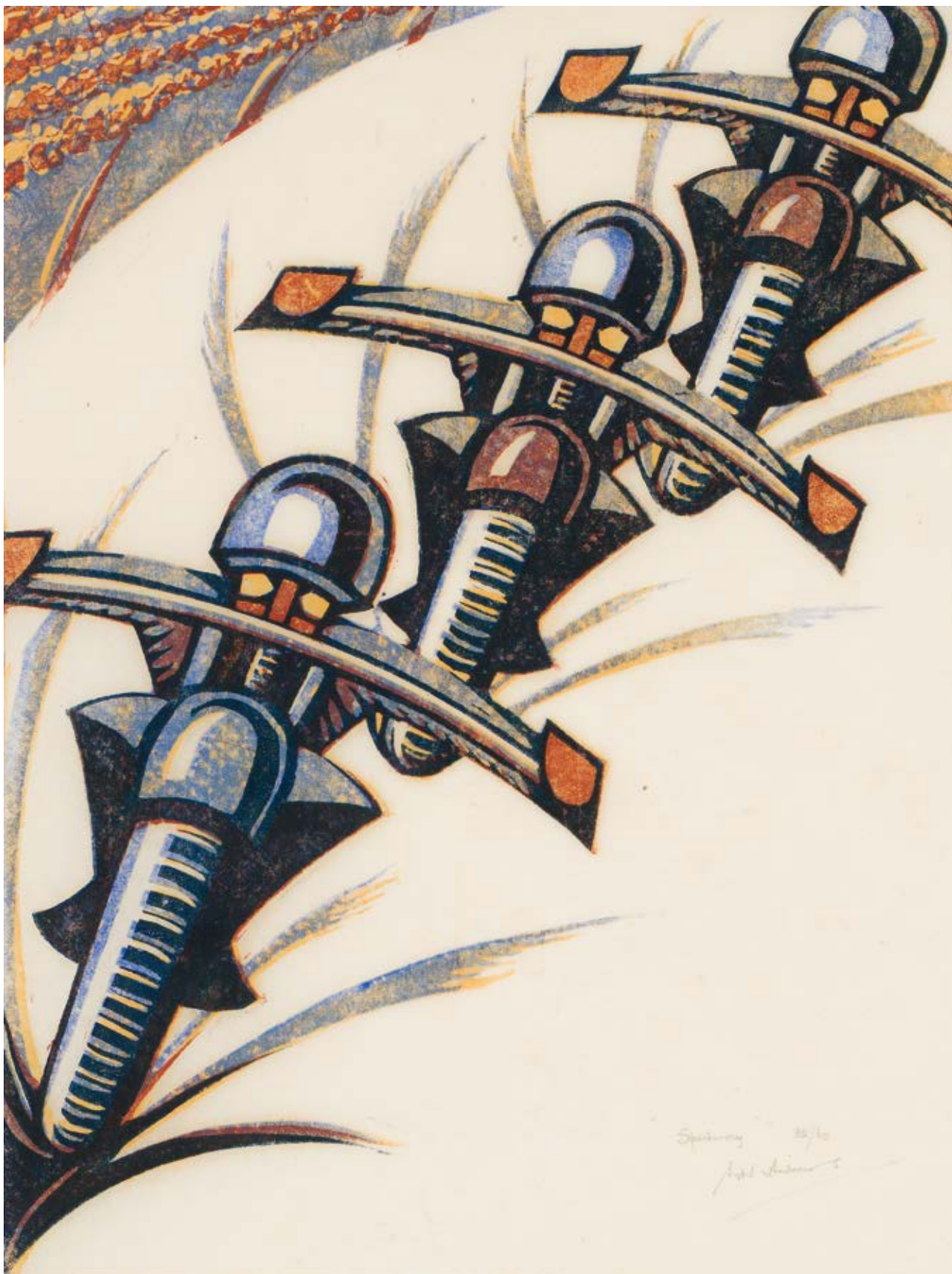
The vegetables enveloping the figure are more artful than coincidental. Embraced in a cleft of merchandised produce, the market stand woman dramatically shows her left profile. Sheppard's distinctive addition of white to his palette lightened the overall hue to create the luminous, slightly vaporous, haze of autumn burning off on a cloudless morning. This addition of white unified the painting and allowed Sheppard to carefully structure the scene into three distinct zones of foreground, mid-ground and background. Forcing his perspective like flats in a stage design, the foreground of pickle barrel and pepper pot are the highest keyed of the white-infused colours, then the mid-ground scene of vegetables and vendor, and finally vertical strokes of pale yellow, wan robin's egg blue and mauve disintegrate the background. Horizontal strokes in mauve, staggered like Roman brickwork along the bottom of the painting, create a cool shadow, simultaneously contrived and convincing.

Given Sheppard's consistent evocation of the human and the humane, it is little wonder he has not figured in the standard surveys of Canadian art. Despite this, interest in him has grown steadily over the past decade. His inclusion in the exhibition *Defiant Spirits: The Modernist Revolution of the Group of Seven* at the McMichael Canadian Art Collection (2010 – 2011), a major illustrated monograph by Tom Smart (2018), a feature article in the *Globe and Mail* (2018) and steady success at auction all bolster the ongoing revision of Sheppard's place in the history of modern art in Canada.

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

ESTIMATE: \$30,000 – 40,000





Spring 1910
A. J. ...

124 Sybil Andrews

CPE 1898 – 1992

Speedway

linocut in 4 colours, signed, titled and editioned 32/60, 1934

12 7/8 x 9 1/8 in, 32.7 x 23.2 cm

PROVENANCE

DeVooght Gallery, Vancouver, 1978

Mayberry Fine Art, Winnipeg

Private Collection

LITERATURE

Susan Mertens, “Sybil’s Great Splash with Art,” *Vancouver Sun*, January 16, 1982, front page of the Entertainment section, unpaginated

Peter White, *Sybil Andrews*, Glenbow Museum, 1982,

reproduced page 37, full page colour and page 57

Stephen Coppel, *Linocuts of the Machine Age*, 1995,

page 114, reproduced front cover and page 114

Clifford S. Ackley, editor, *Rhythms of Modern Life: British Prints,*

1914 – 1939, Museum of Fine Arts, Boston, 2008, reproduced

page 81 and a detail image page 188 and the four linoleum

blocks for *Speedway* reproduced page 193

Hana Leaper, *Sybil Andrews Linocuts: A Complete Catalogue*,

Osborne Samuel Gallery, 2015, reproduced page 76

Janet Nichol, *On the Curve: The Life of Sybil Andrews*, 2019,

reproduced page 48

EXHIBITED

Glenbow Museum, Calgary, *Sybil Andrews*, 1982, same image, catalogue #29

Museum of Fine Arts, Boston, *Rhythms of Modern Life: British Prints, 1914 – 1939*, January 3 – June 1, 2008, traveling in 2008 to the Metropolitan Museum of Art, New York, same image, catalogue #30, and the four linoleum blocks for *Speedway*, in the collection of the Glenbow Museum, exhibited catalogue #14-107

Glenbow Museum, Calgary, *Sybil Andrews: Art and Life*, October 19, 2019 – January 12, 2020, same image

BORN IN Bury St. Edmunds, England, Sybil Andrews produced drawings, watercolours, monoprints and oil paintings, but it is her linocuts for which she is most famous, and she attained international acclaim for them. *Speedway* is considered one of her finest linocuts.

During World War I, Andrews worked making airplane parts in Coventry, and after the war she returned to Bury St. Edmunds, where she met architect Cyril Power. In 1922, at the age of 24, Andrews left Bury St. Edmunds with Power (who was almost 50) to study art at the Heatherley School of Fine Art in London. Three years later, Power and Andrews were appointed by Ian Macnab to staff his newly established Grosvenor School of Modern Art, with Andrews becoming the school secretary.

In 1926, while at the Grosvenor School, Andrews and Power met Claude Flight, who taught them how to cut and print from linoleum blocks (a new art form at the time). Andrews commented in a 1982 newspaper article: “There was no accepted way of treating the block, so we were all experimenting. We didn’t know what effects would be achieved until we had actually printed them. As you can imagine, many of the blocks ended up in the wastebasket.”

From 1930 to July 1938, Andrews and Power shared a small studio at 2 Brook Green in Hammersmith, London, and developed a common aesthetic in their work. This informal working partnership produced an extraordinary body of work—some of the finest prints of the 1930s. It was a period of widespread change, when new materials such as linoleum emerged, a period when art, industrial design, architecture and fashion design were transformed. Andrews’s themes were of the dynamism of the modern machine age and the movement of the human figure at work or sport, usually executed using only four linoleum blocks. In total, Andrews produced an incredibly consistent body of 76 linocuts, of which 43 were made from 1929 to 1939—considered her best period—when she shared the studio with Power. Andrews’s linocuts are acclaimed to have surpassed those of her teacher Flight, and in fact many consider Andrews to be the most gifted of the Grosvenor School artists.

In 1938, Andrews and Power gave up their studio at Brook Green. During World War II, Andrews worked in the British Power Boat Company shipyard at Southampton, where she met her future husband, Walter Morgan. After the war Andrews and Morgan immigrated to Canada, settling in Campbell River, which at that time was a remote logging town on Vancouver Island. In 1951, Andrews built a simple studio and resumed her printmaking; she also taught art and music classes.

Speedway is Andrews’s most important and highly sought-after linocut. Its importance is reflected in the fact that this work was chosen for the front cover from all the works of the seven Grosvenor School artists profiled in Stephen Coppel’s catalogue raisonné *Linocuts of the Machine Age*. *Speedway* was created when Andrews was still in London and working in the Brook Green studio. Coppel wrote, “This image of motor-bike trials was originally conceived as a poster commission for the London Passenger Transport Board in the 1930s, although no poster was ever made.” This print embodies the dynamism of machine-age speed that fascinated the modern world.

A copy of *Speedway* is in the collection of the Museum of Modern Art, New York, and was a highlight in the Museum of Fine Arts, Boston, exhibition *Rhythms of Modern Life: British Prints, 1914 – 1939* that toured to the Metropolitan Museum of Art, New York, in 2008.

This is a very fine impression on cream fibrous oriental laid paper.

ESTIMATE: \$80,000 – 100,000



125 David Brown Milne

CGP CSA CSPWC 1882 – 1953

Divided Forms, New York

watercolour on illustration board, on verso titled, dated circa 1913 on the Mira Godard Gallery label and circa 1912 – 1913 on the Masters Gallery labels and inscribed 381/Cat
14 ½ x 17 in, 36.8 x 43.2 cm

PROVENANCE

Estate of the Artist
Mira Godard Gallery, Calgary
Mira Godard Gallery, Toronto
Masters Gallery Ltd., Calgary
Acquired from the above by the present
Private Collection, Calgary

LITERATURE

David Milne: City Streets and Northern Scenes,
Mira Godard Gallery, 1981, reproduced plate 3
David Milne: New York City Paintings, 1910 – 1916,
Mira Godard Gallery, 1984, listed
David Milne Jr. and David P. Silcox, *David B. Milne:
Catalogue Raisonné of the Paintings, Volume 1:
1882 – 1928*, 1998, reproduced page 89,
catalogue #104.76

EXHIBITED

Mira Godard Gallery, Calgary, *David Milne: City Streets
and Northern Scenes*, April 1981, catalogue #3
Mira Godard Gallery, Toronto, *David Milne: New York City
Paintings, 1910 – 1916*, February 23 – March 14, 1984,
catalogue #10

THE EARLY DATE of this subtly powerful painting alerts us to fundamental points about David Milne's art in general. Born in Bruce County, in rural southwestern Ontario, the resourceful Milne enrolled at age 21 at the Art Students League in New York City, and worked there until 1916, when he moved to Boston Corners, in New York state. Milne joined the Canadian Army in 1917 and returned to the United States after serving in World War I.

That Milne was one of the most accomplished artists of his generation is recognized internationally today. In New York City, he learned about the then-radical modernist tendencies of both American and European Impressionism, Post-Impressionism and Fauvism, movements that would initially inflect his own unique painting style. He began to understand and seek out urban scenes, inspired in part by the Ashcan School and the associated group The Eight, including artists such as Robert Henri, Maurice Prendergast and William J. Glackens. Milne's work was exhibited regularly by circa 1910 and reviewed approvingly in the New York press. Most significantly for an art history of Canadian painters, he exhibited five paintings in North America's most important and controversial early exhibition of the avant-garde, the *Armory Show* (1913). Seen in New York, Boston and Chicago, this exhibition brought Milne into contact with

the contemporary international avant-garde, especially the paintings of Paul Cézanne, Henri Matisse and Édouard Vuillard that he had begun to see in New York galleries. Milne adapted these Post-Impressionist tendencies to form his own style, and his paintings in his New York years especially offer an urban paradigm of aesthetic value that differed from the nationalistic landscape ethos of his contemporaries in Canada, notably the Group of Seven.

Divided Forms, New York could seem like an unlikely title for a clear image of a large house and its immediate surrounds, including a majestic tree, a neat fence and casual passersby. But revealingly, Milne was not concerned with the titles of his paintings, focusing instead on structure, colour, space—in short, their formal nature. *Divided Forms, New York* is a superb example of the complexity of Milne's visual thinking in these registers; where and what it suggests in our quotidian world is secondary. His wife Patsy (May Frances Hegarty), however, seems to have initiated a spate of titling of his New York works just before he departed overseas near the end of World War I.

Watercolour is *the* medium for Milne. It offered the immediacy of quick application and encouraged his bold use of the largely uninflected—but never “blank”—space of the paper. As the Metropolitan Museum in New York claimed on the occasion of the Milne watercolour exhibit there in 2005 to 2006, “Milne's watercolors are arguably his best and most important creations and were conceived as independent works of art.”¹ The dexterity of Milne's eye and mind comes through best in this medium. Here we enjoy a contrast between the rectilinear forms of the building—vibrantly coloured in its upper storeys near the road, but tapering into white space at the rear, accented only by the strong blues used for the windows. These blue inflections are important because they link our vision to the densely blue sky. In effect, Milne has inverted our expectations for “normal” vision here, making the sky solid and the building and tree almost ephemeral.

Best of all in this memorable work, however, is the magnificent tree that both screens and, in its nearly perfect roundness of outline, contrasts with the architecture. So dynamic are Milne's colour and line here that the tree becomes a being as much as the relatively incidental figures beneath it. The brown-green line that Milne uses for this splendidly spreading deciduous tree suggests that it is spring or summer. In places, the tint of its branches and leaves is also a blend of the colours he has used for the upper two storeys of the building, melding all these forms in a harmony that is typical of Milne's apparently effortless abilities.

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.

1. Metropolitan Museum of Art, *David Milne Watercolors: "Painting Toward the Light"* (2005), organized by the Art Gallery of Ontario, “Exhibition Overview,” para. 1, <https://www.metmuseum.org/en/exhibitions/listings/2005/david-milne>.

ESTIMATE: \$40,000 – 60,000



126 Alfred Joseph (A.J.) Casson

CGP CSPWC G7 OC POSA PRCA 1898 – 1992

Early July Morning

oil on canvas, signed and on verso signed and titled, circa 1979
20 × 24 in, 50.8 × 61 cm

PROVENANCE

Roberts Gallery, Toronto

Private Collection, Vancouver

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

Auction House, November 7, 1996, lot 97

Private Collection, Winnipeg

THE SUBJECT OF this A.J. Casson canvas is likely Oxtongue Lake, Ontario, based on its striking similarity to the 12 × 15-inch oil sketch by the artist entitled *Early July, Oxtongue Lake*, sold by

Heffel in November of 2005. That oil sketch is dated 1979, which fits neatly with the documented sketching locations Casson frequented at this point in his career. Oxtongue Lake is located in Ontario's Algonquin Highlands, just off the southwest corner of Algonquin Park. It was a favourite destination for the artist during much of his later period. Oxtongue Lake was easily accessible by car, yet offered the unspoiled, almost primordial landscapes that had so long inspired Casson, his friends, and what was by then an entirely new generation of artists. This resonant study in serenity includes many gentle examples of what makes Casson's work his own—structural planes of atmosphere, masterful modulation of a tightly controlled palette, an elegantly balanced composition, and a subtle, distinctive description of the water's surface and currents.

ESTIMATE: \$40,000 – 60,000



127 Alfred Joseph (A.J.) Casson

CGP CSPWC G7 OC POSA PRCA 1898 - 1992

Algonquin Park

oil on board, signed and on verso titled, dated 1950 and inscribed 16 and with an inscription from Charles Matthews *To Jean and Jack* with a personal message 9 ½ x 11 ¼ in, 24.1 x 28.6 cm

PROVENANCE

A gift from Charles Matthews to a Private Collection, Ontario
By descent to the present Private Collection, Ontario

THIS EXCEPTIONAL OIL sketch of Algonquin Park by A.J. Casson boasts an interesting provenance. It was originally gifted by Charles Matthews, the “Uncle Chuck” of the verso inscription, co-founder of the commercial art firm Sampson

Matthews Limited. The finely wrought inscription and title card show the refined skill of the graphic designers he employed. By 1950, Casson had been employed by Sampson Matthews for nearly 25 years, and had risen to the role of vice-president and art director. The influence of Casson’s career can be clearly seen in this work, with its distinctive stylized structures and finely balanced palette and composition. Matthews and Casson were close friends, and the artist would visit him and his wife Alice at their summer cottage in Algonquin. Located over a kilometre by boat from the main landing, Matthews’s peeled-log cabin was built in 1941 on Canoe Lake, a key location in Canadian art history. The motif of a rocky, tree-lined island was a prominent theme for Casson and his peers, featuring in masterpieces such as Lawren Harris’s *Northern Painting 25*, *Northern Island II*.

ESTIMATE: \$25,000 – 35,000



128 Lawren Stewart Harris

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

LSH 89A

oil on canvas, on verso titled, circa 1936
35 ½ x 29 in, 90.2 x 73.7 cm

PROVENANCE

By descent within the family of the Artist

LITERATURE

Andrew Hunter, *Lawren Stewart Harris: A Painter's Progress*, Americas Society, 2000, reproduced figure 34, page 52
Roald Nasgaard and Gwendolyn Owens, *Higher States: Lawren Harris and His American Contemporaries*, McMichael Canadian Art Collection, 2017, pages 83 and 84, reproduced page 82

EXHIBITED

McMichael Canadian Art Collection, Kleinburg, *Higher States: Lawren Harris and His American Contemporaries*, February 4 – September 4, 2017, traveling in 2017 – 2018 to the Glenbow Museum, Calgary
Mira Godard Gallery, Toronto

LAWREN HARRIS'S ABSTRACT works from the mid-1930s are remarkable for their clarity and assuredness, with strong forms and purposeful palettes. *LSH 89A* is an exemplar: a fully realized canvas, it is one of several crystalline examples from this period demonstrating a distinctive style, easily recognizable and unique to the artist. It stands alongside similar works such as *LSH 89B* (sold by Heffel in May 2017, lot 42) and *Composition 10* (sold by Heffel in November 2017, lot 39) as emphatic statements from an artist who wholly embraced modernity.

What is noteworthy about the conviction of these works is how swiftly and completely Harris had made a transition from representational landscape works to non-representational abstract painting. In the mid-1930s, Harris went through two massive changes in his life. The first was personal, when he moved in 1934 from Toronto to New Hampshire with his new wife, Bess. The second was artistic, as he moved away from the landscape approach he had developed over 20 years, and which had recently culminated in some of the most successful and impactful canvases yet—iconic works depicting the Rocky Mountains, Lake Superior and the Arctic. Harris became disillusioned with these subjects and shifted abruptly to a full commitment to non-representational abstraction. While Harris's time in the United States was cut short by World War II (he moved back to Canada in 1940, settling in Vancouver, where he remained for three decades), his transition to abstraction was much more permanent—it became his main artistic focus for the rest of his life.

Although Harris had experimented with abstraction as early as 1928 (e.g., *Figures with Rays of Light*, in the Thomson Collection at the Art Gallery of Ontario), not until his move to the United States did he embrace the change in direction and the opportunities that it now provided. This freedom was welcome and necessary, as he wrote in a letter to Emily Carr in 1936: "For me, there is for the present no other way. I had as you know come to a complete full stop. The end, both in painting and in life. The new opportunity means new life and a new way of life and a new outlook and new adventure."

The consideration Harris gave this new approach was diligent and thorough, and when he finally was ready to commit to it, he approached it with an enthusiasm and awareness formed through his knowledge of and exposure to modern art. By the mid-1930s, Harris had developed a long association with Katherine Dreier and New York's Société Anonyme. In 1926, he had been invited to exhibit his landscapes with the Société Anonyme in Brooklyn, and he was instrumental in championing a show of modern works from the society's collection at the Art Gallery of Toronto in 1927, which was the first exhibition of abstract art in Canada. Harris's appreciation of and commitment to modern art was well in place long before he fully embraced his own creative exploration of its potential, and it served him well. When he was finally ready to move beyond a focus on the Canadian landscape (perhaps sensing a conclusion to, or satisfaction of his nationalist ambitions that had driven the Group of Seven), his explorations of new ideas and forms already seemed comfortable and convincing.

LSH 89A emphasizes geometric forms arranged in planes of space, tangible and inviting. The centre of the image features the suggestion of a gossamer barrier between the viewer and the space beyond, drawing the audience in to explore the work in three dimensions. The delicate palette of earthy warm reds and yellows and ethereal blues and whites is characteristic of many of the artist's works from this period, and it draws directly from his mountain works of the late 1920s (such as *Mount Robson* and *Mount Lefroy*, both in the McMichael Canadian Art Collection). His exploration of a newly available language is decidedly his own, but informed by years of thought, engagement and preparation.

Writing to Carr around the time of this work, Harris expressed an obvious enthusiasm for his new path: "At the present I am engrossed in the abstract way and ideas flow, and it looks as though it would take the rest of my days to catch up with them." Indeed, this proved to be prophetic, since *LSH 89A* represents an early accomplishment in what would become almost three decades of constant reinvention and evolution for Harris that were almost entirely focused on purely abstract painting.

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

ESTIMATE: \$150,000 – 250,000



129 Muriel Yvonne McKague Housser

CGP FCA OSA RCA 1898 – 1996

Town of Cobalt

oil on canvas, signed, circa 1935
30 × 36 in, 76.2 × 91.4 cm

PROVENANCE

Private Collection, Toronto

LITERATURE

Catalogue of the Sixty-third Annual Exhibition of the Ontario Society of Artists, Art Gallery of Toronto, 1935, listed page 15
Catalogue of British Painting and Sculpture, Canadian Painting and Sculpture, British and Canadian Water Colours, British and Canadian Graphic and Applied Art, International Photography, Canadian National Exhibition, 1935, listed page 50

EXHIBITED

Art Gallery of Toronto, *Sixty-third Annual Exhibition of the Ontario Society of Artists*, March 1 – April 1, 1935, catalogue #134

Canadian National Exhibition, Toronto, *Catalogue of British Painting and Sculpture, Canadian Painting and Sculpture, British and Canadian Water Colours, British and Canadian Graphic and Applied Art, International Photography*, August 23 – September 7, 1935, catalogue #258

BLUE MOONS COME along more often than Yvonne McKague Housser's paintings of Cobalt, Ontario, come to market. Their artistic accomplishment, inventive resonance with the Group of Seven, inclusion in Group exhibitions, representation in major public collections, and topicality have ensured their place in discussions of the period's art. They have continually renewed their relevance in exhibitions as diverse as *Industrial Images* (1987 – 1988); *Picturing the Americas: Landscape Painting from Tierra del Fuego to the Arctic* (2015 – 2016); and the forthcoming *Uninvited: Canadian Women Artists in the Modern Moment* (2020 – 2021). Their aesthetic achievement is the high mark in Housser's long career, and after being in one family collection since the mid-twentieth century, *Town of Cobalt* makes a public appearance that will enrich her legacy.

Housser was born in Toronto in 1898 as Yvonne McKague, and attended the Ontario College of Art from 1915 to 1919. She exhibited regularly at the Canadian National Exhibition in Toronto, with the Ontario Society of Artists, and the Royal

Canadian Academy of Arts. In addition to showing with the societies, she was an invited exhibitor to the final three Group of Seven exhibitions (1928, 1930 and 1931) and was a founding member of, and regular contributor to, the Canadian Group of Painters (1933). Travel and study in Europe in the early 1920s influenced her emphasis on design, volume and a higher keyed palette than the Group commonly used. Her fine art career paralleled trends in Canadian painting, and her career as an educator was no less influential.

In August and September of 1934, she took an extended sketching trip to Cobalt. The preceding months contributed to one of the most sensational years in the history of Canadian art, when Bess Housser divorced her husband Fred Housser and Lawren Harris left his wife Beatrice (Trixie). Lawren and Bess married, and the ongoing affair between Yvonne and Fred simmered, as gossip swirled. Fred was well known as a partisan of the Group, who published its first history in 1926, and earned a living as a business journalist for the *Toronto Daily Star*. During the 1934 sketching trip, Yvonne wrote Fred nearly daily. Amid her complaints about the weather and the locals, the letters are replete with her infatuation for him. In one letter she described the previous grey day, the rain that morning and how she painted in the "French Cobalt." A few days later her excitement about the weather described the present lot perfectly: "the sky is that deep vivid energizing blue ... that comes in the first cloud openings after long grey weather, there is nothing tranquil about it—but it's alive, vivid—with determined masses of clouds moving past it—and clear-edged hard brittle buildings cut themselves in a clean-edged mass against it. It is my idea of how a northern day should look."

Of the documented Cobalt canvases, only two are 30 × 36 inches. One is *Silver Mine, Cobalt* (1931), formerly in Fred Housser's collection (now, collection Museum of London). The other is *French Cobalt*, first listed in the March 1935 Ontario Society of Artists catalogue as also being 30 × 36 inches. Now it is clear the work presented to Heffel as *Town of Cobalt*, circa 1935, is most likely *French Cobalt*. It is also tempting to say that Yvonne's extraordinary optimism for her relationship with Fred is infused into paint. They married on June 28, 1935.

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

ESTIMATE: \$30,000 – 50,000



130 Alexander Young (A.Y.) Jackson

ALC CGP G7 OSA RCA RSA 1882 – 1974

Hills, St-Urbain

oil on panel, signed and on verso titled,
dated circa 1930 on the Roberts Gallery label
and inscribed 8734s and 859/77
8 3/8 x 10 1/2 in, 21.3 x 26.7 cm

PROVENANCE

Acquired directly from the Artist by Dr. Arnold Mason
A gift from Dr. Mason to Mrs. Margaret Kirkpatrick
for her wedding, 1937
Roberts Gallery, Toronto
Private Collection, Toronto
Sold sale of *Fine Canadian Art*, Heffel Fine Art
Auction House, May 17, 2012, lot 181
Private Collection, Vancouver

LITERATURE

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

A.Y. JACKSON SKETCHED annually in the Laurentians and the surrounding hilly terroir of Quebec. One of his favourite areas to visit and paint was Saint-Urbain, and he was passionate about the culture, people and unique character of this landscape. Jackson's acclaim as a painter was derived from the immediacy of his *plein air* sketches. On occasion, Arthur Lismer critiqued his good friend's work and once perceptively stated, "There is something cosmic in his interpretation of the movement of earth and sky and weather forms in his paintings, but he never pushes the medium to extravagant expression. Always it seems that he grasps the fundamental unity of spirit and technique." *Hills, St-Urbain* perfectly exemplifies Jackson's mastery of these elemental forms. It is an important and beautifully composed sketch from the Group of Seven period, in which he captures the bold sensation of sunlight and delicate tonalities of colour in snow and shadows, as well as the strength and rhythm of the land.

ESTIMATE: \$30,000 – 40,000



131 Alexander Young (A.Y.) Jackson

ALC CGP G7 OSA RCA RSA 1882 – 1974

The Melville Ice Pack

oil on board, signed and on verso signed, titled and titled
The Melville Pack, dated 1927 indistinctly and inscribed 5137
 8 ½ x 10 ½ in, 21.6 x 26.7 cm

PROVENANCE

A gift from the Artist to a fellow member of
 the Arts and Letters Club, Toronto, 1940
 Acquired from the above by the present Private
 Collection, Toronto, 2008

LITERATURE

A.Y. Jackson, *A Painter's Country: The Autobiography
 of A.Y. Jackson*, 1958, page 95
 Naomi Jackson Groves, *A.Y. Jackson: The Arctic 1927*, 1982,
 the 1927 graphite sketch *Pushing Through Melville Pack
 Ice* reproduced, unpaginated, plate 12

A.Y. JACKSON PAINTED this spectacular oil sketch during a 1927 trip through the Arctic with Dr. Frederick Banting aboard the ss *Beothic*. Jackson recounted in his journal, “The Melville pack has been the terror of the Arctic for hundreds of years ... As we passed through the Melville pack we observed old ice floes and patches of blue ice, and ice lifted off the shore with mud and stones all over it. To make studies when the ship was zigzagging through the ice fields was very difficult. The old floes were fantastic in shape; some resembled big mushrooms and were beautiful in colour, lavender white on the outside and green-blue under the water.” Banting wanted to stop there, but Captain Falk was so concerned about the ship being trapped that he spent hours in the crow’s nest monitoring their progress until they reached open water. *The Melville Ice Pack* is a stunning work by Jackson, with sculptural ice patches undulating through the cold water into the distance while overtop, unusual cloud formations send fingers of icy precipitation down to the horizon. With the melting of the Arctic, paintings such as this may become records of what once was.

ESTIMATE: \$25,000 – 35,000



132 Arthur Lismer

AAM CGP CSGA CSPWC G7 OSA RCA 1885 – 1969

Georgian Bay

oil on board, signed and dated 1950

12 x 16 in, 30.5 x 40.6 cm

PROVENANCE

Collection of Harry and Esther Handel, Montreal

By descent to the present Private Collection, Montreal

LITERATURE

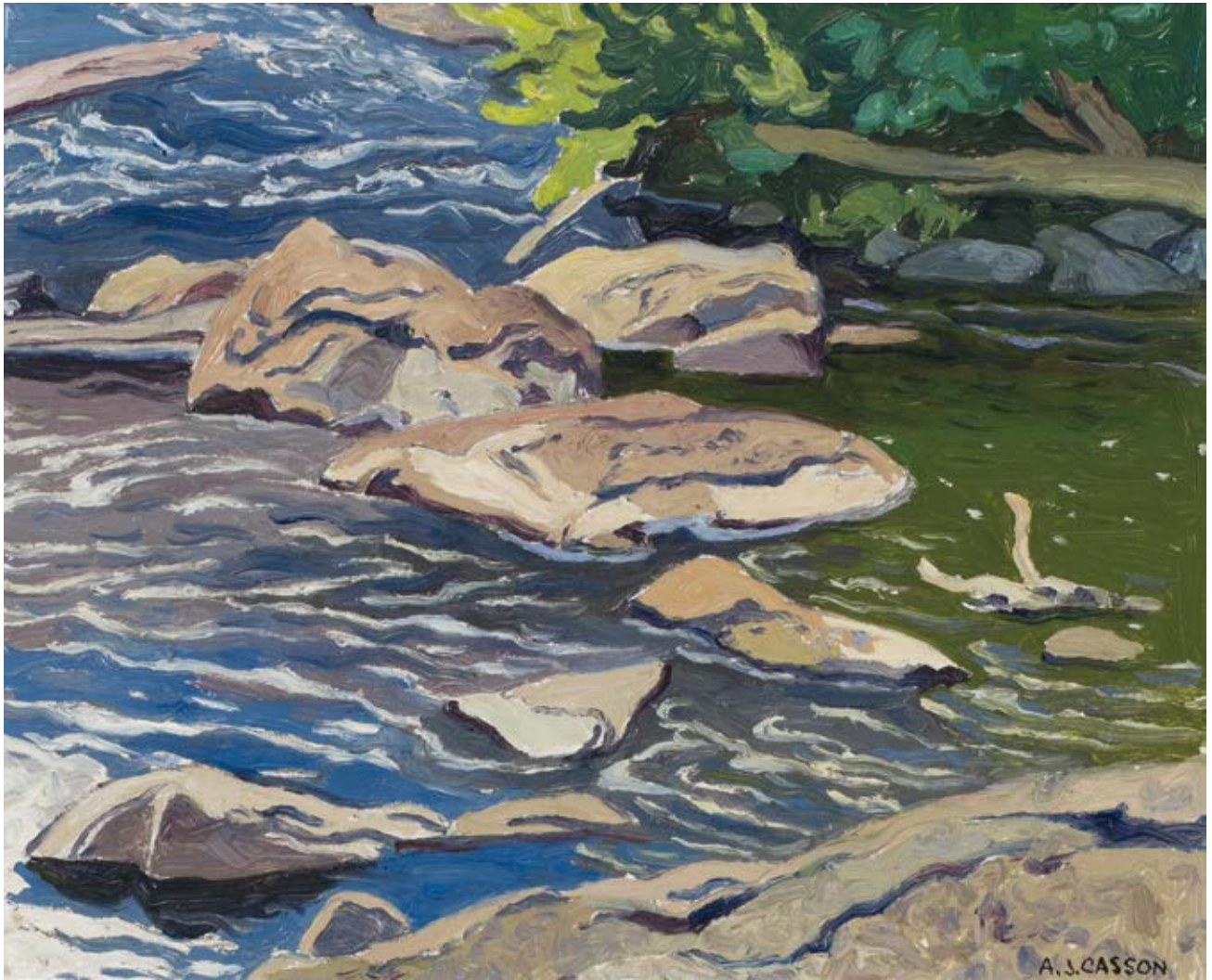
Lois Darroch, *Bright Land: A Warm Look at Arthur Lismer*, 1981, page 15

ARTHUR LISMER HAD an affection for the bright and shining land of Georgian Bay that went beyond the ordinary. For him it was “like being on a different continent—the radiant air, the

rocks, the endless expanse of turbulent water and sky.” This was a place he started to explore in 1913, and he returned on many trips. It was here he found his voice as an artist—it became a painting place that shaped him. He was moved by a new experience of a unique land of high rocks, crowned with leaning pines and punctuated by little ponds that collected in the rocky basins. Lismer often painted these pools, dark with reflections and filled by water lilies, their perimeters defined by rock shelves and green foliage. Although his depiction of the rocks is rough, they seem to mould themselves around the pool, which nestles into them in an intimate way. Gentle and contemplative, the pond offered respite from the scouring of the west wind, which shaped the pines around it.

On verso of this work is a sketch by the artist.

ESTIMATE: \$20,000 – 30,000



133 Alfred Joseph (A.J.) Casson

CGP CSPWC G7 OC POSA PRCA 1898 – 1992

York River at Bancroft

oil on board, signed and on verso signed, titled and dated 1956 on the artist's label and the gallery label
9 ¼ x 11 ½ in, 23.5 x 29.2 cm

PROVENANCE

Kensington Fine Art Gallery Ltd., Calgary
Private Collection, Alberta

IN 1956, A.J. CASSON was still in the thick of his various involvements—he had been appointed as a corresponding member of the National Academy of Design, an honorary association of American artists, in 1952. Throughout the 1950s, Casson served on the boards of public institutions such as the Ontario College of

Art and the Art Gallery of Toronto, where he was vice-president from 1955 to 1969. Of course, he was still working at Sampson Matthews Limited, the design firm where he was vice-president. However, he continued to paint, and this bright, fresh sketch is a fine example of his work at this time. Water swirls among the rocks, rushing downhill and filling the board. To the right, a green section marks where bright foliage overhangs the river, creating an area of calm. Casson shows his eye for design in the dark-blue fissures in the rock, which in the successive shelves as the river flows downstream, anchor the aqueous image. It is easy to imagine the solace this depiction of York River brought him in the midst of his many obligations. One year later, Casson would leave Sampson Matthews to devote himself to his artistic career full time.

ESTIMATE: \$15,000 – 25,000



134 Alfred Joseph (A.J.) Casson

CGP CSPWC G7 OC POSA PRCA 1898 – 1992

Fields at Heathcote

oil on canvas, signed and on verso signed, titled and dated 1973 on the artist's label and titled and inscribed #2755H on the Roberts Gallery label
24 x 30 in, 61 x 76.2 cm

PROVENANCE

Roberts Gallery, Toronto
Acquired from the above by the present
Private Collection, Ontario

IN THIS WORK, A.J. Casson combines what many artists do not: a sense of large scale and a sense of calm in the landscape. When representing size, an artist's vision will often carry with it an

element of foreboding. Yet while Casson regularly succeeded in expressing awe in his work, its tone is altogether more benevolent. Here he depicts rolling farmland outside of Heathcote, Ontario, a small community northwest of Toronto, near the Blue Mountains. A sense of expanse is described in the green and gold patchwork of the fields, but even more so in the density of the clouds. Casson conveyed the volume of their formations in a structural style informed by his long career as one of Canada's leading designers and commercial artists. Their palpable constructions extend into the far distance, giving a feeling of shelter and abundance. Especially important to note are the revealed glimpses of sky. Rendered in a particularly Casson-esque shade of blue, existing somewhere between cerulean and cyan, they express clearly the peaceful joy that underpins so much of the artist's work.

ESTIMATE: \$60,000 – 80,000



135 Alfred Joseph (A.J.) Casson

CGP CSPWC G7 OC POSA PRCA 1898 – 1992

October Morning, Oxtongue Lake

oil on canvas, signed and on verso signed, titled and dated 1973 on the artist's label and titled and inscribed #2756H on the Roberts Gallery label
24 x 30 in, 61 x 76.2 cm

PROVENANCE

Roberts Gallery, Toronto

Acquired from the above by the present

Private Collection, Ontario

THIS EARLY MORNING scene, with stylistic wisps of fog rising from an unseen mid-ground above the stillness of an autumn lake, is depicted as only A.J. Casson can depict it. The plume-like fog is transparent yet architectural, the centrepiece in this examination

of stillness. A placid, ancient silence is evoked, stretching from the viewer to beyond the shrouded hills in the distance. Although not essential to one's engagement, those who have been fortunate enough to visit the areas in and surrounding Ontario's storied Algonquin Park are especially equipped to understand the tone of this work. Oxtongue Lake, just outside the borders of Algonquin Park, was a favourite painting location for the artist and drew him annually during the latter period of his career. This region's profound natural resonance has served as an inexhaustible source of inspiration for artists such as Casson, who was both sensitive enough to perceive it and capable enough to express it. The beauty he articulates here is amplified by the veiling of fog, both revealing and concealing it—suggesting that the area's true nature will always remain hidden and mysterious.

ESTIMATE: \$60,000 – 80,000



136 Alfred Joseph (A.J.) Casson

CGP CSPWC G7 OC POSA PRCA 1898 – 1992

Old Buildings, Wabamic

oil on board, signed and on verso signed, titled, dated 1927 and inscribed #7064 and 9/83
9 x 11 in, 22.9 x 27.9 cm

PROVENANCE

Roberts Gallery, Toronto
Private Collection, Toronto

OLD BUILDINGS, WABAMIC is a classic southern Ontario village scene by A.J. Casson from his Group of Seven period. Only a year earlier, in 1926, Casson had been asked to join the Group, and he exhibited with them in March of that year at the Art Gallery of Toronto. He communed with them at the Arts and Letters Club, listening to their stories about their adventurous trips farther

north to Algonquin Park and Algoma, but ultimately carved out his own identity in the Group with his depictions of Ontario villages and rural settlements. He criss-crossed southern Ontario every chance he could when not working as a commercial designer with Rous & Mann Ltd. and Sampson Matthews. Characteristic of the Group period, Casson's brushwork here is vigorous and the paint thick and textural. His fine eye for design manifests in the interesting organic patterns of shapes in the fields, which are echoed in the clouds and result in a pleasing visual rhythm. The impression of sunlight is deftly created, as is the expansive atmosphere of the open sky, imbuing this fine scene with a cheerful freshness.

ESTIMATE: \$25,000 – 35,000



137 Alfred Joseph (A.J.) Casson

CGP CSPWC G7 OC POSA PRCA 1898 – 1992

Little Current

oil on board, signed and on verso signed, titled, dated 1962 and inscribed *Jennie Ross*
12 x 15 in, 30.5 x 38.1 cm

PROVENANCE

Acquired directly from the Artist by Harry
and Jennie Ross, Toronto
By descent to the present Private Collection, Ontario

THE TOWN OF Little Current on Ontario's Manitoulin Island is named for the fast-moving waters that flow through the narrow channel to the north. This strait connects Georgian Bay with the North Channel, a body of water with Lake Huron to the south and the La Cloche Mountains to the north. Scenic and majestic,

this area has long attracted artists, including A.J. Casson's close friend and mentor Franklin Carmichael. Though Carmichael had passed away more than 15 years before this distinctive work was produced, it contains some gestures that show his influence. The La Cloche range is depicted in the distance, an area closely associated with Carmichael. The predominance of blue in the composition is also more stylistically Carmichael than Casson, but the most important element is the painting's perspective. Whereas Casson's compositions are often flattened, focusing on elements in the mid-ground that dominate the image, high-vantage vistas such as this are more the domain of Carmichael. While remaining true to his voice, with *Little Current* Casson produced a unique work that speaks to the enduring legacy of friendship and influence.

ESTIMATE: \$20,000 – 30,000



138 Lawren Stewart Harris

ALC BCSFA CGP FCA G7 OSA TPG 1885 – 1970

Colin Range, Rocky Mts., Rocky Mountain Sketch cxi

oil on beaver board, signed and on verso signed, titled and inscribed with the Doris Mills inventory #7/111 / and IV / #2418 / Colin Range, Jasper, 1924
10 ¾ × 13 ⅞ in, 27.3 × 35.2 cm

PROVENANCE

By descent to the present Private Collection, Michigan

LITERATURE

Doris Mills, *L.S. Harris Inventory*, 1936, Rocky Mountain Sketches, Group 7, catalogue #111, listed, location noted as the Studio Building

PAINTINGS OF THE Rocky Mountains occupy a critical place in the catalogue of Lawren Harris's work. In the 1920s, Harris was constantly refining his unique artistic approach. The quest to portray the spirit of the Canadian landscape began by the lakes of northern Ontario, but it was in the mountains where he was able to ascend into another realm that seemed to bring him physically closer to his ideas about spirituality and universal truth, and to capture them in his work. What he depicted in the Rockies, alongside his work at Lake Superior and in the Arctic, was the pinnacle of his journey in landscape painting. Fully realized by 1930, this quest catalyzed a transition to pure abstraction, which remained the focus for the remainder of his career.

Harris was at home in the mountains, writing to fellow artist Emily Carr in 1942, "I thrive on mountain air and climbing."¹ This work, *Colin Range, Rocky Mts., Mountain Sketch CXI*, comes from a period when he was first discovering the Canadian Rockies and realizing this affinity, both personally and artistically. It was painted in Jasper in 1924, on Harris's first trip to the region, when he was joined by A.Y. Jackson. Works from this first trip are easily distinguished by their size, as it was the only visit to the Rockies when Harris was painting on 10 ½ × 13 ½-inch panels, before transitioning to larger boards of 12 × 15 inches.

Harris and Jackson began their trip at Jasper Park Lodge and did early sketches of surrounding lakes, looking up to grand peaks in the distance. However, their initial impressions did not resonate as deeply as they had hoped. Jackson later recalled, "We did not find the landscapes in the neighbourhood of Jasper Lodge or along the railroad very interesting, and we wanted to get into the big country."² They set out to Maligne Lake, where Harris initially was underwhelmed, stating, "When I first saw the mountains, travelled through them, I was most discouraged. Nowhere did they measure up to the advertising folders, or to the conception

these had formed in my mind's eye."³ They explored and sketched at the southern end of the lake in the "weird and ancient country of crumbling mountains and big glaciers,"⁴ but were more intrigued by what they saw in the Colin Range, to the east.

The artists climbed up the section of mountains now named the Queen Elizabeth Range, where they finally had more favourable responses. According to Jackson, "The Colin Range was an amazing place, a kind of Cubists' paradise full of geometric formations, all waiting for the abstract painter."⁵ It was here that Harris began to thrive, and one can conclude, based on the great effort they took to establish a camp at high elevation (and return to it later in the trip), that the region was of particular appeal. It could easily be what Harris was describing when he later wrote, "After I became better acquainted with the mountains, camped and tramped and lived among them, I found a power and majesty and a wealth of experience at nature's summit which no travel-folder ever expressed."⁶

Viewing the epic perspective of this work, looking east towards Garter Peak (centre-left) from an unnamed ridge just north of Opal Peak, the layers of warm rock faces and strong cool shadows, full of dramatic angular forms, make it easy to understand why Jackson and Harris "found the six-thousand foot level, where we could look both up and down, most satisfying for painting."⁷ A sketch by Jackson of this exact same scene (in a private collection) affirms that the painters' attraction to this composition and subject matter was mutual.

Sketching high in the alpine was an approach Harris continued throughout his trips to the Rockies, with many of his most impactful works being done at altitude, amongst the mountains, in the rarified air where he thrived. This work is an impressive demonstration of the artist establishing his approach to one of his most important and iconic subjects.

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

1. Lawren Harris to Emily Carr, August 1942.
2. A.Y. Jackson, *A Painter's Country: The Autobiography of A.Y. Jackson* (Toronto: Clarke, Irwin, 1958), 106.
3. Lawren Harris, quoted in Bess Harris and R.G.P. Colgrove, eds., *Lawren Harris* (Toronto: Macmillan, 1969), 62.
4. Jackson, *Painter's Country*, 106.
5. *Ibid.*, 107.
6. Harris, quoted in Harris and Colgrove, *Lawren Harris*, 62.
7. Jackson, *Painter's Country*, 106.

ESTIMATE: \$100,000 – 150,000



139 Cornelius David Krieghoff

1815 – 1872

On the St. Lawrence

oil on canvas, signed, dated 1858
and inscribed *Quebec*

13 ¼ × 18 in, 33.7 × 45.7 cm

PROVENANCE

Kenneth R. Thomson, Toronto
Private Collection, Vancouver

LITERATURE

Dennis Reid, *Kriehoff: Images of Canada*, Art Gallery
of Ontario, 1999, reproduced page 160

IN 1858, CORNELIUS KRIEGHOFF was living in Quebec City, and an important part of his oeuvre was the depiction of the *habitants*, rural French-Canadian working people. This depiction of ordinary life was a genre that originated in Europe—one that

Kriehoff, with his Dutch-German background, was quite familiar with. When he introduced it into Canada, it was well received by collectors. Krieghoff had a great affection for the *habitants*, and he captured their plucky, hard-working nature as well as their enthusiasm for the pleasures of life. In this scene, Krieghoff's fine eye for detail depicts the characteristic *habitant* dress, such as the colourful toques, and the distinctive horse, of the breed known as the *canadien*. This small and spirited horse, descended from Norman and Breton stock, was introduced to Quebec in the seventeenth century; it possessed endurance and strength. Of the various styles of sleighs in Quebec, this one is a cariole—gracefully shaped, brightly painted and supported by distinctive curved runners. This amusing, vivacious scene is a fine example of the genre, with the merrymaking *habitants* enjoying drinking in the cariole as they glide through the crisp winter atmosphere.

ESTIMATE: \$70,000 – 90,000



140 James Wilson Morrice

CAC RCA 1865 – 1924

The Rider

oil on panel, on verso dated circa 1912 on the Masters Gallery label and stamped with the Morrice studio stamp

5 ¼ × 6 ¾ in, 13.3 × 17.1 cm

PROVENANCE

Canadian Fine Arts, Toronto

Galerie Walter Klinkhoff Inc., Montreal

Masters Gallery Ltd., Calgary

Sold sale of *Fine Canadian Art*, Joyner / Waddington's,

December 6, 2005, lot 63

Private Collection, Toronto

LITERATURE

Katerina Atanassova, *Morrice: The A.K. Prakash Collection in Trust to the Nation*, National Gallery of Canada, 2017, page 161, similar scenes of horses and riders, such as the 1912 – 1913 oil on panel entitled *Road Scene, Tangier* and the circa 1911 oil and graphite on panel entitled *Beach Scene, Tangier*, in the collection of the National Gallery of Canada, reproduced page 165

JAMES WILSON MORRICE spent much of his life in France, and prevalent in Paris at the turn of the century was an interest in Orientalism. This fascination with the exotic inspired Morrice, and he made two trips to Morocco, one in early 1912, the other in the winter of 1912 to 1913. While there, Morrice continued his practice of *plein air* painting in his established style, while reflecting this new environment. Katerina Atanassova wrote, “He soon realized that the light in North Africa is brighter than in Europe, the air is thinner, and there is a crispness and clarity that is unique to this region.” In this evocative work, Morrice depicts a scene of everyday life in Tangier, in which donkey and rider move through a golden-toned landscape under a dramatic sky, contrasted by the darkened distant hill in blue, green and purple tones. It is astonishing how Morrice suggests so much in a small *pochade*—assured, fluid brush-strokes define the landscape and capture the heat of the day through the figures’ languid movement, in a nostalgic scene that could be 1912 or from centuries past.

We thank Lucie Dorais for her assistance in cataloguing this lot. This work will be included in Dorais’s forthcoming catalogue raisonné of the artist’s work.

ESTIMATE: \$15,000 – 25,000



141 Frederick Arthur Verner

ARCA OSA 1836 – 1928

Brave of the Sioux Tribe

oil on canvas, signed and dated 1870 and on verso titled and dated on a label and inscribed *Sioux Tribe* on a label
36 x 27 ½ in, 91.4 x 69.8 cm

PROVENANCE

By descent to the present Private Collection, Calgary

LITERATURE

Margaret R. Annett, Frederick Arthur Verner, *Paintings, Watercolours, Drawings: Frederick Arthur Verner*, National Gallery of Canada, 1976

Joan Murray, *The Last Buffalo: The Story of Frederick Arthur Verner, Painter of the Canadian West*, 1984, page 37

EXHIBITED

National Gallery of Canada, Ottawa, *Paintings, Watercolours, Drawings: Frederick Arthur Verner*, November 1, 1976 – July 15, 1977, catalogue #11

THE PORTRAYAL OF First Nations peoples in Canada by Europeans dates back to Cornelius Krieghoff and Paul Kane in the mid-nineteenth century. Frederick Verner was influenced by Kane and his portraits, but Verner's work was more naturalistic. Verner painted scenes of Sioux people in encampments set in the landscape, but his most extraordinary portrayals are close-ups of individual First Nations men. Here he portrays a young Sioux warrior, who exudes nobility and dignity, in a realistic style.

This portrait is extraordinary—Verner captures the sensitivity of the young man's character and his natural poise. His slight smile radiates a Mona Lisa-like enigma. Sioux men and women both traditionally wore a lot of jewellery, and the young man's adornments—earrings, wrist cuff and necklaces composed of beads, fur and entwined ribbons—add to his handsome appearance. His hands, one grasping a tomahawk, the other gently resting in front of the other, are relaxed, without any warlike connotation. Verner's handling of paint is remarkable, from the softly modulated background to the man's glowing warm skin tones, offset by the white blanket wrapped around him.

Verner was a photographer who worked for Notman and Fraser, a prominent photographic studio in Toronto. He painted from photographs in the early 1860s, likely the source of his naturalistic approach to his portraits, then in 1867, he also started drawing Indigenous subjects from life. The Sioux people lived in the northern Great Plains—the Prairies in Canada and North and South Dakota, Wisconsin and Minnesota in the USA—and they had a strong hunting and warrior culture. In her book *The Last Buffalo: The Story of Frederick Arthur Verner, Painter of the Canadian West*, Joan Murray indicates that for portraits such as this, Verner referred to photographs, and also to sketches of Indigenous clothing and jewellery from sources such as the National Gallery of Canada collection. She also wrote that “the way the subjects relate to the picture space and their pose betray the use of a book source: George Catlin's *North American Indians* ‘written during eight years’ travel (1832 – 1839) amongst the Wildest Tribes of Indians in North America,’ as Catlin subtitled his book.”

In *Brave of the Sioux Tribe*, the tomahawk the young warrior is holding is a pipe tomahawk, a war hatchet that was also a



FREDERICK VERNER
Ta-ne-ze-pa (Sioux Dandy)

oil on canvas, 1862

30 x 25 in, 76.2 x 63.5 cm

Collection of the Glenbow Museum, Calgary, 55.7.3

Not for sale with this lot

smoking pipe—note the bowl on the top. These objects were produced in metal by European and American artisans and given as diplomatic trade gifts to First Nations people, such as when trade relationships were being negotiated. They were also decorated with symbols—like the heart on the blade. The more ornate the tomahawk was, the more prestigious it was. Tobacco, a plant sacred to Indigenous peoples, had ritual uses. Over time, the pipe tomahawk became increasingly ceremonial and was used more as a pipe than as a weapon, but it continued to symbolize the choice Europeans and native peoples faced whenever they met: peace or war.

Murray indicated that Verner painted only a small number of portrayals such as this one. She wrote that “family legend speaks of twelve portraits,” making *Brave of the Sioux Tribe* a rare and important work.

The Glenbow Museum has two fine portraits in this format in its collection: *Ta-ne-ze-pa (Sioux Dandy)* and *Ne-bah-quah-om (Big Dog), Chippewa*, both canvases from 1862.

ESTIMATE: \$40,000 – 60,000



142 John Goodwin Lyman

CAS CGP EGP FRSA 1886 – 1967

Equestrian Act

oil on board, signed and on verso titled and
inscribed *More lighter... inside ring*, 1940
15 ½ x 16 ⅛ in, 39.4 x 41 cm

PROVENANCE

Dominion Gallery, Montreal
Mr. and Mrs. Ethier Blais, Montreal
Mr. de Kampnick, Montreal
Private Collection, Montreal

LITERATURE

G. Viau, "Peintres et sculpteurs de Montréal,"
Journal of RAIC, November 1956, reproduced
page 440, titled as *Écuyers de Cirque au Forum*
Louise Dompierre, *John Lyman, 1886–1967*, Agnes
Etherington Art Centre, 1986, page 55, reproduced
page viii and listed page 165

EXHIBITED

Dominion Gallery, Montreal, *John Lyman and Louis
Archambault*, 1940, catalogue #35
Agnes Etherington Art Centre, Kingston, *John Lyman, 1886–1967*,
September 26 – November 23, 1986, traveling in 1986 – 1988
to the Art Gallery of Ontario, Toronto; Edmonton Art Gallery;
Winnipeg Art Gallery; London Regional Art Gallery; Musée du
Québec, Quebec City; and Musée d'art contemporain de Mon-
tréal, catalogue #60

JOHN LYMAN LIVED abroad for many years; in 1909, he moved to France, where he studied with Henri Matisse. He was wealthy and led a nomadic life, traveling through Europe, North Africa and the West Indies. Lyman exhibited in Paris at such venues as the *Salon des Artistes Indépendants*, *Salon des Tuileries* and *Salon d'Automne*. In 1931, he returned to Canada, where he quickly rose to prominence as a modernist in Montreal's art community, showing through the Eastern Group of Painters and the Contemporary Arts Society. Louise Dompierre wrote that Lyman was "one of the key figures to emphasize internationalism and to spread ideas which were to lead to major artistic changes, not only in the thirties but in the following two decades as well." *Equestrian Act* embodies core characteristics of Lyman's mature work: a sense of equilibrium, simplicity of form and the use of colour to articulate space. Forms are streamlined and finely balanced—one horse calmly regards the other, as it promenades in its show gait. In *Equestrian Act*, Lyman has captured a fascinating scene of horse enthusiasts enjoying the refined performance of dressage.

ESTIMATE: \$15,000 – 25,000



143 Pablo Picasso

1881 – 1973 Spanish

Tête de femme

oil on canvas, signed and dated 6.10.1939 and on verso titled on the labels and inscribed *no. 52091* (Photo) on the Galerie Simon label, 76 on the stretcher upper right corner, *Feigen* on a sticker at centre of the upper stretcher, 14 on a green label and *Galerie Louise Leiris, 29 bis rue d'Astorg, Paris. Valeur d'assurance: 250 000 francs* and *Zervos Vol. IX.345* on the South Africa exhibition label
16 ⅞ x 13 in, 41 x 33 cm

PROVENANCE

Collection of the Artist
Galerie Simon, Paris
Galerie Louise Leiris, Paris
Collection Claude Hersaint, Paris
Richard L. Feigen & Co., Chicago
Acquired from the above on January 2, 1962 by the present Prominent Private Collection, Montreal

LITERATURE

Christian Zervos, editor, *Pablo Picasso*, vol. 9, *Oeuvres de 1937 à 1939*, 1958, #345, reproduced page 160 and listed as *Royan*

EXHIBITED

Afrique du Sud, *Exposition d'art français contemporain*, work lent by Galerie Louise Leiris

“MACHINES À SOUFFRIR”? THE PROBLEM OF IDENTITY IN PICASSO’S “PORTRAITURE” – BY JOHN FINLAY

GIVEN THE LIBERTIES that Pablo Picasso took with “natural appearances,” marking the parameters of his portraiture is something of a predicament. In fact, the vast majority of his single figure compositions question the nature of identity, not to mention the hopelessness of conclusively copying “reality.” As Picasso told his dealer Daniel-Henry Kahnweiler, “There are so many realities that in trying to encompass them all one ends in darkness. That’s why, when one paints a portrait, one must stop somewhere, in a sort of caricature.”¹ In his vast and revealing exhibition, *Picasso and Portraiture* (1996), William Rubin intentionally expanded portraiture’s definition to include works that might easily be classified as general painter and model subjects, nude studies, descriptive genre scenes, caricatures and so forth.² Rubin’s focus centred on the idea of transformation and metamorphosis: transitory concepts that go against the notion of “portraits” in the customary sense of the word.

Despite Picasso’s eagerness to distort and caricature, at times monstrously, Rubin argues that “they are clearly portrayals,” associating them with particular “sitters,” the artist’s “mood” and essentially viewing “portraiture” as “exorcising anxiety.” As Rubin further contends, “It would not be far from the truth to consider these pictures autobiographical portraits.”³ Insistence that these “dramatically transformed images... should not be called a portrait” nonetheless led Rubin to recount that “Jacqueline [Roque] herself recognised [*Seated Woman*, November 27, 1960, Museum of Modern Art, Toyama, Japan] as one, and said of this very picture: ‘Ça, c’est moi.’” As Rubin further reasons of the countless “portraits” of Jacqueline made over a 20-year



Dora Maar, Paris, France, 1956

Photo: Lee Miller

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period “and ranging along a continuum from extreme realism to extreme transformation, there is no simple divide, no fixed single point at which an image inspired by her can securely be said to cease being her portrait.”⁴

But surely the opposite is equally true: in Picasso there is no secure image that can safely be termed or identified as a “portrait,” this being the artist’s great gift to us? Picasso was utterly capricious when it came to using the term “portrait,” but when asked about the prominence he gave to “likeness,” realism and physiognomy in a work, he claimed that there was none. “It’s not important to me to know whether a certain portrait is a good likeness or not. Years, centuries pass, and it is not important if the physiognomical traits are exactly those of the person portrayed. The artist loses himself in a futile effort if he wants to be realistic. The work can be beautiful even if it doesn’t have a conventional likeness.”⁵

Leaving aside for a brief moment the issue of identification and that self-recognition and the search for identity are a natural response in figurative art, it is often very hard to be sure what exactly Picasso meant by a “portrait” in both his art and statements. Yet identification of a particular “sitter” appears to be the hallmark of Picasso studies—the great divide between retrospective styles and extraordinary transformation no barrier to scholarly insistence on identifying a particular individual in a Picasso work, especially when it comes to singling out various muses and models. Yet the vast majority of Picasso’s portrayals depict a single individual and these are virtually always composed of his own imagination. For Picasso, identity and “conventional likeness” mattered little when representing one person



Pablo Picasso in the safe of the Banque nationale pour le commerce et l'industrie (BNCI) with portraits of Dora Maar, Paris, 1939
 Photo: Dora Maar © 2020 Artists Rights Society (ARS), New York/ADAGP, Paris
 Courtesy of Art Resource, New York

or another, or both, or various individuals. As a marker of the “realist” figurative subject, identity is repeatedly called into question in his “portraiture.”

Recent analysis strongly suggests that when Pablo Ruiz changed his moniker circa 1901 to “P. Ruiz-Picasso” and subsequently to a more pithy “Picasso,” in *Yo Picasso* (I, Picasso, May – June 1901, private collection), he was revealing not just a “progressive construction of a personal and artistic identity,” but also ascribing “less an identity than an entity.”⁶ In fact, *Yo Picasso* is equally a method of experimentation in “appearances,” the artist depicted not in the act of painting, but literally through paint. Notably, his use of thick impasto and loosely brushed, vibrant colours is highly akin to the work of fashionable nineteenth-century French Post-Impressionists. Neither brush nor palette appears in Picasso’s hands. “The painter and the unity of his

oeuvre supplant his person and the vicissitudes of his biography.”⁷ Hence it is the *matière* of art, not likeness, that speaks for itself.⁸

In general, Picasso’s working practices reveal that he habitually overlaid and coalesced postures and gestures, a habit that reflects his remarks to Christian Zervos: “Do you think it concerns me that a particular picture of mine represents two people? The ‘vision’ of them gave me a preliminary emotion; then little by little their actual presences became blurred; they developed into a fiction and they disappeared altogether, or rather they were transformed...”⁹ Given that Picasso frequently expressed notoriously fluctuant, precarious and conflated figurative identities—selves that could metamorphose into something (or somebody) else completely—it might be prudent to assuage any thoughts as to what can be gleaned from biographical identity in his oeuvre. For Picasso, a genre of this kind was never confined

solely to portraying particular personages, so an additional and fundamental question would be to ask what else—to the degree we can ascertain or deduce—might the artist be addressing in each “portrait”?

What, therefore, of our *Tête de femme* or the related *Tête de femme au chapeau*, both created a day apart in early October 1939?¹⁰ The “manner” of their execution is certainly evocative of Picasso’s Royan masterpiece painting *Woman Dressing Her Hair* (1940, Museum of Modern Art, New York), inspired it is said by seeing Dora Maar brush her hair. Numerous writers have linked the work with Maar, a work which, it is claimed, neatly characterizes a highly strung, neurotic and “Kafkaesque personality,”¹¹ and though acknowledging the work’s allegorical aspect, it is nevertheless identified as a “portrait.”¹² The concept for these works occurred during Picasso’s initial weeks in Royan, where Picasso filled a *carnet* (utilized between September 30 and October 29, 1939) with drawings for the painting of a woman with the skull of a sheep.¹³ They seem to have inspired too the coupling of a seated woman and death’s head in a series of tiny cardboard reliefs made in Royan at the start of 1940.¹⁴ As Elizabeth Cowling contends, this places them firmly “in the venerable tradition of *vanitas* where a young girl sees a skeleton in the mirror or is shown as half as flesh, half as bone, a tradition which took on special meaning in the midst of the war.”¹⁵ Unsurprisingly, writers such as André Malraux later called these images *machines à Souffrir*. But are they really Picasso’s “suffering machines”—a term that foists a psycho-biographical connection upon the artist’s oeuvre?¹⁶

Alternatively, we could view *Tête de femme* as a painting that turns Picasso’s Cubism on its head by exploiting the original and often brutal syntax of collage and construction: work that intentionally twists, bends, distorts and abstracts, to the point of near obliteration, human form. *Tête de femme*’s death’s head/cranium—a series of white graffiti-like marks representing a ghastly, distorted countenance with toothy rictus and a dark, physical presence—certainly intimates life’s ineffable ravages. Whatever the precise circumstances or “identity” of Picasso’s 1939 painting, however, it is this synthesis of viewpoints that reinforces the perpetually Cubistic/Surrealistic nature of Picasso’s work, the cruel twistings and turnings of *Tête de femme* making the work feel intensely “real.”

As one author has recognized: “In Picasso’s work, there is no beginning, and above all, no end to Cubism. It simply unfolds across time, in temporal facets that are labelled ‘periods’ ...”¹⁷ Looking at Lee Miller’s famous photograph of Maar, alone in her Parisian apartment circa 1956 (Lee Miller Archives, England), with two renditions of the *ex-maîtresse* displayed on the wall—one painted, one drawn, one expressively distorted, the other “naturalistically” rendered—the snapshot becomes a paradigm for the fruitlessness of definitively aping nature, veracity and the “real.” As such, it throws doubt on any essential “truthfulness” vis-à-vis Maar, or any other “portrait” image for that matter. In rejecting the erudite compartmentalization of his work, one can justifiably say that “portraiture” was Picasso’s “vision” of a person, and his alone. He was very clear of mind regarding this matter: “Doesn’t everyone look at himself in his own particular way? Deformations simply do not exist. Daumier and Lautrec saw a face differently from Ingres or Renoir, that’s all. As for me, I see it this way.”¹⁸



PABLO PICASSO

Woman Dressing Her Hair

oil on canvas, Royan, June 1940

51 ¼ x 38 ¼ in, 130.1 x 97.1 cm

Collection of MoMA, 788.1995

© MoMA, New York, 2005

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Courtesy of Art Resource, New York

Not for sale with this lot

We thank John Finlay, a historian of French history, specializing in twentieth-century modern art, for contributing the above essay. He studied art history and theory at Essex University and received an MA and PhD on Picasso from the Courtauld Institute of Art in 1998. His book *Picasso’s World* was published by Carlton Books (London) and by Larousse (as *Le monde de Picasso*, Paris) in 2011. He is also the author of *Pop! The World of Pop Art* (London, 2016) and co-author of *Andy Warhol: The Mechanical Art* (Madrid, 2017). He has contributed to international journals, publishing articles on Picasso and Alberto Giacometti for the *Burlington Magazine*. Finlay is funded by FABA (Fundación Almeline y Bernard Ruiz-Picasso para el Arte, Brussels) and is currently working on its collection of Picasso’s *Vollard Suite* (1930–37). His new project for FABA concerns Picasso’s portraiture in the 1920s. Arcturus (London) will publish his new book, *Art History*, in May 2020. Finlay lives and works in Edinburgh, Scotland.



Dora Maar, Mougins, France, 1937

Photo: Lee Miller

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1. Picasso to D.-H. Kahnweiler, November 9, 1959, cited in Dore Ashton, *Picasso on Art: A Selection of Views* (London: Thames & Hudson, 1972), 82.

2. See William S. Rubin, "Reflections on Picasso and Portraiture: Representation and Transformation," in *Picasso and Portraiture: Representation and Transformation* (New York: Museum of Modern Art; Paris: Grand Palais, in assoc. with Thames & Hudson, 1996), exhibition catalogue, 13–109.

3. *Ibid.*, 15, 97.

4. *Ibid.*, 16.

5. Picasso to Efstratios Tériade, "En causant avec Picasso," *Intransigent* (Paris), June 13, 1932, and cited in Ashton, *Picasso on Art*, 110.

6. Claire Bernardi et al., "The First Spark of a Firework," in *Cubist Picasso*, ed. Anne Baldassari (Paris: Réunion de musées nationaux et Flammarion, 2008), 18.

7. *Ibid.*, 42.

8. As Michael C. FitzGerald has shown, however, "[Picasso] also painted three pictures that carried favour more directly. These were portraits of his three backers of the exhibition [at Vollard's gallery in 1901]: Pedro Mañach, Gustave Coquirot and Ambroise Vollard. Despite distressing poverty at this time, "Picasso's actions reveal his understanding of the relationship between commercial success and

critical commendation." See FitzGerald's *Making Modernism: Picasso and the Creation of the Market for Twentieth-Century Art* (Los Angeles: University of California Press, 1996), 29.

9. Cited in Ashton, *Picasso on Art*, 10. Ann Hoenigswald has confirmed that buried images are fundamental to the structure and subject of Picasso's earliest paintings, with preliminary forms often influencing the final result. See her essay "Works in Progress: Pablo Picasso's Hidden Images," in *Picasso: The Early Years, 1892–1906*, ed. Marilyn McCully (Washington D.C.: National Gallery of Art, 1997), exhibition catalogue, nos. 299–309. As he later informed John Rothenstein, "I even take up old ones that I have not seen for years." Sir John Rothenstein, "A Letter on Paris," *Cornhill Magazine* (London, 1964), 288–95, and reproduced in Ashton, *Picasso on Art*, 98.

10. See Christian Zervos, ed., *Pablo Picasso*, vol. 9, *Oeuvres de 1937 à 1939* (Paris: Éditions Cahiers d'Art, 1958), 345–46.

11. Françoise Gilot with Carlton Lake, *Life with Picasso*, rev. ed. (1964; London: Virago Press, 1990), 85.

12. Judy Freeman, *Picasso and the Weeping Women: The Years of Marie-Thérèse Walter and Dora Maar* (Los Angeles: Los Angeles County Museum of Art, 1997), 190.

13. See, for example, *Nude Dressing Her Hair*, 1939, pencil on paper, 21.7 × 17 cm, Musée Picasso, Paris.



Dora Maar and Picasso on the beach, Côte d'Azur, France, 1937
Photo: Lee Miller
© Lee Miller Archives, England 2020. All rights reserved. leemiller.co.uk

14. The four mixed-media works are listed in Werner Spies, with the collaboration of Christine Piot, *Picasso: The Sculptures* (Ostfildern-Ruit, Germany: Hatje-Cantz, 2000). Revised edition of *Picasso: Das plastische Werk* (Stuttgart: Gerd Hatje, 1983), nos. 182-85. No. 184 is the only relief-work not in the Musée Picasso, Paris.

15. Elizabeth Cowling, *Picasso: Style and Meaning* (London: Phaidon Press, 2002), 623.

16. André Malraux, *La tête d'obsidienne* (Paris: Gallimard, 1974), 128.

17. Jean-Claude Lebensztejn, "Periods: Cubism in Its Day," in Baldassari, *Cubist Picasso*, 53.

18. Picasso's account to Anatole Jakovsky, in "Midi avec Picasso," *Arts de France*, no. 6, 1946. Cited in Ashton, 110.

ESTIMATE: \$1,200,000 – 1,600,000



144 Regina Seiden

CAS 1897 – 1991

At the Market

oil on board, signed and on verso titled and dated 1920
on the gallery labels and inscribed indistinctly

8 ¾ x 12 in, 22.2 x 30.5 cm

PROVENANCE

Masters Gallery Ltd., Calgary

Private Collection, Vancouver

A.K. Prakash & Associates Inc., Toronto

Private Collection, Toronto

REGINA SEIDEN PLAYED a significant role in the emergence of the most influential art movement in Montreal's post-World War I era. A founding member of the Beaver Hall Group, she showed in its first two exhibitions, in 1921 and 1922. Studying

under William Brymner and Maurice Cullen at the Art Association of Montreal, and later at the Académie Julian in Paris, she cultivated a rich and gestural Impressionist style, often contrasted by a delicate Art Nouveau sensibility. The two figures here, laid down with a strong, confident application of paint, share a shaded moment by a cart. As testament to her abilities, the active, modernist depiction of form and the bold, yet unobtrusive choice of colour do not detract from the intimacy of the moment or the sensitivity of its observation, which is accomplished in part by her deft and authentic description of light and shadow. Although her career was curtailed in 1928 by her marriage to fellow artist Eric Goldberg and her support of his career, *At the Market* stands as a rare and exquisite example from an important artist who is not widely known.

ESTIMATE: \$15,000 – 20,000

145 **Marc-Aurèle de Foy
Suzor-Coté**

CAC RCA 1869 – 1937

**The Sun Bath (Wood Nymph /
Bain de soleil)**

pastel on card, signed and on verso titled on the
labels and certified by William Watson, 1926

16 x 11 ½ in, 40.6 x 29.2 cm

PROVENANCE

Watson Art Galleries, Montreal
Galerie d'art Michel Bigué,
Saint-Sauveur-des-Monts
Private Collection, Montreal

LITERATURE

Jean René de Cotret, "Le Salon du Printemps,"

Le Canada, April 5, 1926, page 4

Laurier Lacroix, *Suzor-Coté: Light and Matter*,
National Gallery of Canada and Musée du
Québec, 2002, reproduced page 302 and
listed page 351

EXHIBITED

Art Association of Montreal, *43rd Spring
Exhibition*, 1926

Watson Art Galleries, Montreal, 1927,
catalogue #28

Musée du Québec, Quebec City, *Suzor-Coté,
1869 – 1937: Light and Matter*, October 10,
2002 – January 5, 2003, traveling to the
National Gallery of Canada, Ottawa,
January 24 – May 11, 2003, catalogue #134

FROM 1915 ON, the subject of nudes became an increasingly important part of Marc-Aurèle Suzor-Coté's oeuvre. While training in Paris, Suzor-Coté took drawing classes with live models, and on his return to Montreal, he continued to work with nude models in his studio. Although clerical censorship in Quebec was an obstacle, Suzor-Coté succeeded in getting his nude studies accepted in annual art exhibitions. As the French sculptor Jean Chauvin declared in 1928, "There is nothing more beautiful, more noble or more educational than a living torso, a naked torso, without veil or covering." The nude was a wonderful subject for Suzor-Coté's pastels—their velvety soft qualities were perfect for skin tones, and in this sensuous work, the artist uses delicate pastel hues of flesh-pink, green and blue in the model's body. Suzor-Coté often placed his figures in natural settings, and here his model revels in the warmth of the sun, and the softness of the air and the grass under her feet. In *The Sun Bath*, Suzor-Coté shows his superb handling of form in his use of languid lines and his expert modeling of the woman's body.

ESTIMATE: \$8,000 – 10,000





146 Alexander Young (A.Y.) Jackson

ALC CGP G7 OSA RCA RSA 1882 – 1974

Driftwood

oil on canvas, signed and on verso signed and
titled on the exhibition label, circa 1954
25 x 32 in, 63.5 x 81.3 cm

PROVENANCE

Acquired directly from the Artist by Harry and
Jennie Ross, Toronto
By descent to the present Private Collection, Ontario

EXHIBITED

Canadian Group of Painters, Toronto, 1954

HARRY AND JENNIE ROSS, the original collectors of *Driftwood*, shared a property with A.Y. Jackson at Michipicoten Bay, on the east shore of Lake Superior near Wawa, Ontario. Jackson saw this land, with its finely crafted lodge and two sleeping cabins, in 1954, and in 1955 purchased it in partnership with Jennie, who

had been his student at the Banff School of Fine Arts in 1945. This property had 360 feet of lakefront, and the bay had four beaches. From 1954 to 1966, Jackson made many summer trips to this location, and it was a treasured painting place for him. Jackson based this fine canvas on an oil sketch he executed on location at Sandy Beach, its impressive collection of driftwood originating from log booms being transported to Sault Ste. Marie. This superlative canvas exudes the fresh, thrilling atmosphere of a day in the Canadian wilderness. The expertise of this Group of Seven master is fully present in the elements of this compelling composition: the pattern of wood criss-crossing the stony beach and rock formations, the rich sensation of sunlight, the deep-blue waves lapping the shore and, on the horizon, the sculpted cloud formation.

ESTIMATE: \$50,000 – 70,000



147 Walter Joseph (W.J.) Phillips

ASA CPE CSPWC RCA 1884 – 1963

York Boat on Lake Winnipeg

colour woodcut on paper, signed, titled, editioned 14/150 and monogrammed in the block and on verso dated 1930 on a label 11 x 14 in, 27.9 x 35.6 cm

PROVENANCE

Private Collection, British Columbia

LITERATURE

Malvina Bolus, editor, *The Beaver: Magazine of the North*, Winter 1969, reproduced page 4

Roger Boulet, *The Tranquility and the Turbulence*, 1981, reproduced page 133

Roger Boulet, *Walter J. Phillips: The Complete Graphic Works*, 1981, reproduced pages 10 and 335

Maria Tippett and Douglas Cole, *Phillips in Print: The Selected Writings of Walter J. Phillips on Canadian Nature and Art*, 1982, page 49, reproduced unpaginated plate

FOR OVER A CENTURY, the York boat was an important way of transporting goods between inland trading posts and York Factory, at the mouth of the Hayes River on Hudson Bay. The construction of these sturdy boats was based on an old Orkney design derived from the Viking longship. With the advent of the railroad their use died out, but they are still celebrated in a summer festival called York Boat Days at Norway House, at the northern end of Lake Winnipeg. In 1928, Walter J. Phillips spent a week on the Lake Winnipeg steamboat *Wolverine* and reached Norway House, sketching buildings, figures and boats along the way. He wrote, "This northern route was taken by picturesque brigades of York boats—big open boats propelled by sweeps when the wind was insufficient to fill the square blanket sail. There are none left now. The last lay rotting on the banks of the Nelson; the sturdy frame that withstood the shocks of a passage of the rapids a thousand times, now yielding to the action of the weather." This dynamic and historic image is considered to be one of Phillips's finest woodcuts.

ESTIMATE: \$15,000 – 20,000



148 Alfred Joseph (A.J.) Casson

CGP CSPWC G7 OC POSA PRCA 1898 – 1992

Near Bresnahan Lake

oil on board, signed and on verso titled and inscribed 6 (circled) and variously, circa 1955
9 ½ x 11 ¼ in, 24.1 x 28.6 cm

PROVENANCE

Collection of Mr. and Mrs. A. Crawford Kenny, Toronto
Bequeathed to the present Private Collection, Toronto

BRESNAHAN LAKE IS located just south of Ontario's Algonquin Park, a relatively short distance from several of A.J. Casson's most frequented sketching locations. Nearby places such as Bancroft, Barry's Bay, Combermere, Madawaska and Palmer Rapids were

some of Casson's favourite locales throughout his career, and he depicted them many times in oil and watercolour. This example showcases his noted ability in working successfully with various shades of green. This mastery was in part due to necessity, since for much of his painting career he was employed full time as a commercial artist, which relegated extended sketching trips to the summer months. It was also due to the discipline he proudly cultivated as a graphic designer, often working on projects with strict chromatic constraints. The gentle, flowing rhythms of this composition are complemented by its rich textures, a painterly flourish not always seen in Casson's work, making this a distinctive example.

ESTIMATE: \$20,000 – 30,000



149 Edwin Headley Holgate

AAM BHG CGP CSGA 67 RCA 1892 – 1977

Autumn Tangle, Morin Heights

oil on board, initialed and on verso signed, titled,
dated October 1963 and inscribed 4380 on a label
8 ½ x 10 ¾ in, 21.6 x 26.4 cm

PROVENANCE

Galerie Walter Klinkhoff Inc., Montreal
By descent to a Private Collection, Montreal
Sold sale of *Fine Canadian Art*, Heffel Fine Art
Auction House, November 23, 2007, lot 84
Private Collection, Winnipeg
Private Collection, Toronto

LITERATURE

Dennis Reid, *Edwin Holgate*, National Gallery of Canada, 1976,
the 1964 canvas entitled *Autumn Tangle* reproduced page 82

EDWIN HOLGATE WAS known for his fine landscape and modernist portrait painting, and his friendship with A.Y. Jackson and

allegiance to landscape led to his joining the Group of Seven in 1929. He had a strong connection with the Laurentians, having built a cabin at Lake Tremblant in 1925 and painted in the vicinity. After returning to Montreal in 1944 from service as a war artist, he found the art scene changed. Holgate did not feel a connection to the new world of abstract art there, and in 1946 moved to Morin Heights in the Laurentians. He enjoyed the isolation there, although he kept his connections with Montreal, and in 1946 held a retrospective exhibition at the Dominion Gallery. Holgate's long hours of reflection on the beauty of the Laurentians produced an easy intimacy with his subject, and he often focused on scenes with melting snow or autumn colours, such as in this beautiful and lushly coloured work. Holgate must have felt strongly about this work, as he painted a large canvas based on it in 1964 entitled *Autumn Tangle*, which is reproduced in Dennis Reid's Canadian Artists Series book on Holgate.

ESTIMATE: \$15,000 – 20,000



150 Alexander Young (A.Y.) Jackson

ALC CGP G7 OSA RCA RSA 1882 – 1974

Lockhart River, the Deserted Village

oil on canvas, signed and on verso initialed,
titled and inscribed *For Mrs. Francis Franck*
and *Francis Labine Franck*
20 ¼ x 25 in, 51.4 x 63.5 cm

PROVENANCE

Acquired directly from the Artist
by Mrs. Francis Labine Franck
By descent to a Private Collection,
Toronto and Vancouver
Sold sale of *Fine Canadian Art*, Heffel Fine Art
Auction House, November 28, 2003, lot 80
Private Collection, Vancouver

LITERATURE

Naomi Jackson Groves, *A.Y.'s Canada*, 1968, page 208

LOCKHART RIVER IS located in the Northwest Territories, southwest of Artillery Lake, northeast of Great Slave Lake. This encampment was likely a seasonal one for hunting migrating caribou, as suggested by the antlers on the ground and the rack for drying meat or fish. The caribou were the lifeblood of the northern First Nations; these ungulates migrated into the Barren Lands for the summer and then retreated down into the forests south of the treeline for the winter. A.Y. Jackson made trips to the Great Slave area in 1928, 1949 and 1957. This canvas is an outstanding example of his portrayals of this vast and untamed land and, in this case, how people survived in it using their hunting and fishing skills. Jackson's niece Naomi Groves wrote about the importance of the North to Canada as a whole, stating, "The mystique of the North somehow survives as a basic underlay, a sort of personality permafrost." Once he saw it, the North magnetically drew Jackson, who stated, "I guess I'm like a compass, always heading north. I really do belong to the caribou country, not to the cow country."

ESTIMATE: \$50,000 – 70,000



151 Alexander Young (A.Y.) Jackson

ALC CGP G7 OSA RCA RSA 1882 – 1974

The Haunted House

oil on canvas, signed and on verso signed, titled,
dated October 1958 and inscribed *near East Bolton,
Quebec/H.U. Ross, 20 Blyth Hill, Toronto/NJG 2235*
16 x 20 in, 40.6 x 50.8 cm

PROVENANCE

Acquired directly from the Artist by Harry and
Jennie Ross, Toronto
By descent to the present Private Collection, Ontario

IN 1958, A.Y. JACKSON was working on final preparations for his autobiography, *A Painter's Country*, so all his sketching trips that year were within easy distance of Manotick, his home since 1955. From October 5 to 12, he was in Quebec's Eastern Townships, where he painted the smaller sketch for this scene, sold by

Heffel in the fall 2004 live auction. This fine canvas is remarkably faithful to the sketch, although Jackson inserted a trio of crows into the grassy slope below the house, an addition that makes the image more piquant. Both sketch and canvas express his impressions of a breezy fall day with gold and red leaves still clinging to some of the trees. Jackson's intrinsic sense of rhythm pervades the canvas—in the sinuous curve of the ruts in the road, the sway of low bushes and grasses in the foreground, the arching branches of trees and the dark patches in the sky, which give the impression of movement in the clouds. Jackson must have found this scene a striking and poignant image to have painted this canvas in the studio from his on-the-spot sketch.

Jackson and Jennie Ross were co-owners of a cottage on Lake Superior, where Jackson painted during many summers from 1954 to 1966.

ESTIMATE: \$25,000 – 35,000



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

ALC CGP G7 OSA RCA 1873 – 1932

Little Bruges, Lake Simcoe

oil on board, on verso signed, titled and inscribed

To Myrtle and Ralph, with my good wish / June 21, 1921 /

J.E.H. MacD., circa 1921

8 ½ x 10 ⅜ in, 21.6 x 26.4 cm

PROVENANCE

A wedding gift from the Artist to Ralph and Myrtle Hardy, 1921
By descent to the present Private Collection, Ottawa

SENSITIVE YET EXPANSIVE, this oil sketch is from a part of J.E.H. MacDonald's oeuvre sometimes called his "Big Sky" paintings. Produced from the 1910s to the early 1920s, and mainly of Lake Simcoe, these rare studies feature a horizon line dropped to the bottom of the composition. The artist then uses the expanse

of sky to explore colour, gesture and form. Some of these works present voluminous cloud formations, while others, such as this one, are minimal nearly to the point of abstraction, and exquisite in their delicacy. This particular work was the artist's wedding gift to Myrtle and Ralph Hardy in 1921. The artist was a close friend of the Hardys, and they referred to him warmly, as other friends sometimes did, as "Jamie." Notably, this work is presented in the original frame created by the artist, executed in the Arts and Crafts style that so influenced him. MacDonald acquired these skills from his father, William H. MacDonald, a cabinet-maker. This painting bears a noteworthy history, and its subtle expression speaks directly to the astonishing nuance of which MacDonald was capable.

ESTIMATE: \$40,000 – 60,000



153 Franklin Carmichael

CSPWC G7 OSA RCA 1890 – 1945

La Cloche Hills

watercolour on paper, signed and dated 1933 and on verso titled and inscribed by *Franklin Carmichael, Looking West along Cranberry Lake toward Whitefish Falls and Willisville* on a label

11 ¼ x 13 ¼ in, 28.6 x 33.7 cm

PROVENANCE

Private Collection, Ontario
 Sold sale of *Important Canadian Art*, Sotheby's Canada in association with Ritchie's, November 22, 2004, lot 122
 The Art Emporium, Vancouver, 2008
 Private Collection, Vancouver

LITERATURE

Megan Bice and Mary Carmichael Mastin, *Light and Shadow: The Work of Franklin Carmichael*, McMichael Canadian Art Collection, 1990, page 39

THE SPECTACULAR PHYSIOGRAPHY of Ontario's La Cloche Mountains, with its striking white quartzite rocks, expansive lakes and panoramic views over an untamed wilderness, made a vivid impression on Franklin Carmichael on first sight in 1924. The region became his lifelong favourite painting place, and he built a log cabin at Cranberry Lake in 1935. Carmichael was an expert watercolourist, and along with F.H. Brigden and fellow Group of Seven painter A.J. Casson, formed the Canadian Society of Painters in Water Colour in 1925 to promote the medium. Carmichael extolled its qualities as follows: "As a medium, it is capable of responding to the slightest variation of effect or mood. It can be at once clean cut, sharp, delicate and forceful or subtle, brilliant or sombre, including all the variations that lie in between." At La Cloche, Carmichael executed watercolours such as this sensitive painting on the spot, and he produced larger works in the studio. This impressive, sweeping view captures an ethereal light, with its misty glow at the far horizon and the high cloud formations illuminated along their edges. Open and airy, *La Cloche Hills* has an inspiring and transcendent atmosphere.

ESTIMATE: \$30,000 – 40,000



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

ALC CGP G7 OSA RCA 1873 – 1932

Algonquin Park

oil on board, on verso signed, titled, dated 1914 on a label, inscribed variously, certified by Thoreau MacDonald and monogrammed twice with the artist's initials
8 x 10 in, 20.3 x 25.4 cm

PROVENANCE:

Collection of Mr. and Mrs. A. Crawford Kenny, Toronto
Bequeathed to the present Private Collection, Toronto

LITERATURE:

Bruce Whiteman, *J.E.H. MacDonald*, 1995, page 29

THIS EXQUISITE SKETCH of Algonquin Park was produced at a crucial moment in J.E.H. MacDonald's creative life, and in the development of modern painting in Canada. In 1911, Lawren

Harris's enthusiastic reception of MacDonald's exhibition of small oil sketches encouraged him to quit his full-time employment as a commercial artist. Taking only freelance work, he now had more time in which to paint. A critical event then came in early 1913, when he and Harris viewed a major exhibition of contemporary Scandinavian landscape painting at the Albright Art Gallery, in Buffalo. As MacDonald said succinctly in a lecture given at the Art Gallery of Toronto in 1931, the exhibition solidified the artists' nascent feeling, "This is what we want to do with Canada." The pair traveled to Quebec's Laurentian Mountains later that year to continue their artistic quest. Then, in the spring of 1914, less than two years after friend Tom Thomson's first journeys there, MacDonald traveled to Algonquin Park with A.Y. Jackson and J.W. Beatty, to further engage with a movement that would forever alter painting in Canada.

ESTIMATE: \$20,000 – 30,000



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

ALC CGP G7 OSA RCA 1873 – 1932

Algonquin Park

oil on panel, on verso signed, titled, dated 1914, inscribed variously and monogrammed with the artist's initials
8 × 10 in, 20.3 × 25.4 cm

PROVENANCE

Collection of Mr. and Mrs. A. Crawford Kenny, Toronto
Bequeathed to the present Private Collection, Toronto

THE SKETCHING TRIP taken by J.E.H. MacDonald in the spring of 1914 yielded primarily oil sketches—studies in light and shade, often focused on snowy forest interiors. MacDonald produced relatively few studio works relating to this trip, but some celebrated examples are known, such as the dramatic mid-sized canvas *Snow Flurries, Algonquin Park* (1914), sold by Heffel in November of 2004, and *March Evening, Northland* (also 1914),

purchased by the National Gallery of Canada in 1916. The foreground of that important canvas handles the shadowy snow in much the same way as oil sketches such as this one—in subtle modulations of blue, pink and grey. The sketches from this trip are 8 × 10-inch oil on panel works, all done on the spot in the park. These works feature a sense of exploration, as MacDonald investigates the delicate play of light and shadow. In navigating the subtle variations of a single theme in this way, MacDonald greatly furthered his means of giving authentic voice to the landscape around him.

ESTIMATE: \$20,000 – 30,000

Please view additional Lots in our July Online Auction at www.heffel.com, which closes Thursday, July 30, 2020. Lots can be viewed in our galleries in Vancouver, Calgary, Toronto or Montreal. Lot preview locations are designated with each item in our online catalogue

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CALGARY



JARED TILLER
Manager of Online Auctions, Calgary, Consignment Specialist



MOLLY TONKEN
Manager of Calgary Office, Consignment Specialist

TERMS AND CONDITIONS OF BUSINESS

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

A. DEFINED TERMS

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

9. Buyer

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

10. Purchase Price

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

11. Buyer's Premium

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

12. Sales Tax

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

13. Registered Bidder

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

14. Proceeds of Sale

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

15. Live and Online Auctions

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

B. THE BUYER

1. The Auction House

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

2. The Buyer

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

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

3. Buyer's Price

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

4. Sales Tax Exemption

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

5. Payment of the Purchase Price

- a) The Buyer shall:
 - (i) unless they have already done so, provide the Auction House with their name, address and banking or other suitable references as may be required by the Auction House; and
 - (ii) make payment by 4:30 p.m. on the seventh (7th) day following the auction by: a) Bank Wire direct to the Auction House's account, b) Certified Cheque or Bank Draft, c) a Personal or Corporate Cheque, d) Debit Card and Credit Card only by VISA, MasterCard or Union Pay or e) Interac e-Transfer. Bank Wire payments should be made to the Royal Bank of Canada as per the account transit details provided on the invoice. All Certified Cheques, Bank Drafts and Personal or Corporate Cheques must be verified and cleared by the Auction House's bank prior to all purchases being released. Credit Card payments are subject to our acceptance and approval and to a maximum of \$5,000 if the Buyer is providing their Credit Card details by fax or to a maximum of \$25,000 per Lot purchased if paying online or if the Credit Card is presented in person with valid identification. The Buyer is limited to two e-Transfers per Lot and up to a maximum of \$10,000 per e-Transfer as per the instructions provided on the invoice. In all circumstances, the Auction House prefers payment by Bank Wire.
- b) Title shall pass, and release and/or delivery of the Lot shall occur, only upon payment of the Purchase Price by the Buyer and receipt of cleared funds by the Auction House.

6. Descriptions of Lot

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

Auction House may, upon request, e-mail or fax a condition report describing the Lot to the prospective Buyer. Although the Auction House takes great care in executing such condition reports in both written and verbal format, condition reports are only matters of opinion, are non-exhaustive, and the Buyer agrees that the Auction House shall not be held responsible for any errors or omissions contained within. The Buyer shall be responsible for ascertaining the condition of the Lot; and

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

7. Purchased Lot

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

8. Risk

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

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

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

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

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

10. No Warranty

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

11. Attendance by Buyer

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

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

12. Export Permits

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

C. THE CONSIGNOR

1. The Auction House

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

2. Warranties and Indemnities

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

to us relying on this due diligence and will retain for a period of not less than five (5) years the documentation and records evidencing the due diligence;

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

3. Reserves

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

4. Commission and Expenses

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

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

5. Insurance

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

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

6. Payment of Proceeds of Sale

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

7. Collection of the Purchase Price

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

8. Charges for Withdrawn Lots

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

9. Unsold Lots

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

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

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

10. Consignor's Sales Tax Status

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

11. Photographs and Illustrations

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

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

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

D. GENERAL CONDITIONS

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

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

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

PROPERTY COLLECTION NOTICE

HEFFEL GALLERY LIMITED maintains a strict *Property Collection Notice* policy that governs the Property collection terms between the Auction House and the Consignor, Buyer and Clients being provided professional services from the Auction House. The Collection Notice is pursuant to the Auction House’s published *Terms and Conditions of Business* with specific reference to Conditions B.7, B.9, B.12, C.5, C.9 and D.6.

A. PROPERTY COLLECTION REQUIREMENT

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

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

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

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

CATALOGUE ABBREVIATIONS AND SYMBOLS

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

CATALOGUE TERMS

These catalogue terms are provided for your guidance:

CORNELIUS DAVID KRIEGHOFF

In our best judgment, a work by the artist.

ATTRIBUTED TO CORNELIUS DAVID KRIEGHOFF

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

STUDIO OF CORNELIUS DAVID KRIEGHOFF

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

CIRCLE OF CORNELIUS DAVID KRIEGHOFF

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

MANNER OF CORNELIUS DAVID KRIEGHOFF

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

AFTER CORNELIUS DAVID KRIEGHOFF

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

NATIONALITY

Unless otherwise noted, all artists are Canadian.

SIGNED / TITLED / DATED

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

BEARS SIGNATURE / BEARS DATE

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

DIMENSIONS

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

PROVENANCE

Is intended to indicate previous collections or owners.

CERTIFICATES / LITERATURE / EXHIBITED

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

ESTIMATE

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

HEFFEL'S CODE OF BUSINESS CONDUCT, ETHICS AND PRACTICES

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

Heffel, to further define its distinction in the Canadian art auction industry, has taken the following initiative. David and Robert Heffel, second-generation art dealers of the Company's founding Heffel family, have personally crafted the foundation documents (as published on our website www.heffel.com): *Heffel's Corporate Constitutional Values* and *Heffel's Code of Business Conduct, Ethics and Practices*. We believe the values and ethics set out in these documents will lay in stone our moral compass. Heffel has flourished through more than four decades of change, since 1978, proof that our hard work, commitment, philosophy, honour and ethics in all that we do serve our Clients well.

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

HEFFEL GALLERY LIMITED

David K.J. Heffel

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

Robert C.S. Heffel

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

ANNUAL SUBSCRIPTION FORM

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

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

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Canadian Art at Auction Index Online—tax included

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

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

Billing Information

NAME

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CITY

POSTAL CODE

E-MAIL ADDRESS

RESIDENCE TELEPHONE

BUSINESS TELEPHONE

CREDIT CARD NUMBER

EXPIRY DATE

CVV NUMBER

SIGNATURE

DATE

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

COLLECTOR PROFILE FORM

Please complete this Collector Profile Form to assist us in offering you our finest service.

Artists of Particular Interest in Purchasing

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

Artists of Particular Interest in Selling

1 _____

2 _____

3 _____

4 _____

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7 _____

8 _____

9 _____

ABSENTEE BID FORM

Heffel recommends submitting your absentee bid form via e-mail to bids@heffel.com for expedited service. Alternatively, please sign and return this form via fax to 1-888-732-6505.

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 must supply a bank reference letter at least 48 hours before the time of the auction. All Absentee Bidders must supply a valid VISA, MasterCard or Union Pay number, expiry date and CVV number.

NAME OF BANK BRANCH LOCATION

NAME OF ACCOUNT OFFICER TELEPHONE

E-MAIL ADDRESS OF ACCOUNT OFFICER

CREDIT CARD NUMBER

EXPIRY DATE CVV NUMBER

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

SIGNATURE DATE

To allow time for processing, Absentee Bids should be received at least 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
bids@heffel.com · www.heffel.com

TERMS AND CONDITIONS FOR SHIPPING

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

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

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

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

PACKING OPTIONS

Soft packed

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

- Works up to 40 united inches (height + width + depth = united inches) — \$30 per work
- Works 41 to 75 united inches — \$50 per work
- Works 76 to 150 united inches — \$100 per work
- Works 151 to 250 united inches — minimum \$150 per work

Hard packed (Custom Crate)

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

- Works up to 40 united inches (height + width + depth = united inches) — \$150 per crate
- Works 41 to 75 united inches — \$300 - \$500 per crate
- Works 76 to 150 united inches — \$500 - \$750 per crate
- Works 151 to 250 united inches — minimum \$750 per crate

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

SHIPPING TRANSPORTATION CARRIER OPTIONS

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

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

Regional (maximum range of two provinces)

- Works up to 40 united inches (height + width + depth = united inches) — \$35 per work
- Works 41 to 75 united inches — \$50 per work
- Works 76 to 150 united inches — \$100 per work
- Works 151 to 250 united inches — minimum \$150 per work

National

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

INDEX OF ARTISTS BY LOT

A–E

Andrews, Sybil 124
Carmichael, Franklin 110, 153
Carr, Emily 111, 112, 122
Casson, Alfred Joseph (A.J.) 126, 127, 133, 134, 135,
136, 137, 148
Cullen, Maurice Galbraith 116, 119

F–G

Fortin, Marc-Aurèle 115
Gagnon, Clarence Alphonse 120

H–K

Harris, Lawren Stewart 117, 118, 121, 128, 138
Holgate, Edwin Headley 149
Housser, Muriel Yvonne McKague 129
Jackson, Alexander Young (A.Y.) 103, 130, 131, 146, 150, 151
Johnston, Frank Hans (Franz) 106, 107, 108, 109
Krieghoff, Cornelius David 139

L–O

Lismer, Arthur 132
Lyman, John Goodwin 142
MacDonald, James Edward Hervey (J.E.H.) 104, 105, 152,
154, 155
Milne, David Brown 125
Morrice, James Wilson 140

P–U

Phillips, Walter Joseph (W.J.) 101, 102, 147
Picasso, Pablo 143
Pilot, Robert Wakeham 113, 114
Seiden, Regina 144
Sheppard, Peter Clapham 123
Suzor-Coté, Marc-Aurèle de Foy 145

V–Z

Verner, Frederick Arthur 141



Baron C. Wagner





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