



POST-WAR & CONTEMPORARY ART

Wednesday 8 March 2017

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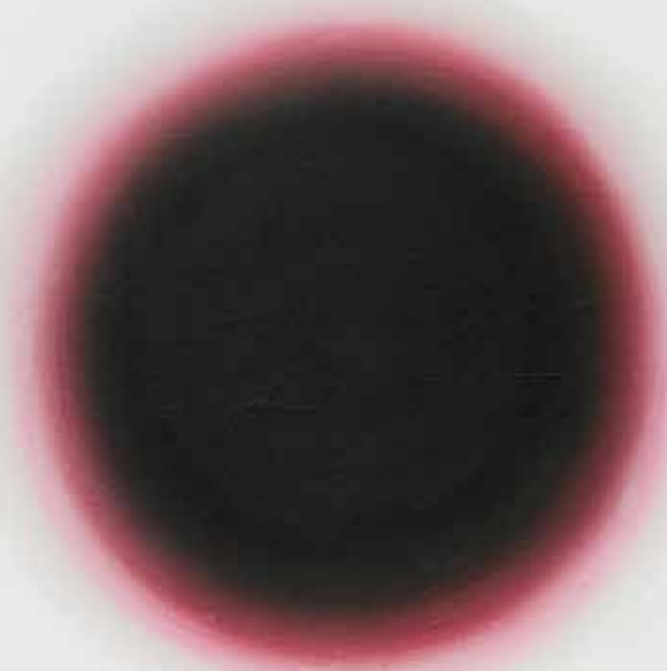


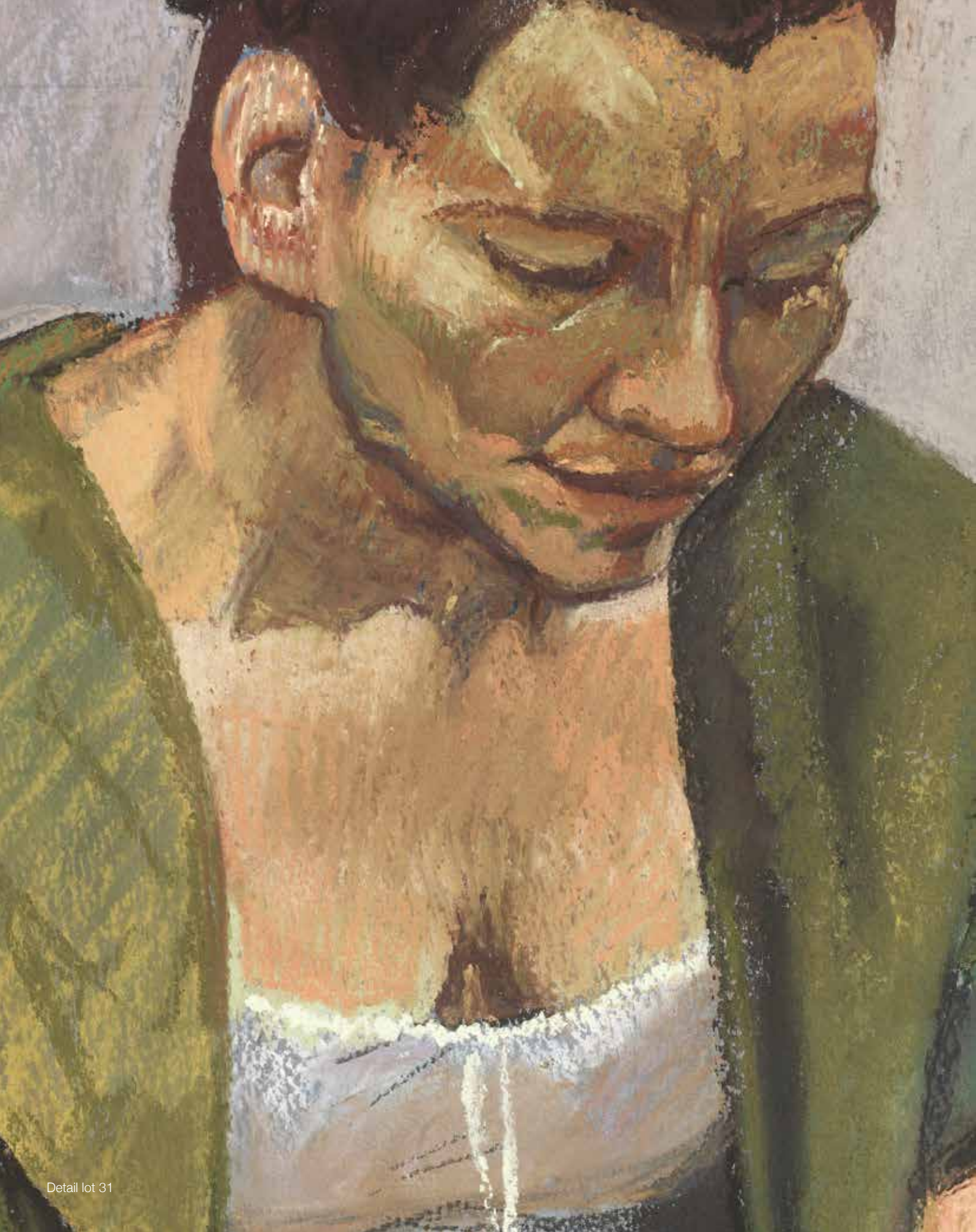












POST-WAR & CONTEMPORARY ART

Wednesday 8 March 2017, at 4pm
101 New Bond Street, London

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Front cover: Lot 20 (detail)
Back cover: Lot 34 (detail)

Dust jacket

Front & back: Lot 17 (detail)
Inside: Lot 39 (detail)

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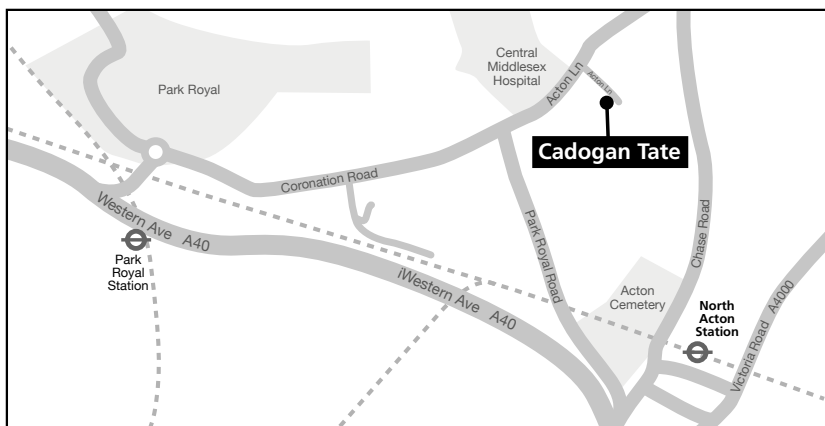
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**POST-WAR &
CONTEMPORARY ART**

LOTS 1 - 52

**PROPERTY SOLD TO BENEFIT
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LOTS 53 - 71



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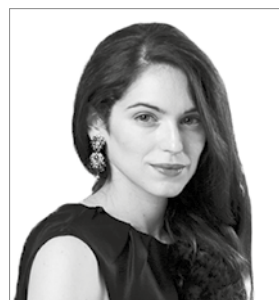
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1 AR

ZAO WOU-KI (1921-2013)

Untitled

1956

signed and dated 56
watercolour on paper

25 by 31 cm.
9 13/16 by 12 3/16 in.

£40,000 - 60,000

US\$51,000 - 76,000

€47,000 - 70,000

This work will be included in the forthcoming *Catalogue Raisonné* of the artist currently being prepared by Françoise Marquet and Yann Hendgen, and is accompanied by a photo-certificate of authenticity.

Provenance

Private Collection, Germany

Sale: Galerie Kornfeld, Bern, *Auktion 258, Teil II: Kunst des 19. und 20. Jahrhunderts und Gegenwartskunst*, 14 June 2013, Lot 853

Acquired directly from the above by the previous owner

Thence by descent to the present owner

Although he created many masterpieces using oil on canvas, it is surely in watercolour that Zao Wou-Ki could express himself most instinctively. It was in this medium, after all, that he first trained, soaking up the traditions of Chinese calligraphy before embarking on the journey to Paris in 1948 which was to define his later artistic development. It is often noted that Zao's style represents a unique blend of Chinese and European, mixing the traditional and the experimental to create a dynamic new aesthetic. In *Untitled* from 1956 we witness this new fusion when it was still fresh, and enjoy a rare chance to appreciate the exhilaration of this artist's earliest encounters with the abstract. The results, as this work so confidently confirms, were to be truly spectacular.

In the present work we see the brilliance that can be achieved with water-based pigment when it is handled by a true master. Only a genius like Zao Wou-Ki, whose extensive training in the use of brush and paper formed strong foundations for his later journey into the non-representational, could employ it with such finesse, such bravado. And whilst other artists may have considered works on paper as preparation for more fully worked oil on canvas paintings, in *Untitled*, 1956 Zao Wou-Ki proved that paper and watercolour can be used to create finished works of art which exhibit their own unique, dazzling qualities. Perhaps the most compelling aspect of this present work is its use of colour, in particular the rich azure wash which dominates the composition. These glorious splashes of blue overlay a delicate tracery of hatching, a diaphanous mist of mysterious, alluring hieroglyphs.

Although it ostensibly bears little relation to the real world, this work surely contains echoes of a distant place, recalling the rugged landscapes of Zao Wou-Ki's homeland. In fact, this delightful painting on paper dates from a period when Zao Wou-Ki had only recently arrived at a style which can be described as truly abstract. His journey towards this destination was certainly a long one, and Zao himself suggested that reaching this goal was not in fact his intention: "Mes amis, à partir de 1954, m'ont dit que je devenais un peintre abstrait. Je n'ai pas cherché à l'être, le problème d'abstraire la peinture de l'influence de la réalité s'est imposé comme une nécessité" (My friends, at the beginning of 1954, told me that I was becoming an abstract painter. I had not looked to become that, the problem of abstracting painting from the influence of reality imposed itself like a necessity) (the artist in: Dominique de Villepin, *Zao Wou-Ki: Carnets de Voyages 1948-1952*, Paris 2006, p. 9).

This technique which Zao achieved in the mid-1950s now seems almost inevitable, incorporating as it does the vast visual experience of an artist who had already traversed the globe, absorbing a wealth of influences en route. Like many of Zao Wou-Ki's finest works, *Untitled*, 1956 offers a sense of the ancient and the modern, of calligraphy and abstraction, combining these elements to create a work of art which is endlessly compelling, and ultimately timeless.





Detail lot 1





An abstract painting by Zao Wou-ki, featuring a dense, textured composition of earthy tones (olive green, brown, and grey) with dark, expressive brushstrokes and splatters. The overall effect is one of organic complexity and layered depth.

AN EARLY AND RARE PAINTING BY
ZAO WOU-KI

LOT 2

2 AR

ZAO WOU-KI (1921-2013)

23.05.50

1950

signed; signed and dated *23 mai 1950* on the reverse
oil on canvas

33 by 46.2 cm.
13 by 18 3/16 in.

£150,000 - 200,000

US\$190,000 - 250,000

€180,000 - 230,000

This work will be included in the forthcoming *Catalogue Raisonné* of the artist currently being prepared by Françoise Marquet and Yann Hendgen, and is accompanied by a photo-certificate of authenticity.

Provenance

Private Collection, France (acquired from the artist *circa* 1952)
Thence by descent to the present owner





A rare and important early work by the Chinese/French master Zao Wou-Ki, 23.05.50 of the same year, presents the viewer with an unrivalled artistic perspective, one which had developed over many years and taken on numerous diverse influences. Held for over six decades in the same private family collection, the work demonstrates the true genius of the artist, a man now recognised as one of the great visionaries of Twentieth Century abstraction. In the present work we encounter his practice in a key moment of flux, as it morphed from the clearly representational into the ambiguous, the raw canvas peeking through a rich palette of greens and browns, its forms dissolving into a fascinating array of signs and symbols. What was to follow was to captivate and influence generations of artists, critics and collectors around the globe.

Although he was brought up in a traditional Chinese family, and trained for many years in that region's classical artistic techniques, the young Zao Wou-Ki long dreamt of the chance to personally encounter European painting. Growing up in the second quarter of the Twentieth Century, at a time when China was still largely cut off from the rest of the world, this desire must have seemed like something of an unrealisable fantasy. He began training in the art of calligraphy while aged only fourteen, and from 1935 he spent six years at the prestigious Chinese Academy of Art in Hangzhou, afterwards becoming a teacher there. Meanwhile, Zao created for himself a 'virtual museum' consisting of images cut out from European books and magazines, photographic reproductions (no doubt of varying quality, often black and white) of

works of art he admired or hoped to emulate. In 1948 he was finally able to make his dream a reality, travelling to Paris in order to begin a new life there, also intending to embark on a new artistic journey. This journey could almost be described as a pilgrimage, the artist drawn towards both the classical and the experimental aspects of Western art. Indeed, Zao's first port of call on his arrival in the French capital was the Louvre, stopping only to drop his bags at his hotel before dashing to the museum, returning first thing the next morning to further immerse himself in the many artistic wonders of its unrivalled collection.

Paradoxically, it was this immersion in European art, particularly the paintings of Cézanne, that Zao Wou-Ki believed allowed him to truly understand the legacy of his Chinese heritage: "Picasso taught me to draw like Picasso. But Cézanne taught me to look at Chinese nature. I had admired Modigliani, Renoir, Matisse. But Cézanne helped me to find myself, to become a Chinese painter again" (the artist in: Claude Roy, *Zao Wou-Ki*, New York 1960, p. 12). Zao's work quickly came to be widely admired among his European contemporaries, and he became friends with many of the greatest names in Twentieth Century art, including Alberto Giacometti and Joan Miró. Though he was already aware of the paintings of Paul Klee, as evidenced in the present work, he would not meet the artist in person until 1951, when he came across an exhibition of his work during a visit to Switzerland. Both shared a similar interest in symbolism, with each creating their own unique visual language based on apparently arcane signs and motifs. The importance of Klee's non-objective approach, itself influenced by the traditional art of China and Japan, has been regularly noted in Zao Wou-Ki's own later ventures into the abstraction. Whilst many other artists at this time were fascinated by what was still seen as the 'exotic orient', Zao was dismissive of works which descended into *chinoiserie*. Only someone like him, with experience of both societies, of their art and their philosophy, could effectively bring the two cultures together. It is this bridge between two diverse worlds which was to define the artist's greatest work, with Zao himself famously stating that "tout le monde est ficelé par une tradition; moi par deux" (everyone is bound by one tradition, but I am bound by two) (the artist in: Bernard Ceysson, 'Zao Wou-Ki, les amitiés au cheminement de la peinture' in Aude Cordonnier et. al. Eds., *Zao Wou-Ki: La Quête du Silence*, Paris 2004, p. 16). In the present painting the artist evokes a primitivism which was essential to much mid-Twentieth Century European avant-garde painting.

Whilst a representation of wild animals at play in a wooded landscape clearly has its roots in Chinese ink painting, here we find the imagery divested of unnecessary decoration or artifice. In fact, this complex

Above

Jean Dubuffet, *Les Rencontres (Paysage avec trois personnages)*, 1950
Christie's Images Limited © 2017. Christie's Images, London/Scala, Florence
© ADAGP, Paris and DACS, London 2017



scene is expressed using the subtlest of markings, reminiscent perhaps of prehistoric art or the drawings of children. In its simple yet powerful rendering of a herd of animals, the present work recalls the famous cave paintings discovered by a group of teenagers in Lascaux in 1940, images created by prehistoric man which illustrate the primal, timeless importance of representing the world which surrounds us. In fact, the painting's very *naïveté* is surely the key to its innate sense of potency, a vision of nature stripped down to its most basic, fundamental elements reminiscent of *Art Brut* and Jean Dubuffet, a contemporary of Zao Wou-Ki. The painting demonstrates, too, the artist's deep understanding,

and appreciation, of the natural world, factors which were to prove so hugely influential in his oeuvre. As a result, as well as being a beautiful work of art in its own right, 23.05.50 also has art-historical significance; painted just two years after Zao Wou-Ki's arrival in Paris, it offers us an exceptional example of the artist's oeuvre produced at a crucial moment in his career, when those two traditions of East and West fused into a radical new practice the like of which had never been seen before.

Above

Paul Klee, *Rotating House*, 1921

Museo Thyssen-Bornemisza – Madrid

© 2017. Museo Thyssen-Bornemisza/Scala, Florence

3 AR

CHU TEH-CHUN (1920-2014)

Nuit éclairée

1987

signed in English and Pinyin and dated 87; signed in English and Pinyin, titled and dated 1987 on the reverse
oil on canvas

60 by 73 cm.

23 5/8 by 28 3/4 in.

£70,000 - 100,000

US\$88,000 - 130,000

€82,000 - 120,000

This work is accompanied by a photo-certificate of authenticity issued by Chu Ching-Chao from the *Atelier Chu Teh-Chun*, Paris.

Provenance

Galerie du Luxembourg, Luxembourg

Acquired directly from the above by the present owner in 1988



Chu Teh-Chun's *Nuit éclairée*, from 1987, burns with an inner intensity. The title of this remarkable oil on canvas, which is being offered on the open market for the first time, can be translated as 'Illuminated Night', suggesting that this is an image of the moments when night turns to day, or perhaps vice versa, a vision of a stunning sunset or dazzling sunrise. In fact, as is typical of the artist's paintings, *Nuit éclairée* strikes a subtle balance between the representational and the abstract. Containing references to the world around us, yet drawn from the artist's inner vision, the work incorporates elements of both in perfect harmony. It is this balance which is one of Chu Teh-Chun's greatest achievements, his signature style fusing landscape with abstract, ancient tradition with the avant-garde, the philosophical with the visual, Eastern traditions with Western, to create something unique. While the viewer may remain unsure as to what this painting actually shows us, we are left in no doubt as to its immense beauty, and its strong emotional impact.



Chu Teh-Chun's understanding of landscape was, it seems, almost innate. He grew up surrounded by the dramatic mountains of his native Hangzhou district. Displaying an unusual talent for art, he began to study calligraphy at a young age. Later he was enrolled in the National School of Fine Arts of Hangzhou while still only fifteen years old, finally graduating six years later. Whilst there he was instructed in traditional Chinese techniques, but was also introduced to European Art. It has been suggested that his local environment, as well as his study of Chinese painting, and indeed Chinese philosophy, imbued Chu Teh-Chun with an appreciation for the natural world which could never be matched by a European artist: "The Chinese painter never works *en plein air*, his canvas before him, placing his touches, varying light and shade; he has no need, because nature is within him, and he relates to it perhaps on a more intimate level than the Western painter" (Pierre Cabanne in: Pierre Cabanne, *Chu Teh-Chun*, Paris 1993, p. 7).

Above

Vincent van Gogh, *La nuit étoilée à Arles*, 1888
Musée d'Orsay, Paris
© 2017. © Photo Josse/Scala, Florence

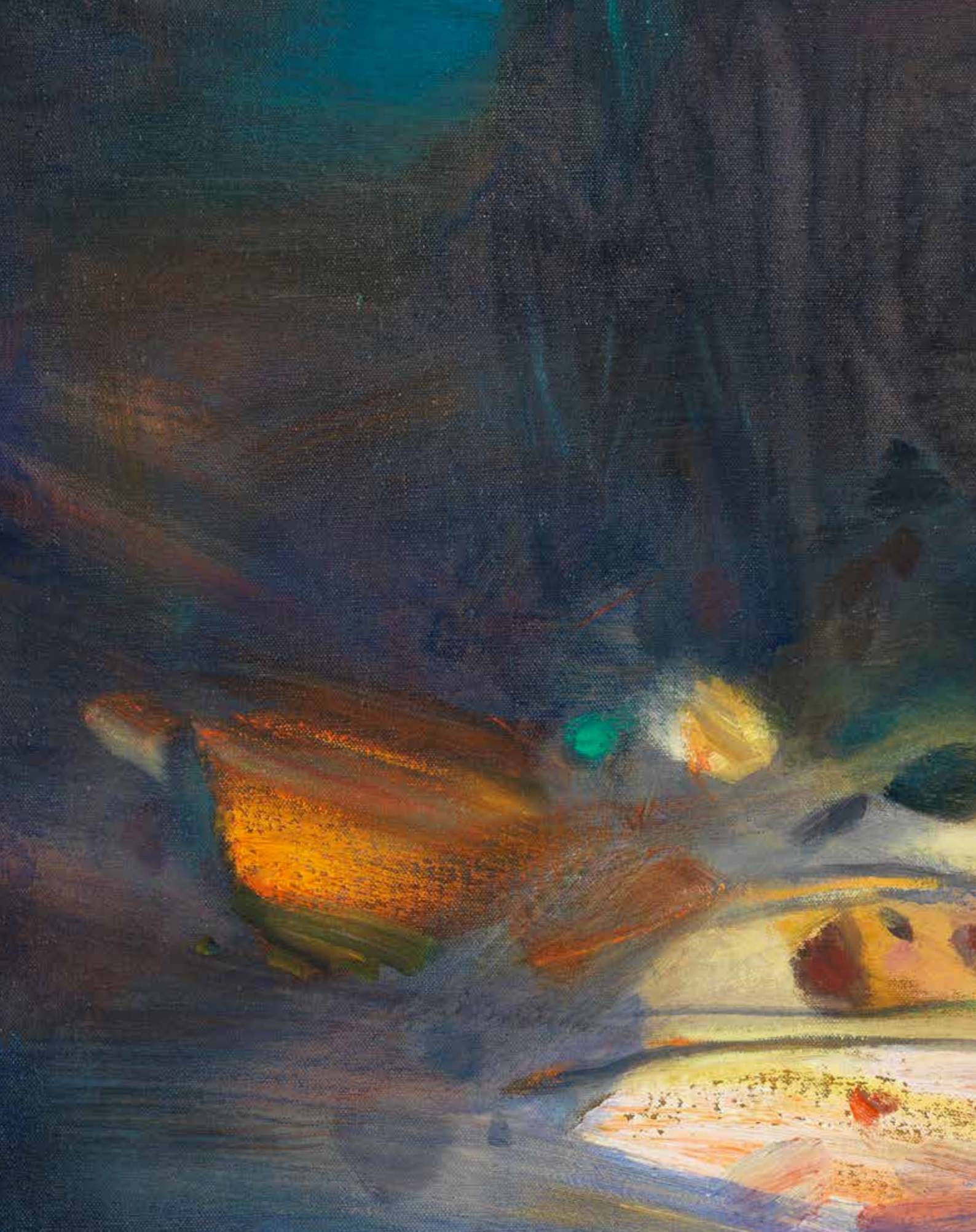
Right

Detail of the present work

Famously, it was Chu Teh-Chun's later migration to France which allowed him to develop his signature style, the remarkable approach to painting which can be seen to such great effect in *Nuit éclairée* of 1987. Following a decade of teaching, first in Nanjung, later in Taiwan, the artist finally made the long journey to Europe in 1955, drawn there by Paris' reputation as a hotbed of creativity. He was to be greatly impressed by the art that he found there, citing the abstract paintings of Nicolas de Staël as a particularly strong influence on his own techniques. Later, following a visit to Amsterdam in 1969, he was inspired by the work of Rembrandt, admiring in particular the Dutch Old Master's use of *chiaroscuro*, in which light and dark are contrasted with great dramatic effect which is particularly visible in this painting. Works by Van Gogh, notably his now iconic *La nuit étoilée à Arles* from 1888, a connection to which can be seen in the title of the present work, also proved influential in their radical depiction of light and landscape through the lens of the artist's vivid imagination. Through his experiences, Chu was able to use his solid grounding in historical practices, combined with a new insight into European art past and present, to develop a new, radical approach to painting. The result was a lifetime committed to expanding the limits of painting, and a reputation as one of the most important Chinese artists of his generation.

Chu Teh-Chun's reputation has grown exponentially in recent years. That he is now recognised as a modern master was demonstrated by his inclusion in a trilogy of exhibitions organised by the Pinacothèque de Paris in 2013-2014, where his paintings were hung near those of Francisco de Goya and Jan Brueghel, all three artists identified as "witnesses of their age". Much ink has been spilt on trying to classify his work, some focusing on its abstract elements, others, like Hubert Juin, suggesting instead that "Chu Teh-Chun is not an abstract painter[...] because he cannot remove himself from the flavour of the world" (Hubert Juin in: Gilbert Érouart, 'Trois Façons de Marcher' in Gilbert Érouart and Michel Noel Eds., *Signes Premiers*, Quebec 1994, p. 9).

The title of the present work certainly suggests some desire to capture reality, and its rich palette of warm oranges and intense umbers, punctuated here and there with flashes of sky blue, seem to evoke a sun as it peers over a rocky horizon. But in reaching for such obvious classifications, in trying to pin down such a painting, we are perhaps missing the point of this mesmerising work. For instead of trying to recreate the beauties of nature, *Nuit éclairée* is perhaps more focused on our own inner landscapes. This is a painting which is imbued with a sense of the spiritual and the intangible. Instead of trying to decipher or categorise it, we should simply enjoy it, wallow in its luscious colours, marvel at the dynamic, gestural sweeps of the brushstrokes. It is surely here that we find the real strength in this painting, and the unique poetic richness of Chu Teh-Chun's art.



4 AR

HENK PEETERS (1925-2013)

Pirografie 59#21

1959

signed, dated 59 and inscribed 59#21 on the reverse
smoke on linen

100.5 by 80.8 cm.
39 9/16 by 31 13/16 in.

£25,000 - 35,000

US\$32,000 - 44,000

€29,000 - 41,000

This work is registered in the *Henk Peeters Archive* in the *ZERO Foundation*, Düsseldorf, under no. 59-21.

Provenance

Collection of the Artist, The Netherlands

Thence by descent to the present owner

Exhibited

The Hague, Gemeentemuseum; Antwerp, Koninklijk Museum voor Schone Kunsten, *Informele kunst in België en Nederland 1955-1960*, 1983-1984

London, The Mayor Gallery, *Henk Peeters*, 2011



Henk Peeters could be considered one of the most significant artists in the Post-War European context yet to achieve the global recognition of his contemporaries. Fiendishly inventive and blessed with incredible vision, Peeters was not only instrumental in driving the *Nul*, *ZERO*, *Gutai* and *Informel* movements to the worldwide stage but he also experimented with myriad techniques during the creative heat of the 1950s and early 1960s that have since become foundations of Post-Modernism. Unlike Yves Klein, who went on to work with fire in the early 1960s, Peeters was not prolific and *Pirografie 59#21* is one of only three surviving fire paintings on canvas dating from the artist's most significant early practice. Never seen on the market before, the present work is also the earliest pyrography to ever be offered at auction and the only one on linen.

Whilst Klein took a very spiritual approach to his work, Peeters' ideas were much closer to those of his friend and artist Piero Manzoni and to those of Lucio Fontana. His use of fire as a painterly medium was developed under the influence of Alberto Burri, whom he saw at the

Venice Biennale in 1960. In *Pirografie 59#21*, Henk Peeters captured the ephemeral moment of a flame passing across a raw piece of linen; the event, so fleeting in its nature, has been trapped on the picture plane in the form of black smoke and soot. An element at once generative and destructive, has been transported into an artistic medium, and what remains are the traces of flames, licking the surface, forever caught in an immaterial realm in which meaning and emotion are of no consequence.

In 1958, only one year before *Pirografie 59#21* was created, Peeters and his contemporaries Jan Schoonhoven, Armando, Kees van Bohemen and Jan Henderikse formed the *Hollandse Informele Groep* (Dutch Informal Group). The movement ceased to exist in 1960 and Peeters, Hendrikse, Schoonhoven and Armando went on to start *Nul*, a group that was affiliated with the German *ZERO* movement, as well as the Japanese *Gutai* group, and *Nouveau Réalisme* in France. The *Nul* group set themselves in opposition to *CoBrA*, a more figurative Post-War movement, in wanting an objective art, a new beginning

that was divorced from any emotional value, trauma and angst. "To change the world", Peeters wrote in an exhibition catalogue for the Stedelijk Museum, Amsterdam in 1965, "is to start seeing the world. Then perhaps it can stay as it is" (the artist in: Henk Peeters, translated by Mike Ritchie, 'Untitled' in Katherine Atkins and Jennifer Bantz Eds., *Zero: Countdown to Tomorrow, 1950s-1960s*, New York 2014, p. 230). In his oeuvre, Peeters frequently selected materials that have a very tactile appeal such as cotton wool, feathers, rubber, foam, and fire; by doing so he paradoxically created a distinct untouchability, capturing the coincidence of everyday life, an essence of the immediate. Peeters sought to bring about a consciousness of one's environment and to visualize sensual emotions. He transitioned to the use of plastic foil very early on his creative practice, making the present early work on linen a precious rarity.

Henk Peeters was arguably one of the most active members of the Dutch *Nul* group which ceased to exist around 1966. He was instrumental in bringing together likeminded artists and in organising

the historical international *ZERO/Nul* exhibitions staged at the Stedelijk Museum in Amsterdam in 1962 and 1965. He was also involved in planning the infamous *Zero on Sea* event that was supposed to take place on Scheveningen pier in the Netherlands in 1965 and to feature about fifty different artists from all over the world including the *Gutai* group; unfortunately, the ambitious project never materialized.

To this day, works by Peeters' have been included in numerous group shows and several solo exhibitions, most notably in *Zero: Countdown to Tomorrow, 1950s-1960s* the recent landmark exhibition held at the Solomon R. Guggenheim Museum, New York in 2014 and his vast influence and importance has only just started to be reassessed.





TWO EARLY MASTERWORKS BY
GÜNTHER UECKER

LOTS 5 & 6

5 AR

GÜNTHER UECKER (B. 1930)

Oval

1958

signed and dated 58; signed, titled and dated 1958 on the reverse of the panel
nails on burlap laid on board mounted on panel

87 by 88.7 by 10.5 cm.
34 1/4 by 34 15/16 by 4 1/8 in.

£450,000 - 650,000

US\$570,000 - 820,000

€530,000 - 760,000

This work is accompanied by a photo-certificate of authenticity signed by the artist.

This work will be included in the forthcoming Catalogue Raisonné being prepared
by the *Kunstsammlung Nordrhein-Westfalen*, Düsseldorf.

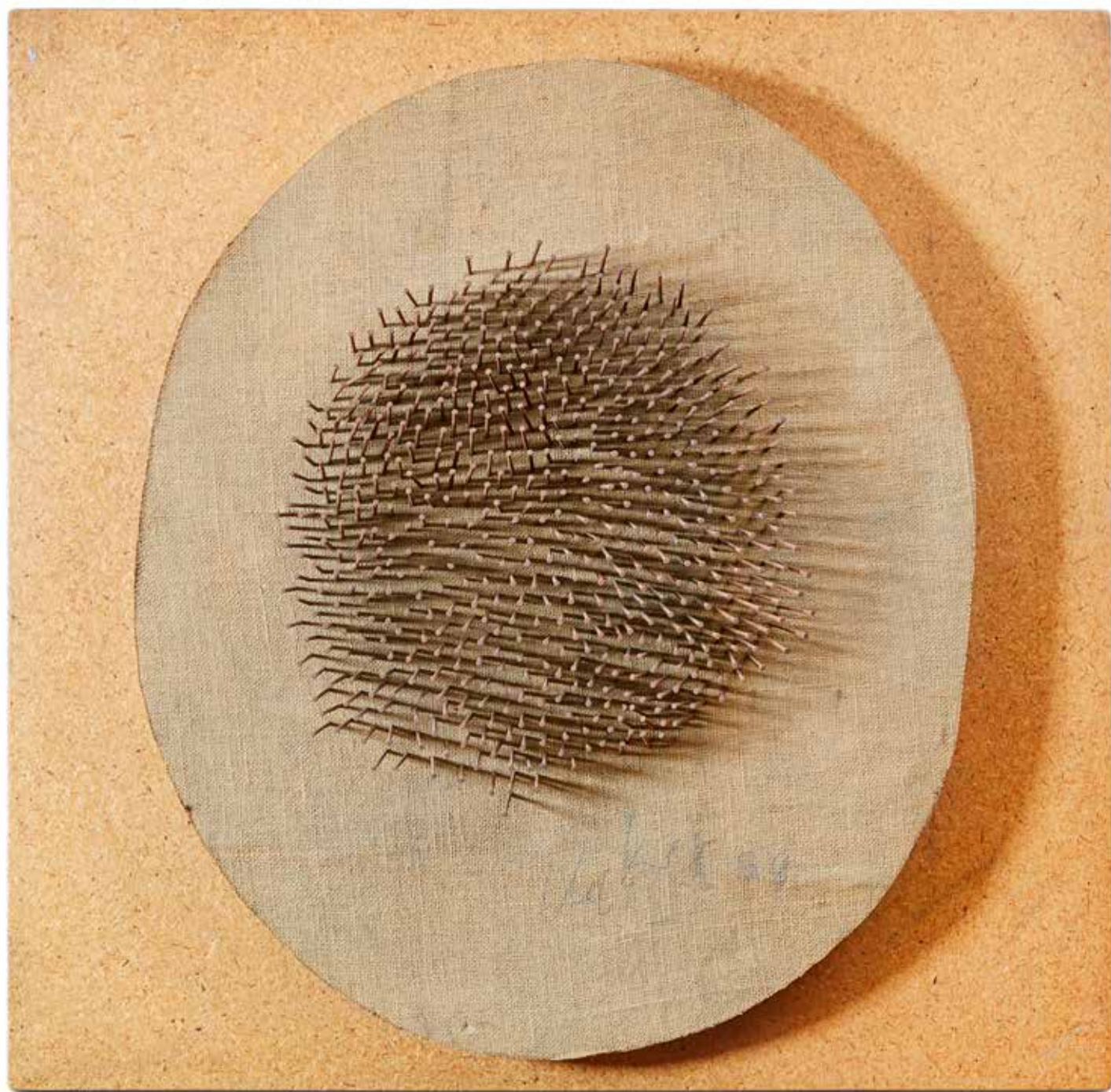
Provenance

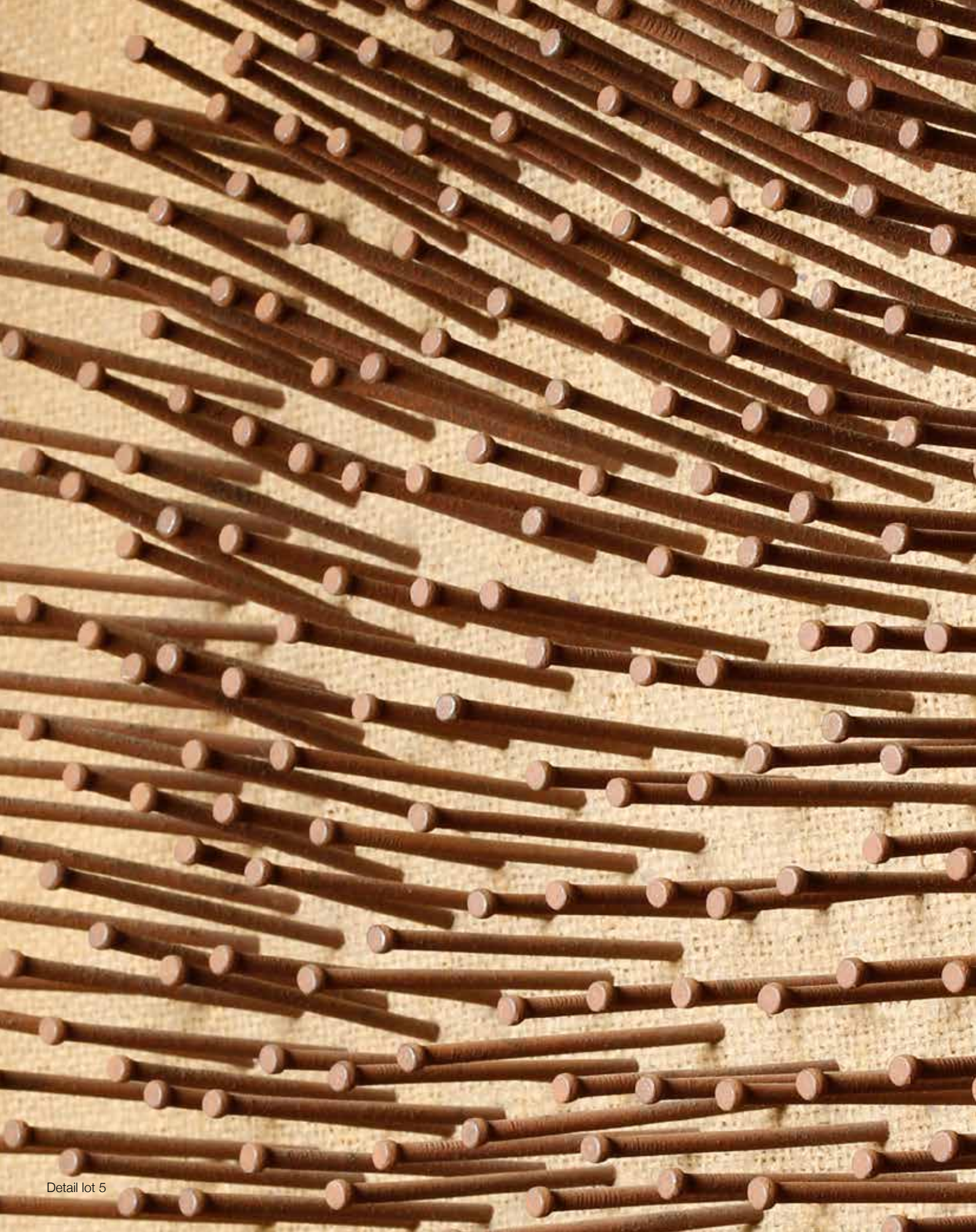
Collection of the Artist, Düsseldorf

Private Collection, Germany (gift from the above)

Acquired directly from the above by the present owner

For the catalogue note please refer to the separate catalogue.







6 AR

GÜNTHER UECKER (B. 1930)

Vogel

1962

signed and dated 62; signed, titled and dated 62 on the reverse of the panel
nails and acrylic on canvas laid on board mounted on panel

74.9 by 74.8 by 10.5 cm.

29 1/2 by 29 7/16 by 4 1/8 in.

£400,000 - 600,000

US\$510,000 - 760,000

€470,000 - 700,000

This work is accompanied by a photo-certificate of authenticity signed by the artist.

This work will be included in the forthcoming Catalogue Raisonné being prepared
by the *Kunstsammlung Nordrhein-Westfalen*, Düsseldorf.

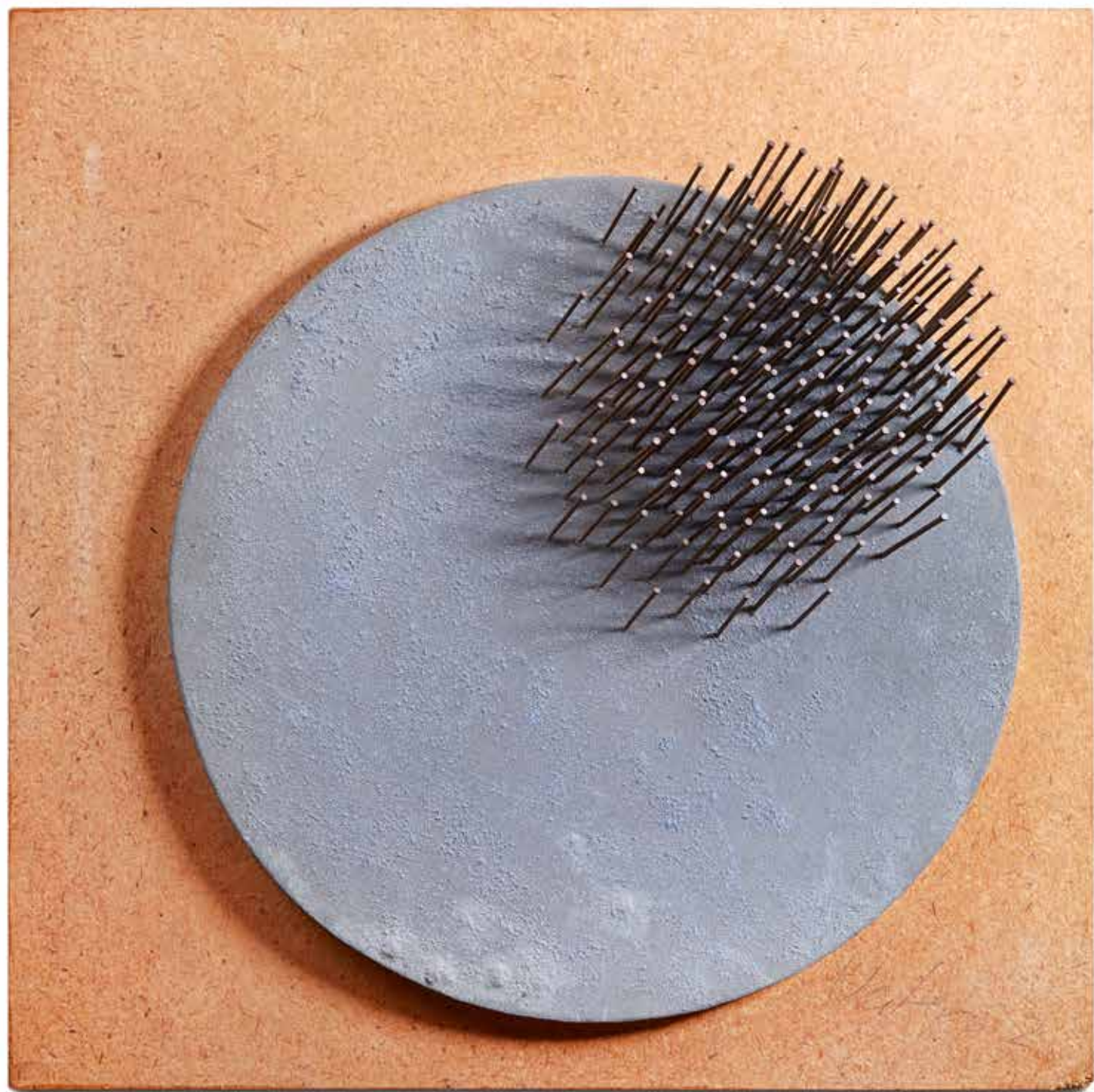
Provenance

Collection of the Artist, Düsseldorf

Private Collection, Germany (gift from the above)

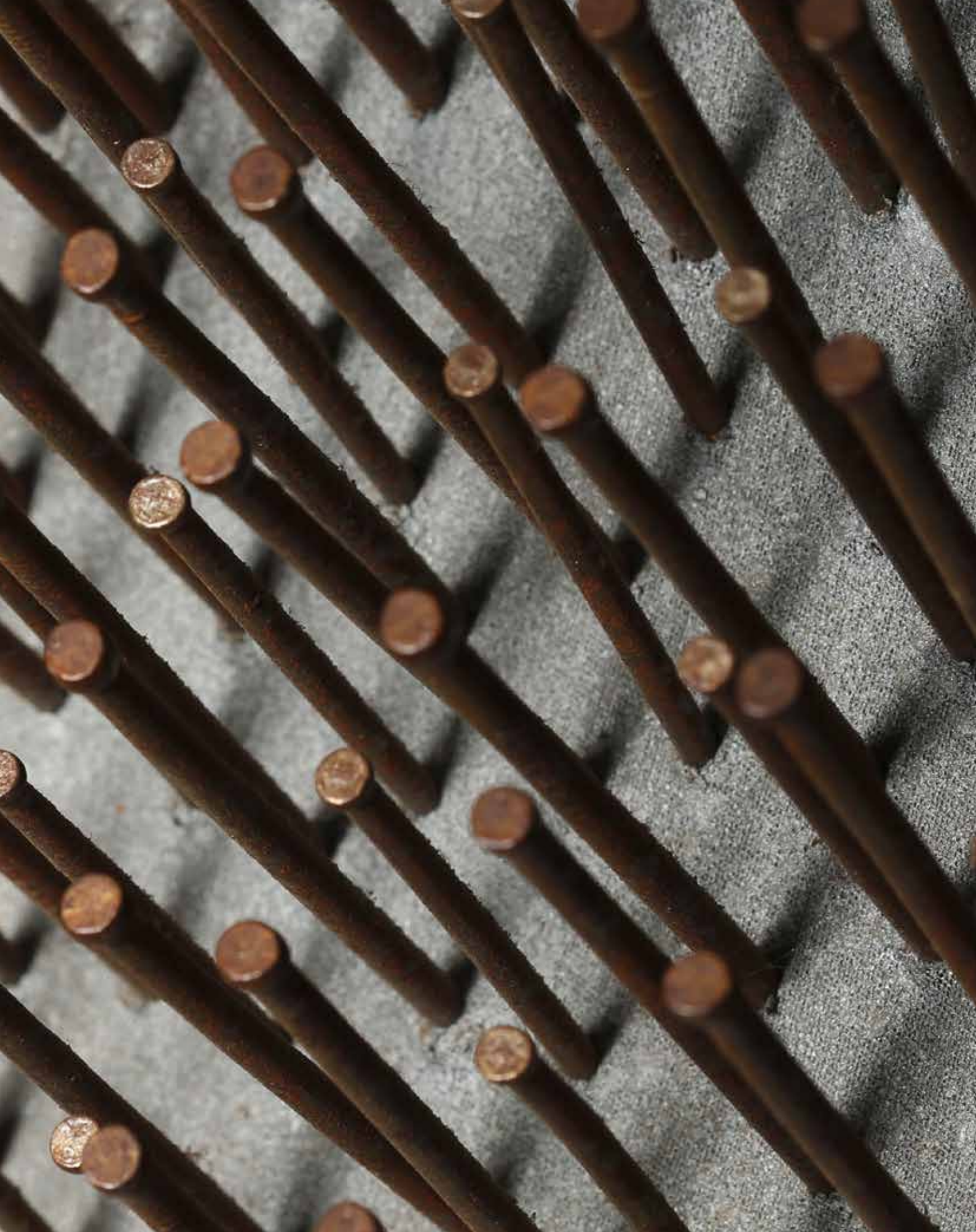
Acquired directly from the above by the present owner

For the catalogue note please refer to the separate catalogue.





Detail lot 6





LIGHT BALLET BY OTTO PIENE

LOT 7

"It [is] not me who paints, it's the light" – with these words, Otto Piene describes the idea of his *Lichtballett* (*Light Ballet*) conceived in 1960, in which he abstained from the materials of classical painting such as colour, brushes and canvas (the artist in: Otto Piene, *Otto Piene. 10 Texte*, Munich 1961, p. 37). Light and space took their place and the artist transformed himself into a light-choreographer; by using a perforated metal disc and moving it rhythmically, Piene allowed the light to 'dance' in the room, fractured into multiple individual dots of light.

Piene had developed the *Lichtballett* from earlier 'raster' pictures where he pressed pastose colour pigments through a previously created network of openings – a so called 'raster sieve' – straight onto the canvas where it created a structure of small elevated dots. During the first version of the *Lichtballett*, these raster sieves were held in front of a moving light source so that the light danced around the room in a free choreographic sequence.

Piene's first lightboxes, conceived as early as 1955, employed graphic patterns and punched-out holes and continued the development from his raster works leading to different iterations of the *Lichtballett*. The *Lichtballett* was first presented publicly in May 1959 in the darkened Galerie Schmela in Düsseldorf. As part of the performance Piene used an ordinary torch held behind a raster sieve in front of the assembled audience and this marked the first step in the continued development of the series over the following years. A variety of versions, including the *archaische* (archaic), the *chromatische* (chromatic), the *mechanische* (mechanic) and the *automatische* (automatic) *Lichtballett* were initiated from 1961. A variation of the *archaische Lichtballett*, where Piene used a handheld torch, was the *chromatische Lichtballett* where various 'players' along with coloured foils and sound recordings were used. Engendered by his acquaintance with the kinetic objects of the Swiss artist Jean Tinguely, Piene began to motorize his light objects in the same year, and created the first *automatische Lichtballette* that worked without the use of people and could be run over a longer period of time.

A year later, the first complex light rooms (*Salons de lumière*), emerged in collaboration with Heinz Mack and Günther Uecker, the co-founders of the ZERO Group. These were installed in the Stedelijk Museum in Amsterdam (1962), in the Palais des Beaux-Arts in Brussels (1962) and the *documenta III* in Kassel (1964) and explored themes of particular interest to the group, such as light, movement and space. The light rooms corresponded with Piene's early wish of a total immersion in which the spectator fully experiences the dynamic projection of light. "Most important is the comprehensive *Raumerfüllung* (space-filling) versus the established arts of Theatre and Film. The light is not bound to the segment of space of the stage or the area of the

screen at the end of a long room at who's end the spectator sits. It can reach most places of a room. Through this, the viewer wins the impression of being the centre of the happenings, 'it goes right through him'. He 'feels part of the light'. A dynamic experience of the room accrues in which the gravity has lost much of its power" (the artist in: Otto Piene, *Otto Piene. 10 Texte*, Munich 1961, p. 16).

The first autonomous light objects emerged simultaneously with Piene's preparation of a public commission to design the lighting of the new Opera House in Bonn. They came out of the fully automatized versions of the *Lichtballett* and later stood at the centre of his first solo exhibition in the USA. The objects that Piene arranged in a complex ensemble in the Howard Wise Gallery in New York – some of which were mobile light drums that projected the light upwards or rotating lightbulbs hung from the ceiling – formed the first ever fully programmed light exhibition in the USA. A special version of the *Lichtballett* could be found in Piene's installation *Lichtballett – Hommage à New York* which in 1966 was arranged especially for the exhibition *Zero in Bonn* in the Städtischen Kunstsammlungen. The combination of light projections, so called light mills and light drums, which cast light onto a variety of coloured canvases and diverse projections, and sound recordings with New York street sounds hints to later works such as Piene's multimedia performance *Proliferation of the Sun Over New York, New York* in 1967.

Piene himself considered the *Lichtballett* to be less a completed work than a constantly evolving experiment from which the most disparate themes could develop. His dream of an infinite conquest of the room by light, which for him marked the "epitome of life" can already be seen in early writings (the artist in: Otto Piene, *Otto Piene. 10 Texte*, Munich 1961, pp. 13-14). In his programmatic text 'Ways to Paradise' which was published in the magazine *ZERO 3* in 1961, he said that "My higher dream regards the projection of light into the large night sky, the feel of the universe as it is offered to the light, untouched and without obstacles" (the artist in: Otto Piene and Heinz Mack Eds., *ZERO 3*, Düsseldorf 1961, n.p.). Piene delivered these thoughts as a positive antithesis to the gruesome light spectacles of the Second World War which he had witnessed at the age of sixteen working as anti-aircraft assistant. "So far we have left it to the war to concoct a naïve *Lichtballett* for the night sky, as we have left it to [war] to fill the sky with colourful signs and artificial and provoking blazes of fire" (the artist in: Otto Piene and Heinz Mack Eds., *ZERO 3*, Düsseldorf 1961, n.p.). At the same time his *Lichtballett* took him just a little closer to his dream of a better world in which freedom allows "us to conquer the sky, float through space, live the grand game of light and space without being chased by fear and mistrust" (the artist in: Otto Piene and Heinz Mack Eds., *ZERO 3*, Düsseldorf 1961, n.p.).

Left

Lothar Wolleh, *Otto Piene, portrayed by Lothar Wolleh*, Düsseldorf, 1968
© Oliver Wolleh, 2017

Tijs Visser

Founding director ZERO Foundation, Düsseldorf

7 * ART P

OTTO PIENE (1928-2014)

Light Ballet (Light Drum) and *Light Ballet (Light Satellite)*, in two parts
1969

Drum: metal, glass, light projector lamps and electrical motor

Satellite: metal, plastic and light bulbs

Drum: 40.7 by 125.5 by 125.5 cm. (16 by 49 7/16 by 49 7/16 in.)

Satellite diameter: 39 cm. (15 3/8 in.)

Satellite height: 141 cm. (55 1/2 in.)

This work was executed in 1969.

£160,000 - 220,000

US\$200,000 - 280,000

€190,000 - 260,000

Provenance

Howard Wise, New York

Private Collection, New York (by descent from the above)

Acquired directly from the above by the present owner in 2008

Exhibited

New York, Howard Wise Gallery, *Elements*, 1969, n.p., nos. 5-6, illustrated in black and white

New York, Solomon R. Guggenheim Museum, *ZERO: Countdown to Tomorrow, 1950s-60s*, 2014-2015

Istanbul, Sabanci University Sakip Sabanci Museum, *ZERO. Countdown to the Future*, 2015-2016, p. 157, illustrated in colour

Literature

James Mellow, 'New York Letter' in *Art International*, Vol. XIII/5, 20 May 1969, p. 56, the *Light Drum* illustrated in black and white

Karlyn de Jongh and Sarah Gold, 'Light, Sky, and Fire: A Conversation with Otto Piene' in *Sculpture*, Vol. 33, No. 5, June 2014, p. 40, illustrated in colour (titled *Lichtballett (Light Satellite)*)

Roberta Smith, '3 Men and a Posse, Chasing Newness: "Zero," a Look at a Movement, at the Guggenheim' in *The New York Times*, 9 October 2014, illustrated in colour on *The New York Times* website

'Exhibition Listing' in *Apollo*, October 2014, p. 29, no. 6, illustrated in colour (titled *Light Ballet*)

Monopol Magazine, February 2015, illustrated in colour on the cover (titled *Lichtballett*)





Above

James Turrell, *Afrum I (White)*, 1967

Solomon R. Guggenheim Museum - New York

© The Solomon R. Guggenheim Foundation/Art Resource, NY/ Scala, Florence


Right

Alternative view of the present work

To encounter one element – a *Light Satellite* or a *Light Drum* – from Otto Piene's career defining exploration of light known as the *Light Ballets*, is remarkable, but to have both the *Satellite* and the *Drum* alongside one another is nothing short of a phenomenon. The present work is the only surviving installation from the 1960s ever to come to market and formed the centrepiece of the era-defining Guggenheim New York exhibition *ZERO: Countdown to Tomorrow* in 2014 which sought to reassess the impact of the movement that had been founded by Piene along with Heinz Mack in 1957.

Piene's intention with the *Light Ballet*, which he started to experiment with as early as 1959, was to paint with light, viewing the objects themselves as fellow participants in the project, assisting the manipulation of the light source in an imaginative and yet subconscious manner. Initially these works comprised candles being shone through holes in sheets of paper, a rudimentary apparatus that whilst true to the intention of the project, evolved through necessity to the sophisticated melange of steel, motors and lightbulbs that can be seen with the present work. The optimism of this series, the desire to create artworks that referenced a forward-looking ethos as opposed to rooting his practice in the traditions of Western Art History spoke directly to the core ideals of ZERO as the artist himself explained in 1964: "From the beginning we looked upon the term [ZERO] not as an expression of Nihilism, or as a Dada-like gag, but as a word indicating a zone of silence and of pure possibilities for a new beginning as at the countdown when rockets take off: zero is the incommensurable zone in which the old state turns into the new" (the artist in: Otto Piene, 'The Development of the Group "ZERO"', in *The Times Literary Supplement*, 3 September 1984, pp. 812-813).





It is perhaps no coincidence that the most significant movement to emerge in Post-War Germany should be defined by its desire to discover something wholly new through rigid conception and elemental conceits whilst in America the *Abstract Expressionists* sought to develop past painterly traditions and were suffused with a brazen self-confidence and voluptuous use of colour. The very appearance of *Light Ballet* recalls the frontiersmanship of the space race that played itself out throughout the 1960s and culminated in the moon landings in 1969, the very year that the present work was executed and in which the entire series reached its apotheosis. *Light Ballet* can therefore be seen as a vital installation that evokes a specific and heavily freighted time and place in modern history whilst also representing a conceptual launch pad from which generations of artists continued Piene's investigation into the boundless possibilities of painting with light.

Light Ballet was originally exhibited by the great Howard Wise whose gallery in New York was the first to introduce the ZERO artists to an American audience in November 1964. This pioneering gallery went on to showcase works by the group's founders many times during the pivotal period of the 1960s, culminating in the exhibition *Elements* in 1969 in which the present work was first unveiled. The installation was in the private collection of Howard Wise for almost forty years and appears now on the open market for the first time.

In addition to its focal role at the Guggenheim exhibition, Otto Piene's work features in the permanent collections of museums including MoMA, New York, Centre Georges Pompidou, Paris, The Walker Art Centre, Minneapolis, The Stedelijk Museum, Amsterdam and The National Museum of Modern Art, Tokyo.



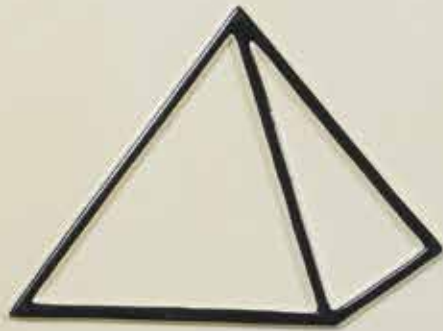


FIG. 1

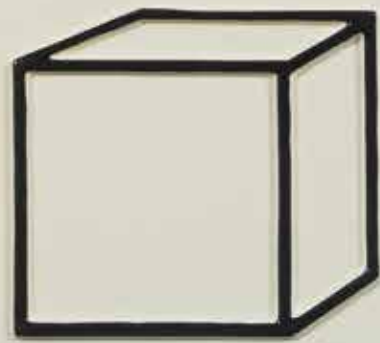


FIG. 2



FIG. 3



FIG. 4

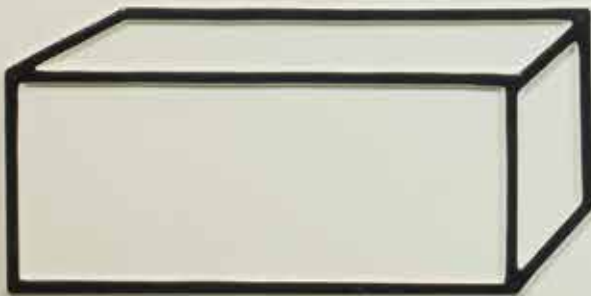


FIG. 5



FIG. 6

TWO RARE PANELS BY MARCEL BROODTHAERS

LOTS 8 & 9

Now rightly recognised as one of the most inventive and original European artists of the Twentieth Century, Marcel Broodthaers remains something of an intriguing enigma. An intensely private man, he rarely spoke publicly about his art, with the result that his life and work have developed a mythology of their own. Much of his output took the form of temporary installations and events, ultimately ephemeral and now recorded only in writing and photographs. His works which do survive, such as the following two works, demonstrate Broodthaers' multiple talents: a virtuoso with a radical attitude towards his art and a wry sense of humour, his intention was to both honour and subvert what had come before. These *Livre tableau ou Pipe et formes académiques* ('Book table' or 'Pipe and Academic Forms') panels from 1970, come to market for the first time having belonged to a private Belgian collection and provide a rare opportunity to acquire a pair of the artist's iconic relief panels. These works present us with a lesson in language which, in their sense of the strange, the cryptic and the surreal, encapsulate the brief but bright career of an artist whose creativity knew almost no bounds.

Broodthaers came to visual art relatively late in his life. After having spent almost two decades as a largely unrecognised, frequently impecunious poet, he turned his focus on art in late 1963, aged 39, quickly becoming a critical and commercial success in this new field. These two works belong to a series produced by Broodthaers between 1968 and 1970, in which he employed the medium of vacuum-formed and painted plastic reliefs, sometimes referred to as his '*plaques en plastique*', a series which the artist titled his *Poèmes industriels* (Industrial Poems). Created in a standard size, with raised letters and images coloured on both sides to produce an effect not dissimilar to a street sign or number plate, these works were manufactured using industrial techniques. Counter-intuitively however, Broodthaers severely restricted the edition sizes, producing the kind of small numbers more usually seen in works of bronze or other such precious materials, with these two works being from an edition of only seven. The artist spoke of this challenge to traditional artistic media: "According to their mechanical production, [the reliefs] seem to deny their status as art objects [...] they tend to prove art and its reality by means of 'negativity'" (the artist in: Michael Compton, 'In Praise of the Subject' in *Marcel Broodthaers*, Minneapolis 1989, p. 44).

This challenge extends beyond their materiality. With their resemblance to a textbook illustration or classroom blackboard, it would be expected that the messages these works are intended to convey might be clear and easily to read. In fact, the opposite is the case. Intentionally cryptic, featuring oblique references to academic tables and mathematical forms, these images are intended to confound. Literary scholar Marjorie Perloff analyses this apparently puzzling state of affairs as follows: "The aim... seems to be to force the viewer/reader to 'see' what he or she in fact always does see (a page of figures in a geometry textbook; a classroom poster) as if for the first time" (Marjorie Perloff, *Radical Artifice*, Chicago 1991, p. 103). Perloff also identifies what she denotes the "parent text" of these works, namely the iconic masterpiece *La Trahison des images* (*Ceci n'est pas une pipe*) by René Magritte. In their use of the distinctive pipe symbol, Broodthaers' panels reference his fellow Belgian, the

artist who was to have the greatest influence on him, and whom Broodthaers viewed as something of a mentor. Both men questioned the ability of art to recreate or represent reality, Magritte proposing that a painting was simply a reproduction of reality, with Broodthaers extending this idea to question the very nature of the art object itself.

The importance of these works as a part of Marcel Broodthaers' larger oeuvre is demonstrated by their inclusion in the seminal retrospective held at the Walker Art Centre in Minneapolis in 1989-1990, an exhibition which later travelled to the Museum of Contemporary Art, Los Angeles and the Carnegie Institute Museum of Art in Pittsburgh, and which is widely considered to be the event which finally established the artist's international reputation. Although his artistic career was relatively short (Broodthaers died in 1976 on his fifty-fourth birthday), his stature has only risen in recent years, as indicated by a string of large exhibitions culminating in a critically acclaimed show at MoMA, New York in 2016. This enduring and growing interest is no doubt thanks to the unashamedly cerebral nature of his work; managing to be at once high-minded and humorous, reverential and rebellious, philosophical and whimsical, Marcel Broodthaers has proved himself a fitting successor to artistic geniuses such as Marcel Duchamp and René Magritte, successfully securing his place amongst the pantheon of truly great modern masters.



René Magritte, *La clef des songes*, 1930
Private Collection © 2017. BI, ADAGP, Paris/Scala, Florence
© ADAGP, Paris and DACS, London 2017

8 AR

MARCEL BROODTHAERS (1924-1976)

Livre tableau ou Pipe et formes académiques

1970

signed with the artist's initials, dated *Mars 70*, and numbered *4/7* on the reverse
enamel on vacuum-formed plastic

86 by 121 cm.

33 7/8 by 47 5/8 in.

£35,000 - 45,000

US\$44,000 - 57,000

€41,000 - 53,000

We are grateful to the *Estate of Marcel Broodthaers* for their assistance in cataloguing this work.

Provenance

Galerie Fred Lanzenberg, Brussels

Acquired directly from the above by the present owner *circa* 1980

Exhibited

London, Tate Gallery, *Marcel Broodthaers*, 1980, p. 81, no. 72, another example illustrated in black and white

Minneapolis, Walker Art Center; Los Angeles, Museum of Contemporary Art; Pittsburgh, Carnegie Institute Museum of Art;

Brussels, Palais des Beaux Arts, *Marcel Broodthaers*, 1989-1990, p. 137, no. 86.1, illustrated in colour

Paris, Galerie Nationale du Jeu de Paume; Madrid, Centro de Arte Reina Sofia, *Marcel Broodthaers*, 1991-1992, p. 322,
another example illustrated in black and white

Literature

Marjorie Perloff, *Radical Artifice: Writing Poetry in the Age of Media*, Chicago 1991, p. 101, fig. 4.5, another example
illustrated in black and white

Marie-Puck Broodthaers Ed., *Marcel Broodthaers*, London 2013, p. 145, another example illustrated in colour



FIG. 1

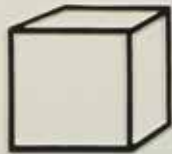


FIG. 2



FIG. 3



FIG. 4

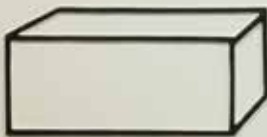


FIG. 5

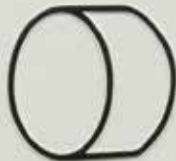


FIG. 6



FIG. 7

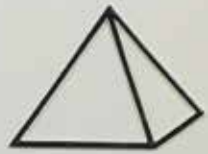


FIG. 8



FIG. 9

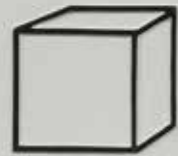


FIG. 10



FIG. 1



FIG. 2

g AR

MARCEL BROODTHAERS (1924-1976)

Livre tableau ou Pipe et formes académiques

1970

indistinctly signed and numbered 1/7 on the reverse
enamel on vacuum-formed plastic

86 by 121 cm.
33 7/8 by 47 5/8 in.

This work was executed in 1970.

£35,000 - 45,000

US\$44,000 - 57,000

€41,000 - 53,000

We are grateful to the *Estate of Marcel Broodthaers* for their assistance in cataloguing this work.

Provenance

Galerie Fred Lanzenberg, Brussels

Acquired directly from the above by the present owner *circa* 1980

Exhibited

Minneapolis, Walker Art Center; Los Angeles, Museum of Contemporary Art; Pittsburgh, Carnegie Institute
Museum of Art; Brussels, Palais des Beaux Arts, *Marcel Broodthaers*, 1989-1990, no. 86.2

Literature

Marie-Puck Broodthaers Ed., *Marcel Broodthaers*, London 2013, p. 145, another example illustrated in colour



FIG. 1



FIG. 2



FIG. 7



FIG. 3



FIG. 5



FIG. 4



FIG. 6



FIG. 8



FIG. 9



FIG. 10



FIG. 11



FIG. 12

10 * AR

PIERO DORAZIO (1927-2005)

Grisaille XXXIV

1976

signed, titled and dated 1976 on the reverse
oil on canvas

110 by 110 cm.
43 5/16 by 43 5/16 in.

£22,000 - 35,000

US\$28,000 - 44,000

€26,000 - 41,000

Provenance

André Emmerich Gallery, New York

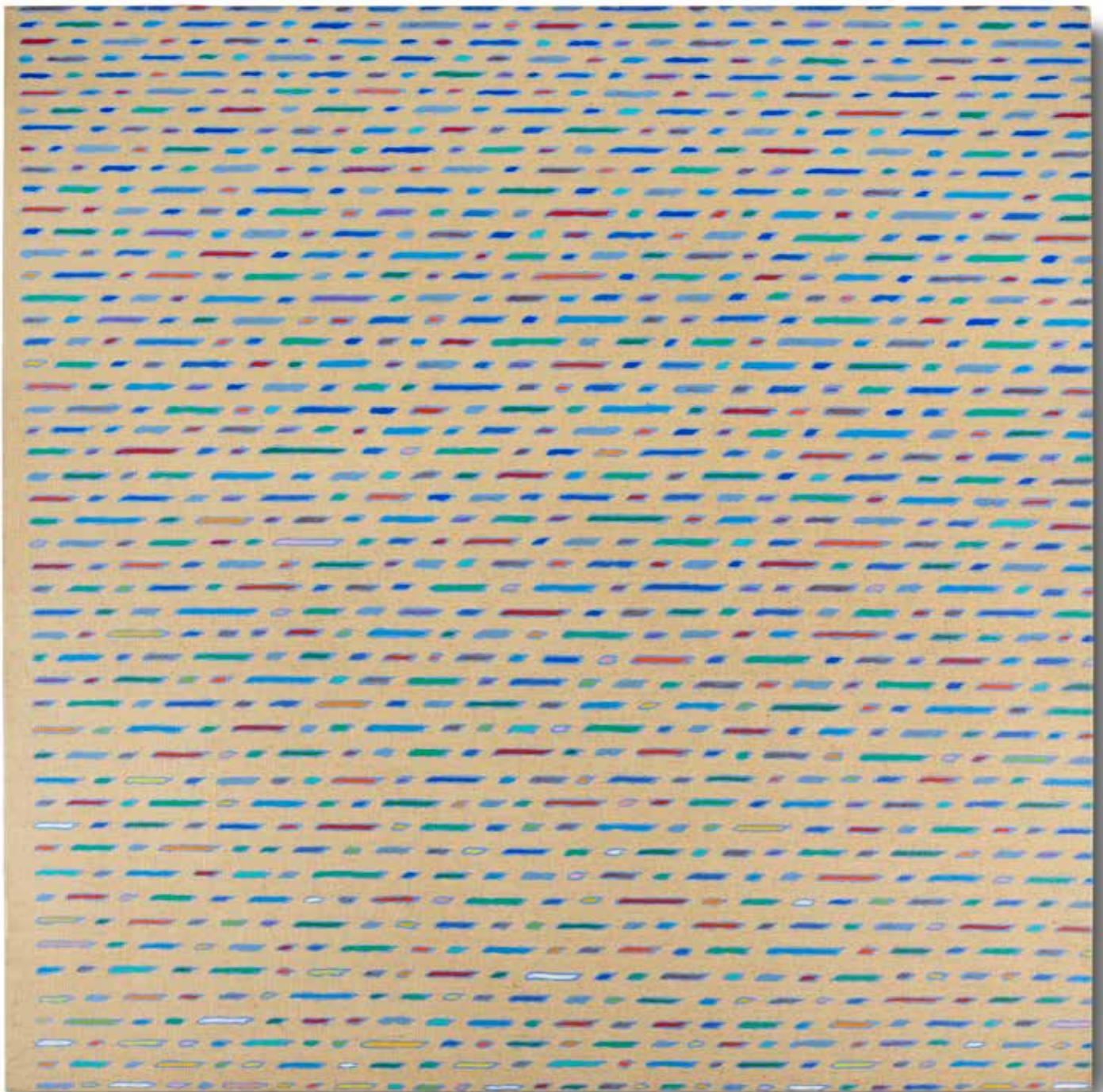
Acquired directly from the above by the present owner

Exhibited

New York, André Emmerich Gallery, *Piero Dorazio New Paintings*, 1977

Literature

Marisa Volpi Orlandi and Giorgio Crisafi, *Dorazio*, Venice 1977, no. 1599, illustrated in black and white



11 * AR

PIERO DORAZIO (1927-2005)

Attractions

1967

signed, titled and dated 1967 on the reverse
oil on canvas

96.8 by 80.5 cm.
38 1/8 by 31 11/16 in.

£40,000 - 60,000

US\$51,000 - 76,000

€47,000 - 70,000

Provenance

Marlborough-Gerson Gallery, New York

Charles Evans Collection, New York

Sale: Christie's, New York, *Open House*, 30 June 2008, Lot 37

Acquired directly from the above by the present owner

Exhibited

Pittsburgh, Arts and Crafts Center, *Pasmore, Marca-Relli, Dorazio*, 1968

Literature

Marisa Volpi Orlandi and Giorgio Crisafi, *Dorazio*, Venice 1977, no. 904, description of the work listed







12 AR

CARLA ACCARDI (1924-2014)

Rossoargento

1971

signed and numbered 547 on the stretcher
varnish on sicofoil

81 by 65 cm.

31 7/8 by 25 9/16 in.

This work was executed in 1971.

£30,000 - 50,000

US\$38,000 - 63,000

€35,000 - 59,000

This work is registered in the *Archivio Accardi Sanfilippo*, Rome, under no. 547, and is accompanied by a photo-certificate of authenticity signed by the artist and numbered 95/05.

Provenance

Galleria Editalia/Qui arte contemporanea, Rome

Galleria Astuni, Pietrasanta

Acquired directly from the above by the present owner in 2005

Exhibited

Amalfi, Antichi Arsenali della Repubblica Amalfitana, *L'immagine altra: Rassegna di Pittura e Scultura Astratta*, 1976, p. 17, illustrated in black and white (incorrectly titled and incorrect orientation)

Rome, Galleria Editalia/Qui arte contemporanea, *Qui Arte Contemporanea dieci anni dopo*, 1976-1977

Turin, Galleria Civica d'Arte Moderna, *Arte in Italia 1960-1977*, 1977

Rome, Galleria Editalia/Qui arte contemporanea, *"Forma 1" trent'anni dopo*, 1978-1979, n.p., no. 5, illustrated in black and white

Literature

Germano Celant, *Carla Accardi*, Milan 1999, p. 332, no. 1971.2, illustrated in black and white





Brimming with life and light, *Rossoargento* from 1971 displays all the hallmarks of Carla Accardi's greatest works, embodying the poetic dynamism so characteristic of Accardi's visual language.

The palette of Accardi's works is dominated by primary colours. Having abandoned tempera in the 1960s in favour of fluorescent colours, these often lend themselves to the work's titles, such as *Rossoargento* literally translated as "Redsilver". With soft lines and cursive forms, Accardi speaks to us through a distinctive yet ever elusive universe of signs that stand as the artist's signature handwriting. It is this subtle movement of shaped waves that resonates into a rhythmic sound and animates abstract forms to a life of their own. The bold, red ornamental strokes seemingly float and transcend their support, made weightless, interlacing with space as they are transformed into suspended sculptural figures.

The use of transparent sicofoil is another distinctive feature of Carla Accardi's oeuvre. The transparency deliberately displays the stretchers-bars – a wooden corset lending the composition its architectural structure. Manifesting the stability of the construction simultaneously unmasking a backdrop vacuity, as if the work was curiously investigating the forces holding it together.

What makes the present work particularly special is the double layer of sicofoil; subtle yet highly effective, this measure sharpens the sensation of three-dimensionality. The translucent material absorbs the viewer in depth, creating an even stronger intensified idea of shifting space.

Opting for a surface that disintegrates upon closer inspection, the viewer is immersed into a transitory space of in-between territories.

Ground-breaking at its time and still strikingly innovative, this work strongly advocates the idea of fluidity, blurring rigid norms and walls. Using plastic conceived primarily for commercial packaging, this material reflects the technical progress at a time of accelerated industrial growth, particularly in Italy. The transparency echoes the artist's awareness of spatial and social borders, as she reduces them to merely provisional demarcation. As she appropriates a fabric used for mass-manufacturing and trade to her own artistic output, Carla Accardi redefines the role of women in the public and domestic environment. Bold not only for its technical innovation, the material shows a fearless and simultaneously subtle and elegant attempt to critically address conventional gender roles.

Born in Trapani, Sicily and having moved to Rome in 1945, Carla Accardi soon became actively involved with the avant-garde of Post-War Italy. As founding member of the group *Forma 1* together with Piero Dorazio, Giulio Turcato and Antonio Sanfilippo, whom she would later marry, she attracted the attention of the most influential critics and collectors of her time. Her personal relationships extended to the likes of Hans Hartung and Lucio Fontana, with whom she maintained an intense exchange of ideas. It was none other than Fontana who endorsed Accardi's participation at the Venice Biennale, where she represented Italy in 1964.

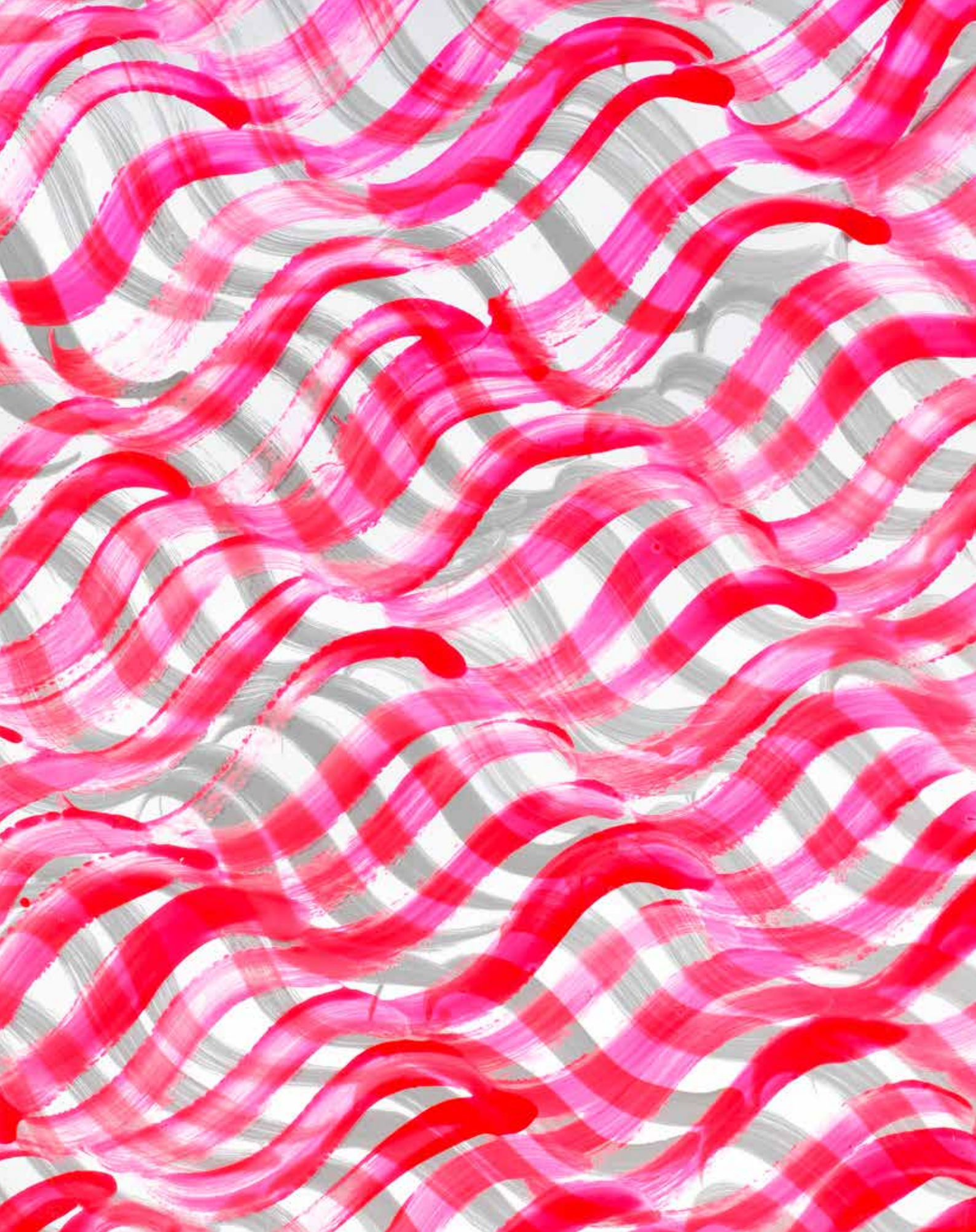
During her life Accardi's work was celebrated by solo exhibitions at the Castello di Rivoli, Turin in 1994 and the Musée d'Art Moderne de la Ville, Paris in 2002. Her works can be found in the world's most prestigious institutions including the Solomon R. Guggenheim Foundation, New York. The highly acclaimed show at MoMA P.S.1, New York in 2001 contributed to the growth of global awareness of Carla Accardi as an avant-garde artist. Widely exhibited, yet fresh to market, the present work summarizes the large interest in displaying seminal works that capture the wide array of the power within her pioneering artistic legacy. As one of the most important Italian female artists of the second-half of the Twentieth Century, Carla Accardi remains an inspiring figure for today's generation.

Above

Ugo Mulas, *Carla Accardi, Ritratto*, 1967
Photo Ugo Mulas © Ugo Mulas Heirs. All rights reserved
© DACS 2017

Right

Detail of the present work





13 AR

ALIGHIERO BOETTI (1940-1994)

*Senza titolo (Oggi è il primo giorno del terzo
mese millenovecentonovanta al Pantheon)*
1990

signed twice
mixed media and collage on paper

49.8 by 69.5 cm.
19 5/8 by 27 3/8 in.

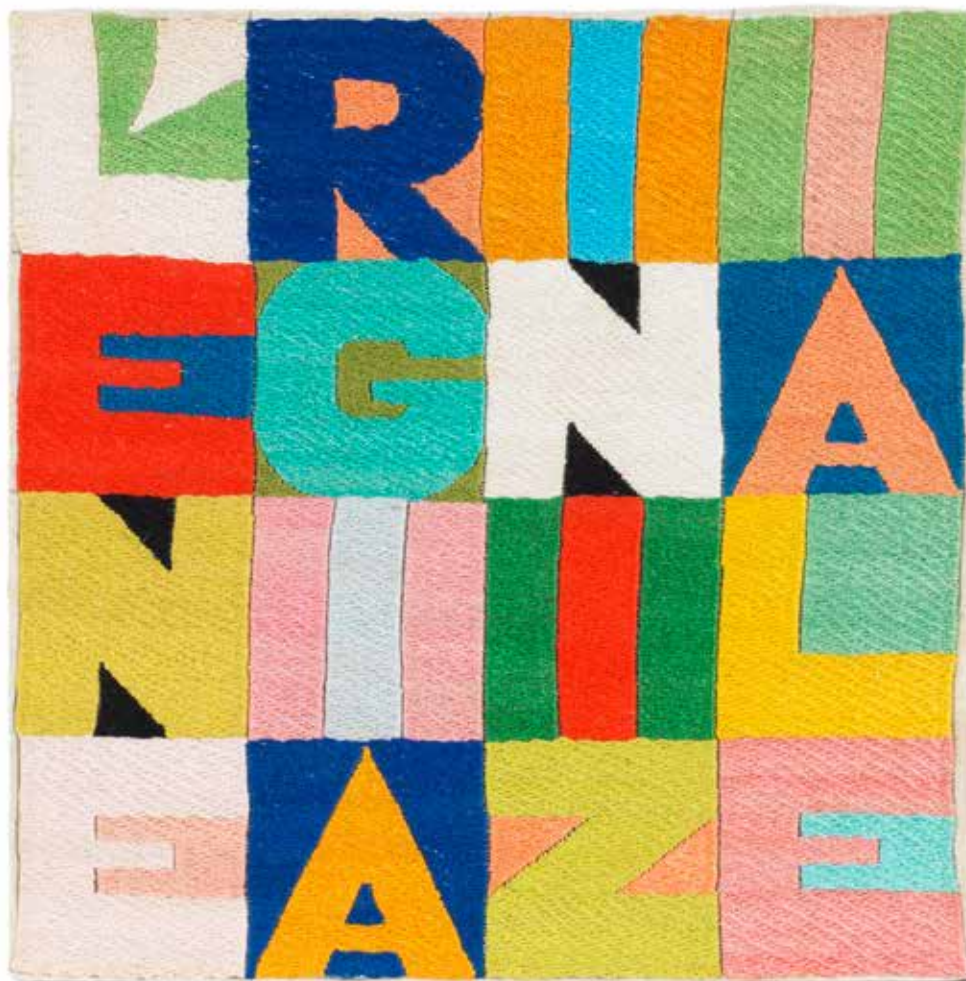
This work was executed in 1990.

£6,000 - 8,000
US\$7,600 - 10,000
€7,000 - 9,400

This work is registered in the *Archivio Alighiero Boetti*, Rome, under no. 8168, and is accompanied by a photo-certificate of authenticity.

Provenance

Private Collection, Italy
Acquired directly from the above by the present owner circa 1992



14 AR

ALIGHIERO BOETTI (1940-1994)

L'energia iniziale

1989

signed, dated 1989 and inscribed *Peshawar Pakistan by Afghan People* on the overlap embroidery on canvas

23 by 23 cm.

9 1/16 by 9 1/16 in.

£15,000 - 20,000

US\$19,000 - 25,000

€18,000 - 23,000

This work is registered in the *Archivio Alighiero Boetti*, Rome, under no. 8167, and is accompanied by a photo-certificate of authenticity.

Provenance

Private Collection, Italy

Acquired directly from the above by the present owner circa 1992

15^{AR}

ALIGHIERO BOETTI (1940-1994)

Mimetico

1968

camouflage fabric laid on board

21 by 29.6 cm.

8 1/4 by 11 5/8 in.

This work was executed in 1968.

£60,000 - 80,000

US\$76,000 - 100,000

€70,000 - 94,000

This work is registered in the *Archivio Alighiero Boetti*, Rome, under no. 8893, and is accompanied by a photo-certificate of authenticity.

Provenance

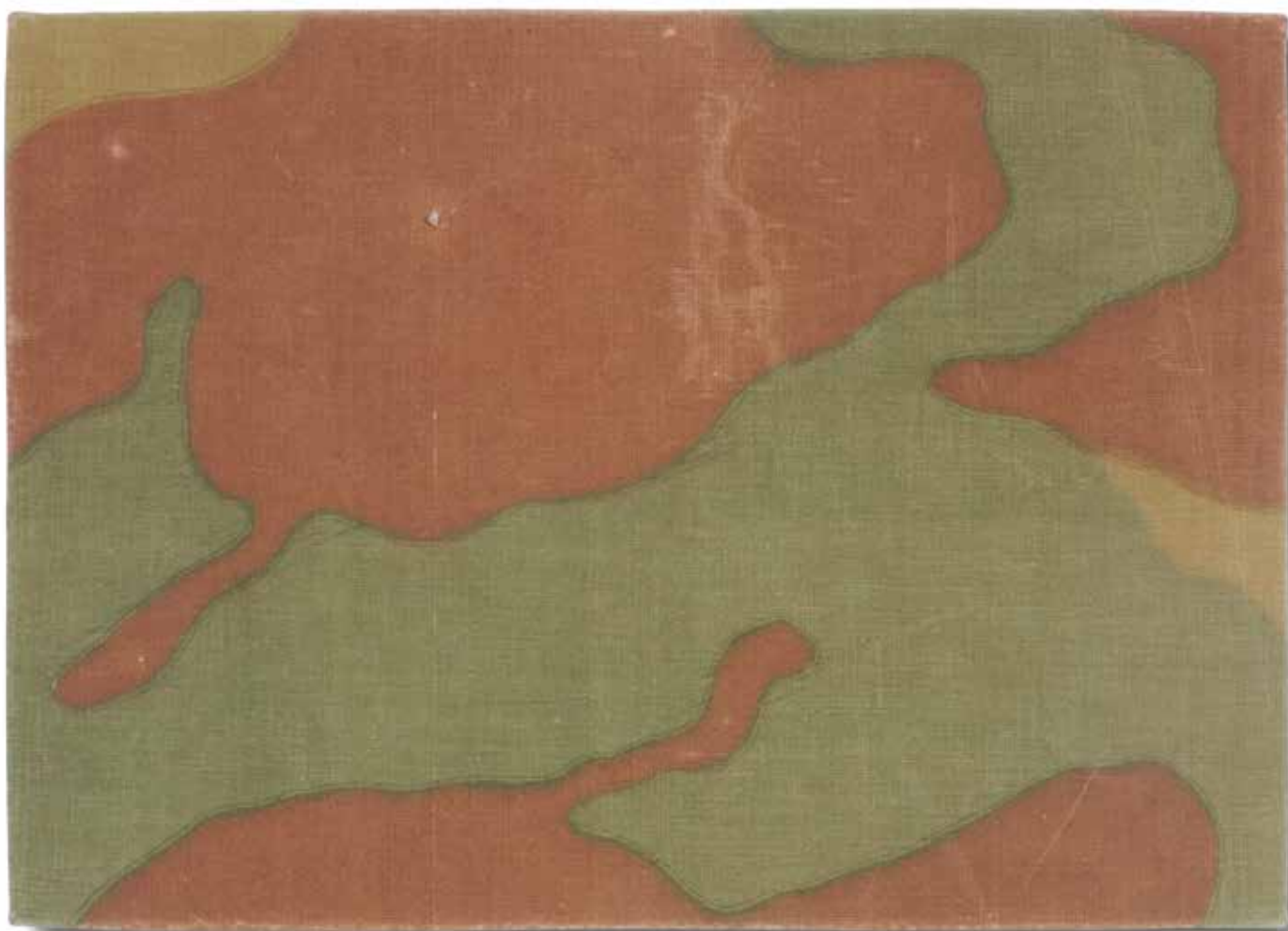
Piero Berengo Gardin Collection, Rome

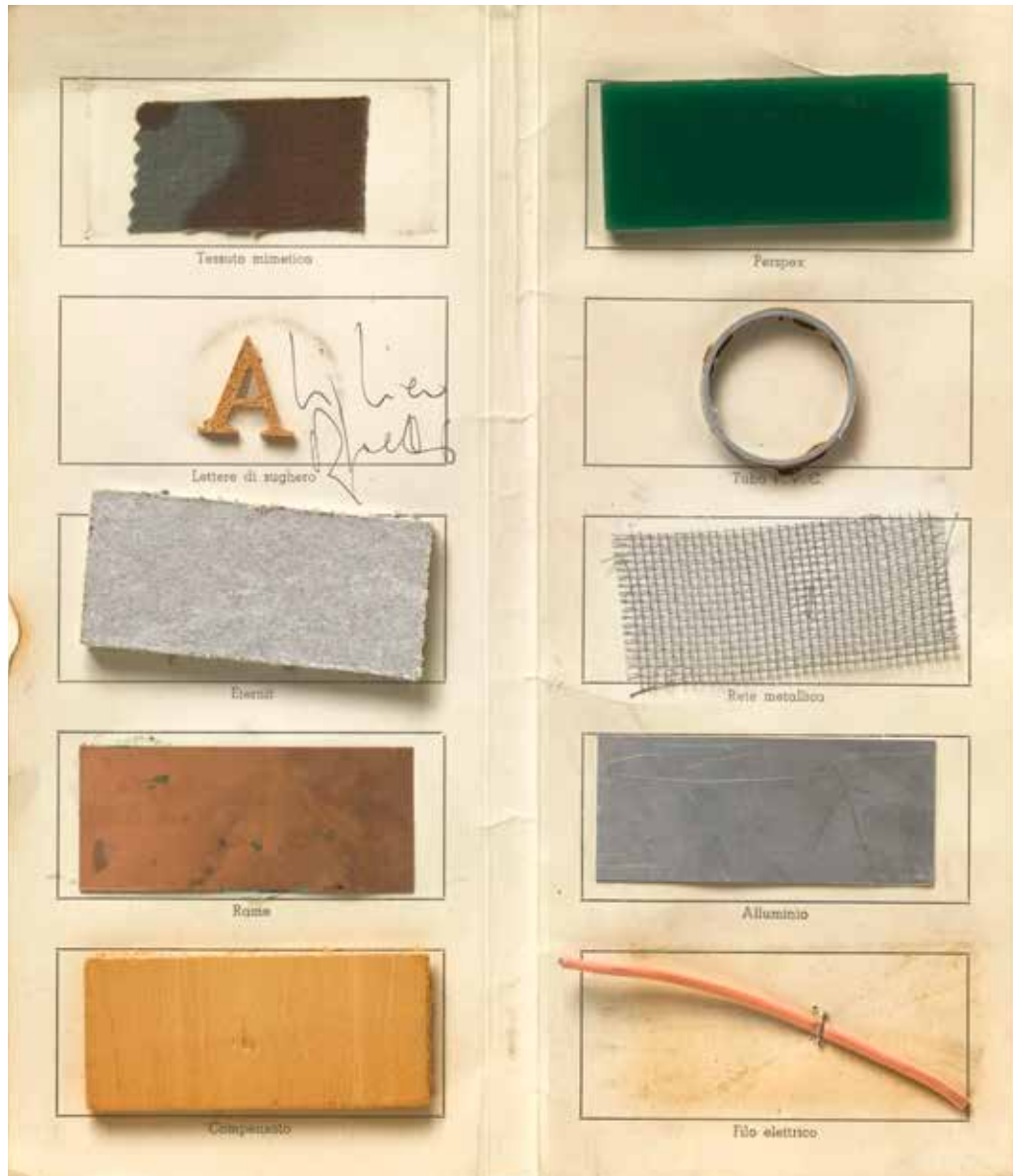
Private Collection, Rome (by descent from the above)

Acquired directly from the above by the present owner

Exhibited

Repetto Gallery, London, *Metamorphosis: The Alchemists of Matter, A Point of View on Arte Povera*, 2016, p. 15, illustrated in colour





A rare and important early work by Italian master Alighiero Boetti, *Mimetico* of 1968 epitomises the key concepts of *Arte Povera*, the influential artistic movement that helped to shape late Twentieth Century attitudes towards art. This canvas belongs to a series produced by the artist at the beginning of his career; indeed, another *Mimetico* was included in his first solo exhibition, held at Galleria Christian Stein in Turin in January 1967, alongside other iconic works such as his *Rotolo di cartone ondulato* ('Roll of Corrugated Fibreboard') from 1966 and *Catasta* ('Stack') from 1967.

Clearly indicating Boetti's radical approach, which focused more on the materiality of the work than any established notions of painting or sculpture, this group of works stood as a defiant challenge to what had come before.

Created by extending ready-made camouflage fabric over a stretcher or board, as with the present example, *Mimetico* from 1968 is highly conceptual, and can be analysed in numerous ways. In utilising a ready-made fabric, Boetti questioned the role of the artist in the creative process; he chose a fabric

conceived to imitate the natural world, and the creation of a work of art from a pattern designed to disappear into the background is delightfully paradoxical. The philosophy of *Arte Povera* was outlined by Germano Celant, who organised a ground-breaking 1967 group exhibition in Genoa: “Language is acknowledged and reduced to a purely visual element, divested of historical and narrative superstructures. The empirical quality of artistic enquiry, rather than its speculative aspect, is exalted. The hard facts and the physical presence of an object, or the behaviour of a subject, is emphasised...” (Antonella Soldaini, ‘Alighiero e Boetti’ in Andrea Tarsia Ed., *Alighiero e Boetti*, London 1999, p. 8). Like a bolt out of the blue, works such as *Mimetico* provided a much-needed jolt to the artistic establishment, and a new era of radical creativity began.

In selecting this distinctive camouflage material, with its pools of warm red, its lush greens and patches of chartreuse, Boetti was producing what has been described as “a kind of anti-painting”; as writer and curator Mark Godfrey points out, the viewer is asked to reinterpret an instantly recognisable pattern in new and unusual ways: “The literal identity of the ready-made material would disintegrate as, in the imagination, these patterns would become something other” (Mark Godfrey, *Alighiero Boetti*, New Haven 2011, pp. 59-60). It is no coincidence that its irregular planes of colour allude to *Abstract Expressionism*, however, rather than attempting to replicate the style of the American artists, Boetti parodies it. The camouflage pattern, especially when seen in Boetti’s carefully cropped composition may initially reflect the abstract, gestural swathes of colour by then widely familiar from the American movement, whereas, the use of industrially fabricated, military issue material undermines the perceived importance and influence of the *Abstract Expressionists*. Whilst questioning the *Abstract Expressionists* compositionally, the inherent military associations of the material also revealed a political intent, after all, *Mimetico* was created during some of the darkest days of the Vietnam War.

The influence of Boetti’s early work was widespread, and can be clearly seen, for example, in Andy Warhol’s *Camouflage* paintings of 1986. Comprising screen prints of camouflage patterns in bright Pop colours, Warhol’s canvases are a step removed from Boetti’s *Mimetici*, their original source material reinterpreted during the creative process. For Boetti, however, such adaptation was unnecessary: it was the very substance of the appropriated fabric, unchanged and unadorned, which rendered his works more direct, and more daring.

The importance of his *Mimetici* has led to the inclusion of large-scale examples in recent retrospectives such as *Game Plan*, held at the Museo Reina Sofia, Madrid, Tate Modern, London and MoMA, New York from 2011 to 2012. A group of six *Mimetico* each of the same measurements

of this example and from 1968 are held in the permanent collection of the MAXXI in Rome and a larger example is in the collection of the Stedelijk Museum, Amsterdam. Furthermore, a very interesting material assemblage dating from 1966-1967 which shows a cut of the ‘Tessuto Mimetico’ on the top left is in the permanent collection of MoMA in New York (image on the opposite page). The present work was originally held in the esteemed collection of the noted intellectual and filmmaker Piero Berengo Gardin in Rome and is presented at auction for the first time.

In the present work, we find Boetti’s most influential theories condensed into a more intimate, but no less extraordinary work; its exquisite scale rendering the forms of the camouflage design even more abstract than in its larger equivalents. These early *Mimetici* seemingly made an impact on Boetti himself, as he returned to using patterned fabrics in the early 1980s, although the camouflage prints that he employed by then were no longer military issue; it is clear that these 1960s works held an crucial place in the development of the artist’s oeuvre. This *Mimetico*’s unavoidable strength, a capacity to surprise and challenge, proves that the relevance of Boetti’s philosophy remains undimmed, almost half a century after this pivotal work was created.



Above
The present work

Left
Alighiero Boetti, *Untitled*, 1966-67
The Judith Rothschild Foundation Contemporary Drawings Collection Gift (purchase, and gift, in part, of The Eileen and Michael Cohen Collection).
The Museum of Modern Art DIGITAL IMAGE © 2017, The Museum of Modern Art/Scala, Florence © DACS 2017

16 AR

ETTORE SPALLETTI (B. 1940)

Senza titolo, rosa

2010

signed, titled and dated 2010 on the reverse
colour impasto and gold leaf on board

80 by 80 by 4.5 cm.
31 1/2 by 31 1/2 by 1 3/4 in.

£40,000 - 60,000

US\$51,000 - 76,000

€47,000 - 70,000

This work is accompanied by a photo-certificate of authenticity signed by the artist.

Provenance

Vistamare, Pescara

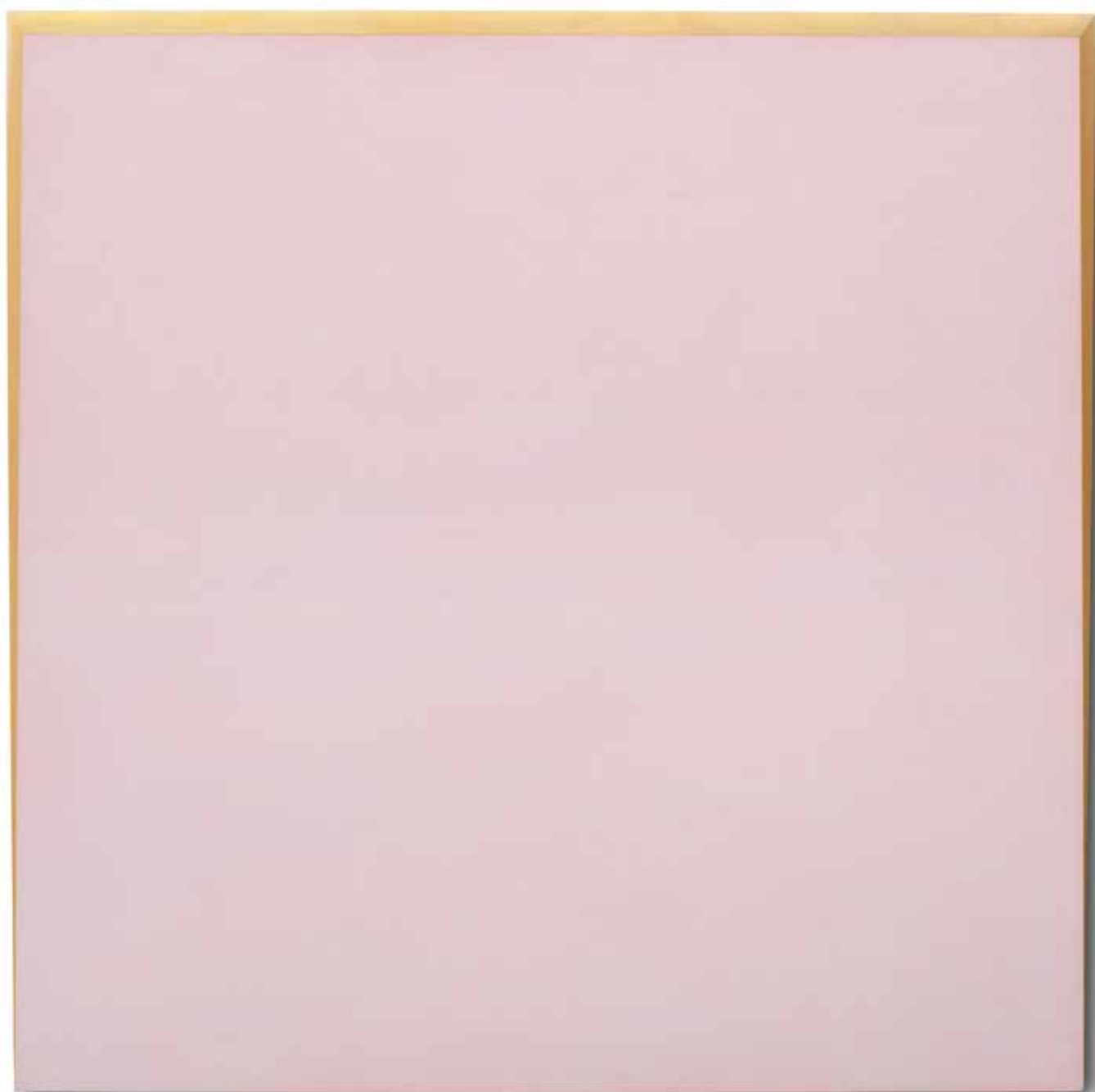
Acquired directly from the above by the present owner in 2010

Exquisitely elegant, and yet immensely profound, the work of Ettore Spalletti is often compared to the precious Renaissance frescoes which decorate the many ancient churches of his homeland, Italy. Like these frescoes, Spalletti's paintings emit a quiet beauty, their peaceful intensity inviting silent contemplation, almost minimalist but also utterly sumptuous. Spalletti's works require a huge amount of time and effort, and their smooth surfaces (which comprise a mixture of pigments and chalk) are built up and rubbed down, polished and buffed to perfection. Only at the very end of the creative process does the final, all-important colour emerge. In works such as *Senza titolo, rosa* of 2010 we find the soft palette of Giotto or Piero della Francesca restyled into the abstract, reworked for the modern age.

Exploring the visual possibilities of colour has been this artist's purpose for over forty years, with many of his pieces harnessing the monochrome potential of white, light blue or pink, and also featuring the distinctive gold edges that we see in *Senza titolo, rosa*. Pink, notes Spalletti himself, is a colour often found in the natural world, but it is also a colour of many subtleties and endless variations: "Pink is the colour of the skin, which is never fixed but is transformed according to the state of mind or mood you are experiencing. Renaissance painters, in order to make skin more livid, used to put green under pink" (the artist in an interview with Christopher Turner, 'How do you capture a colour? Interview with Ettore Spalletti', *apollo-magazine.com*, 14 May 2016).

The play of light is all-important to this remarkable work, with the expanse of pink bordered by delicate facets of gold leaf, all of it glowing with an inviting roseate warmth as light moves across its rich, velvety surface.

Long admired in his native Italy, Ettore Spalletti's achievements were recently celebrated in an enormous retrospective which was held simultaneously at three of the country's most prestigious institutions, namely the MAXXI in Rome, MADRE in Naples, and GAM in Turin. Although he is known as a very private man who rarely leaves the small hill town on the Adriatic Coast where he was born, Spalletti's reputation across the rest of the world has long been in the ascendant, as demonstrated by large-scale shows at the Musée d'Art Moderne de la Ville de Paris, the Guggenheim, New York and The South London Gallery in the 1990s. His output over the decades has proven to be incredibly diverse, but it is for works such as *Senza titolo, rosa* for which he is most lauded. Although he emerged from the same generation of artists, such as Mario Merz and Michelangelo Pistoletto, who became known and part of the *Arte Povera* movement, and indeed was linked with this movement in the early days of his career, Spalletti's work was to evolve into something more sublime, more ethereal than that of his contemporaries. This is made clear in the present work: ultimately, *Senza titolo, rosa* represents the splendid results of a long life dedicated to the celebration of colour in its purest, most alluring forms.







AN EXQUISITE WORK BY
RUDOLF STINGEL

LOT 17

17 AR

RUDOLF STINGEL (B. 1956)

Untitled

2002

signed and dated 2002 on the reverse
celotex and aluminium foil on board

52 by 39 cm.
20 1/2 by 15 3/8 in.

£150,000 - 200,000

US\$190,000 - 250,000

€180,000 - 230,000

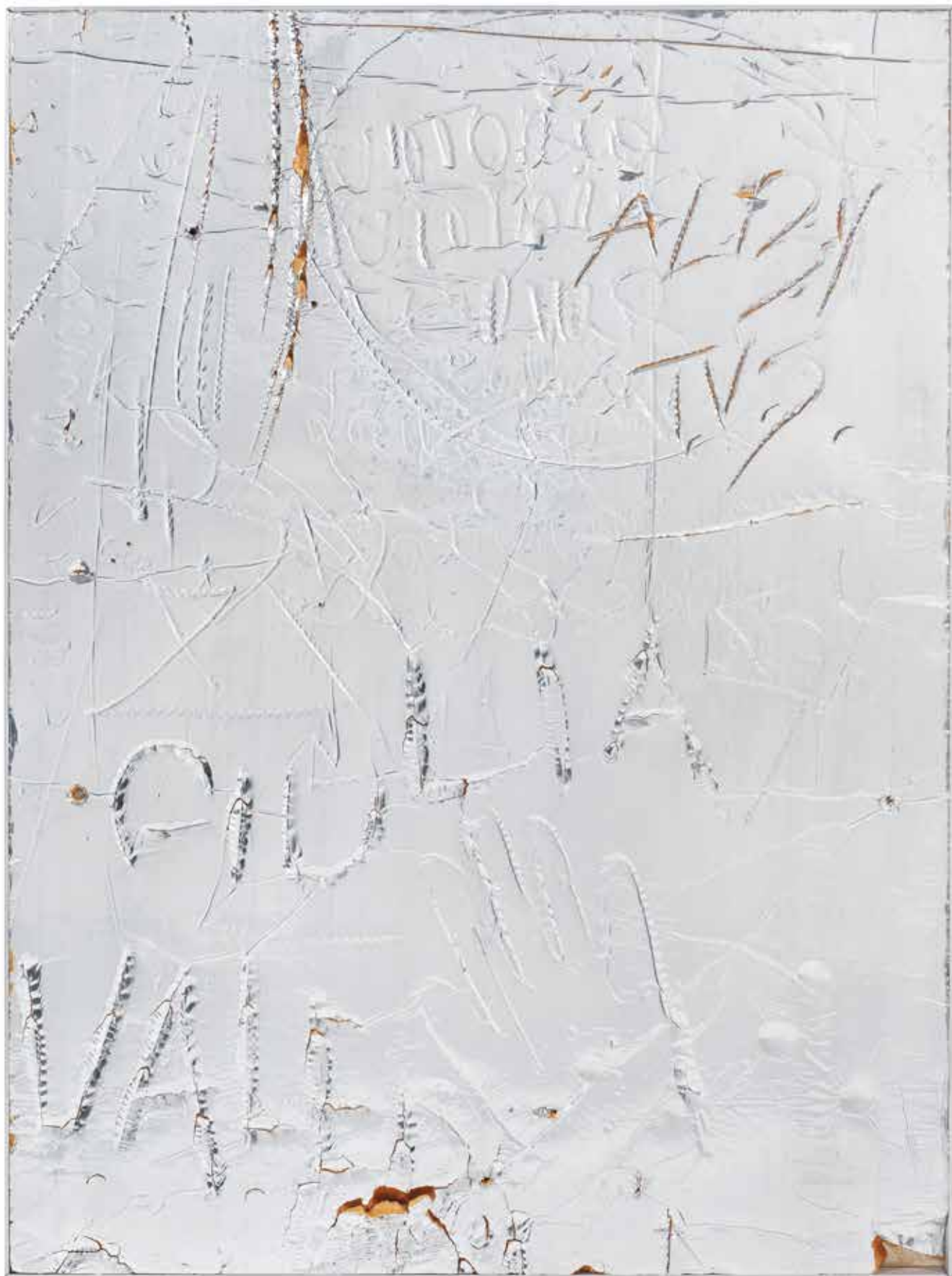
Provenance

Galerie Georg Kargl, Vienna

Private Collection, Germany

Sale: Sotheby's, London, *Contemporary Art*, 12 December 2007, Lot 22

Acquired directly from the above by the present owner





Above

Alighiero Boetti, *Senza titolo. Verso sud l'ultimo dei paesi abitati è l'Arabia*, 1968

Paris, Centre Pompidou - Musée national d'art moderne

© Centre Pompidou, MNAM-CCI, Dist. RMN-Grand Palais / image Centre Pompidou, MNAM-CCI © ADAGP, Paris

Rudolf Stingel is revered as one of the most skilled and versatile artists of the late Twentieth Century and yet the present work serves as a celebration of the artist's absence. Triggered by experiments with installations using carpets to transform interior space in the early 1990s, it culminated a decade later with entire rooms clad in aluminium-coated insulation material. The present work is an exquisite, jewel-like example from this period, combining industrial materials such as celotex and heavy duty aluminium foil in such a way that they would act as receptive and malleable ground for incisions and etching, almost as a Roman tablet. The resulting panels of stark, bright silver were transformed through a collaboration with the audience in a series of uncontrolled, impulsive marks and messages carved into the surface. Each individual intervention when examined closely shows the memory of an anonymous personality, each contributing to the final composition. The intricacy of the work is profound and represents a provocative transference of agency between the artist and the audience.

That Stingel is prepared to release control on such a comprehensive scale implies an effort to unlearn and to subsume the fetish associated with artistic genius into a collective activity that navigated the precarious line between creation and destruction. Stingel's work indeed recalls works by Italian artist Piero Manzoni whose series of *Achrome* removed the presence of the artist by allowing the kaolin layer to settle organically once applied, encouraging a flawlessly smooth texture in which all hints of autobiography and reference were eradicated in the almost luminous, matt finish. With Manzoni however the absence of the artist was mirrored by the absence of colour in contrast with Stingel's work in which the artist's presence was implied by the intervention of the viewer.

The relationship between graffiti and the present work is heavily freighted and yet the distinction is clear: whilst the marks scribbled on walls commemorated in the photography of the Hungarian artist Brassai can be seen as cries of individualism, inherently autobiographical and self-referential, the present work is a democratisation of artistic practice with the artist distancing himself from authorship. Taken in isolation these marks, these elements of graffiti, are often unremarkable and largely lacking in aesthetic form but through repetition and accumulation they appear to take on the majesty of hieroglyphs and are suffused with a sense of greater substance than the sum of their parts. Perhaps this is the final intervention of the artist, to impose order on chaos and discipline on form.



Executed in 2002, the year before the artist's decisive and celebrated exhibition of this series at the 2003 Venice Biennale, the present work originates from the epicentre of Stingel's seismic impact on the limitations of the conventional definition of an artist. Stingel's influence has been felt globally in the past three decades and his work continues to inspire a dedicated following, not least from some of the world's most prominent institutions including the de la Cruz Collection Contemporary Art Space, Miami, MoMA, New York, and the Art Institute of Chicago amongst others.

Above

Brassai, *Graffiti. De la série: VI L'Amour. circa 1935-1950*
 Toulouse, Musée d'Art moderne et contemporain, les Abattoirs
 © Estate Brassai –RMN-Grand Palais / Photo © Centre Pompidou, MNAM-CCI,
 Dist. RMN-Grand Palais, MNAM-CCI

18

SHOZO SHIMAMOTO (1928-2013)

Untitled

1951

signed; signed in Japanese on the reverse and dated *Showa 26 1951* in Japanese on the overlap
tar, sand and glue on layered newspapers

40.7 by 32 cm.

16 by 12 5/8 in.

£80,000 - 120,000

US\$100,000 - 150,000

€94,000 - 140,000

This work is accompanied by a photo-certificate of authenticity signed by the artist.

This work is registered in the archive of the *Shozo Shimamoto Association*, Nishinomiya and Naples,
under no. 1, and is accompanied by a photo-certificate of authenticity.

Provenance

Private Collection, Japan

Acquired directly from the above by the present owner in 2005

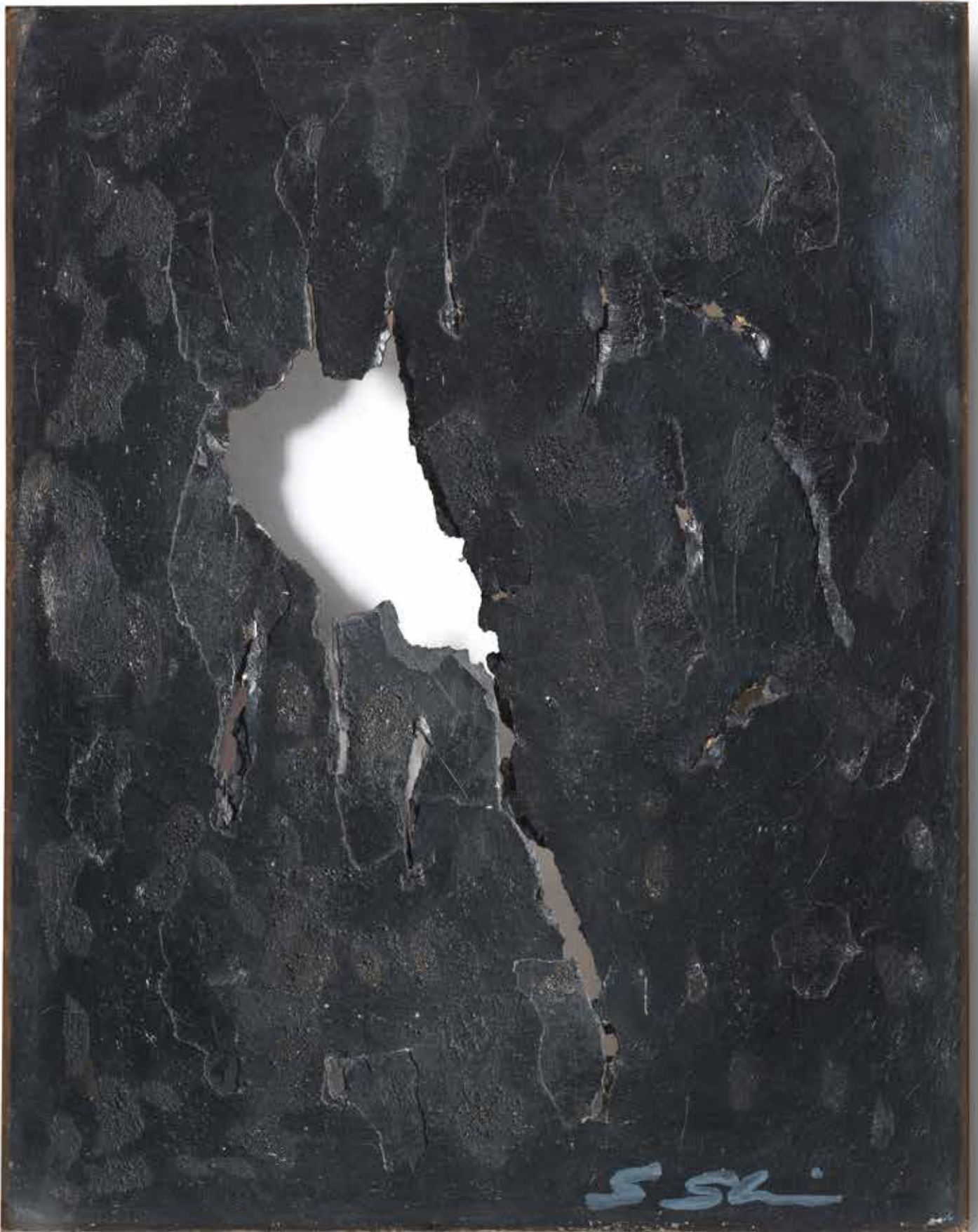
Exhibited

Lugano, Museo Cantonale d'Arte, *Gutai: dipingere con il tempo e lo spazio*, 2010-2011, p. 70,
no. 28, illustrated in colour

Antwerp, Axel Vervoordt Gallery, *Shozo Shimamoto*, 2012, n.p., illustrated in colour

Literature

Magnus af Petersens, *Explosion! Painting as Action*, London 2012, p. 191, illustrated in colour



A gaping void and violent punctures break the delicate surface of the present work like scars on a wounded body. The muted and brooding palette helps draw one's eye across the highly textured and rough surface, redolent of crumbling architecture or scorched earth. This is not a painting that adheres to traditional and bourgeois notions of beauty. Rather, this is a truly radical artwork of museum quality that articulates the socio-historic context in which it was created. Executed by Shozo Shimamoto – one of the co-founders of the celebrated *Gutai* group – the present work is all the more remarkable when we consider the date of execution – 1951.



Indeed, the date provides us with entry points from which to decode this magnificent manifestation of the human spirit. Created only six years after the end of World War II, Post-War Japan was just beginning to recover from years of war and two devastating and destructive atomic bombs. It was in this environment that artists attempted to come to terms with the horrors that they had witnessed, while reconciling the reconstruction beginning to take place. Not only did he lacerate and puncture the surface of the work – composed of delicate layered newspaper glued together – but he also used unconventional and quotidian mediums, like tar and sand, to define the melancholic surface while further connecting the work to the scarcity of the time. The work epitomizes the fragility of this period, where the act of rebuilding, physically and mentally, was interwoven with a sense of temporality instilled by years of violence and

loss. Whilst the present work can be viewed as an ode to destruction, the graceful delicacy of the cracks and fissures in the surface as they move apart and come together fosters a sense of healing and growth beginning anew. *Untitled*, 1951 is about reduction and absence as much as it is about materiality, where space and voids serve as compositional and conceptual devices, loaded with meaning and spirit.

One cannot underestimate quite how radical this work would have been in 1951 – even when directly compared to the artist's European contemporaries Lucio Fontana and Alberto Burri. Fontana's first punctured canvasses or *Buchi* were created in 1949 – only two years before the present work. Burri had started experimenting with tar in the late 1940s. This work by Shimamoto shares the quality of the best works by Fontana and Burri produced in the same period, yet it remains autonomous in its radicalism and conception.

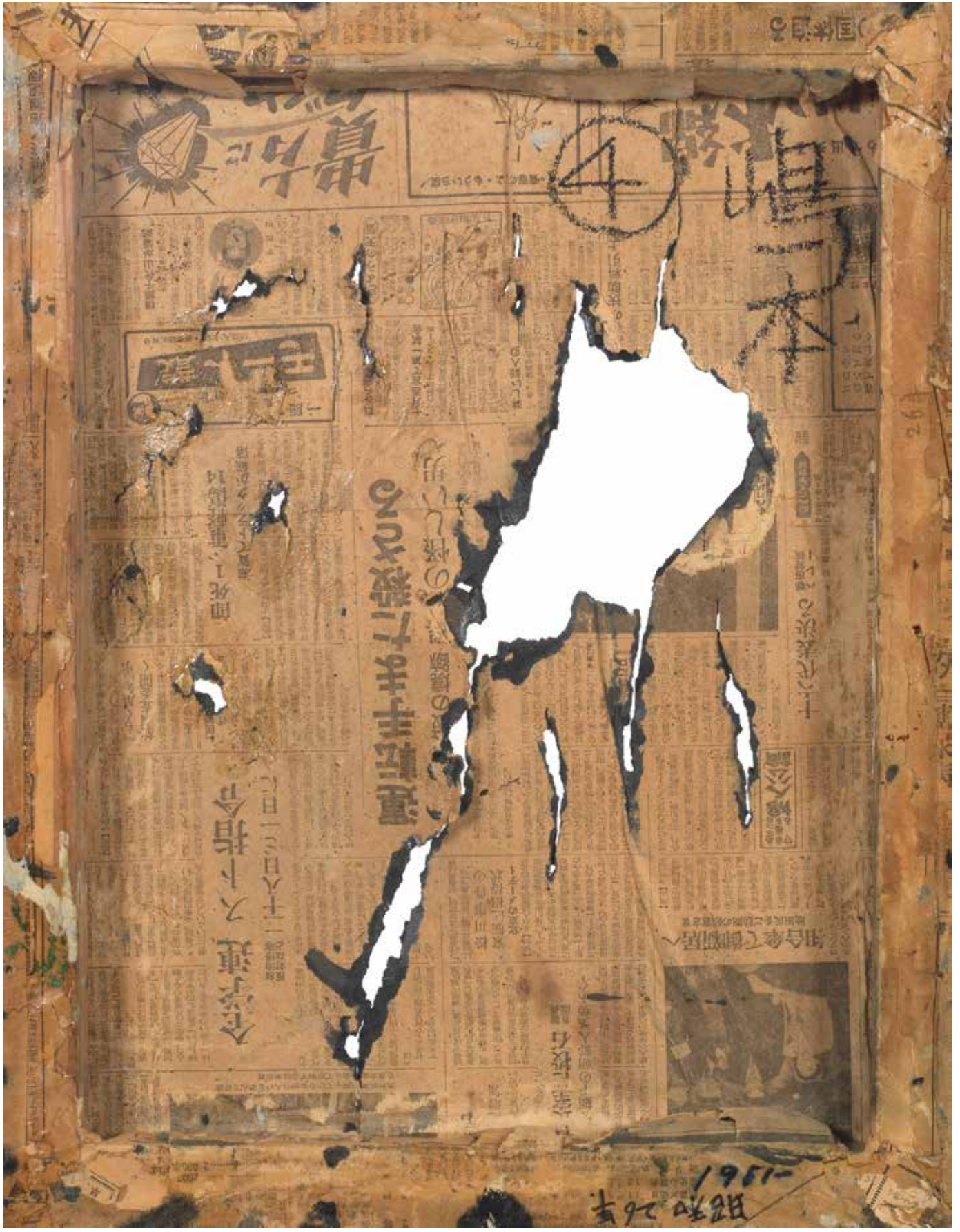
Shimamoto's *Holes* series were created between 1949 and 1954 and all feature voids taken out of layered newspapers which had been glued together using flour and water. An oft-quoted dictum is that the back of a painting can tell you just as much as the front, as is the case with the present work. A glance at the verso reveals old Japanese newspapers, their *Kanji* and *Hiragana* scripts almost standing as abstract signs to a Western audience, yet embedded with meaning and information from that moment in time. Works from the *Holes* series are incredibly rare and are considered to be some of the most important and powerful works to come out of the artist's highly influential oeuvre.

In 1954 along with Jirō Yoshihara and Kazuo Shiraga, Shimamoto would found the *Gutai* group – now considered the most important Japanese art movement of the Twentieth Century, and finally accepted by the occidental-biased Western canon. As such the present work is a precursor to the artist's *Gutai* period pieces; whereas the artist's later works used the act of destruction to create works that were colourful, playful and optimistic, with the present he investigated the paradoxes of creation and destruction that defined the fragile Post-War period.

Works from the seminal *Holes* series reside in the permanent collection of the Tate, London and the Shōzō Museum of Contemporary Art, Tokyo. Shimamoto's work is included in some of the world's leading museums such as the Centre Pompidou in Paris, the Art Institute of Chicago, the Galleria Nazionale d'Arte Moderna in Rome and the Tokyo Contemporary Art Museum.

Above
Shozo Shimamoto, *Holes*, 1954
Presented by the artist, 2002 © Tate, London 2017

Right
Reverse of the present work



國家館

島崎

4

島崎

島崎

男
即死

全字連入小指令

昭和26年

昭和26年
1561

19

KAZUO SHIRAGA (1924-2008)

Floating Flag

1970

signed in Japanese; signed and titled in Japanese on the reverse
oil on canvas laid on board

27.5 by 22.2 cm.

10 13/16 by 8 3/4 in.

This work was executed *circa* 1970.

£25,000 - 35,000

US\$32,000 - 44,000

€29,000 - 41,000

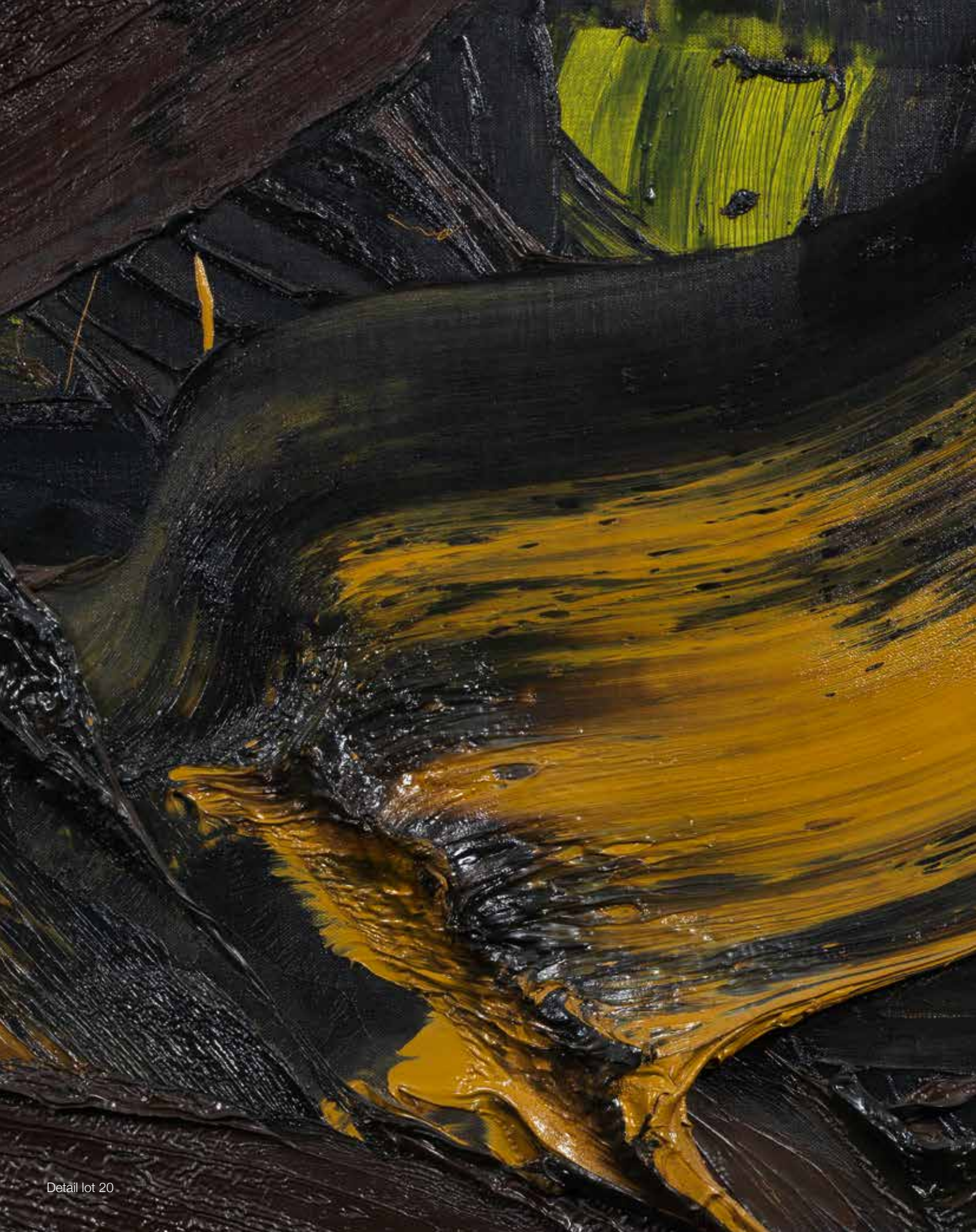
Provenance

Private Collection, Japan

Sale: Est-Ouest Auctions, Hong Kong, *Contemporary and Fine Art*, 26 November 2009, Lot 415

Acquired directly from the above by the present owner







A MAJESTIC PAINTING BY
KAZUO SHIRAGA

LOT 20

20

KAZUO SHIRAGA (1924-2008)

Séi

1991

signed in Japanese; signed, titled and dated 1991 in English and in Japanese on the reverse
oil on canvas

117 by 91 cm.

46 1/16 by 35 13/16 in.

£500,000 - 700,000

US\$630,000 - 880,000

€590,000 - 820,000

Provenance

Galerie Stadler, Paris

Private Collection, Germany

Private Collection, Austria

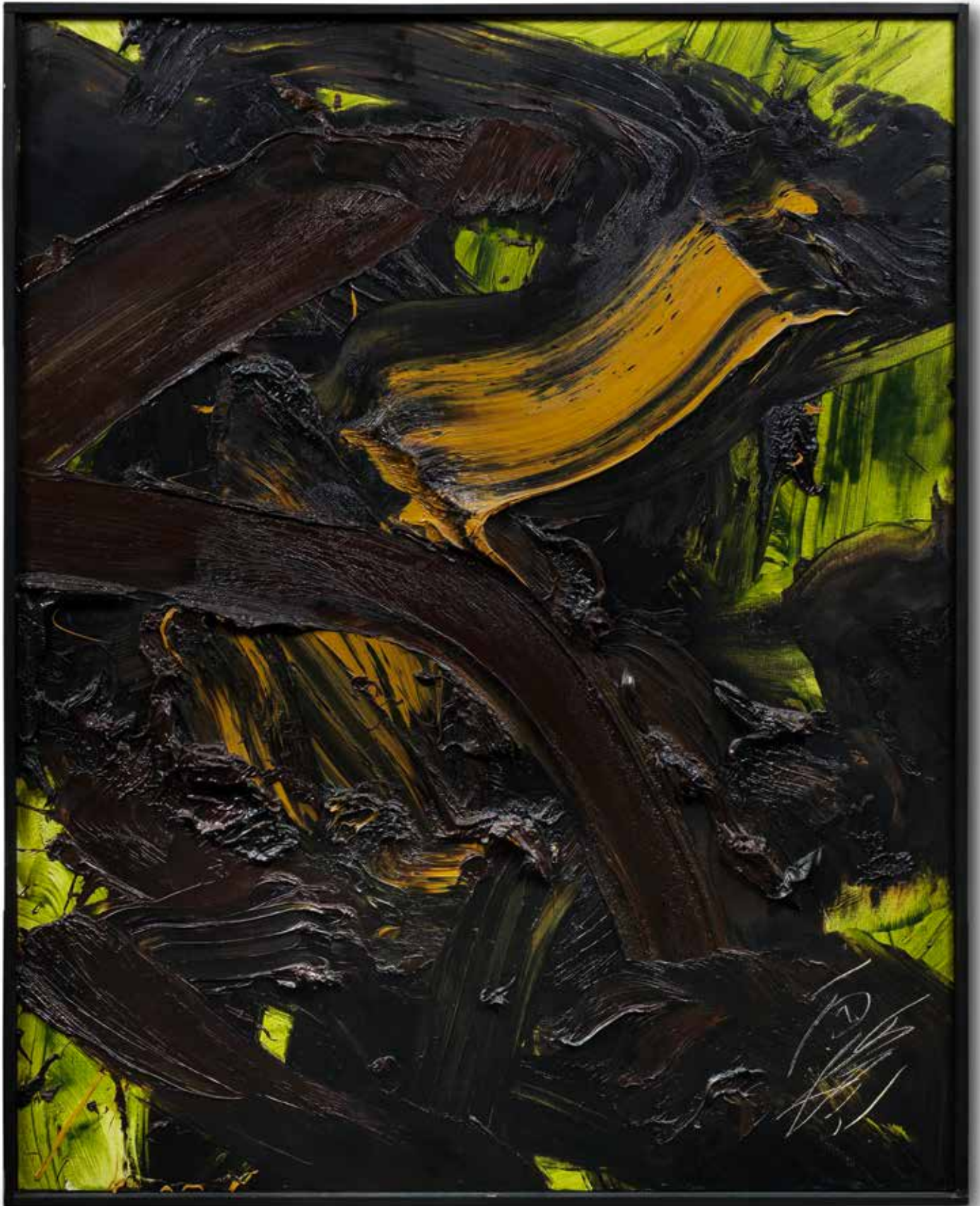
Acquired directly from the above by the present owner

Exhibited

Paris, Galerie Stadler, *Kazuo Shiraga*, 1992, p. 18, illustrated in black and white

Literature

Shoichi Hirai Ed., *Kazuo Shiraga: Painting Born Out of Fighting*, Kyoto 2009, n.p., no. 341, illustrated in colour





If there's one word that can begin to describe this stunning painting by Kazuo Shiraga, it is physicality. This painting is a true physical presence that articulates what it means to paint and what it means for one to leave their marks on canvas. Deep gouges of pure colour dance around the picture plane, the astonishing impasto creating areas of infinite spatial and tonal complexity, their dynamic energy giving a clue to the artist's idiosyncratic technique and relationship to paint. *Séi* from 1991 is an artwork that communicates the central tenets that defined the *Gutai* group – the now venerated avant-garde Post-War art collective of which Shiraga was a founding member in 1954 – by creating a synthesis between matter and body in the pursuit of true artistic originality. The present work then serves as a symbol of this radical ethos whilst being truly beautiful in its execution and composition.

One cannot but be seduced by the sumptuous veins of colour as they create deep peaks and troughs on the surface in what can only be described as the sculptural application of paint. Indeed, the way in which Shiraga approached painting directly questioned traditional methodologies and the possibilities of what painting could be. In the mid-1950s around the same time as the genesis of the *Gutai* group, Shiraga started to experiment with unorthodox painting methods. Having been educated in *Nihon-ga* (the traditional and extremely formal Japanese painting style) using a brush was second nature for Shiraga. Yet in an act of artistic nihilism, he negated the brush in favour of using his body as a tool. Initially starting with his fingers, Shiraga soon started using his feet to paint: he would attach a rope to the ceiling and used it to carry his weight, whilst using his feet to drag paint across canvasses laid on the floor. The results were captivating and created a new painterly language rooted in the synthesis of matter and body, in acts of execution that were as much performances as they were a legitimate working method. It is worth noting at this point how radical these acts were in the 1950s, even when compared in direct relation to the Western canon and the developments of artists like Jackson Pollock in the United States and Georges Mathieu in France. It is only in the last decade that Shiraga and the *Gutai* group's true artistic significance has been acknowledged by the Western tradition, notably through the Guggenheim Museum's *Splendid Playground* exhibition in 2013, the first museum retrospective in the USA devoted to *Gutai*.

Séi, tentatively meaning 'living place', bears all the hallmarks of Shiraga's radical and idiosyncratic technique, particularly the large yellow ochre stroke and deep burnt umber diagonal beneath it. One can almost picture the artist's feet sliding across the canvas, the paint oozing between his toes as he drew the colour into a pleasing yet powerful



composition. In the *Gutai Manifesto*, written by fellow founding member Jirō Yoshihara in 1956, he stated: "*Gutai* art does not transform the substance. *Gutai* art gives the substance life" (Jirō Yoshihara, translated by Kikuko Ogawa, '*The Gutai Manifesto*' in Dario Cimorelli Ed., *Gutai: Painting with Time and Space*, Lugano 2010, p. 219). This statement is particularly relevant when seen through the prism of Shiraga's practice: he was able to impart a visceral energy to the paint giving it a life of its own. Like Yves Klein's *Anthropometries*, the present work is saturated with the energy and physicality of movement and the body, capturing the momentum, dynamics and the energy that is only possible through the performative nature in which they were created.

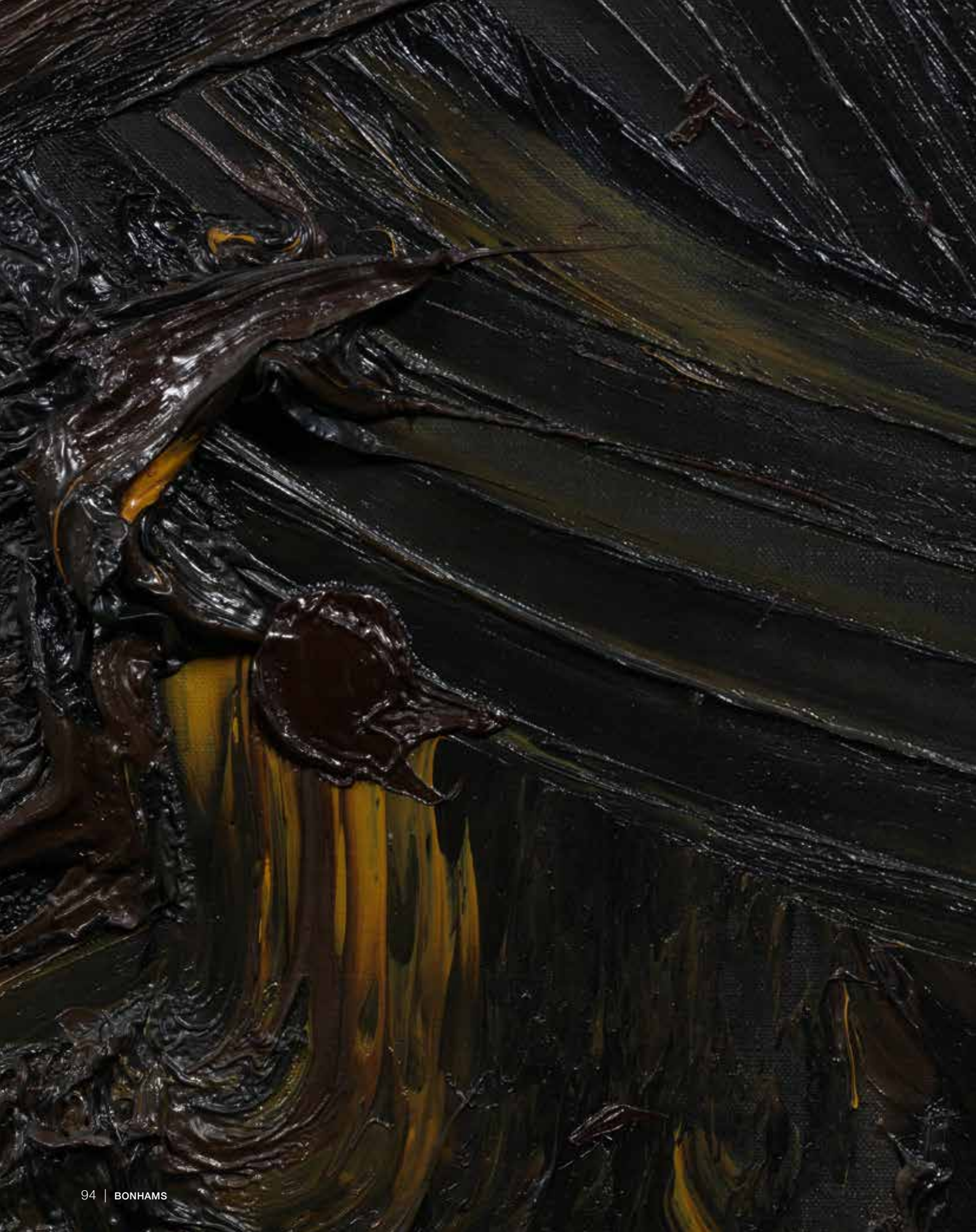
Due to the nature of Shiraga's technique, the vast majority of his paintings have a centrally focussed composition around what would have been the hanging point of his rope. This results in areas close to the corners for these canvasses being unpainted, yet, *Séi*, is completely covered, making it a rare example of the artist's oeuvre and particularly stimulating - never giving the eye any respite from the onslaught of pure colour. The meditative and unctuous ochres are offset against the bright cadmium green ground, creating a work that is tonally harmonious and contemplative.

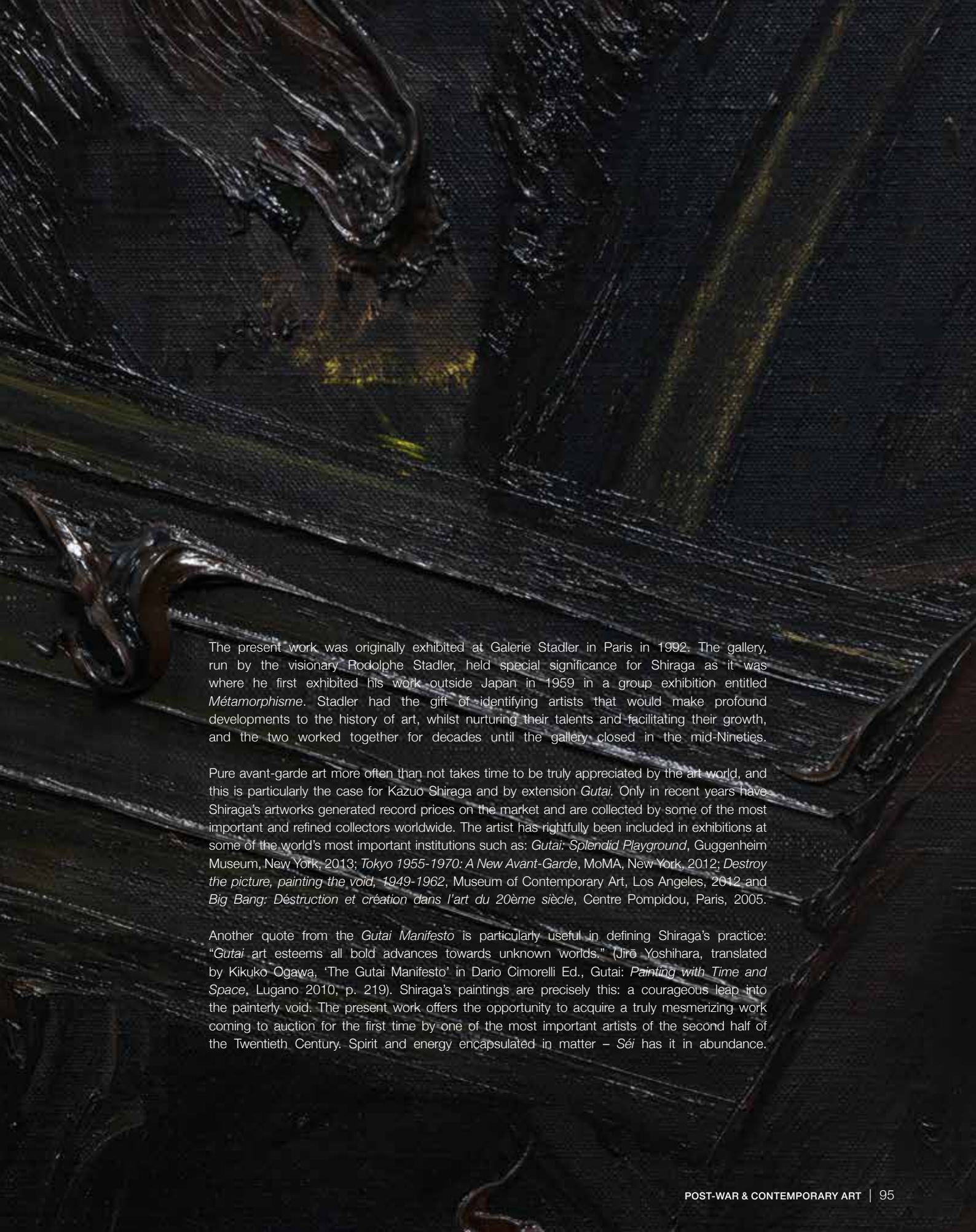
Above

Gerhard Richter, *Red-Blue-Yellow*, 1972
© Gerhard Richter 2017 (1299)

Left

Kazuo Shiraga in his studio, 1963
Courtesy: Amagasaki Cultural Center





The present work was originally exhibited at Galerie Stadler in Paris in 1992. The gallery, run by the visionary Rodolphe Stadler, held special significance for Shiraga as it was where he first exhibited his work outside Japan in 1959 in a group exhibition entitled *Métamorphisme*. Stadler had the gift of identifying artists that would make profound developments to the history of art, whilst nurturing their talents and facilitating their growth, and the two worked together for decades until the gallery closed in the mid-Nineties.

Pure avant-garde art more often than not takes time to be truly appreciated by the art world, and this is particularly the case for Kazuo Shiraga and by extension *Gutai*. Only in recent years have Shiraga's artworks generated record prices on the market and are collected by some of the most important and refined collectors worldwide. The artist has rightfully been included in exhibitions at some of the world's most important institutions such as: *Gutai: Splendid Playground*, Guggenheim Museum, New York, 2013; *Tokyo 1955-1970: A New Avant-Garde*, MoMA, New York, 2012; *Destroy the picture, painting the void, 1949-1962*, Museum of Contemporary Art, Los Angeles, 2012 and *Big Bang: Destruction et création dans l'art du 20ème siècle*, Centre Pompidou, Paris, 2005.

Another quote from the *Gutai Manifesto* is particularly useful in defining Shiraga's practice: "Gutai art esteems all bold advances towards unknown worlds." (Jirō Yoshihara, translated by Kikuko Ogawa, 'The Gutai Manifesto' in Dario Cimorelli Ed., *Gutai: Painting with Time and Space*, Lugano 2010, p. 219). Shiraga's paintings are precisely this: a courageous leap into the painterly void. The present work offers the opportunity to acquire a truly mesmerizing work coming to auction for the first time by one of the most important artists of the second half of the Twentieth Century. Spirit and energy encapsulated in matter – *Séi* has it in abundance.

21 AR

SERGE POLIAKOFF (1900-1969)

Composition abstraite

1954

signed

gouache on paper laid on board

62.3 by 48.7 cm.

24 1/2 by 19 3/16 in.

This work was executed in 1954.

£15,000 - 20,000

US\$19,000 - 25,000

€18,000 - 23,000

We are grateful to Monsieur Alexis Poliakov for confirming the authenticity of this work.

Provenance

Collection of the Artist, Paris

Private Collection, Paris (by descent from the above)

Private Collection, Somerset (gift from the above)

Thence by descent to the present owner in 2012

Literature

Alexis Poliakov, *Serge Poliakov: Catalogue Raisonné, Volume I, 1922-1954*, Paris 2004, p. 543, no. 54-152, illustrated in black and white



22

ALEXANDER CALDER (1898-1976)

Blue Spiral

1966

signed and dated 66
gouache on paper

39.2 by 57.9 cm.
15 7/16 by 22 13/16 in.

£10,000 - 15,000

US\$13,000 - 19,000

€12,000 - 18,000

This work is registered in the archives of the *Calder Foundation*, New York, under application no. A10729.

Provenance

Nicholas Guppy Collection, London (acquired from the artist)

David Niven Jr Collection, UK

The Waddington Galleries, London

Victor Waddington & Co. Ltd., London

Hillel Bender Esq Collection, Newcastle upon Tyne (acquired from the above in 1975)

Thence by descent to the present owner



Calder 66

23

ALEXANDER CALDER (1898-1976)

Pharoah

1974

signed and dated 74
gouache and ink on paper

74.6 by 110 cm.
29 3/8 by 43 5/16 in.

£40,000 - 60,000

US\$51,000 - 76,000

€47,000 - 70,000

This work is registered in the archives of the *Calder Foundation*, New York, under application no. A12669.

Provenance

Galerie Maeght, Paris

Private Collection, Paris (acquired from the above *circa* 1980)

Private Collection, Spain (acquired from the above *circa* 2004)

Haim Chanin Fine Arts, New York

Acquired directly from the above by the present owner



24 *

CARL ANDRE (B. 1935)

36 Four Corners (Σ, Square, Run, Pile)
1997

steel, in 144 parts

Each: 0.3 by 10.2 by 10.2 cm.
1/8 by 4 by 4 in.

This work was executed in 1997.

£120,000 - 180,000

US\$150,000 - 230,000

€140,000 - 210,000

This work is accompanied by a certificate of authenticity issued by ACE Gallery.

This work will be included in the forthcoming Catalogue Raisonné being prepared by *The Carl Andre and Melissa L. Kretschmer Foundation*, New York.

Provenance

ACE Gallery, Los Angeles

Acquired directly from the above by the present owner in 2007

Exhibited

Los Angeles, ACE Gallery; New York, ACE Gallery, *Carl Andre*, 1997





In *36 Four Corners* (Σ , *Square, Run, Pile*) from 1997 we see not one, but four examinations of space and volume, and four responses to the questions surrounding the very nature of sculpture which Carl Andre has continually asked over more than half a century of artistic creativity. Remarkably generous and ambitious, the present work, like all of Carl Andre's best installations, has the ability to harmonise perfectly with any space in which it is placed, regardless of dimensions or character. These works fill corners, hug walls, cover floors. This is art that resides in the same spaces as the viewer, requiring interaction with the viewer, representing what Andre himself often describes as "sculpture as place". Not for nothing has the gallery in Tate Modern's new Switch House which houses Andre's famous *Equivalent VIII* been titled "Between Object and Architecture", containing as it does several masterpieces of *Minimalist* art which question the boundaries between the two concepts. Such sculptures demand to be explored, touched, even stood on. As an artist,

Andre has long explored the numerous possibilities of repetition and modularity, of single elements combined to produce a larger structure. Consisting of four separate but clearly related forms, each constructed using a similar combination of thirty-six steel tiles, the present work demonstrates the diversity of Andre's approach, revealing the various possibilities presented by what may seem the simplest of constituents. The artist himself is distanced from manufacturing process; his job here is in the planning and placing. As is often the case with his best works, Andre has here created a whole (or indeed four wholes) which represent a great deal more than the sum of their parts. Building from installations he began to experiment with in the 1970s, this work is made up of four of his most iconic motifs, using 144 tiles in total, the largest square number in the intriguing Fibonacci sequence. Andre's fascination with the number is seen throughout his practice, and appears in works in the collection of the Tate Modern, London and the Milwaukee Art Museum, Milwaukee, Wisconsin. Sculptures like this are



meant to be investigated, studied and walked around, but also walked on, this latter concept one of Andre's greatest innovations, offering a challenge to viewers unaccustomed to such a close encounter with art. His sculptures work on many levels, as explained by art historian and curator Eva Meyer-Hermann: "The structural formula 'Form-Structure-Place' was coined by Carl Andre to describe the development of sculptural art...every work by Carl Andre carries with it all three of these components, at the same time as ultimately striving for a fourth category, which the artist describes as 'matter'" (Eva Meyer-Hermann, *Carl Andre: Glarus 1993-2004*, Zuoz 2005, p. 21). In the present work, we see the captivating manifestation of all four of these components.

Although his intentions are complex and erudite, Carl Andre's works are never heavy with philosophy or hidden meaning. What is most important here is the sculpture's very actuality: "Carl Andre's works are simply there. The materials he uses – stone, metals or wood –

don't transport meanings 'like a telegraph' (Andre), and demonstrate no intention beyond liberating their lapidary and insistent presence" (Sebastian Egenhofer in: Sebastian Egenhofer, 'Against Death' in Paula Feldman et. al. Eds., *About Carl Andre: Critical Texts since 1965*, London 2006, p. 310). The surface of the material is also key, as the steel ages and reacts to the surrounding environment, creating unique colours, patterns and textures in rich oranges and reds, an intention of the artist which inevitably yields unpredictably beautiful results. This, then, is sculpture in its purist form, stripped of allusion, without any need for illusion. *36 Four Corners* proposes new answers to age-old questions of what sculpture can do, and how it should look. The results are nothing less than a radical new vision of art, its function, and its position, both physical and intellectual, in our modern world.



25

CHRISTO (B. 1935)

Wrapped Walk Ways (Project for J.L. Loose Park, Kansas City, Missouri)
1978

signed, titled and dated 1978; signed and dedicated *For Willi* on the reverse
oil, crayon, graphite, and photograph on card laid on board, in a perspex frame

38.8 by 24.9 cm.
15 1/4 by 9 13/16 in.

£18,000 - 25,000

US\$23,000 - 32,000

€21,000 - 29,000

The authenticity of this work has been confirmed by the artist.

This work will be included in the forthcoming *Christo Catalogue Raisonné* being prepared by Galerie Daniel Varenne, Geneva, under no. 738.

Provenance

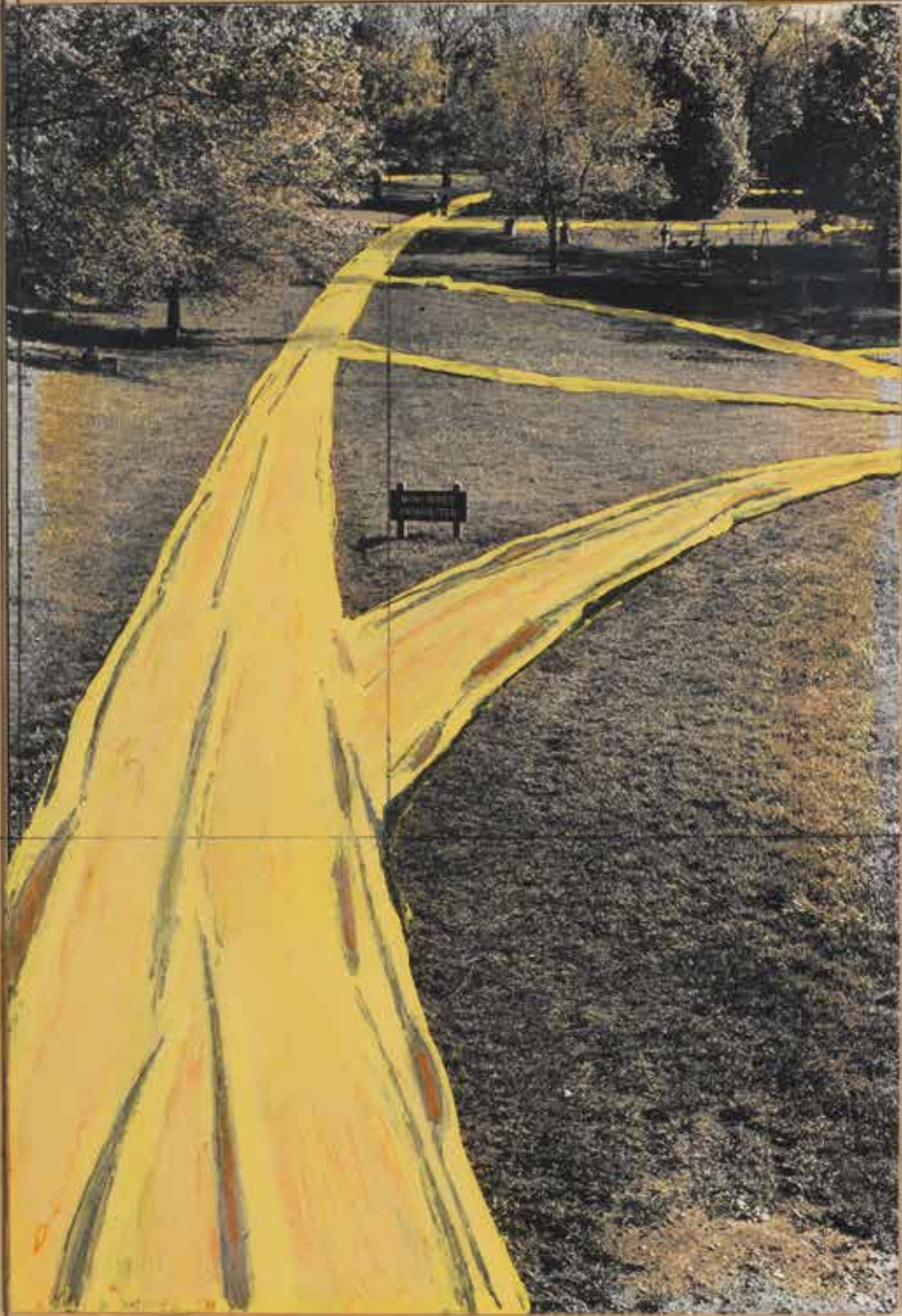
Gift from the artist to the previous owner *circa* 1978
Thence by descent to the present owner



Christo and Jeanne-Claude: Wrapped Walk Ways, Loose Park, Kansas City, Missouri, 1977-1978
© Christo 1978

72"

steel pipe $\frac{5}{16}$ " dia., length 8", 60mm x 12"



1975

Olson

WRAPPED WALK WAYS (PROJECT FOR J. L. LOOSE PARK, KANSAS CITY, MISSOURI)
LENGTH 1400 FEET, APPROX. WIDTH 72'-144'

PROPERTY FROM A PRIVATE BRITISH COLLECTION

26^{AR}

FRANK AUERBACH (B. 1931)

To the Studios, (4 Works)

1979-1980

Each: signed, titled and dated 1979-1980 on the reverse

Clockwise from top left:

(i): felt tip pen and crayon on paper

(ii): felt tip pen and crayon on paper

(iii): crayon on paper

(iv): felt tip pen and crayon on paper

(i): 29.2 by 18.7 cm. (11 1/2 by 7 3/8 in.)

(ii): 29 by 19 cm. (11 7/16 by 7 1/2 in.)

(iii): 29.1 by 19 cm. (11 7/16 by 7 1/2 in.)

(iv): 28.5 by 19.7 cm. (11 1/4 by 7 3/4 in.)

£18,000 - 25,000

US\$23,000 - 32,000

€21,000 - 29,000

Provenance

Marlborough Fine Art Ltd., London

Acquired directly from the above by the present owner *circa* 1980

Thence by descent to the present owner



PROPERTY FROM A PRIVATE BRITISH COLLECTION

27^{AR}

FRANK AUERBACH (B. 1931)

Sketch for To the Studios

1984

oil on canvas

35.6 by 35.6 cm.

14 by 14 in.

This work was executed in 1984.

£120,000 - 180,000

US\$150,000 - 230,000

€140,000 - 210,000

Provenance

Marlborough Fine Art Ltd., London (no. 36772.6)

Acquired directly from the above by the previous owner in 1985

Thence by descent to the present owner

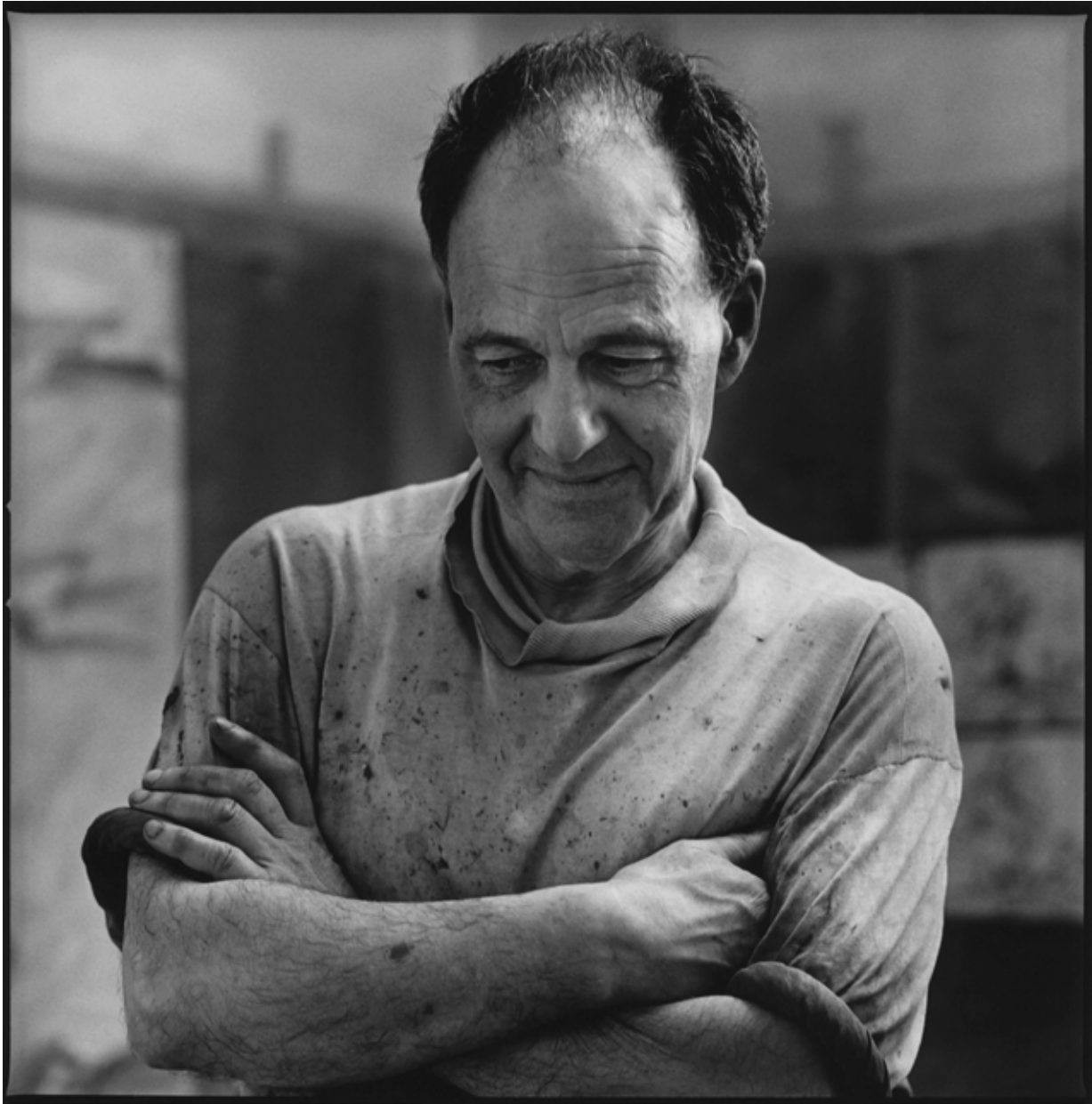
Exhibited

London, Marlborough Fine Art Ltd., *Frank Auerbach Recent Paintings and Drawings*, 1987,
p. 26, no. 22, illustrated in colour

Literature

William Feaver, *Frank Auerbach*, New York 2009, p. 296, no. 522, illustrated in colour





Above

Nicholas Sinclair, *Frank Auerbach*, 1998

© Nicholas Sinclair. All rights reserved, DACS 2017

Right

Detail of the present work

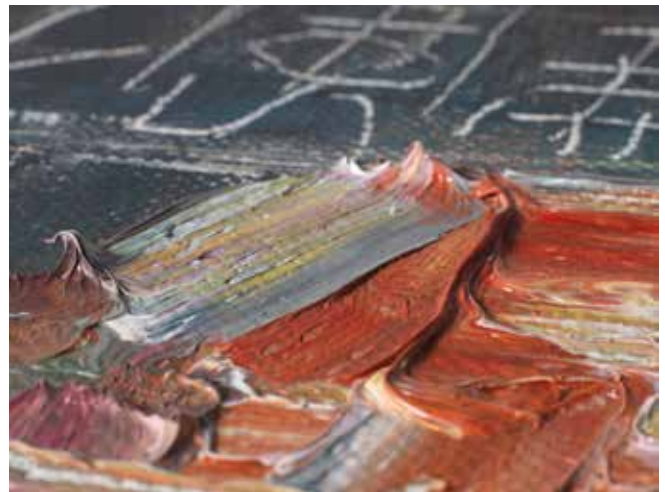
To paint sculpturally in oil is one of the greatest challenges for any artist, to have achieved that to a level that is arguably the most accomplished in history is perhaps Frank Auerbach's most significant legacy. The present work defines this technique through the contrast between lavish waves of paint that reach out vertiginously toward the viewer with deep lines of precise *grattage*. Auerbach is rightly recognised for his ability to sustain tension across a myriad of pigments in the same composition and yet the process is not one simply of addition; the success of his work lies in balancing voluptuous aggregations of thick paint with decisive interventions that strip back and pare down the oil.

In *Sketch for To the Studios* from 1984, coming to market for the first time since its execution, Auerbach has developed this process even further, using the point of the brush to drive through the paint to the canvas beneath thereby introducing text into the composition. All of Auerbach's works are figurative and broadly representational but rarely does the artist anchor a work in reality so explicitly as with the present work. Executed in 1984 as part of a suite of paintings on the same subject the image focuses on a view of his studio that the artist encountered day in, day out. He has journeyed to the studio every day since he first took up residence in a Victorian building in Camden over sixty years ago. It is a place with a long history of art: before Auerbach, the building had been used by painters Frances Hodgkins and Leon Kossoff. This painting shows us a place that is obviously dear to Auerbach's heart, the approach along a narrow, unassuming alleyway to his cluttered, paint-flecked studio space. First capturing its image in 1977, this is a subject that the artist has returned to over and over again throughout his oeuvre. And yet each version has its own unique qualities, its own distinct methods and manners. While hardly a picturesque spot in any conventional sense, the artist locates beauty in this messy corner of a busy city.

In this painting, we find a strong, colourful palette with subtle flourishes within the paint that veer between warm, rich tones and an icy white. There is precision in this painting but also a lyricism and spontaneity that comes with long tradition and consummate skill. Inspired by a quote from poet Robert Frost, the artist himself has stated such ambitions for his work: "I want the poem to be like ice on a stove – riding on its own melting." Well, a great painting is like ice on a stove. It is a shape riding on its own melting into matter and space; it never stops moving backwards and forwards" (the artist in: Catherine Lampert, 'To drag the past into the present and re-animate it', tate.org.uk, 20 October 2015). Auerbach is often described as a member of the so-called *School of London*, a term first coined by the artist R.B. Kitaj to describe the group of artists featured in his seminal 1970 exhibition at London's Hayward Gallery entitled *The Human Clay*. Along with Francis Bacon, Howard Hodgkin, David Hockney and Lucian Freud amongst others, Auerbach's vital contribution to the revitalisation of figurative painting during the second half of the Twentieth Century

is now clear. Auerbach was to become particularly close to Freud, the two men remaining friends for much of their adult lives. Both also admired and collected the work of the other, and in May of 2014 the bequest of Freud's enviable collection of Auerbach drawings and paintings to the nation was announced. Following an exhibition of the collection that same year at Tate Britain, this important group of works has been split between various institutions across the country.

The career-defining 2015-2016 retrospective at London's Tate Britain demonstrated not only the variety of the artist's works, but also his global following, and included works gathered from private collections across the world. In addition, the Tate holds eighteen Auerbach paintings in its own collection, including two paintings from the *The Studios* series: an earlier example created in 1979-1980 displays



more sombre characteristics, whilst a later piece from 1995 features the same vibrant tones that we see in the present work. In recent years, Auerbach has been labelled Britain's greatest living painter, and his work described as "an inescapable presence in British figurative painting", although the artist himself would no doubt remain indifferent to such labels (Norman Rosenthal in: Catherine Lampert et. al. Eds., *Frank Auerbach: Paintings and Drawings 1954-2001*, London 2001, p. 11). He certainly stands as an example of the value of hard work and devotion over hyperbole and hype. In dedicating himself to art, particularly to painting, Frank Auerbach has steadily established himself as an artist without equal, unrivalled in both talent and prestige. For evidence of his love for art, and his passion for painting, we need look no further than *Sketch for To The Studios*. This jewel of a work combines all that is best about Auerbach's oeuvre, offering a private view into the world of one of the most elusive artists, while the use of text brings a rare quality to one of the artist's most ubiquitous subject matters.

28 AR

DAVID HOCKNEY (B. 1937)

Howard Hodgkin

1967

signed with the artist's initials, dated 67, and inscribed *Carrenac*
watercolour on paper

41 by 33 cm.
16 1/8 by 13 in.

£40,000 - 60,000
US\$51,000 - 76,000
€47,000 - 70,000

Provenance

Gift from the artist to the present owner in 1967

Literature

Peter Webb, *Portrait of David Hockney*, London 1988, n.p., no. 105, illustrated in colour

David Hockney's remarkable portrait of celebrated artist Howard Hodgkin, was painted in 1967 while the two artists were staying at Château de Carennac in the French Dordogne. The property had been rented by art dealer John Kasmin, and Hockney spent several summers there during the late 1960s alongside Antony Caro, Wayne Sleep, Patrick Proctor, Ossie Clark and Celia Birtwell.

Although Hockney had previously worked with watercolours, largely on his trip to Egypt in 1963, he had abandoned the practice and not returned to it until his sojourn in Carennac when he borrowed Proctor's paints. In addition to the present work he executed four further watercolours during this trip, two depicted his lover Peter Schlesinger, the others being portraits of Kasmin's wife, Jane, and Ianthe Cornwall-Jones, whose husband Paul founded Alecto Editions and published Hockney's earliest prints.

Howard Hodgkin, 1967 is a full and beautifully expressionistic work capturing the warmth of the artists' friendship through both

the immediacy of the medium and the spontaneity of Hockney's brush strokes. The artist's virtuoso is further demonstrated by the delineation of the sitter's profile which deftly transforms the raw ground of the paper into the Hodgkin's vivid white shirt.

Although Hockney returned to watercolour sporadically it wasn't until 2002 that he did so in any significant way, embracing the medium through a series of landscapes, portraits and interior scenes, which he showcased the following year in a solo exhibition entitled *Paintings on Paper* at the National Portrait Gallery, London. The present work is therefore not only a rare and accomplished depiction of one of Hockney's great artistic contemporaries, it is also one of his earliest renditions in watercolour. Having been gifted at the time of its execution to one of his close friends, it now comes to the market for the first time coinciding with Hockney's career retrospective at the Tate, London.



074 17 Carrenac



29 AR

ALLEN JONES (B. 1937)

Music Lesson No. 3

1988

signed, titled and dated 1988 on the overlap
oil on canvas

35.5 by 30.5 cm.
14 by 12 in.

£12,000 - 18,000
US\$15,000 - 23,000
€14,000 - 21,000

Provenance

Galería Punto, Valencia

Acquired directly from the above by the present owner in 1992



30^{AR}

ALLEN JONES (B. 1937)

Untitled

1991

signed and dated 91 on the overlap
oil on canvas

35.5 by 30.5 cm.
14 by 12 in.

£12,000 - 18,000
US\$15,000 - 23,000
€14,000 - 21,000

Provenance

Waddington Galleries Ltd, London (no. B24307)

Levy Galerie, Madrid

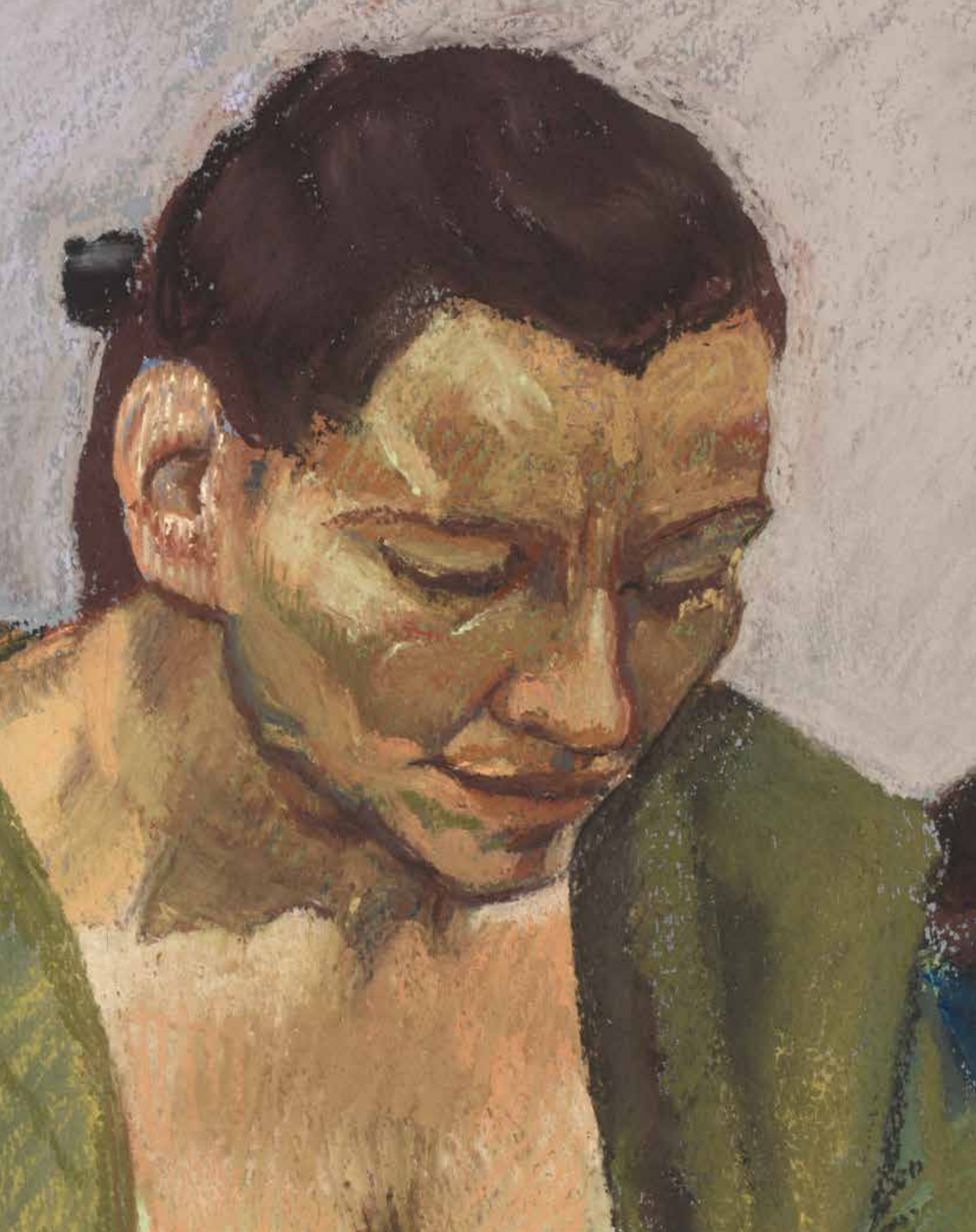
Acquired directly from the above by the present owner in 1992

Exhibited

Madrid, Levy Galerie, *Allen Jones*, 1992



A LIFE SIZE WORK BY
PAULA REGO
LOT 31



31 AR TP

PAULA REGO (B. 1935)

Obedient
1995

pastel on paper mounted on aluminium

162.2 by 122.3 cm.
63 7/8 by 48 1/8 in.

This work was executed in 1995.

£250,000 - 350,000
US\$320,000 - 440,000
€290,000 - 410,000

Provenance

Marlborough Gallery, Inc., New York (no. 35.479)
Private Collection, Portugal
Acquired directly from the above by the present owner in 2003

Exhibited

New York, Marlborough Gallery Inc., *Paula Rego: New Work*, 1996-1997, n.p., no. 1,
illustrated in colour (catalogued as pastel on canvas)





Above

Edward Hopper, *Hotel Room*, 1931
Museo Thyssen-Bornemisza, Madrid
© Museo Thyssen-Bornemisza/Scala, Florence

Right

Rembrandt, *A Woman bathing in a Stream (Hendrickje Stoffels?)*, 1654
© The National Gallery, London. Holwell Carr Bequest, 1831

Obedient of 1995 belongs to an important series of works, begun by Paula Rego the previous year, which heralded a remarkable new direction in her practice, and also featured a new approach to subject. Created in pastel on large sheets of paper or, more unusually, canvas, these works allowed her to interact with the pictures on a more visceral level, as she became more fully involved in mark-making. She began to use an easel for the first time (having previously painted on the floor), allowing her to relate more directly to her models. The complex surface of the present work, a seething mass of lines and tones, strokes and smudges, records the gesturality of the artist's process, with areas of the composition built up, softened, erased, and replaced as the final image emerges. In this way, Rego has left a memory of herself in the work: "They are not self-portraits, but the marks of the pastel, their origin in the artist's fingers clearly visible, link the forms of the drawn women to the physical activity of their creation and creator" (Fiona Bradley in: Fiona Bradley, *Paula Rego*, London 2002, p. 69).

Rego is well known for her interest in narrative. Indeed, art critic and author John McEwen opens his masterful monograph on the artist with the following words: "To paint, Paula Rego must have a story; and her favourite way of telling a story is to paint" (John McEwen, *Paula Rego*, London 2006, p. 16). And yet the tales that she presents us with are often far from complete. As we see in *Obedient*, Rego prefers to depict glimpses of a larger narrative, intriguing and sometimes sinister fragments of a greater story; filling in the gaps, creating the context, is often left up to us, the viewer. This captivating work of art demonstrates not only Rego's unrivalled skills as a draftsman, but also her unique ability to surprise, confound and enthrall her audience.

Whilst her earlier works often included huge casts of characters in expansive, busy settings, the pastel works produced by Rego in the mid-1990s tended to focus on a single (female) protagonist. These women are disconcerting and unpredictable, but also unavoidably powerful, often exuding an intense sexuality. The setting in *Obedient* is simple and sparse, the figure crouching on a sofa, her only props the discarded clothes which surround her. The figure that we find here may seem subdued and compliant, but there is surely more to her than meets the eye. Inside, we suspect, she holds violent intentions: "I can turn tables and do, as I want. I can make women stronger. I can make them obedient and murderous at the same time" (the artist in: *Paula Rego: The Sinister Storyteller*, bbc.co.uk, 22 August 2001). The vision we encounter here is intimate but unsettling, open to a plethora of interpretations.

It could be suggested that the present work contains subtle references to the oppressive regime of the *Estado Novo* which ruled Rego's native Portugal for much of the Twentieth Century and has inspired much of her work. There are clearly gender politics at play here too, and Rego is often labelled a 'feminist' artist by critics and academics. In *Obedient* she has depicted a lone female in intense contemplation, presenting a glimpse



of a private moment which renders the viewer something of a voyeur. The slightly unnerving, surreal nature of this image bears comparison with Edward Hopper's similarly haunting *Hotel Room* of 1931. Looking even further back into art history, there are clear similarities between the figure we see in the present work and Rembrandt's famous *Woman Bathing in a Stream* of 1654, now in the collection of the National Gallery, London; it seems likely that Rego would have come to know the painting well during her time as the gallery's Associate Artist in 1989-1990. Rego builds on the portraiture of the past, but adds a new angle of her own. Whilst paintings of women are hardly uncommon in the artistic canon, paintings of women by women are much rarer, and surely more perceptive, more insightful. Finally we find in the extraordinary and near life-size *Obedient* of 1995 a portrayal of female vulnerability and strength by an artist who fundamentally understands such notions; the result is a work which is founded on but still challenges convention, a decisively modern take on an eternally engaging theme.

32 ^{AR}

NORBERT KRICKE (1922-1984)

Flächenbahn

1957

signed *Kr.*, dated 57 and dedicated *Für Peter* on the reverse of the base
steel

17.5 by 23 by 5.5 cm.

6 7/8 by 9 1/16 by 2 3/16 in.

£5,000 - 7,000

US\$6,300 - 8,800

€5,900 - 8,200

This work will be included in the forthcoming Catalogue Raisonné being prepared by Sabine Kricke-Güse.

Provenance

C.N.P. Powell Collection, UK (gift from the artist *circa* 1957)

Thence by descent to the present owner in 1986

Norbert Kricke was one of the most important artists of *Art Informel*, a movement prominent in Europe in the 1940s and 1950s. After studying under Richard Scheibe and Hans Uhlmann at the Hochschule der Künste in Berlin, he taught at the Kunstakademie in Düsseldorf from 1964, where he became director from 1972 to 1981. He had close links with the German *ZERO* group and French *Nouveau Réalisme* and counted artists and architects such as Yves Klein and Walter Gropius as his friends and collaborators.

From his first abstract exploits in sculpture of the early 1950s to his death in 1984, Norbert Kricke remained faithful to the line as his main form of expression. Where traditional sculpture in marble, bronze or wood fills a space with volume and has a closed, impenetrable, surface, Kricke's work exhibits much more fluent, delicate and transparent qualities. Using steel and concrete, industrial materials which are rarely associated

with movement and elegance, Kricke harnessed the energy of lines to dynamically cut through space as seen in *Flächenbahn* from 1957.

Despite being exhibited extensively including participation in *documenta 59* in Kassel, a solo exhibition at MoMA, New York in 1961 and inclusion in the Venice Biennale in 1964, Kricke's importance in the market has not yet been fully realised. Throughout his practice, Kricke signed only a handful of his sculptures and even fewer were dedicated, setting *Flächenbahn* apart from most works in his oeuvre. Having remained in the same collection for decades, the present work offers a marvellous opportunity to acquire a rare work which takes its place at the heart of the artistic tradition of the great masters of German and international Post-War Art.



33 AR

ANSELM KIEFER (B. 1945)

Untitled - Soldat (Sol invictus Heliogabal)

1974

signed on the stretcher

oil on burlap

80 by 70.5 cm.

31 1/2 by 27 3/4 in.

This work was executed in 1974.

£90,000 - 120,000

US\$110,000 - 150,000

€110,000 - 140,000

Provenance

Galerie Michael Werner, Cologne

Private Collection, USA

Sale: Christie's, New York, *Contemporary Art*, 17 November 1999, Lot 186

Private Collection, Europe

Sale: Sotheby's, London, *Contemporary Art (Day Sale)*, 27 June 2002, Lot 153

Acquired directly from the above by the present owner

As a self-styled artist-philosopher and life-long provocateur, Anselm Kiefer has never shied away from difficult or controversial subject matter. Long fascinated by Germany's history, and its historical and mythical sense of self-identity, his work explores the beauty and the horror of his own nation's complex past. It is in fact his imagery related to the Second World War which first drew international attention to the man now identified as one of Germany's greatest contemporary artists. The mid-1970s were to prove a crucial time in the development of his practice, a fact signalled by the inclusion of key paintings from the period in the collections of the Tate Gallery, London, the Metropolitan Museum of Art

and MoMA, New York, and the Fondation Beyler, Basel amongst others; challenging, sometimes shocking, always intelligent and philosophically weighty, it is works such as *Soldat* (which translates simply as "Soldier") of 1974 which originally propelled Anselm Kiefer onto the world stage.

Kiefer's oeuvre, both painted and sculptural, is imbued with a sense of the recent and distant past. In *Soldat* we witness his close identity with both Germany's military history, and its artistic traditions. By clearly identifying himself as a 'German' artist, interested in creating work directly influenced by ideas of nation and nationalism, Kiefer





Above

Max Beckmann, Versuchung. (*Triptychon-Linker Teil*), 1936/37
 Sammlung Moderne Kunst in der Pinakothek der Moderne, Bayerische Staatsgemäldesammlungen, Munich
 © 2017. Photo Scala, Florence/bpk, Bildagentur für Kunst, Kultur und Geschichte, Berlin
 © DACS 2017

has continually examined what it truly means to be 'German'. Although the artist himself has downplayed the importance of *Expressionism* in his style, it is hard to ignore the stylistic influences that we see here in those deep, broad brushstrokes. The technique employed is bold, unequivocal. And yet the figure that we see here, his indistinct face viewed obliquely, the head dominated by a heavy helmet, is far from heroic. In its unidealized representation of a military figure, *Soldat* can be added to a long line of such portraits produced by German masters including Max Beckmann and Ernst Ludwig Kirchner. In confronting difficult history, Kiefer, like his esteemed predecessors, deals with the very memory of a nation; although he himself was born in the very final year of World War II, he has always felt the immense weight of this cataclysmic event, the weight of intense remorse, of horror and regret.

During the mid-1970s, Kiefer's interest in German history was broadening, taking in the ancient past as well as the modern. Here Kiefer alludes to the cult of Sol Invictus, which was founded by the Roman Emperor Elagabalus (or Heliogabal). The official sun god of the later Roman Empire and a patron of soldiers, the profile of Sol Invictus, similar to the imagery employed by Kiefer, was used on coins throughout the empire until the time of Constantine I. This ancient imagery lends the present work a broader vision of the past, an omnipresent echo of conflict, oppression and conquest. *Soldat* from 1974 forces us to interrogate our history both recent and distant, but also to confront our present, to ask questions about ourselves, about others, and about the very nature of human existence. No one, believes Kiefer, is beyond reproach: "Authority, competition, superiority...these are facets of me like everyone else" (the artist in: Daniel Arasse, *Anselm Kiefer*, London 2014, p. 117).

Kiefer's intention has always been to leave his work open to interpretation. He talks of his paintings as "enigmas", and suggests that they experience an inevitable afterlife once they leave his studio. On being asked when a painting is complete, his reply is apparently contradictory: "Never. Or always when it is viewed by a person. At that point a picture exists for them that I am only partially responsible for" (the artist in an interview with Axel Echt, Germano Celant Ed., *Anselm Kiefer*, Bilbao 2007, p. 159). Although it makes direct reference to this history of Kiefer's own nation, this painting's import is wider and more ambitious than that alone. As a result, *Soldat* can be viewed as a work of art with universal significance, a painting with represents the experience of an individual artist, but also the reality of all humanity.



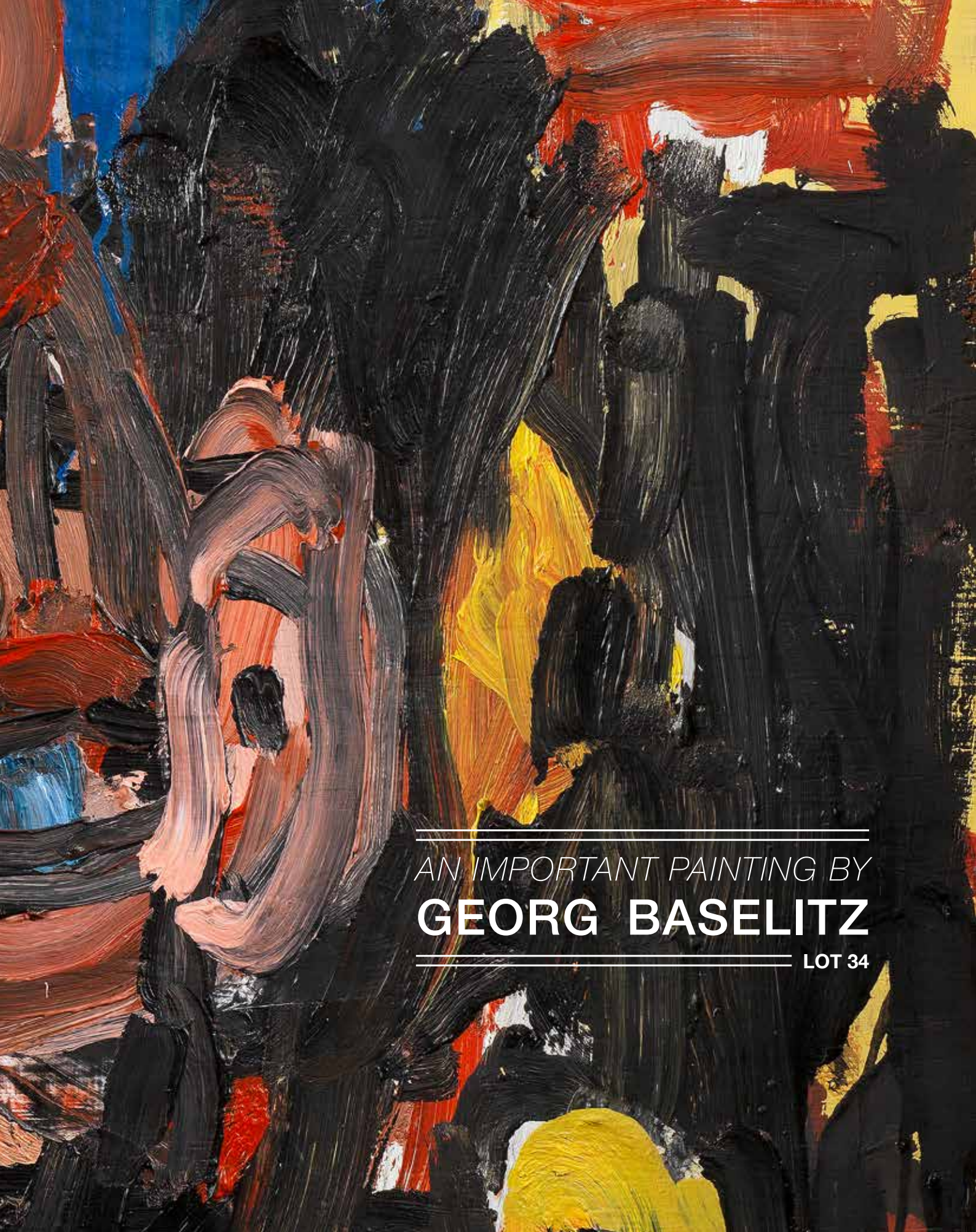
Above

Rembrandt van Rijn, school, *Man with the Golden Helmet*, circa 1650

Gemäldegalerie, Staatliche Museen zu Berlin

© 2017. Photo Scala, Florence/bpk, Bildagentur für Kunst, Kultur und Geschichte, Berlin





AN IMPORTANT PAINTING BY
GEORG BASELITZ

LOT 34

PROPERTY FROM A DISTINGUISHED BELGIAN COLLECTION

34^{AR}

GEORG BASELITZ (B. 1938)

Heiße Ecke

1987

signed with the artist's initials and dated 24. XI. 87; signed, titled and dated
o 20. XI. 87 + 24. XI. 87 on the reverse
oil on board

122.5 by 101.5 cm.
48 1/4 by 39 15/16 in.

£180,000 - 250,000
US\$230,000 - 320,000
€210,000 - 290,000

This work is registered in the *Archive Georg Baselitz*, Munich.

Provenance

Deweert Art Gallery, Otegem

Acquired directly from the above by the previous owner in 1989

Thence by descent to the present owner



One of Germany's greatest painters of the late Twentieth Century, Georg Baselitz's inimitable style is now recognised around the globe, his paintings and sculptures are held in some of the world's most prestigious public and private collections. Most distinctive is his habit of inverting the subjects of his audacious painterly works, a technique which we see used to such great effect in *Heiße Ecke* of 1987. Appearing on the open market for the first time, this painting exemplifies Baselitz at this best, a consummate painter in complete control of his medium, constantly challenging what has come before. It certainly shows the clear influences of historic German art, and perhaps includes oblique references to the artist's own life



and environment, but more crucially *Heiße Ecke* (the enigmatic title translates literally as 'Hot Corner') also tests the often ambiguous boundaries between the figurative and the abstract. As a result, it is a work of art which pushes the limits, an important work produced by an artist who is an inveterate explorer of the unknown and the new.

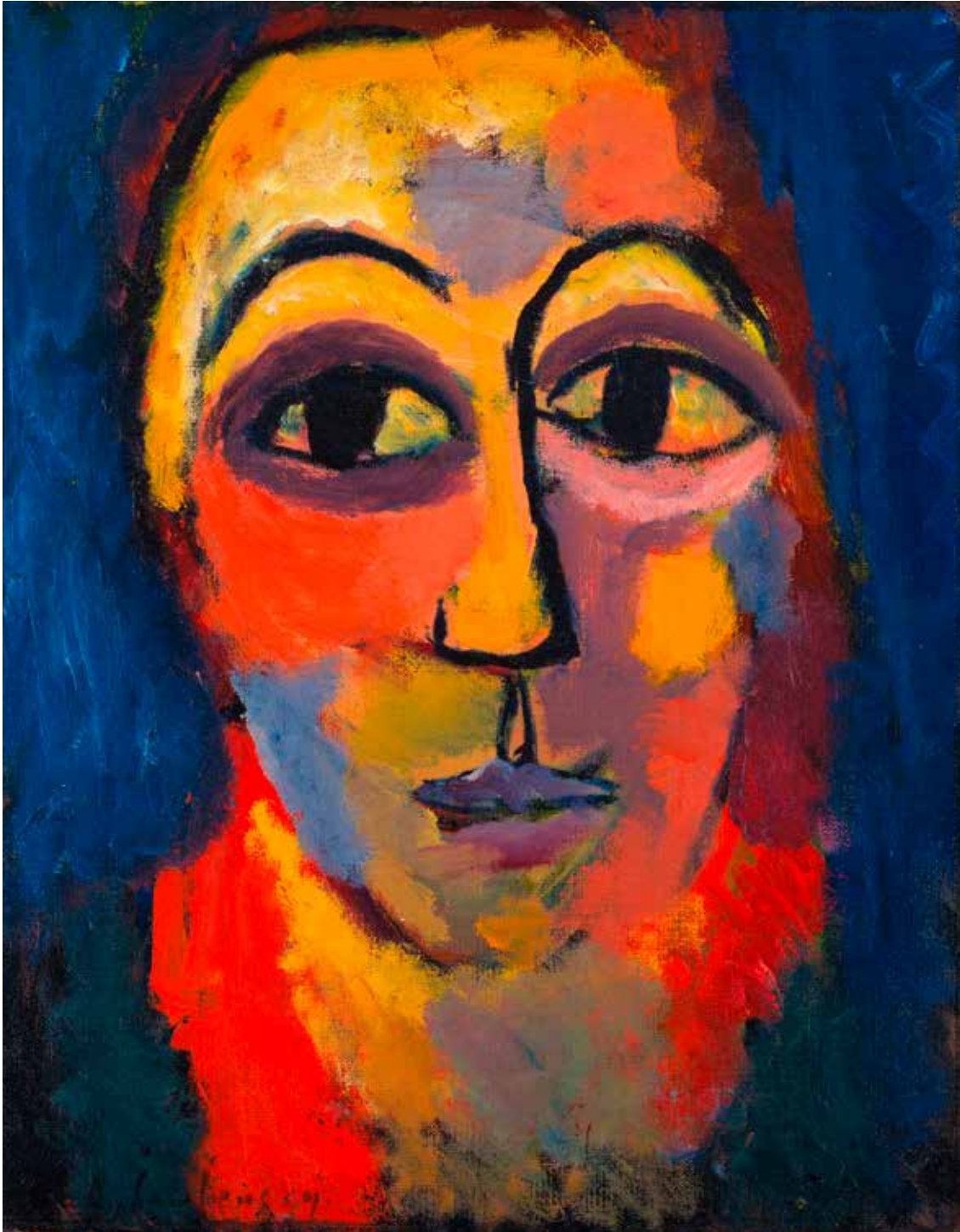
Despite being a contemporary of other great German artists such as Gerhard Richter, Sigmar Polke and Anselm Kiefer, all part of a generation of artists who strove to redefine figurative painting in the wake of *Abstract Expressionism*, Baselitz is often viewed as something of an outsider, the possessor of an independent mind who has forged his own unique path. Curator Michael Auping puts him into context as follows: "It can be argued that of all of these artists – each of whom can be identified with a signature style of art making – Baselitz

has been the most forceful and Promethean, in many senses of the term, in carving out his new space of inquiry and reordering" (Michael Auping, 'Portrait of Resistance' in Alberto Cetti Serbelloni Ed., *Georg Baselitz: Paintings 1962-2001*, Milan 2002, p. 6).

Born as Hans-Georg Kern in 1938 in Deutschbaselitz, the small village from which he later took his working name, Baselitz began painting at a young age. He established himself as something of a rebel during his brief period of study at the Art Academy of East Berlin in 1958, where his refusal to conform to the principles of *Social Realism* quickly led to his expulsion on the grounds of 'sociopolitical immaturity'. He continued his studies in West Berlin, where he was to immerse himself in the avant-garde. In 1969 he produced his first 'upside-down' painting, and the style which has since defined his career and reputation was born.

In *Heiße Ecke*, a human head, punctuated by piercing blue eyes, hangs suspended, immobile. There is nothing to explain the intriguing title, and the sitter, if it is a portrait at all, remains unclear, but the style in which it is rendered certainly echoes the various artistic movements which have impacted on Baselitz's work. Although he prefers not to label himself as an *Expressionist*, the thick brushstrokes and warm palette used here, those broad slashes of hot orange, yolk yellow and cobalt blue, recall the work of earlier German painters such as Alexei von Jawlensky and Ludwig Kirchner. These rich colours and those confident, dynamic dashes of oil only add to the intensity of this work, lending the panel an imposing monumentality which belies its actual dimensions. The style we see here is also reminiscent of *Art Brut*, the painting's polychrome forms expressed with a *naïf* relish. It is this unique approach that catapulted Baselitz onto the world stage; although in the late 1980s he was largely exhibiting in Europe, by the 1990s and 2000s his work was appearing in solo and group shows in New York, Shanghai, Mexico and Moscow. Today his paintings are held in the Tate Gallery, London, the Guggenheim in New York and the Stedelijk Museum, Amsterdam, as well as many of Germany's most prestigious art institutions.

In his 'inverted' paintings, such as the present work, Baselitz intended first to unsettle and confound, then to open our eyes to new ways of viewing the world. He aimed to produce images devoid of traditional associations or implications, art which paradoxically utilises elements of the representational while enjoying the freedoms of abstraction: "I have always seen my paintings as independent from meanings with regard to contents – and also independent from associations that could result from them. If one pursues the logical conclusion of that thought, then it follows that if one needs a tree, a person, or a cow in the picture, but without meaning, without contents, the one simply takes it and turns it upside down. Because that really separates the subject from its associations, that simply has to be believed; it defies an interpretation of the contents" (the artist in: Evelyn Weiss, 'Georg Baselitz in conversation with Evelyn Weiss' in Detlev Gretenkort Ed., *Georg Baselitz: Collected Writings and Interviews*, London 2010, p. 90). His paintings refuse to be pigeonholed, and consistently defy expectations. As we see here, the visual and emotional impact of this singular approach can be quite remarkable.



Above

Alexei von Jawlensky, *Head*, circa 1910

Acquired through the Lillie P. Bliss Bequest.

The Museum of Modern Art (MoMA) - New York

DIGITAL IMAGE © 2017. The Museum of Modern Art/Scala, Florence

Left

The present work

35 AR TP

FRANZ WEST (1947-2012)

Untitled

2001

lacquer on aluminium

55 by 125 by 65 cm.

21 5/8 by 49 3/16 by 25 9/16 in.

This work was executed in 2001.

£70,000 - 100,000

US\$88,000 - 130,000

€82,000 - 120,000

Provenance

Galerie Meyer Kainer, Vienna

Acquired directly from the above by the present owner in 2002

Exhibited

Vienna, Albertina, *Body and Language*, 2009

Vienna, Albertina, *Albertina Contemporary*, 2011

Franz West's fame in the Fine and Applied Arts echoes his joy of creating an interactive dialogue with his audience. His installations are as rich in references to the greatest sculptors of the Twentieth Century as they are playful exercises defying all rules of classic good-taste. The present work is nothing short of an icon – bridging the role of indoor sculptures and outdoor installations, it is meant to be touched, sat on and marvelled at. Whether elegantly displayed on a plinth, such as during its inclusion in the museum-show at the Albertina in Vienna or placed in a garden setting, this work captures the eye of any viewer, inviting them to interactively engage with it.

The attraction is partly owed to the eccentric choice of colour, his signature pink-hues stand at the very top of the sought-after works and are of particular relevance amidst Franz West's oeuvre. The sugar-almond pastel promises a softness that cheekily unveils itself as an impish trick, as soon as the viewer touches the aluminium

surface. Far from welcoming the sitter with comfort, the patch-worked composition of the sausage-like structure is brimming with self-assurance: a parody on industrial paint, a distortion of Lockheed aircrafts and a spoof of elegant streamlines. If there is one continuous trait throughout the oeuvre of Austrian artist Franz West it is his distinctive sense of humour. The artist, who remained a provocative figure until his untimely passing, marked all his works with a wink, light-hearted and wise at the same time. Wryly challenging our notions of kitsch and common-sense, his pastel palette and quirky forms create magical sceneries with childlike imagination, keeping alive a vivid power to surprise. The Twentieth Century has been marked by a succession of painterly revolutions, daring to free art from any predetermined constraint. *Abstract Expressionism* transformed the preconceived notions of rigidly applied paint into lively traces of interaction between the artist and his brushstrokes. In the 1960s, the movement known as





Viennese Actionism pushed the boundaries even further. Leaving behind the canvas as medium, it expanded the notion of the artwork to the pure act of creation and the impact upon its audience; these performances broke all possible taboos and openly referred to self-mutilation and other forms of physical violence. Franz West, younger by a generation, witnessed the impact of this shock-wave movement. He would engage just as intensely with his environment, but in a far more subtle and ironic way. Inviting the viewers to pick up the artworks, Franz West's *Passstücke* are a key to understanding his practice. As portable sculptures these 'fitting pieces', known as 'Adaptives' are designed to be tried on and worn. An extension of the own body, they come to life when fitted onto another organism, weirdly extending natural shapes like an amorphous prosthesis. Their soft contours fit snugly under the arms or around the neck, on ones back or on top of the head – they embrace the human form, distort it and for a brief moment in time give birth to odd new humanoid creatures. The act of trying them on, seeing how they fit and adapt,

mesh and match with the body can be described as ritual, mimicking ceremonious processions. But most importantly these moments are playful interactions between the artworks and a participating public.

Franz West's creations are never only a half-hearted prank, from the elaborate papier-mâché, plaster or steel sculptures to the oversized lamps, from his earliest, intimate collages to the publicly displayed, haunting *Lemuren*-heads, they are always on the verge of political cynicism and the derision of society.

The artist has been widely recognized in the world's most important institutions from the MoMA P.S.1 New York to the Museum of Contemporary Art, Los Angeles, from the Secession, Vienna, the Fondation Beyeler, Basel to the Whitechapel Art Gallery, London. Having represented Austria at the Venice Biennale in 1993, he returned in 2011 to be honoured with the Golden Lion for Lifetime Achievements.

In the background

The present work installed at the Albertina, Vienna
© 2011: Christian Wachter



OP: THE ART OF LOOKING

LOTS 36 - 45





INTRODUCTION

LOTS 36 - 45

We are honoured to continue to lead the market of *Op* art, the hugely influential movement which shaped the cultural landscape of the second half of the Twentieth Century. This section is the third instalment in as many years investigating the movement in a specially curated section which features exceptional works that are fresh to market by *Op*'s key figures. As a global phenomenon, *Op* emerged in opposition to *Abstract Expressionism*; it was a spontaneous explosion of creative production which stylistically embraced a new form of geometric abstraction. *Op* swept through Europe, North America and South America to emerge as one of the most important artistic upheavals in the second half of the Twentieth Century. Whilst *Op* proved to be short-lived, spanning the period between the mid-1950s to the late-1960s, it continues to influence and define artistic practice even to the present day. The art associated with the movement sought to convey the ideas of its own time, many of which showed a startling prescience to the formal realities explored and experienced by the artists of today. The mid-Century marked the dawn of the digital age with computers just coming into use; images via television were disseminated live and at a far greater rate than they had ever been in the history of the world. The United States of America and Russia were, at the time, engaged in a race to explore the frontiers of space, forever changing the way the citizens of the world saw themselves in relation to the Universe. Technology produced myriad new materials including plastics and Plexiglas, for example, which found their way into countless products that had a seismic impact on daily life. Psychologists and scientists made incredible leaps throughout the 1960s in understanding the human body and mind. It was a remarkable time and *Op* was intrinsically bound up with this sea change, articulating and illustrating this fascinating tableaux.

In this section entitled *Op: The Art of Looking*, we have selected ten artworks by some of the most prominent names in *Op*: Victor Vasarely, Richard Anuszkiewicz, Bridget Riley, Wojciech Fangor, Yaacov Agam, Marina Apollonio, and François Morelet. The works present a diverse cross-section of the movement from the process-based works of Vasarely to the participatory works of Agam to the visual intensity and optical stylings of Apollonio. At the core of this offering are works from the private collection of Mr. H. Lee Turner. Mr. Turner was an innovator who created the concept of the paralegal in America, assistants who were qualified to work in support of lawyers in the American legal system. As his concept became industry standard, his success allowed him to transfer his energies into collecting; he collected across various disciplines including Pre-Colombian art, Books and Manuscripts and Contemporary Art. His contemporary collection was assembled, in part, through the friendship and guidance of the gallerist Madeleine Chalette, owner of Galerie Chalette in New York and the Irving Galleries in Milwaukee. Mr. Turner acquired exceptional examples of *Op* by Vasarely, Agam, and Fangor including *NJ15* (1964), perhaps the most important, largest and complete Fangor ever to come to auction, as well as works by Kandinsky and Appel amongst others.

Our global team has worked tirelessly to secure only the very best material from this movement during recent auction seasons. The most recent iteration of this project, entitled *Le Mouvement*, was 100% sold in New York in November 2016 with new world records established as these remarkable works found their way into new collections.

Left
Tadeusz Rolke, *Wojciech Fangor*, 1959 WARSZAWA (Warsaw)
© Tadeusz Rolke/Agencja Gazeta

PROPERTY FROM THE DISTINGUISHED COLLECTION OF H. LEE TURNER, KANSAS

36 * ART P

VICTOR VASARELY (1906-1997)

Alom-2

1967

signed; signed, titled, and dated 1967 on the reverse
acrylic on canvas

200 by 200 cm.
78 3/4 by 78 3/4 in.

£90,000 - 120,000
US\$110,000 - 150,000
€110,000 - 140,000

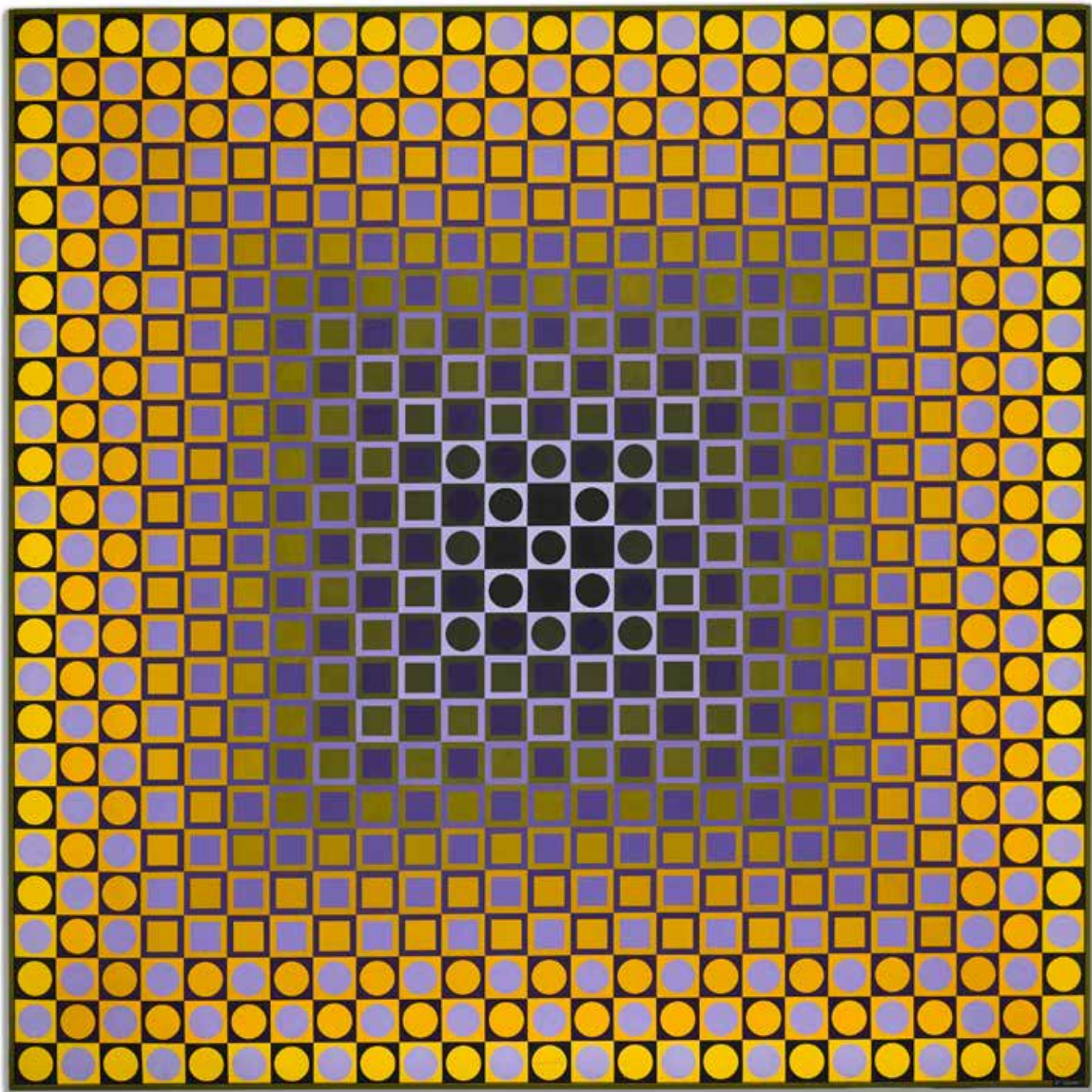
The authenticity of this work has been confirmed by Monsieur Pierre Vasarely. This work will be included in the forthcoming Catalogue Raisonné being prepared by the *Fondation Vasarely*, Aix-en-Provence.

Provenance

Galerie Chalette, New York (no. L 3395)
Acquired directly from the above by the previous owner in 1970
Thence by descent to the present owner

Exhibited

New York, Galerie Chalette, *Victor Vasarely*, 1970



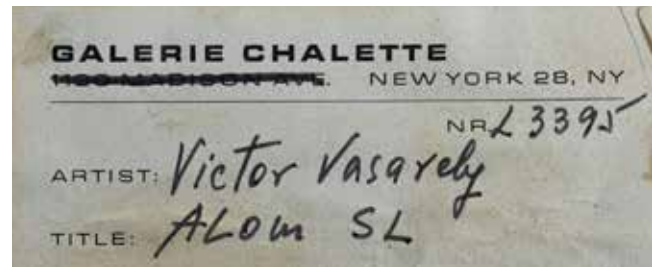
Widely considered the Father of *Op* art, Victor Vasarely was one of the foremost practitioners of colour theory, creating a system to develop his work, that while seemingly scientific, yielded works that were hypnotic, mesmerizing and enthralling. Known as 'Planetary Folklore' or the 'Plastic Alphabet', Vasarely would precisely select a single, and effective combination of prefabricated forms, squares, triangles, circles, rhomboids and ellipses, with a set of colours that would be arranged on a grid and then further layered. Whilst this system fosters an almost infinite number of potential permutations, Vasarely's innate understanding of colour theory allowed him to choose the combinations that were most stirring in the optical allusions they provoked. This, combined with the artist's astute technical ability, enabled the works to flicker with movement, despite their regimented system of origin.

Alom-2 from 1967 (lot 36) and *Tridim-RR* from 1968 (lot 37) perfectly embody the artist's theories and facility seen through the fluid geometry that traverses the surface of the canvas. Shapes recede or project forward in the pictorial space depending on the colour they are rendered in. Shifts in movement across the picture's plane become visible through Vasarely's application of colour, accentuating the pictorial depth. Circles and squares flicker on a patchwork of yellow, black, blue and violet. The impact of Josef Albers, who was widely influential on the *Op* movement, is seen here in the elegant placing of coloured shapes within one another to allow the viewer to see and experience something altogether different. Coming to market for the first time, these works are immense in scale allowing the viewer to fully immerse themselves in the mirages created by the shapes and colours.

Having attended the Muehly Academy, known as the 'Hungarian Bauhaus', Vasarely seemed a natural heir to the concepts espoused by the school. Leaving Budapest for Paris in 1930, by the end of the decade he had created what many considered to be the first Optical work, *Zebra*, leading to a series of black and white works furthering his exploration of optical illusion. After World War II Vasarely began exhibiting with Galerie Denise René, leading to the landmark *Op* and

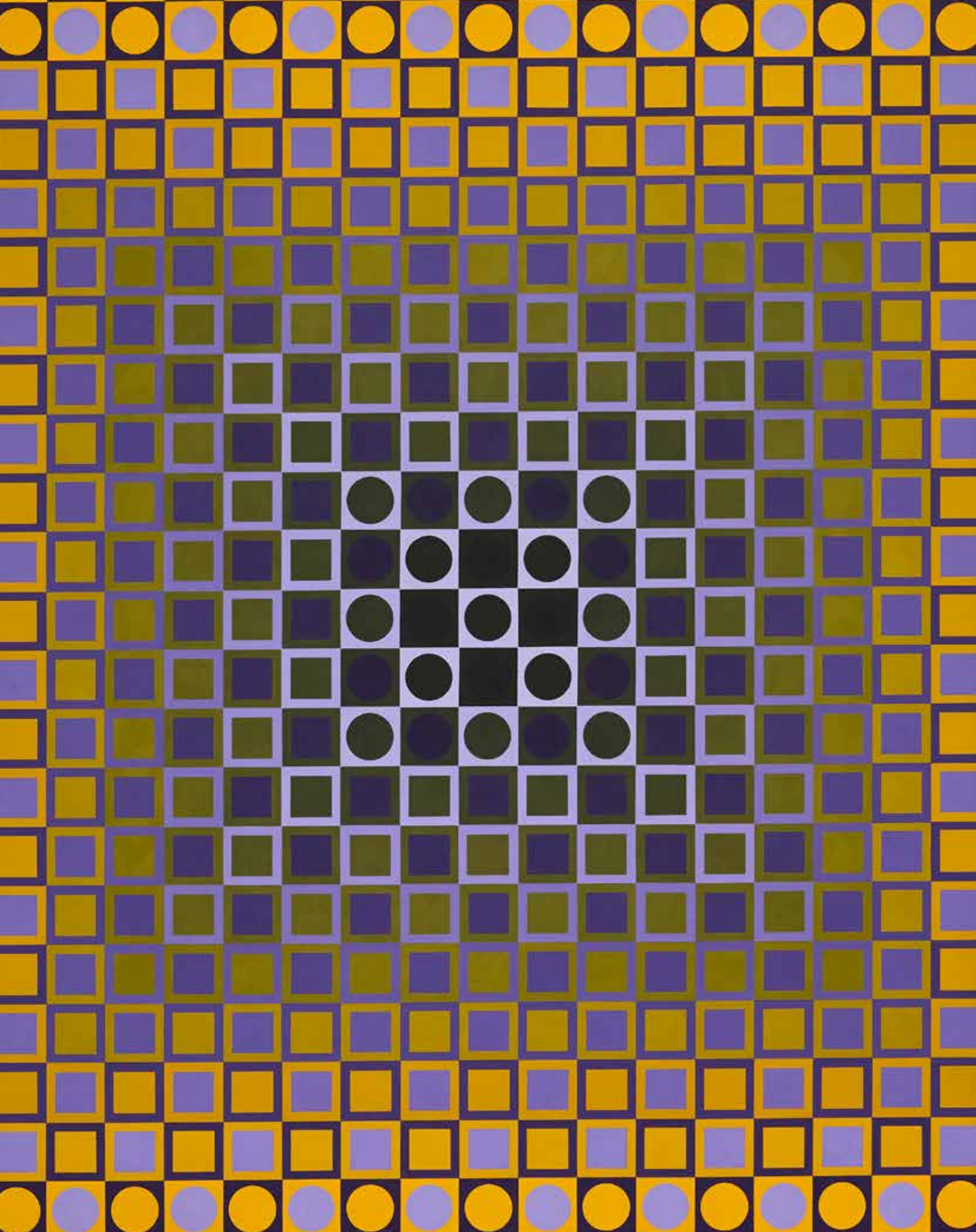
Kinetic exhibition *Le Mouvement* in 1955. Inclusion in *The Responsive Eye* at MoMA, New York in 1965 further solidified his reputation and influence, bringing his theories and works to an American audience. Galerie Chalette in New York presented a solo exhibition of the artist's large scale works in 1970, from which *Alom-2* was acquired. The work, a rare example from 1967 and striking in its monumental size, was lauded in the *Time Magazine* review of the exhibition.

Vasarely's influence, as well as that of *Op*, continues to be explored through recent exhibitions such as *Eye Attack* at the Louisiana Museum of Modern Art, Humlebæk and *The Illusive Eye* at El Museo del Barrio, New York. *Alom-2* and *Tridim-RR* are prototypical examples of Vasarely's practice demonstrating the key impact of *Op* on the art of the Twentieth Century and beyond.



Above
Original label on the stretcher of the present work

Right
Detail of the present work



PROPERTY FROM THE DISTINGUISHED COLLECTION OF H. LEE TURNER, KANSAS

37 * AR

VICTOR VASARELY (1906-1997)

Tridim-RR

1968

signed; signed, titled, dated 1968 and inscribed 2104 on the reverse
acrylic on canvas laid on board

100 by 64 cm.

39 3/8 by 25 3/16 in.

£30,000 - 40,000

US\$38,000 - 51,000

€35,000 - 47,000

The authenticity of this work has been confirmed by Monsieur Pierre Vasarely. This work will be included in the forthcoming Catalogue Raisonné being prepared by the *Fondation Vasarely*, Aix-en-Provence.

Provenance

Irving Galleries, Milwaukee

Acquired directly from the above by the previous owner in 1969

Thence by descent to the present owner



PROPERTY FROM THE DISTINGUISHED COLLECTION OF H. LEE TURNER, KANSAS

38 * AR TP

WOJCIECH FANGOR (1922-2015)

NJ15 (Diptych)

1964

Each: signed, titled and dated 1964 on the reverse
oil on canvas, in two parts

Overall: 243.8 by 243.8 cm.
96 by 96 in.

£140,000 - 180,000

US\$180,000 - 230,000

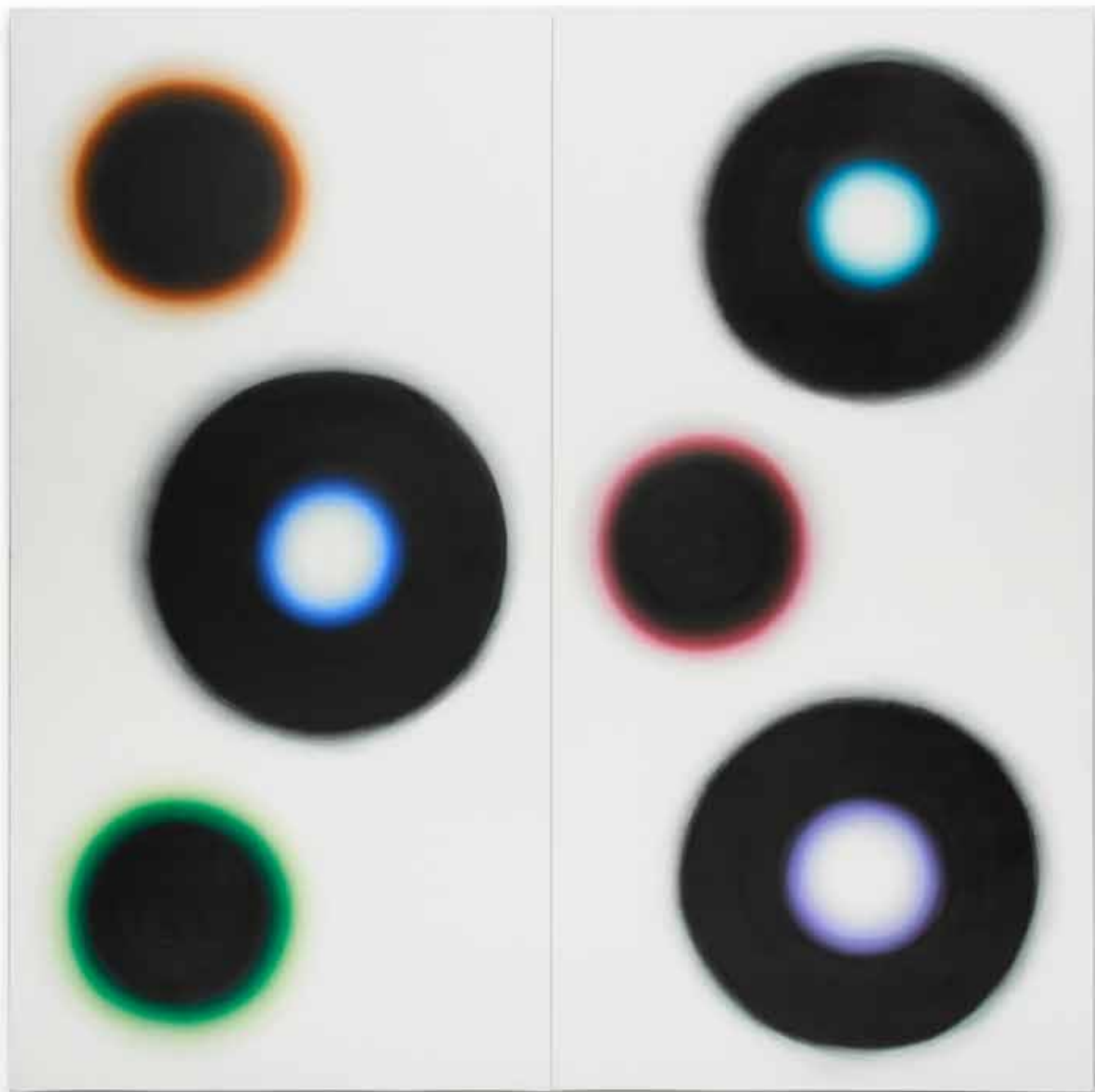
€160,000 - 210,000

Provenance

Galerie Chalette, New York (no. L 5000X)

Acquired directly from the above by the previous owner in 1971

Thence by descent to the present owner



Wojciech Fangor's images challenge and re-invent ideas about pictorial space, as well as that of artmaking itself. Fangor's mesmerizing and monumental canvases, as exemplified in *NJ15* from 1964 (lot 38) and *M5* from 1970 (lot 39), which both come to market for the first time, demonstrate the deep influence of the Space Race and the growing theories of human consciousness as well as the artist's career-defining obsession with liminal space, or the space between the space, which combine with stunning effect.

Born in Poland in 1922 Fangor faced the horrors of World War II and the difficult period of reconstruction that followed. After grappling with more traditional modes of representation, he turned to poster art as an alternative to *Social Realism* that was then popular. His breakthrough as a painter came in 1958 with the exhibition, *Study of Space* at the New Culture Salon in Warsaw. It was here that his 'edgeless' abstractions were exhibited for the first time, defining a style in which *NJ15* and *M5* are quintessential examples. Rather than conventional influences, Fangor's works developed out of the artist's fascination with the larger concepts of the universe and consciousness that began with the discovery of telescopes as a teenager. This interest in what lay beyond Earth's atmosphere and the rapidly developing tools one would need to explore space were the impetus for his own meteoric rise through the art world. He followed *Study of Space* with an important show at Galerie Yvon Lambert in Paris. His works were included in the *Fifteen Polish Painters* exhibition at MoMA, New York in 1961 as well as the seminal *Op* show *The Responsive Eye* in 1965 also at MoMA. In 1970, the year of execution of *M5*, he was the subject of an important solo show at the Guggenheim, New York.

The Cold War and its offshoot in the Space Race were both gaining momentum during Fangor's early search for his artistic language. He would have been exposed to the media blitz and plethora of images that followed in its wake, both in his native Poland—then part of the Soviet empire—and later in the US, his adopted home. The world's first satellite, Sputnik, was launched in 1957 and in 1961 Soviet Yuri Gagarin was the first human to reach space. Gagarin described his experience in way that conjures images of painting like in *M5*: "When I watched the horizon, I saw the abrupt, contrasting transition from the earth's light-coloured surface to the absolutely black sky. I enjoyed the rich colour spectrum of earth. It is surrounded by a light blue aureole that gradually darkens, becoming turquoise, dark blue, violet and

finally coal black." (Yuri Gagarin in: Louise Young, *Earth's Aura*, New York 1977). Following Gagarin's ascent, US astronauts landed on the moon in 1969. Space was being mapped, photographed and explored as never before. Images of celestial bodies in the ether were brought into living rooms. The first image of earth taken from space were seen in 1966—changing one's view of the earth forever. The painted discs found in Fangor's paintings—ones inspired by this watershed period of history—distil the complexity of human kind's endeavour into pictorial abstraction. In *NJ15* they look akin to the moons, planets and other celestial bodies we sought (and still seek) to understand.

The study of consciousness, like that of the exploration of outer space, was evolving as a field of study during the 1950s and 1960s developing the perception that one's mind is limited in the capabilities of understanding. In order to "open your mind" one needed to find an external trigger to reach a higher mental state. Fangor like many of those artists from the *Op* art movement were fascinated by the possibilities this notion provided. Artists during that time were thinking about how to create art as a kind of looping meta-device. An artist would attempt to achieve a heightened level of consciousness, which would allow them to create new innovative ideas and images expressed within their artworks. These paintings or sculptures in turn would essentially become devices to activate a viewer's state of consciousness as well. Cultural theorist Dave Hickey discussed this phenomenon: "as we stand before *Op* paintings that resist our understanding, we introduce ourselves to our unconscious selves. We become aware of the vast intellectual and perceptual resources that await our command just beyond the threshold of our knowing" (Dave Hickey, 'Trying to See What We Can Never Know' in Joe Houston Ed., *Optic Nerve: Perceptual Art of the 1960*, Columbus 2007, p. 35).

NJ15 and *M5* both come to market for the first time since their acquisition from Galerie Chalette in 1970 and 1971, while *NJ15* is the largest and arguably the most seminal work by Fangor to ever be seen at auction. The gallery, which was instrumental in developing the careers of various *Op* artists, facilitated the acquisition of these works from the artist's personal collection, indicating their importance in his greater body of work. The two present works are key examples of Fangor's experimental and influential output demonstrating his infatuation of the unknown and the unexplored allowing them to be timeless in their ongoing ability to captivate, challenge and entrance.



PROPERTY FROM THE DISTINGUISHED COLLECTION OF H. LEE TURNER, KANSAS

39 * AR

WOJCIECH FANGOR (1922-2015)

M5

1970

signed, titled, and dated *1970* on the reverse
oil on canvas

121.9 by 121.9 cm.
48 by 48 in.

£60,000 - 80,000

US\$76,000 - 100,000

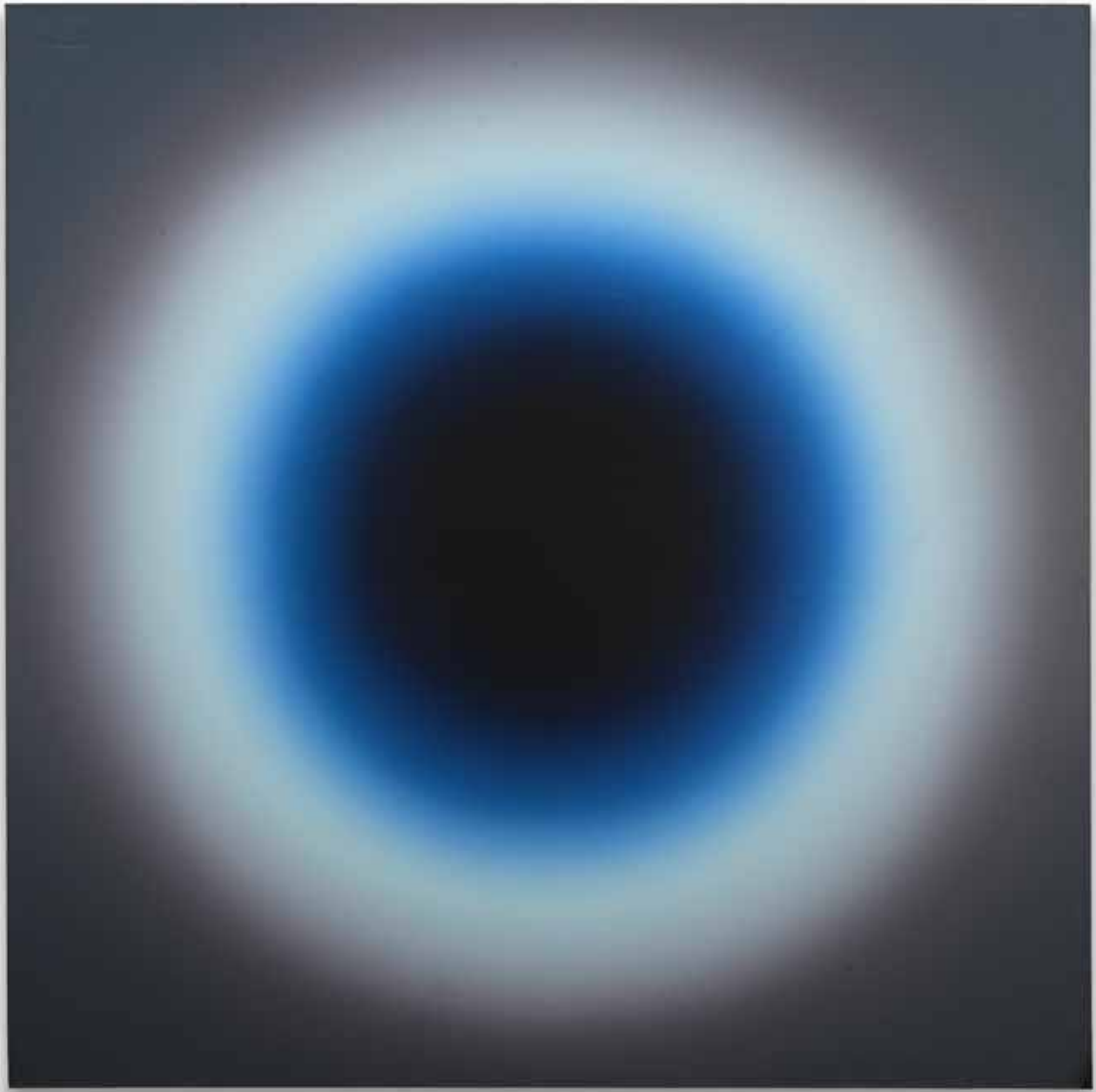
€70,000 - 94,000

Provenance

Galerie Chalette, New York (no. L 4062)

Acquired directly from the above by the previous owner in 1970

Thence by descent to the present owner



40^{AR}

MARINA APOLLONIO (B. 1940)

Dinamica Circolare 8M

1966

nitro on rotating perspex mounted on perspex
signed, titled and dated 1966 on a label affixed on the reverse of the circular element; signed,
titled and dated 1966 on a label affixed on the reverse of the square element

Overall: 50 by 50 cm.
19 11/16 by 19 11/16 in.

£25,000 - 35,000

US\$32,000 - 44,000

€29,000 - 41,000

This work is accompanied by a photo-certificate of authenticity signed by the artist.

Provenance

Galleria d'Arte Conceptual, Bergamo

Private Collection, Bergamo

Acquired directly from the above by the present owner

Exhibited

Bergamo, Galleria d'Arte Conceptual, *Optical*, 2015, n.p., illustrated in black and white

Literature

Joe Houston, Ugo Savardi and Bianca Maria Menichini, *Marina Apollonio*, Milan 2014, p. 149, illustrated in black and white

Executed in 1966 in the year immediately following the Museum of Modern Art's *The Responsive Eye* exhibition which both formalised the *Op* movement and cemented its popularity, Marina Apollonio's *Dinamica Circolare 8M* is a stunning *tour de force* from the artist's most important period.

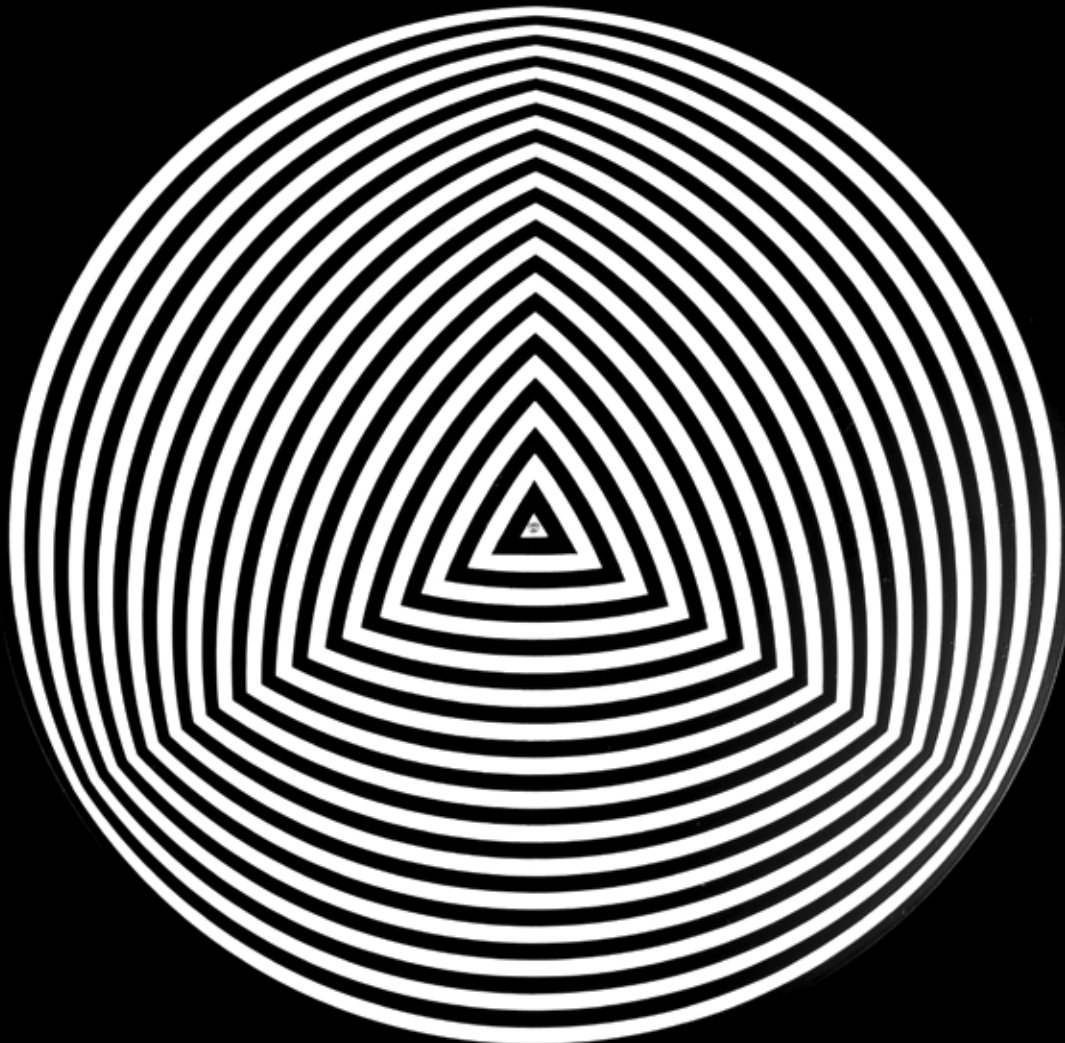
Created from boldly modern industrial materials, its surface painted with a dynamic black and white geometric sequence for maximum impact and visual accessibility, *Dinamica Circolare 8M* explores *Op*'s central fascination with perceptual sensation, and the process of participation that activates this sensory experience.

Apollonio's choice of form and decoration are notably striking and therefore inviting, which is important as *Dinamica Circolare 8M* doesn't rely on any understanding of a conceptual framework to unlock its meaning, it simply requires the viewer to participate in its visual effects. The familiar form of the circle, employed in the present work as in many of her best known creations, and the geometric decoration applied to its surface are immediate in their simplicity and contrast sharply with the complex visual disturbance triggered by the presence of the human eye.

Unusually for this series *Dinamica Circolare 8M* is centred around a small triangular motif which morphs into a circle as it proceeds towards

the rim through alternative tones of black and white. The resulting movement is both commanding and inescapable, and forces the viewer to focus entirely on the object in an attempt to make sense of its shifting perspective. This participatory element, so central to *Op*'s investigations into forms of visual communication, is enhanced by the work being mounted on a single pin allowing it to be manually rotated.

Apollonio was a native of Trieste, and later studied at the Accademia di Belle Arti of Venice, under the tutelage of Giuseppe Santomaso. Alongside Bridget Riley, Marina Apollonio is one of the most important female *Op* artists, in a movement that has largely been dominated by their male counterparts. Apollonio's work is included in major international collections including the Peggy Guggenheim, Venice, Museo d'Arte Moderna, Turin, and New Museum, New York, and has been included in some of the movement's most important exhibitions including *Nova Tendencija 3* at the Galerija Suvremene Umjetnosti, Zagreb in 1965 and in last year's *Eye Attack Op Art and Kinetic Art 1950-1970* at the Louisiana Museum of Modern Art in Denmark.



PROPERTY FROM A PRIVATE BRITISH COLLECTION

41 ^{AR}

BRIDGET RILEY (B. 1931)

Light Rose, Blue and Green small Twisted curve
1976

signed, titled and dated 76
gouache and pencil on paper

62 by 86.4 cm.
24 7/16 by 34 in.

£60,000 - 80,000

US\$76,000 - 100,000

€70,000 - 94,000

Provenance

Rowan Gallery, London (no. R1513)

Acquired directly from the above by the previous owner in 1977

Thence by descent to the present owner

Exhibited

London, Rowan Gallery, *Bridget Riley: Recent Paintings and Gouaches*, 1976, no. R1513





Bridget Riley is undoubtedly one of Britain's most important and celebrated abstract artists. International in vision and scope and with a long and illustrious career spanning over five decades, her work explores optical effect, spatial illusion, and the interaction between movement, colour and light.

Op Art broke with artistic orthodoxy, acting as a deliberate counterpoint to the prevailing emotional spontaneity of *Abstract Expressionism* and the everyday reference points of *Pop Art*. Instead it concerned itself with spatial perception, employing the visual language of science and technological advancement to investigate how the human eye received and processed light. Riley was at the forefront of this visual revolution, receiving great critical acclaim for her work and gaining the distinction as the first living British artist and the first female artist to win the International Prize for Painting at the Venice Biennale, when she represented Britain in 1968.

Although Riley's first *Op* paintings, executed in 1961, were worked solely in black and white, the artist soon adopted the use of a tonal grey palette viewing it as a midway point, and then from 1967 she explored a much wider colour spectrum as seen in the present work. Initially daunted by the perceived instability of colour pigment and the limitations it presented, Riley quickly embraced its elusive nature in direct opposition to the certainties which had been offered to her by monochrome.

Although Riley had previously employed curved geometries in her work, from 1974 they defined her output until the end of the decade, making the present work, *Light Rose, Blue and Green small Twisted curve* from 1976 an early example from this series. These curve paintings provided her with a less formal structural scheme, in a similar vein to her transition from monochrome to colour, and allowed her to communicate more readily the perceptual sensation of light.

Light Rose, Blue and Green small Twisted curve, the colours so neatly delineated in the title, in contrast form an expansive energy field across the surface of the work defying the eye's attempt to pin them down. The sinuous linear system forms a multi-focal expanse that simultaneously draws you into the implied recesses that undulate diagonally across the work, whilst dissolving the very structure itself to allow for a great chromatic interplay. The effect is deeply expressive and demonstrates the artist's utter mastery of capturing the elusive qualities of light.

Light Rose, Blue and Green small Twisted curve, a large scale example for a work on paper by the artist, comes to sale fresh to the market having been in the same family collection since it was first executed in 1976.

Above
Detail of the present work

Right
Bridget Riley with Continuum cartoon at Warwick road studio, 1963
© Bridget Riley 2017. All rights reserved, courtesy Karsten Schubert, London.



42 AR

BRIDGET RILEY (B. 1931)

Untitled

1985

signed, dated 85 and inscribed *For Stephen Gardiner*
gouache and pencil on paper

26.7 by 36.4 cm.

10 1/2 by 14 5/16 in.

£6,000 - 8,000

US\$7,600 - 10,000

€7,000 - 9,400

Provenance

Stephen Gardiner Collection, London (gift from the artist)

Thence by descent to the present owner



For Stephen Gardner

Bridget Riley '85

PROPERTY FROM THE DISTINGUISHED COLLECTION OF H. LEE TURNER, KANSAS

43 * AR

YAACOV AGAM (B. 1928)

Image transparente

1969-1976

signed to the Perspex; signed on the front of the base; dated 1969-1976 and inscribed *PARIS* on the lower edge of the left side of the base; each panel inscribed as follows:

(i): signed and dated 75

(ii): signed and dated 75

(iii): signed and dated 76

(iv): signed, dated 1975 and inscribed *Paris*

(v): signed

(vi): signed

Perspex on stainless steel and wooden base

Overall: 90.8 by 96.2 by 60.7 cm.

35 3/4 by 37 7/8 by 23 7/8 in.

£20,000 - 30,000

US\$25,000 - 38,000

€23,000 - 35,000

Provenance

Private Collection, USA (acquired from the artist *circa* 1976)

Thence by descent to the present owner

Exhibited

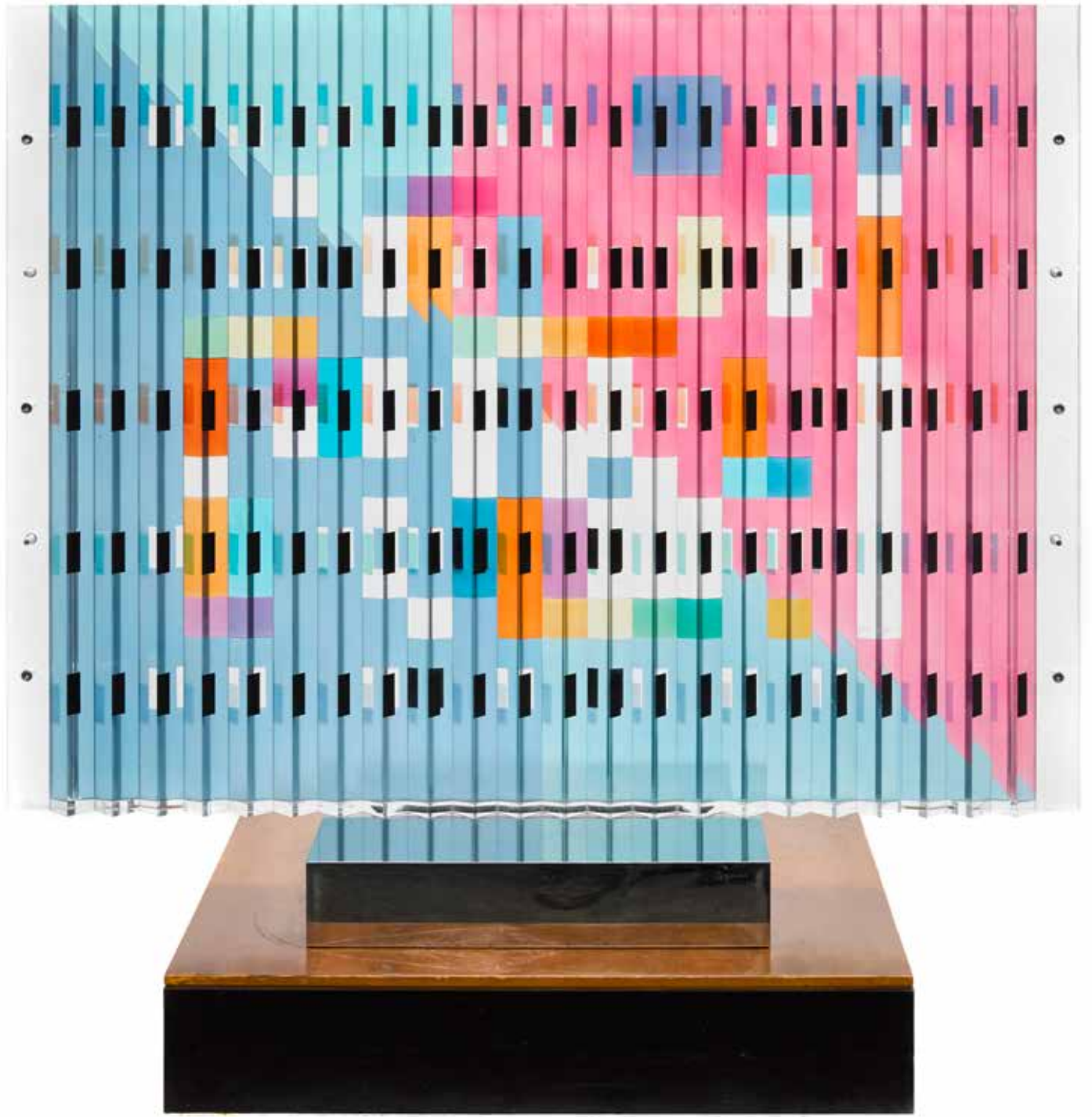
Tokyo, Isetan Museum of Art; Osaka, Daimaru Museum; Kawasaki, Kawasaki City Museum, *Agam*, 1989, p. 127, no. 79, illustrated in colour (dated 1972)

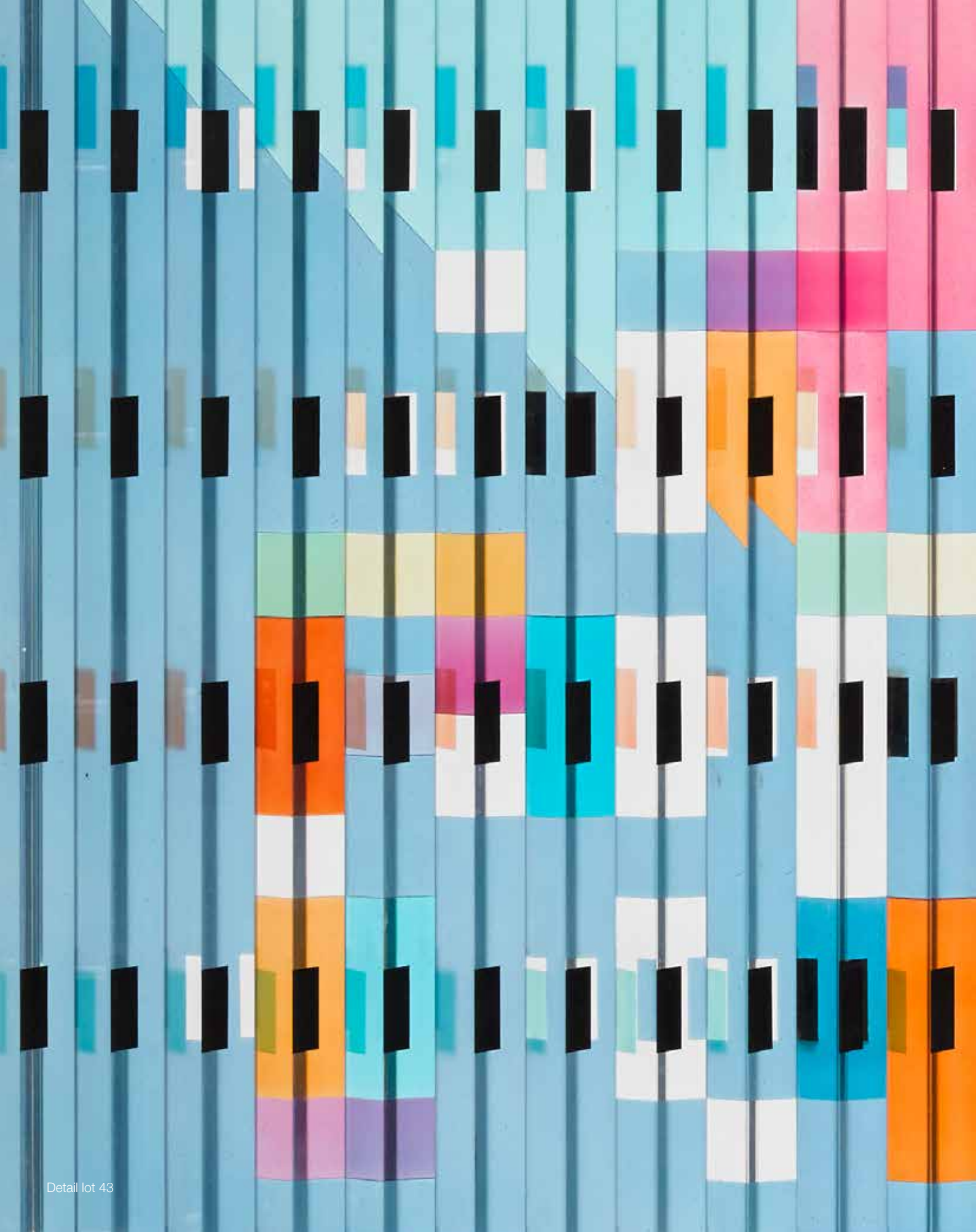
Yaacov Agam's works exemplify one of the key tenets of both the *Op* movement and artmaking of the Twentieth Century as a whole: that of transferring artistic agency from the artist to the spectator. The *Op* artists were moving away from the notion that a painting or sculpture was a static object that the viewer would merely contemplate. This new approach was catalysed in 1955 in the seminal exhibition *Le Mouvement* at Galerie Denise René in Paris, which laid the groundwork for the key theories of *Op* and set the stage for Israeli artist Yaacov Agam to recast the role of the spectator into that of a participant, which he achieved with his landmark series *Transformables*.

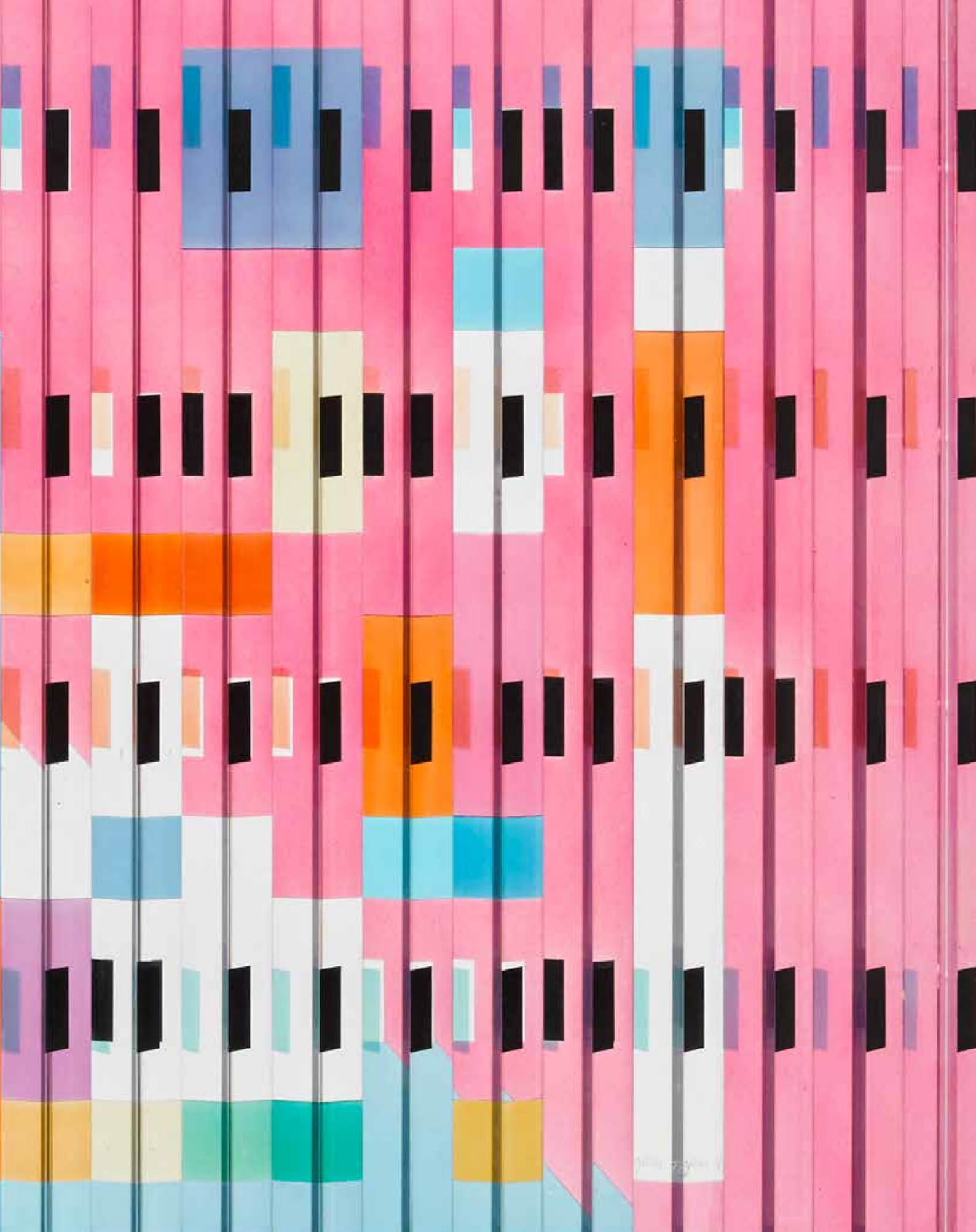
Viewer intervention in Agam's works manifested in two ways. One occurs when the viewer's position relative to the object is shifted thereby changing the image itself. The other invited (or required) the spectator to physically alter the work in some way in order to produce a new image or result. By 1969, with works such as *Image transparente* (1969-1976) Agam had begun to produce works which achieved both of these aforementioned methods of participation simultaneously. *Image transparente* is created almost entirely of transparent Plexiglas allowing for the work to be viewed from all sides. The front and back both have a ridged surface, creating a high relief of zigzags that extend toward and recede from the viewer, on the surface of which are a series of

images that Agam called *metapolyomorphic* as they were designed to be almost undefinable; where lines, dots and squares shift and morph into one another. As the viewer, here more the participant, moves about the work some elements move into view or become hidden. This effect is further enhanced by the entire structure being made from a transparent material which allows the viewer to see images from the front or back and for the work to reflect visual distortions created by the object's immediate environment. Moreover, *Image transparente* is also a type of screen that allows the viewer to insert, through a slot in the top, six differing transparent Plexiglas slides that are further patterned with *metapolyomorphic* allowing a dazzling myriad of images.

Agam was born in Israel in 1928 and studied in Zurich where he was influenced by colour theorist and Bauhaus scholar Johannes Itten and the Swiss artist Max Bill before settling in Paris. He was the subject of solo retrospectives at the Musée National d'Art Moderne, Paris and his works have been featured at the Guggenheim, New York, MoMA, New York and the Hirshhorn Museum and Sculpture Garden, Washington, DC. *Image transparente* (1969-1976) comes to market for the first time having been commissioned for the Turner Family Collection. Its scale, almost a meter square, allows the work to truly epitomize the revolutionary theories of *Op* that continue to influence artists today.







44 *

RICHARD ANUSZKIEWICZ (B. 1930)

Soft Yellow With Dark Blue

1982

signed, dated 1982 and numbered 653 on the reverse
acrylic on board

78.7 by 58.4 cm.
31 by 23 in.

£20,000 - 30,000

US\$25,000 - 38,000

€23,000 - 35,000

Provenance

Acquired directly from the artist by the present owner

Exhibited

Houston, Pembroke Gallery, *Richard Anuszkiewicz*, 1984

Literature

David Madden and Nicholas Spike, *Anuszkiewicz: Paintings & Sculptures 1945-2001*, Florence 2010, no. 1982.16, description of the work listed

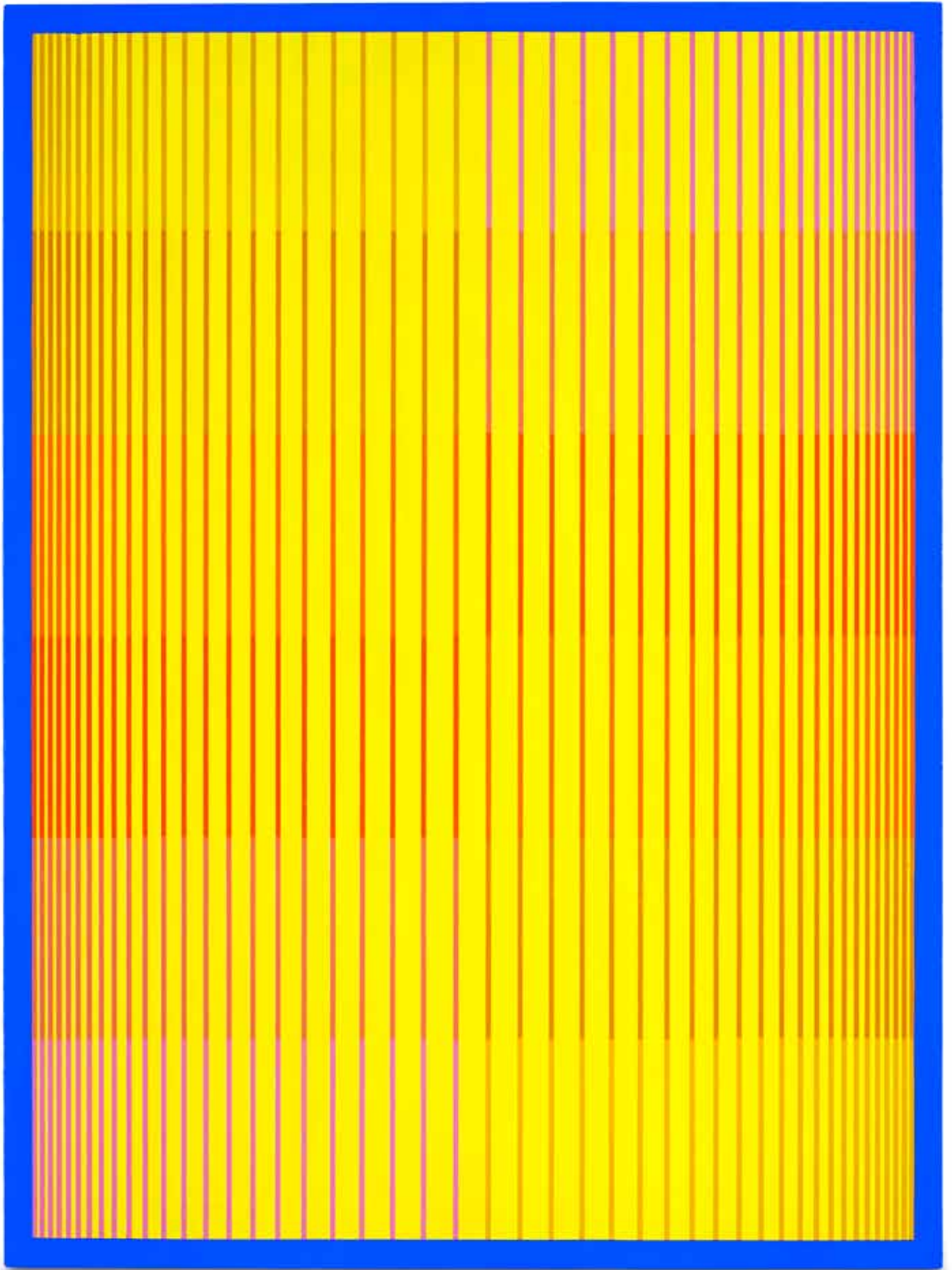
Richard Anuszkiewicz's dazzling *Soft Yellow with Dark Blue* from 1982 is a painting that navigates the broad stroke of art history, from the ancient to the contemporary.

Inspired by the artist's 1981 visit to Egypt, the *Temple* series, of which the present work forms a part, conflates Anuszkiewicz's optically driven linear style with the symbology and architecture of Ancient Egypt, or specifically here The Mortuary Temple of Hatshepsut, a sprawling and magnificent tomb complex in the Valley of the Kings. The temple's rhythmic geometry comprises of three horizontal levels each supported by rows of columns, constructed so that the space between the columns appears equidistance to their individual width. When viewed directly from the front these three levels create the illusion that they all occupy the same plane of depth, however, when the temple is viewed from an oblique angle, the same areas become set back from each other belying the original perception of flatness.

In this series, executed until 1984, Anuszkiewicz took direct cues from the temple's design emulating its structure through pictorial compositions of illusionary depth. Yet *Soft Yellow with Dark Blue* diverges from the other works in the series by adopting a more poetic approach in its interpretation by suppressing almost entirely the representational

depiction of columns into an abstraction of colour and line. Instead, the picture plane stresses the aura of the temple, evoking the sun God Amun for whom it was built to honour. Anuszkiewicz's use of the striking hue of yellow—a dominant and defining element of the work—coupled with the shortened spacing of the red lines as they extend towards the outer vertical edges creates the illusion of a force, emerging from the centre of the painting transcending the picture plane itself. This dynamic optical effect appears to conjure up the presence of a deity and evoke the mystical qualities of reincarnation bought into play by the sun's daily cycle. The whole, framed in a dark blue border, reminiscent of the azure of an Egyptian sky, draws the eye inward to focus on the work's opticality.

Despite these historic references, the present work remains a potent distillation of colour and line. One can see echoes of fellow *Op* artists Carlos Cruz-Diez's narrow bands of vertical lines from his *Physichromie* series, the vibrating *moiré* effect found in the works of Victor Vasarely, as well as elements of the *Minimalist* structures of Donald Judd, or the colour theory of Josef Albers. Anuszkiewicz's work shares a timelessness and universality with these modern masters and while his work is emboldened by history it is not borne down by its weight.



PROPERTY FROM A DISTINGUISHED PRIVATE ITALIAN COLLECTION

45^{AR}

FRANÇOIS MORELLET (1926-2016)

20% de Carrés Superposés

1970

signed, titled, dated 1970 and inscribed *œuvre unique* on the reverse
acrylic on board

80 by 80 cm.

31 1/2 by 31 1/2 in.

£25,000 - 35,000

US\$32,000 - 44,000

€29,000 - 41,000

We are grateful to the *Estate Morellet* and to *Galerie Hervé Bize* for confirming the authenticity of this work. This work is registered in the *Archives François Morellet*, Cholet, under no. 70073.

Provenance

Galleria Cenobio-Visualità, Milan

Acquired directly from the above by the present owner *circa* 1985

With a staggering one hundred and thirty exhibitions under his belt, a career spanning over eight decades embracing and in many cases prefiguring many of the major artistic movements of his time, and substantial representation in the world's leading public collections, including Tate Modern, London, the Guggenheim, New York, and the Centre Georges Pompidou, Paris, François Morellet is undoubtedly one of the towering greats of his era.

As a painter, sculptor and light artist Morellet's oeuvre crossed numerous stylistic terrains including *Minimalism*, Conceptual art, Environmental art and Installation art, though he is now best known for his contribution to the *Op* and *Kinetic* movements. In 1960, alongside Julio Le Parc, Morellet co-founded GRAV (*Groupe de Recherche d'Art Visuel*), an artistic collective that explored the visual possibilities of art through scientific and technological processes. Their work was a direct reaction against the perceived egotism of the artist, and as a group they focused on the elimination of expressionistic tendencies, being more interested in the finished product than in its mode of execution.

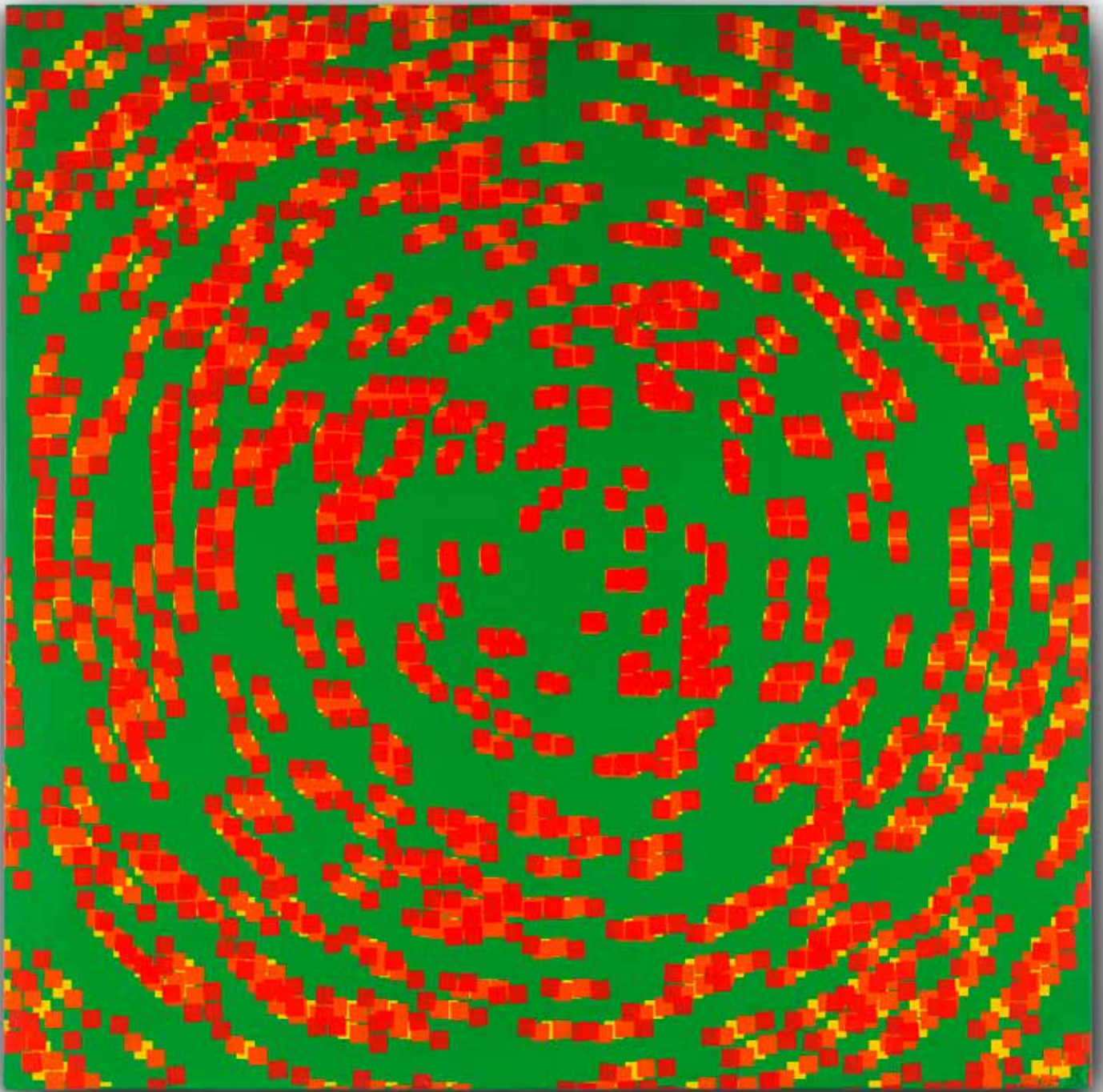
Morellet specifically achieved this by drawing on scientific formulas to produce abstracted geometric systems where the pictorial composition relied on elements of chance. In the present work, *20% de Carrés Superposés* from 1970, the artist's familiar square

motifs, layered in neon red, orange and yellow, converge across the picture plane in overlapping clusters, with one fifth of these elements completely superimposed, giving the work its playful title.

In their entirety the component shapes form a large circular vortex which anchors the composition and draws the eye dramatically into its interior whilst disorientating the viewer with its expansive dance. *20% de Carrés Superposés* is a full and unique work coming fresh to the market from the same private collection in which it has been housed for over forty years.

Morellet's recent accolades include becoming the second living artist to create a permanent commission for the Louvre in Paris in 2010, and a major retrospective at the Centre Georges Pompidou, Paris in 2011, where over thirty of his works are permanently housed.

Sadly the artist passed away in 2016 in Cholet, in the very same French town in which he was born ninety years earlier and almost to the day, giving his life a curious circularity that was in direct contrast to the aleatory nature of his creations. He leaves behind a remarkable body of work that pushed creative boundaries to their limit and is still an important inspiration today for contemporary artists the world over.



46^{AR}

KEITH COVENTRY (B. 1958)

Fairbank Estate

1995

signed twice and titled on the reverse of the frame
oil on canvas, in the original artist's frame

Overall: 84 by 74.7 cm.
33 1/16 by 29 7/16 in.

This work was executed in 1995.

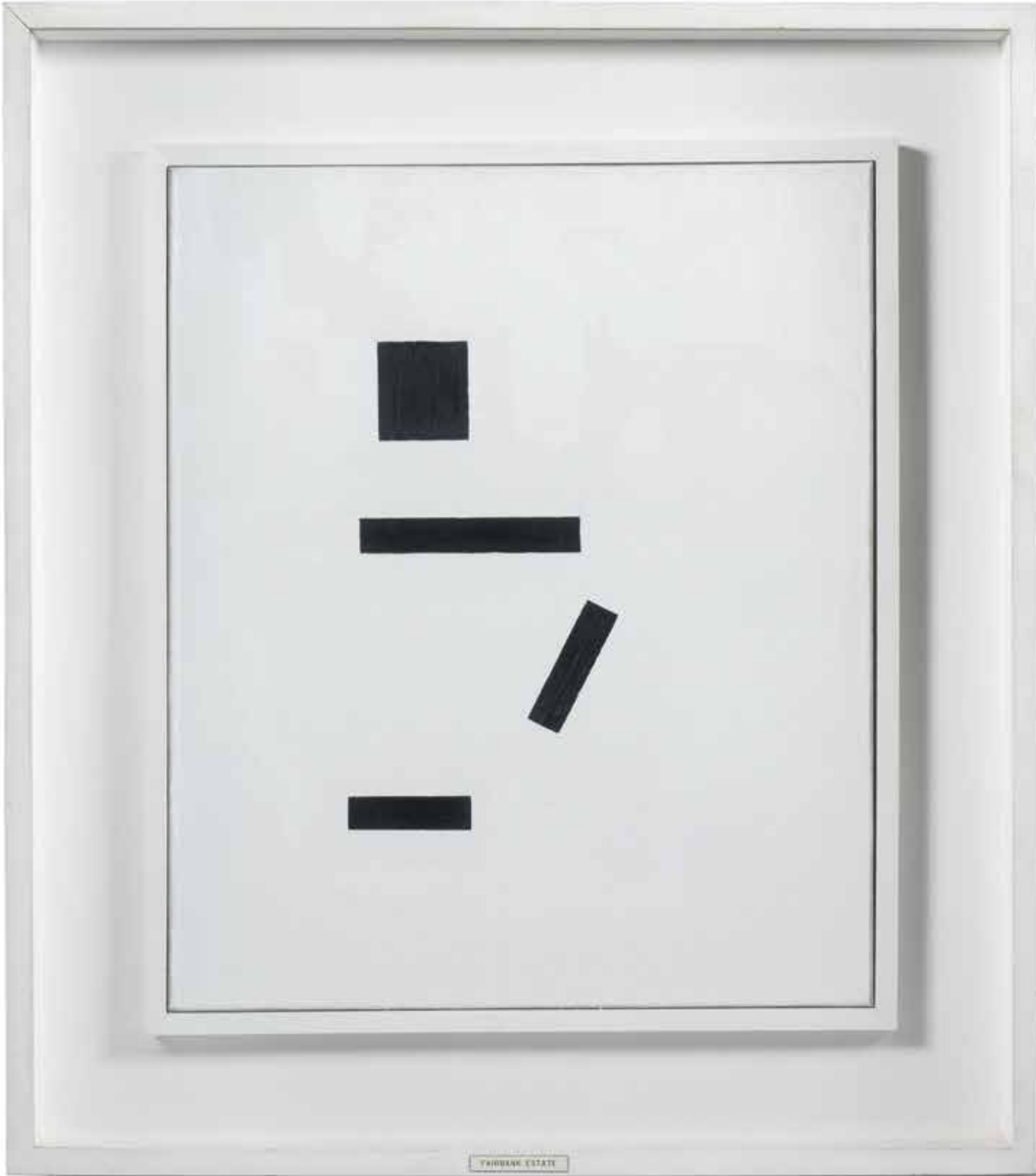
£15,000 - 20,000

US\$19,000 - 25,000

€18,000 - 23,000

Provenance

Acquired directly from the artist by the present owner *circa* 2000



FRIDMAN ESTATE

47

KEITH HARING (1958-1990)

Untitled

1983

signed and dated *July 22 1983* on the underside
ink and felt tip pen on fibreglass

54 by 54 by 54 cm.
21 1/4 by 21 1/4 by 21 1/4 in.

£100,000 - 150,000

US\$130,000 - 190,000

€120,000 - 180,000

Provenance

Tony Shafrazi Gallery, New York

Private Collection, New York

Sale: Christie's, New York, *Contemporary Art including Prints, Ceramics and Glass*, 23 February 1990, Lot 183

Acquired directly from the above by the present owner



K. Having
JULY 22
1983



Driven by a compulsion to create, Keith Haring was an artist who painted everywhere, and onto nearly everything. Famously starting out as a graffiti artist, he covered the walls of New York's subway with his signature dancing figures. Later, under the guidance of iconic dealer Tony Shafrazi, Haring moved into the world of fine art. But the idea of painting and drawing wherever and whenever the mood took him was to endure. As a result, some of his finest works are produced from the most unexpected materials: from the more traditional (canvasses and walls) to the unconventional (naked human bodies, plaster models of classical sculptures, even cars) Haring saw no limits when selecting a base for his work. In *Untitled* of 1983 we find one of his favourite supports, a readymade vase. While Haring often decorated such vases, this example is unusually large: its broad, generous sides heavily decorated with a seething mass of figures and symbols. Friezes featuring some of Haring's most iconic motifs, mischievous monkeys, dancing pregnant figures, and a 'Radiant Baby' fill bands of geometric decoration, every inch of the vases' surface is filled with movement and life. In the present work, we find the archaic combined with the modern, comprising a delightful choreography of line and form in three dimensions.

Throughout history, artists have decorated vases. From the classical pots of Ancient Greece to the colourful elegance of Chinese porcelain via the earthy planes of Africa, such objects have formed a crucial record of the ways in which human beings have expressed their feelings and beliefs, and brought art and beauty into their living environments. The timeless, almost primeval relevance of the vase form has been exploited in more recent years by Chinese dissident artist Ai Weiwei, who has painted, and sometimes even smashed, ancient pottery in a bold statement on the complex history of his home nation. In the present work we certainly witness a polite nod to the vases of the past, but here we also discover an unashamed celebration of the new, memories of the 1980s American cultural explosion in which this work was produced; ultimately, this vase recalls the heady excesses of a New York dance floor as much as it does the classicism of the Ancient Greeks.

Haring's life and career may have been relatively short, but his passion for art was all-encompassing, and his desire to inform, stimulate and educate was never diminished. Works such as *Untitled* of 1983 remain as potent reminder of his intense creative process, its surface

covered in a dazzling array of energetic images: "In Haring's paintings and drawings, the continuity is tied to the incessant motion of the line, which runs without caesuras, following its flow of awareness and fancy, developing bends and folds, lending weight and concreteness to labyrinthal conflicts, in eros, with its penetrations and couplings, filling all the gaps, joining and uniting all bodies" (Germano Celant in: Germano Celant Ed., *Keith Haring*, Munich 1992, p. 11). Being offered at auction for the first time in over a quarter of a century, this rare, unique work, which includes an abundance of Haring's most recognisable imagery, remains as impressive now as it did when first created over three decades ago. Radiating an incessant, timeless lust for life, appropriating the past to create a joyous future, *Untitled*, 1983 acts as a fitting reminder of an artist who developed a distinctive new aesthetic, and inspired a generation in the process.



Above

Alternative view of the present work

Left

Signature underneath the base of the present work







PROPERTY FROM THE COLLECTION OF SHAUN WHITE, LOS ANGELES

48 * ART P

BANKSY (B. 1975)

Jail Break

2010

signed and dated *2010* on the reverse
stencil spray paint and household gloss on found metal

172.1 by 92.7 by 7.3 cm.
67 3/4 by 36 1/2 by 2 7/8 in.

£100,000 - 150,000

US\$130,000 - 190,000

€120,000 - 180,000

This work is accompanied by a certificate of authenticity issued by Pest Control Office.

Provenance

Acquired directly from the artist by the present owner in 2012





Banksy's *Jail Break*, from the collection of renowned multiple Olympic gold-medalist snowboarder Shaun White, is a celebration of the transformative power of art. This may seem surprising for a work constructed from riveted panels of steel, in the form of a substantial and seemingly impenetrable prison door, and yet, alongside some of the artist's best works *Jail Break* is heavy metal with a light touch.

Being almost life-sized in scale, with raw cut edges and a rusted reinforced sill, *Jail Break's* sense of confinement is quickly dispelled by the artist's mischievous rendition of a hand extending out from behind the bars to draw the outline of a door handle which will eventually liberate the cell's occupant. Is this an image of Britain's most wanted and elusive graffiti artist absconding from custody for his crimes against public property? Perhaps, although what is clear is that this work continues the artist's exploration of the notion of freedom.

Whilst this might seem a little odd for an artist who has built himself an international profile operating under a pseudonym, Banksy's anonymity has allowed him to execute ambitious and often controversial public artworks without disruption. His sheer bravado has granted him an almost mythical status amongst his growing army of followers which in turn has allowed him the platform to champion his own personal brand of political activism. The appearance of a new 'Banksy' instantly triggers an overwhelming level of activity on social media, and is testimony to the incredible success of this graffiti artist outsider, who has achieved the seemingly impossible feat of conquering the art world in his own inimitable way.

The stencil for *Jail Break* made its public appearance in 2010 on the side of an unassuming Bail Bonds building in New York. The addition

of Banksy's artwork, positioned where one might imagine a back door to appear, gives the work the visual immediacy and humour that we have come to expect from the artist. Two gallery works each with unique variations were also executed in the same year, of which the present example is the first to appear on the open market.

It is perhaps fitting that *Jail Break* comes from the collection of celebrated snowboarder Shaun White, who, like Banksy, defied all odds to become a leading international figure in his field. As a young boy White recovered from multiple operations to correct a congenital heart condition and, undeterred by adversity, developed an early passion for skate and snowboarding which he pursued with dedication. White's commitment paid off through a multitude of sporting achievements, including two Olympic gold medals and the accolade of amassing the highest overall medal wins at the X games.

If there ever was a sport that embodied the ideals of freedom, then snowboarding with its romantic combination of open mountain vistas, unsullied snow and 'wind in the hair' exhilaration must be top of the list, and White, as one of its leading practitioners, has been instrumental in positioning what was originally an underground sport, well and truly into the mainstream.

In recent times street art has witnessed this same momentous shift in perception, in part due to Banksy's phenomenal success. This popularity has allowed him to widely disseminate his political viewpoint and here lies the transformative potential of his art. Whether or not the escapee here is the artist is irrelevant, the owner of that hand could be anyone and this universality is where *Jail Break's* power lies.



49 AR TP

MIQUEL BARCELÓ (B. 1957)

Vila Nova de Milfontes

1984

mixed media on canvas

193 by 203 cm.

76 by 79 15/16 in.

This work was executed in 1984.

£60,000 - 80,000

US\$76,000 - 100,000

€70,000 - 94,000

This work is accompanied by a photo-certificate of authenticity signed by the artist.

Provenance

Galerie Bischofberger, Zurich

Private Collection, USA

Galería D'Art Ramón Sarda, Barcelona

Acquired directly from the above by the previous owner in 1988

Thence by descent to the present owner

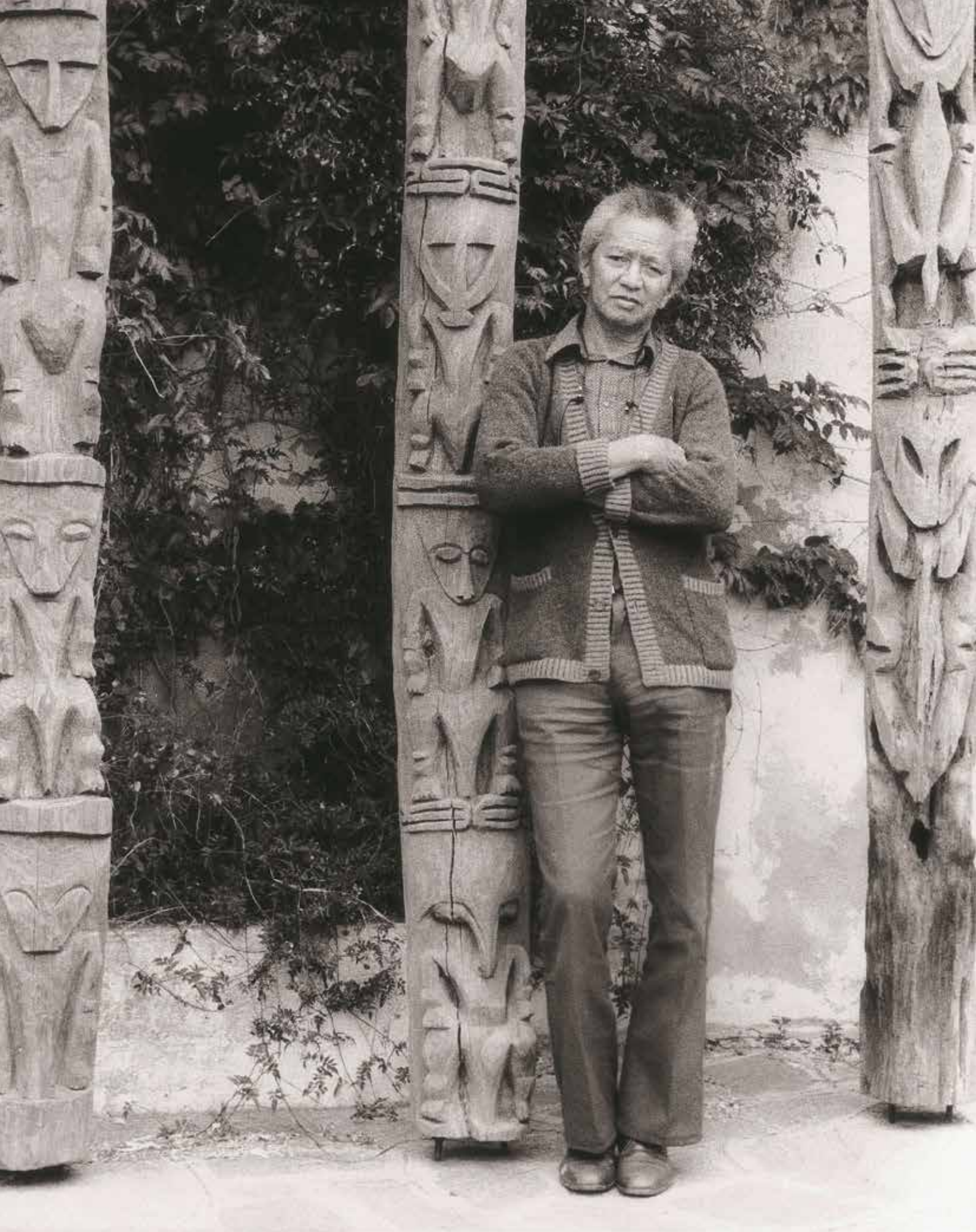


Claude Monet, *Rough weather at Étretat*, 1883

National Gallery of Victoria, Melbourne

© Photo Fine Art Images/Heritage Images/Scala, Florence





TWO PAINTINGS BY WIFREDO LAM

LOTS 50 & 51

As one of the most important players in Twentieth Century avant-garde art, Wifredo Lam created a unique and enchanting aesthetic, conjuring up a shady netherworld inhabited by the strange, the dreamlike, the sublime. In the two following lots, both of which are being offered on the open market for the first time, one sees prime examples of his extraordinary style, a striking vision which evolved from the artist's own personal fusion of cultures, philosophies, experiences and beliefs. In recent years Lam's importance in the development of *Surrealism* has been increasingly appreciated, a recognition which has only been reinforced by the recent critically-acclaimed retrospective at London's Tate Modern. Combining myth and reality, the spiritual and the political, the palpable and the liminal, these paintings are powerful exemplars of Lam's mature style, presenting us with a number of his archetypal themes and tropes.

Born in Cuba in 1902 to a Chinese father and a mother descended from both Spanish Conquistadors and African slaves, Wifredo Lam seemed destined to bring a wide range of cultural and ethnic influences to his art. A scholarship allowed the burgeoning young artist to spend time studying in Spain, a period of artistic development, but also of personal tragedy, his first wife and son both dying of tuberculosis in 1931. He became involved in the Spanish Civil War, fighting for the Republicans, but was eventually forced to flee Spain in 1938. He headed for Paris, where he met Pablo Picasso, the Spanish master quickly declaring himself an admirer of Lam's work. In the French capital Lam also became more aware of African Art, and began to move in *Surrealist* circles. The Second World War quickly brought an end to his stay in France, adding yet more violence and disruption to what had already been a troubled life, with Lam escaping to Cuba in 1941. In the years that followed Lam produced the first paintings which exhibit the distinctive style so effectively realised in the two present works, as primitivism meets *Surrealism*, and Europe meets Africa.

These works are surely a record of the dramatic events which punctuated the artist's life, as well as more recent upheavals such as the Cuban Revolution of 1959. It is hard to avoid the echoes of violence,

loss, uncertainty and displacement that resonate throughout these powerful images. The figures which dominate these two canvasses are, typical of Lam, strangely disconcerting yet engrossing. Quite what or who they are is far from clear, their heads and bodies a haunting mix of the recognisable and the distorted. Lam was certainly fascinated by the esoteric and the arcane, and many of his works reveal the influence of *Santeria*, a religion popular in Cuba which combines elements of African belief with Catholic doctrine. Part animal, part human, these are surely spirits, or perhaps even gods, their stylised faces undoubtedly redolent of carved African masks. The space that these enigmatic protagonists inhabit is ill-defined, hollow and blank, the background of the canvasses composed simply of the patchy, earthy hues so often found in Lam's paintings. Pulling together ancient traditions and modernist theory, these works resound with a thrilling sense of the unexplained, the primordial and the supernatural.

Wifredo Lam himself saw the birth of each painting as an unpredictable, even risky undertaking: "In the presence of a blank canvas, at the moment when we ready ourselves to pursue this adventure, we are suddenly overtaken by a foreboding of instability which alternates between fear and a feeling of non-existence...We are then conveyed at once to the spirit of another world, which, in a totally arbitrary way, disguises reality as we know it, and reduces it to a vehicle of expression" (the artist in: Lowery Stokes Sims, *Wifredo Lam and the International Avant-Garde*, Suatin 2002, p. 183). In these two works, *Untitled*, 1968 and *Untitled*, 1970, the viewer is invited to join him on this perilous journey, and are allowed a glimpse into this other world, a place beyond our ken which defies definition. Just what will be encountered there remains unknown; but that, in the end, is all part of the magic of Wifredo's Lam's great artistic adventure.

Left

Wifredo Lam dans son jardin à Albissola, Italie, à côté de totems venant de la région de la rivière Sepik en Nouvelle Guinée, circa 1973
Courtesy of Archives Wifredo Lam, Paris

50

WIFREDO LAM (1902-1982)

Untitled

1968

signed and dated 1968

oil on canvas

50.3 by 40.3 cm.

19 13/16 by 15 7/8 in.

£30,000 - 50,000

US\$38,000 - 63,000

€35,000 - 59,000

We are grateful to Monsieur Eskil Lam for confirming the authenticity of this work.

This work is accompanied by a photo-certificate of authenticity issued by Monsieur Eskil Lam.

Provenance

Galleria d'Arte Cavour, Milan

Glauco Genesini Collection, Ferrara

Acquired directly from the above by the present owner in 1972

Literature

Max-Pol Fouchet, *Wifredo Lam*, Paris 1976, p. 242, no. 537, illustrated in black and white

Max-Pol Fouchet, *Wifredo Lam*, Barcelona 1989, p. 262, no. 569, illustrated in black and white

Lou Laurin-Lam and Eskil Lam, *Wifredo Lam: Catalogue Raisonné of the Painted Work, Volume II, 1961-1982*, Lausanne 2002, p. 306, no. 68.23, illustrated in black and white



51

WIFREDO LAM (1902-1982)

Untitled

1970

signed and dated 1970; signed and dated 1970 on the reverse
oil on canvas

50 by 40 cm.
19 11/16 by 15 3/4 in.

£25,000 - 35,000

US\$32,000 - 44,000

€29,000 - 41,000

We are grateful to Monsieur Eskil Lam for confirming the authenticity of this work.

Provenance

Galleria Schubert, Milan

Acquired directly from the above by the present owner *circa* 1972

Literature

Lou Laurin-Lam and Eskil Lam, *Wifredo Lam: Catalogue Raisonné of the Painted Work, Volume II, 1961-1982*, Lausanne 2002, p. 338, no. 70.69, illustrated in black and white



52 AR

ROBERTO MATTA (1911-2002)

Untitled

1972

signed
oil on canvas

104 by 95 cm.
40 15/16 by 37 3/8 in.

This work was executed in 1972.

£20,000 - 30,000

US\$25,000 - 38,000

€23,000 - 35,000

This work is registered in the *Archives de l'Œuvre de Matta*, Tarquinia/Paris, and is accompanied by a photo-certificate of authenticity from Madame Germana Matta Ferrari.

Provenance

Galleria Schubert, Milan

Acquired directly from the above by the present owner *circa* 1972





PROPERTY SOLD TO BENEFIT MODERN ART OXFORD

LOTS 53 - 71

Located in one of the world's great cities for thinking and learning, Modern Art Oxford is one of the UK's leading contemporary art spaces with an international reputation for innovative and ambitious programmes. We aim to make contemporary art as inclusive and engaging to the widest audience through presentation and participation. Our artistic programme celebrates the relevance of contemporary visual culture to society today and is shaped by a belief in dialogue between contemporary art and ideas, and seeks to create new relationships between artists and audiences in the Twenty first Century.

In 2016, we celebrated our 50th anniversary with a yearlong ever-changing exhibition that included the return of celebrated works from the gallery's rich history, presented alongside commissioned work by brand new artistic talent. Internationally renowned figures such as Marina Abramović, Yoko Ono, Agnes Martin and Sol LeWitt were just a few of those included in this extraordinary programme that attracted both popular and critical acclaim.

Ahead of this important anniversary, we invited a select group of artists who have shown at Modern Art Oxford, to donate a work for sale at auction. The aim of the initiative is to provide financial support for the gallery's activities and artistic programmes. We have been truly humbled and delighted by their response, and we are thrilled to be able to present to you the culmination of this venture.

Modern Art Oxford is a charity. We rely heavily on the financial support of those who are passionate about art and artists, and who value the essential role that culture plays in a healthy, creative and inclusive society. Each year we must raise the funds required to cover the entire cost of our world-renowned artistic programmes. We are indebted to the many individuals, companies and charitable bodies who help us achieve this and whose support enables our world-class programmes to remain free and open to all. We are grateful to Arts Council England and Oxford City Council for their long-standing investment in our organisation. We are especially grateful to the exceptional generosity of the artists who have donated works for this auction, the proceeds of which will support the future plans of the gallery, helping to sustain our ambition for decades ahead.

We are deeply indebted to the team at Bonhams for their loyal support of Modern Art Oxford in recent years and for their charitable undertaking in this initiative, which will provide a vital legacy of support and inspiration for artists and audiences in the decades to come.



Paul Hobson
Director, Modern Art Oxford

Property sold to benefit **Modern Art Oxford**

53^{AR}

BRIDGET RILEY (B. 1931)

Rose Red modulations with Green and blue contrasts
1985

signed, titled and dated 85
gouache and pencil on paper

82 by 58 cm.
32 5/16 by 22 13/16 in.

£30,000 - 40,000

US\$38,000 - 51,000

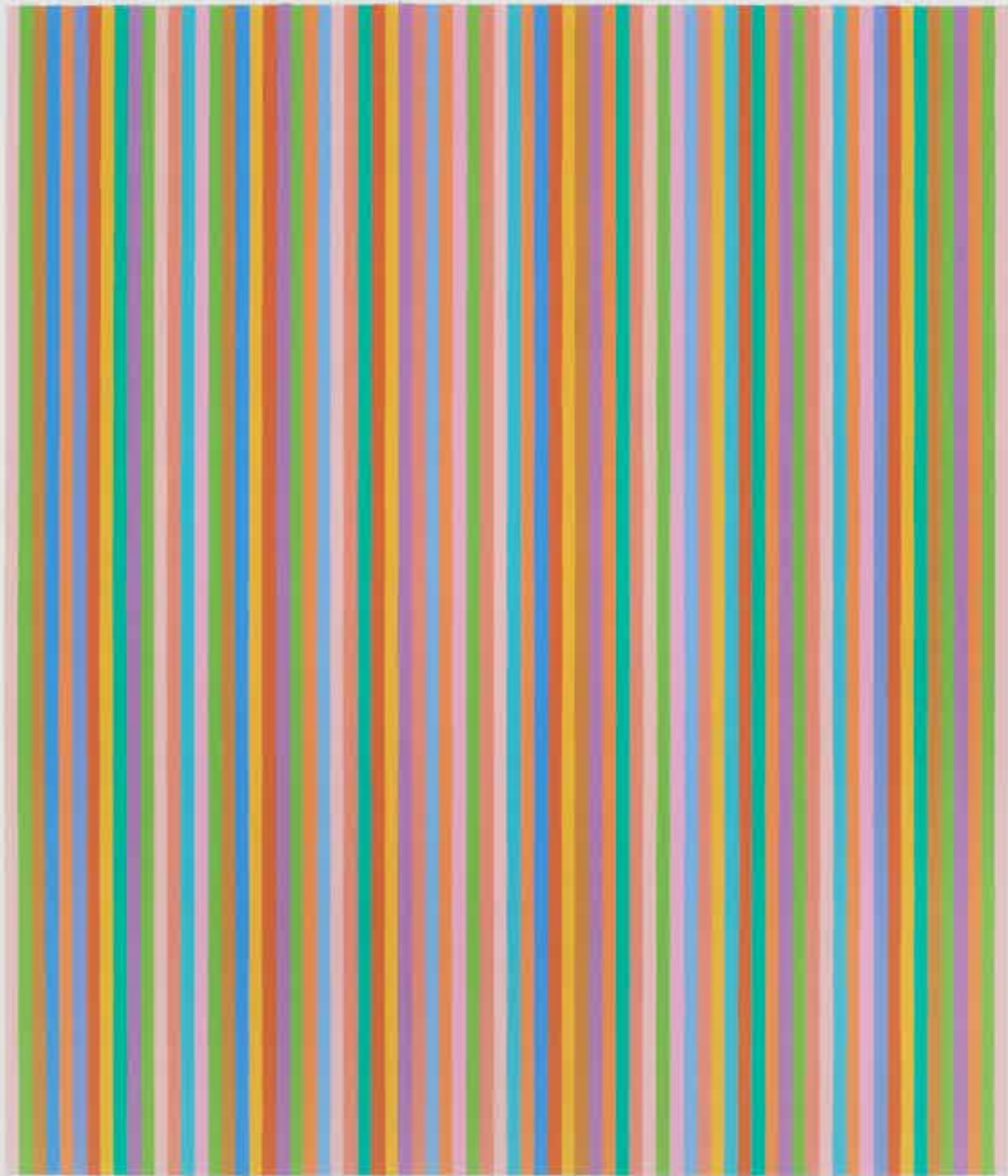
€35,000 - 47,000

Provenance

Juda Rowan Gallery, London

Private Collection, London (acquired from the above in 1986)

Donated by the above



Have had meditation with Joan and her sisters.
Budget July '80

Property sold to benefit **Modern Art Oxford**



54 AR

TRACEY EMIN (B. 1963)

Landscape

2015

signed, titled and dated 2015
acrylic on paper

28 by 38 cm.
11 by 14 15/16 in.

£6,000 - 8,000

US\$7,600 - 10,000

€7,000 - 9,400

Provenance

Donated by the artist

Property sold to benefit **Modern Art Oxford**



55 AR

CECILY BROWN (B. 1969)

Untitled (Ladyland)

2012-2015

signed and dated 2012-15 on the reverse
gouache, watercolour, ink and pastel on paper

45.8 by 60.8 cm.
18 1/16 by 23 15/16 in.

£5,000 - 7,000
US\$6,300 - 8,800
€5,900 - 8,200

Provenance

Donated by the artist

Property sold to benefit **Modern Art Oxford**

56 AR TP

MONA HATOUM (B. 1952)

Bunker (cube bldg)

2011

mild steel tubing

90 by 120 by 80 cm.

35 7/16 by 47 1/4 by 31 1/2 in.

This work was executed in 2011.

£50,000 - 70,000

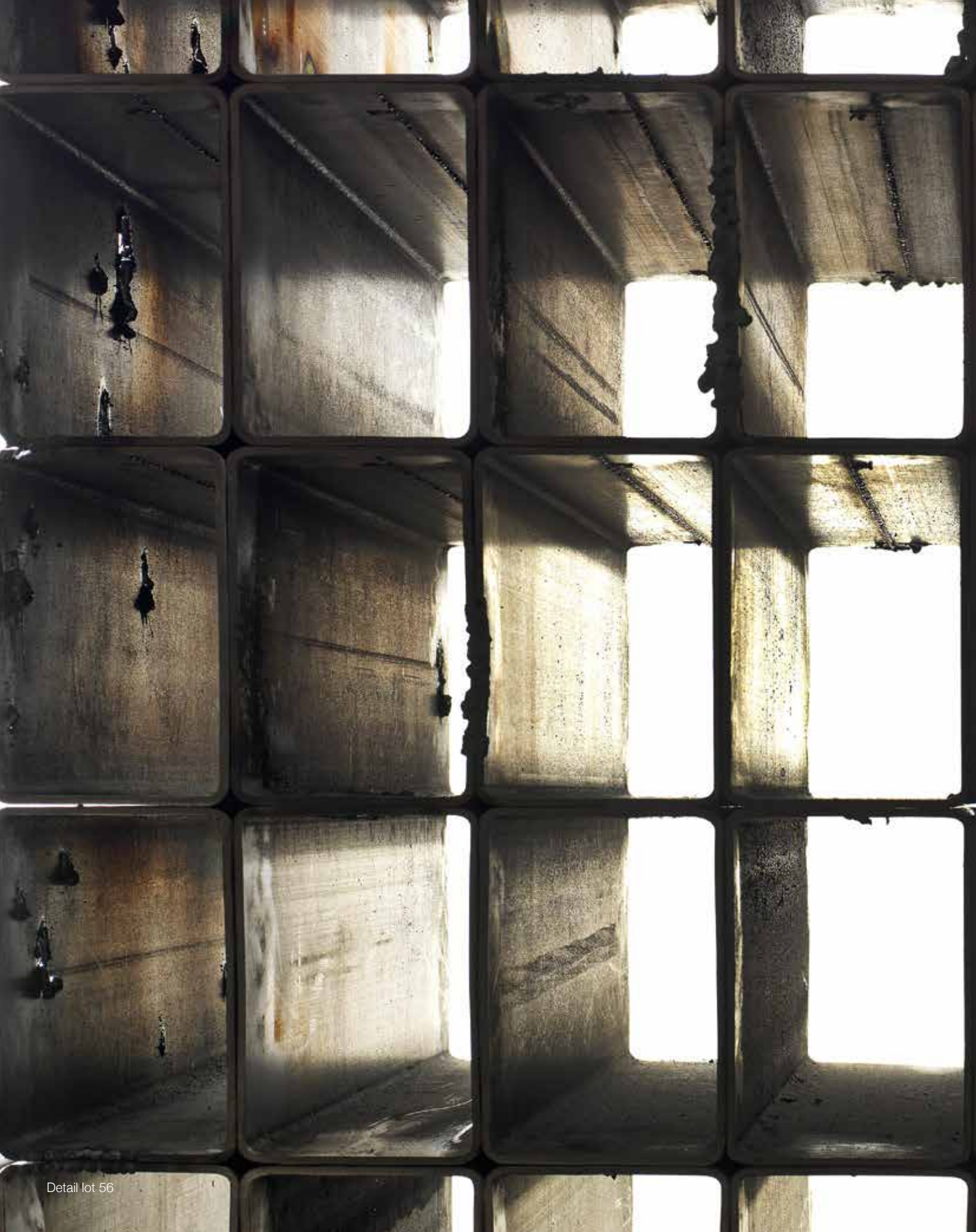
US\$63,000 - 88,000

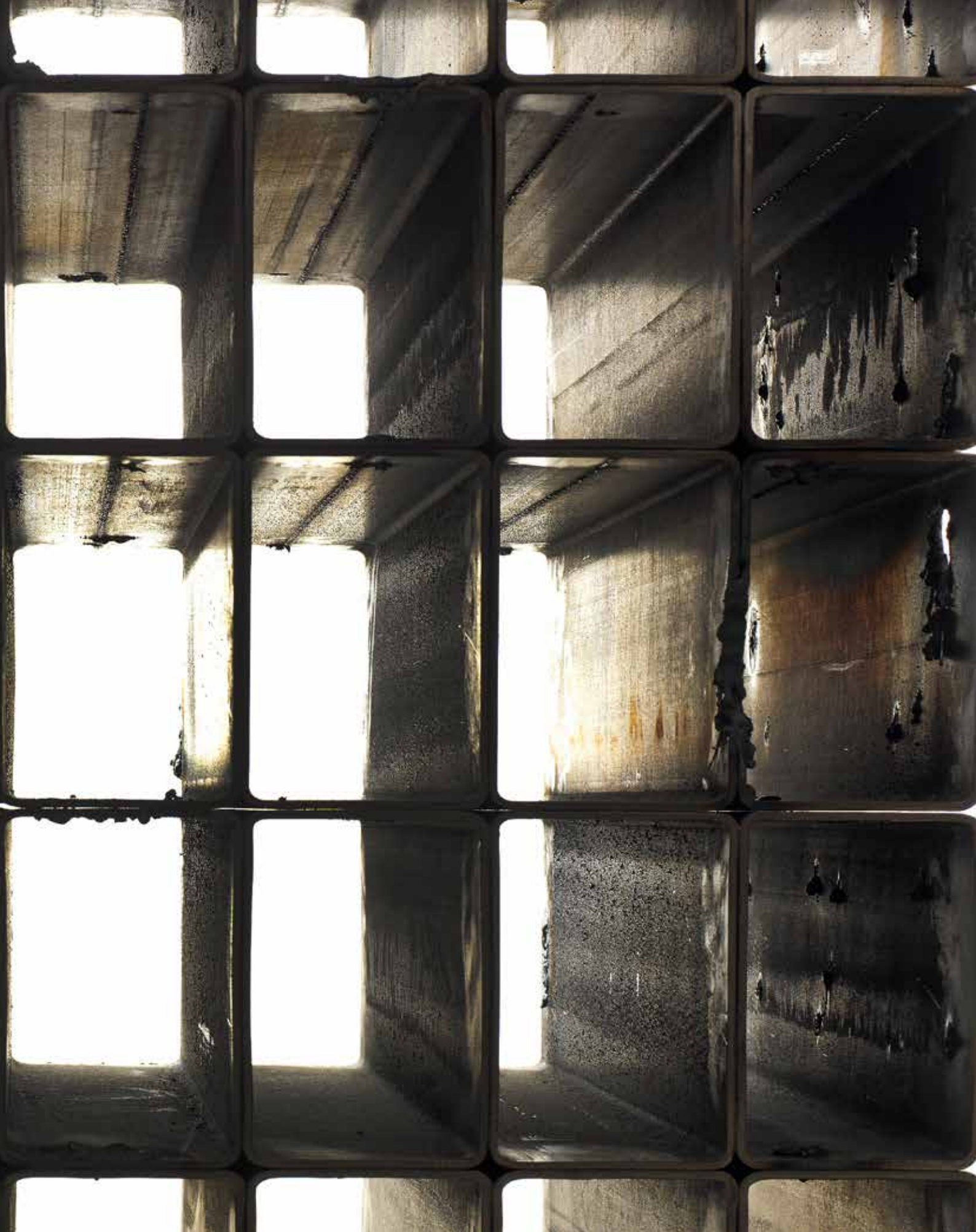
€59,000 - 82,000

Provenance

Donated by the artist









57

LYNN HERSHMAN LEESON (B. 1941)

Roberta's Construction Chart 1
1975-2004

signed and numbered 10/12
archival digital print and dye transfer

Image: 58 by 40.5 cm.
22 13/16 by 15 15/16 in.

Sheet: 62 by 45 cm.
24 7/16 by 17 11/16 in.

This work was conceived in 1975, executed *circa* 2004, and is number ten from an edition of twelve plus two artist's proofs.

£7,000 - 10,000
US\$8,800 - 13,000
€8,200 - 12,000

Provenance

Donated by the artist



58 AR

MARINA ABRAMOVIĆ (B. 1946)

Portrait with Falcon

2010

digital pigment print

Image: 30.5 by 30.5 cm.
12 by 12 in.

Sheet: 45.7 by 45.7 cm.
18 by 18 in.

This work was executed in 2010, and is number twelve from an edition of twenty-five plus three artist's proofs.

£3,000 - 4,000
US\$3,800 - 5,100
€3,500 - 4,700

This work is accompanied by a photo-certificate of authenticity signed by the artist.

Provenance

Donated by the artist

Property sold to benefit **Modern Art Oxford**

59^{AR}

ANTONY GORMLEY (B. 1950)

BODY LXV

2014

signed, titled, dated 2014 and inscribed *for Modern Art Oxford* on the reverse
carbon and casein on paper

77.2 by 55.8 cm.

30 3/8 by 21 15/16 in.

£18,000 - 25,000

US\$23,000 - 32,000

€21,000 - 29,000

Provenance

Donated by the artist



Property sold to benefit **Modern Art Oxford**

60^{AR}

HOWARD HODGKIN (B. 1932)

Picture Frame

2015

signed, titled, dated 2015 and inscribed *For Modern Art Oxford* on the reverse of the frame
oil and watercolour on paper

36 by 42 cm.

14 3/16 by 16 9/16 in.

£20,000 - 30,000

US\$25,000 - 38,000

€23,000 - 35,000

Provenance

Donated by the artist



Property sold to benefit **Modern Art Oxford**

61 AR

JANNIS KOUNELLIS (B. 1936)

Untitled

2017

signed on the reverse
iron plate, i-beam and rope

71 by 51 cm.
27 15/16 by 20 1/16 in.

This work was executed in 2017.

£20,000 - 30,000

US\$25,000 - 38,000

€23,000 - 35,000

Provenance

Donated by the artist



Property sold to benefit **Modern Art Oxford**



62 AR

RICHARD WENTWORTH (B. 1947)

Caledonian Road, London, 2007

2013

Provenance

Donated by the artist

c-print and nails, in the artist's frame

Sheet: 31.6 by 48 cm.

12 7/16 by 18 7/8 in.

With frame: 39 by 55.1 by 7 cm.

15 3/8 by 21 11/16 by 2 3/4 in.

This work was executed in 2013, and is unique.

£1,000 - 1,500

US\$1,300 - 1,900

€1,200 - 1,800

Property sold to benefit Modern Art Oxford



63 AR

RICHARD HAMILTON (1922-2011)

Lobby

1984

signed and numbered 62/88
collotype and screenprint on paper

Image: 38 by 52.2 cm.
14 15/16 by 20 9/16 in.

Sheet: 42.9 by 58.2 cm.
16 7/8 by 22 15/16 in.

This work was executed in 1984, and is number sixty-two from an edition of eighty-eight plus nine artist's proofs.

£2,000 - 3,000
US\$2,500 - 3,800
€2,300 - 3,500

Provenance

Courtesy of Alan Cristea Gallery and the Estate of Richard Hamilton

Property sold to benefit **Modern Art Oxford**

64 AR

CALLUM INNES (B. 1962)

Untitled

2010

signed and dated *2010* on the overlap
oil on canvas

82 by 79.8 cm.
32 5/16 by 31 7/16 in.

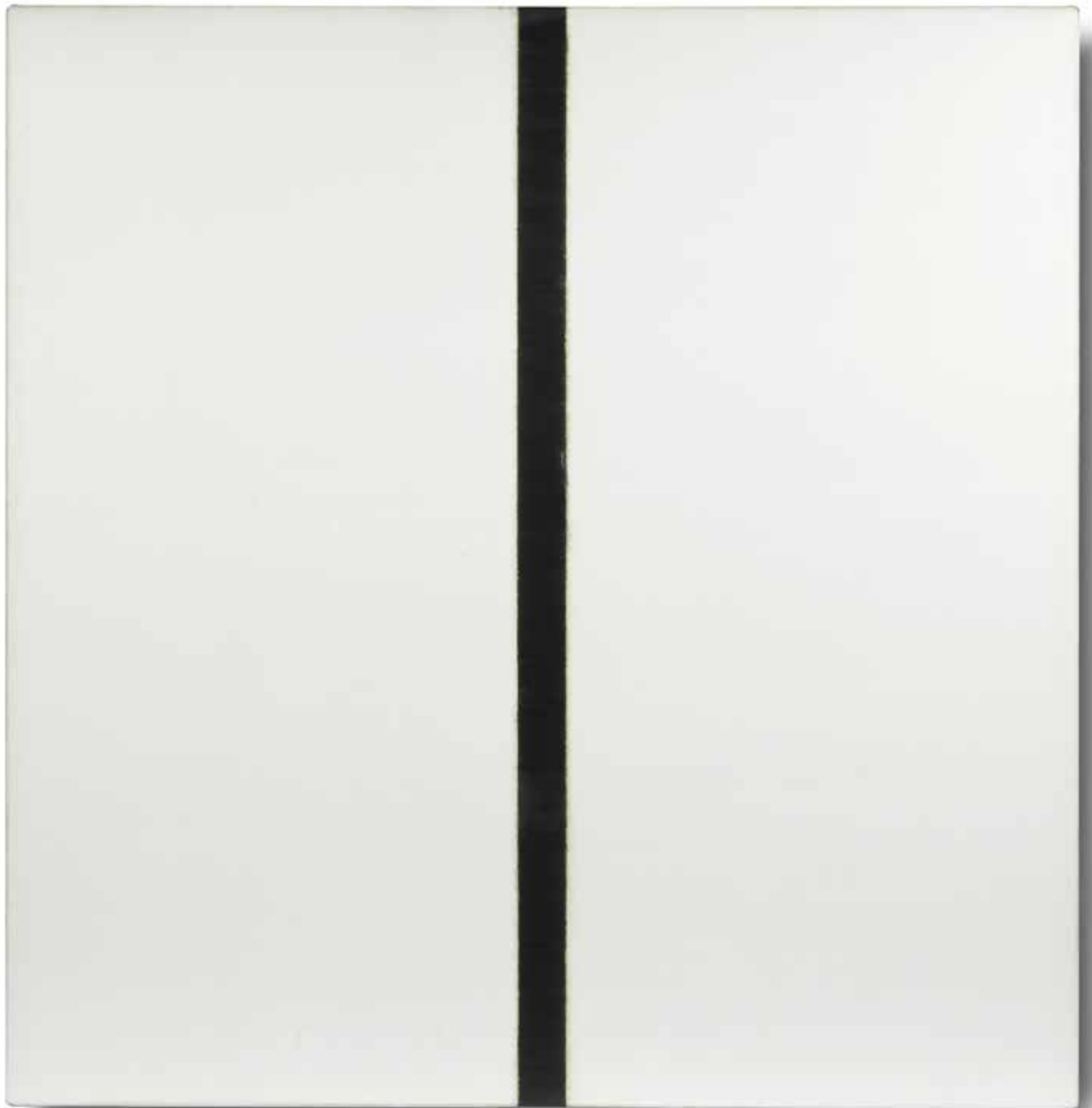
£15,000 - 20,000

US\$19,000 - 25,000

€18,000 - 23,000

Provenance

Donated by the artist



Property sold to benefit Modern Art Oxford



65
YOKO ONO (B. 1933)
add color painting I LOVE U
2004

signed with the artist's initials
die-cut plexiglass on canvas

33 by 45 by 2.8 cm.
13 by 17 11/16 by 1 1/8 in.

This work was executed in 2004, and is number three from an edition of eighty-one plus nine artist's proofs.

£2,000 - 3,000
US\$2,500 - 3,800
€2,300 - 3,500

Provenance
Donated by the artist

66 AR
ALISON TURNBULL (B. 1956)
Grain Elevator
2000

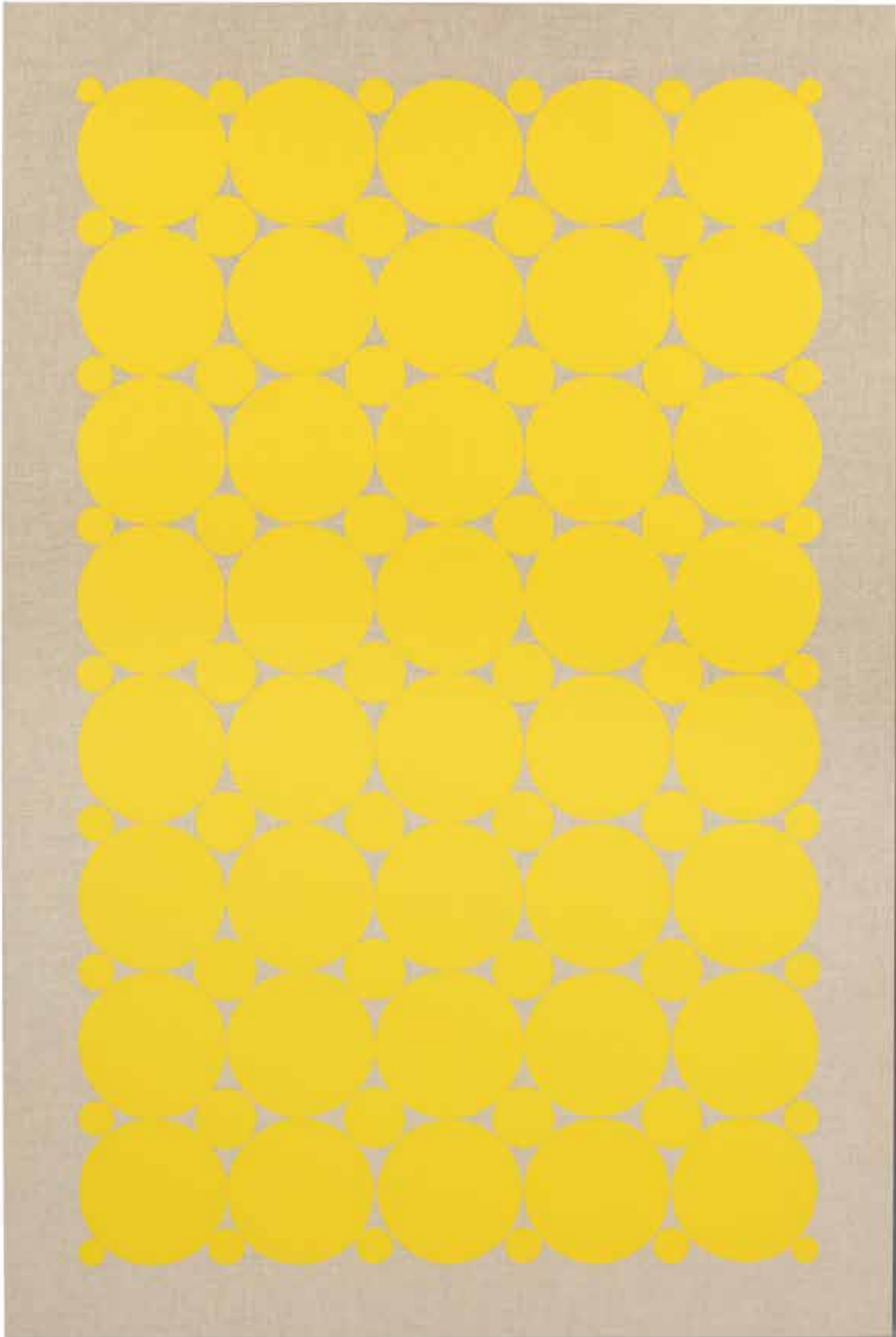
signed and dated 2000 on the reverse
oil on linen laid on board

91.5 by 61 cm.
36 by 24 in.

£3,000 - 5,000
US\$3,800 - 6,300
€3,500 - 5,900

Provenance
Donated by the artist

Property sold to benefit **Modern Art Oxford**



Property sold to benefit **Modern Art Oxford**

67^{AR}

JAKE & DINOS CHAPMAN (B. 1962 & 1966)

Barrel of Laughs

2015

enamel, resin and metal

8 by 14 by 16 cm.

3 1/8 by 5 1/2 by 6 5/16 in.

This work was executed in 2015, and is unique.

£10,000 - 15,000

US\$13,000 - 19,000

€12,000 - 18,000

Provenance

Donated by the artists



Property sold to benefit **Modern Art Oxford**



68 AR

KARLA BLACK (B. 1972)

Fed

2015

sugar paper, oil paint, body paint, cotton wool, ribbon

Dimensions of Cloud: 49 by 54 by 23 cm.
19 5/16 by 21 1/4 by 9 1/16 in.

This work was executed in 2015.

£5,000 - 7,000
US\$6,300 - 8,800
€5,900 - 8,200

Provenance

Donated by the artist

69 AR

JIM LAMBIE (B. 1964)

Untitled

2012

spray paint on steel

40 by 17.8 by 18 cm.
15 3/4 by 7 by 7 1/16 in.

This work was executed in 2012, and is unique.

£3,000 - 5,000
US\$3,800 - 6,300
€3,500 - 5,900

Provenance

Donated by the artist

Property sold to benefit **Modern Art Oxford**





70^{AR}

ANISH KAPOOR (B. 1954)

Untitled (I)

1988

signed, dated 1988 and numbered AP 2(I)
aquatint

Image: 112.8 by 89.5 cm.
44 7/16 by 35 1/4 in.

Sheet: 134 by 107 cm.
52 3/4 by 42 1/8 in.

This work is the artist's proof number two of ten,
aside from the edition of twenty.

£2,000 - 3,000
US\$2,500 - 3,800
€2,300 - 3,500

Provenance

Donated by a Private Collection, London



71
WILLIAM KENTRIDGE (B. 1955)
Bird Catcher
2006

Provenance
Donated by the artist

signed and numbered *AP 1/12*
archival pigment print

Image: 144.1 by 101.5 cm.
56 3/4 by 39 15/16 in.

Sheet: 151.1 by 108 cm.
59 1/2 by 42 1/2 in.

This work was executed in 2006, and is artist's proof number one of twelve, aside from the edition of sixty.

£8,000 - 12,000
US\$10,000 - 15,000
€9,400 - 14,000

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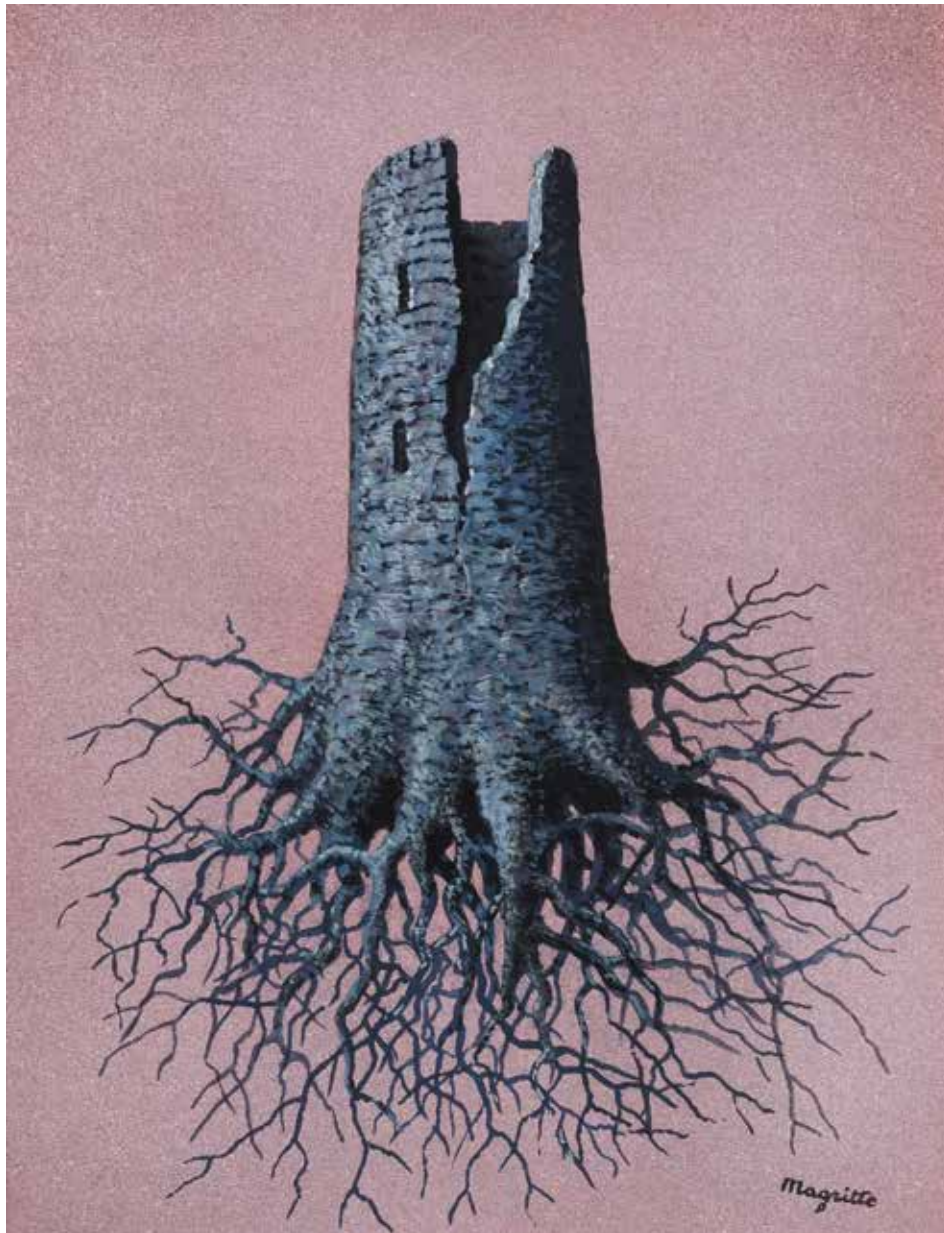
Thursday 2 March 2017 at 5pm
New Bond Street, London

RENE MAGRITTE (1898-1967)

La folie Almayer
gouache on paper
Executed in 1959
£300,000 - 500,000

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Thursday 2 March 2017, 5pm
New Bond Street, London

SALVADOR DALÍ (1904-1989)

Figura de perfil

oil on board

Painted in El Sortell, Cadaqués, 1925

£800,000 - 1,200,000

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Lubaina Himid, *Le Rodeur: Exchange (detail)*, 2016. Courtesy the artist & Hollybush Gardens.

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INDEX

A

ABRAMOVIĆ, MARINA	58
ACCARDI, CARLA	12
AGAM, YAACOV	43
ANDRE, CARL	24
ANUSZKIEWICZ, RICHARD	44
APOLLONIO, MARINA	40
AUERBACH, FRANK	26, 27

B

BANKSY	48
BARCELÓ, MIQUEL	49
BASELITZ, GEORG	34
BLACK, KARLA	68
BOETTI, ALIGHIERO	13, 14, 15
BROODTHAERS, MARCEL	8, 9
BROWN, CECILY	55

C

CALDER, ALEXANDER	22, 23
CHAPMAN, JAKE & DINOS	67
CHRISTO	25
COVENTRY, KEITH	46

D

DORAZIO, PIERO	10, 11
----------------	--------

E

EMIN, TRACEY	54
--------------	----

F

FANGOR, WOJCIECH	38, 39
------------------	--------

G

GORMLEY, ANTONY	59
-----------------	----

H

HAMILTON, RICHARD	63
HARING, KEITH	47
HATOUM, MONA	56
HERSHMAN LEESON, LYNN	57
HOCKNEY, DAVID	28
HODGKIN, HOWARD	60

I

INNES, CALLUM	64
---------------	----

J

JONES, ALLEN	29, 30
--------------	--------

K

KAPOOR, ANISH	70
KENTRIDGE, WILLIAM	71
KIEFER, ANSELM	33
KOUNELLIS, JANNIS	61
KRICKE, NORBERT	32

L

LAM, WIFREDO	50, 51
LAMBIE, JIM	69

M

MATTA, ROBERTO	52
MORELLET, FRANÇOIS	45

O

ONO, YOKO	65
-----------	----

P

PEETERS, HENK	4
PIENE, OTTO	7
POLIAKOFF, SERGE	21

R

REGO, PAULA	31
RILEY, BRIDGET	41, 42, 53

S

SHIMAMOTO, SHOZO	18
SHIRAGA, KAZUO	19, 20
SPALLETTI, ETTORE	16
STINGEL, RUDOLF	17

T

TEH-CHUN, CHU	3
TURNBULL, ALISON	66

U

UECKER, GÜNTHER	5, 6
-----------------	------

V

VASARELY, VICTOR	36, 37
------------------	--------

W

WENTWORTH, RICHARD	62
WEST, FRANZ	35
WOU-KI, ZAO	1, 2



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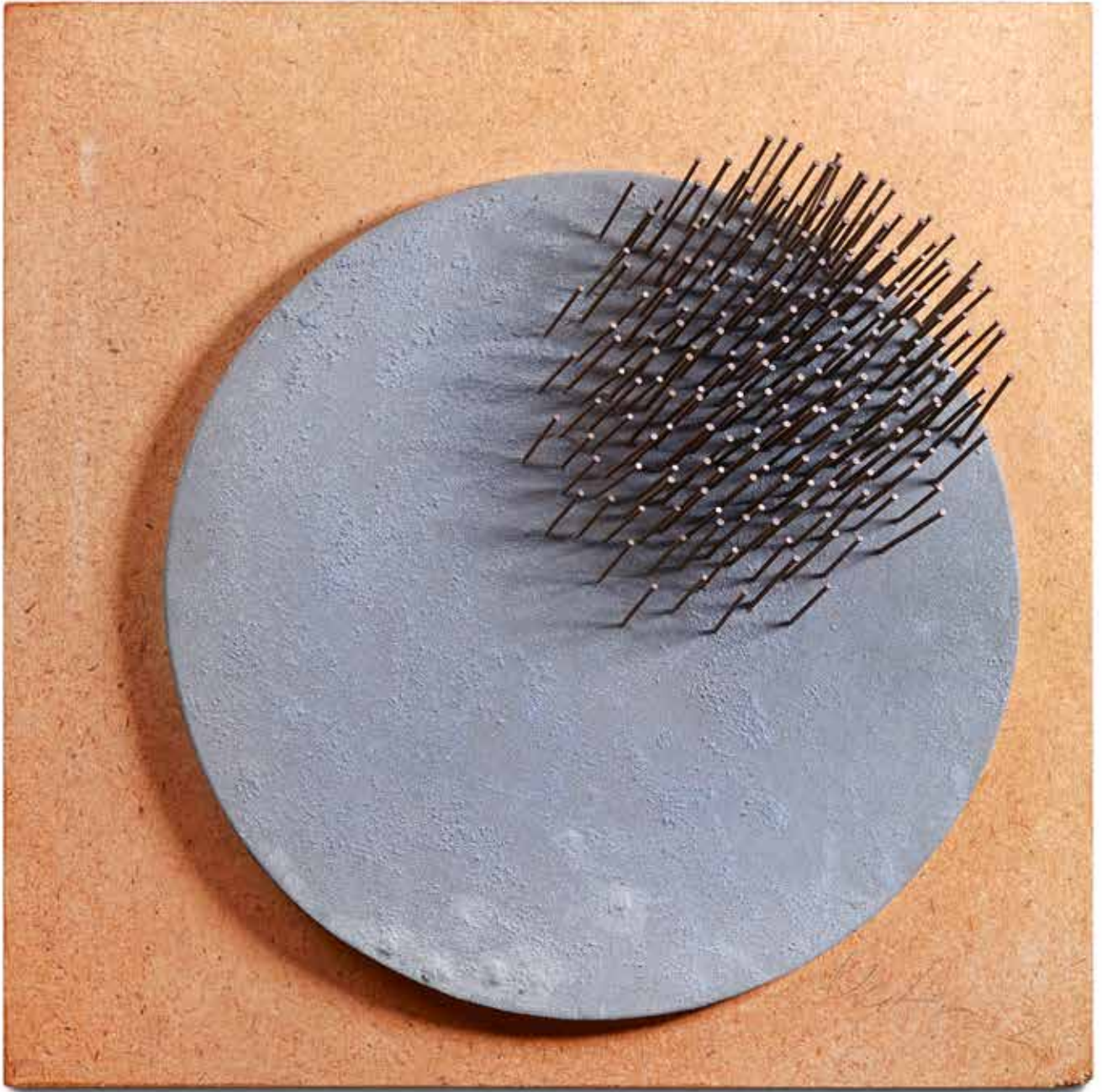


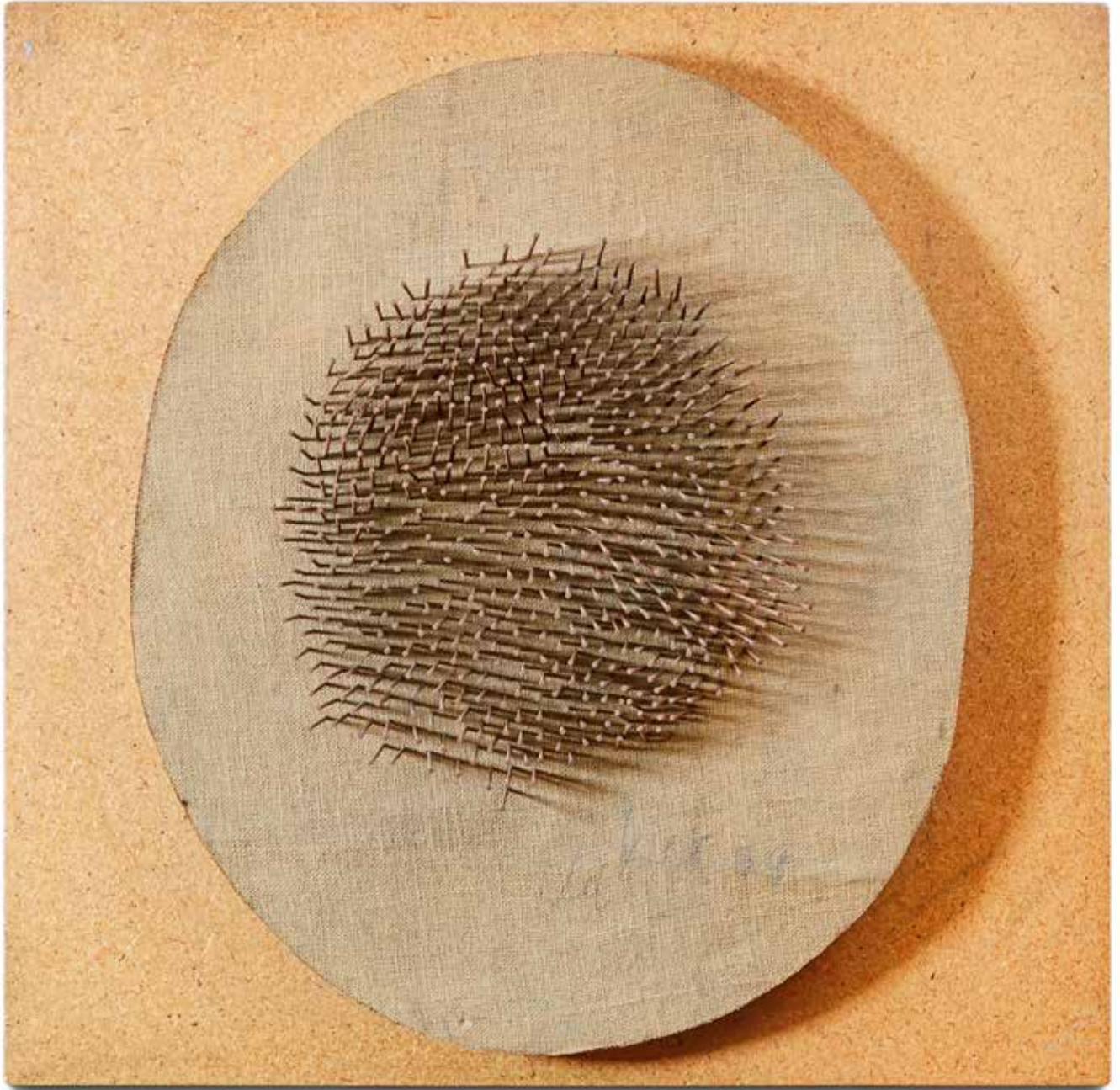
**TWO EARLY MASTERWORKS
BY GÜNTHER UECKER**

Wednesday 8 March 2017

Bonhams

LONDON







TWO EARLY MASTERWORKS BY GÜNTHER UECKER

POST-WAR & CONTEMPORARY ART

LOTS 5 & 6

Wednesday 8 March 2017, at 4pm
101 New Bond Street, London

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ILLUSTRATIONS

Front & back cover: Lot 5 (detail)

Opposite: Ingrid von Kruse,
*Günther Uecker in his studio
in Düsseldorf, 1986*
© Ingrid von Kruse, 2017

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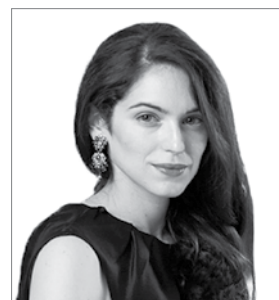
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GÜNTHER UECKER TIMELINE

Günther Uecker is thought to have created the first nail object



Oval is executed

Lot 5

Uecker formally joins the ZERO Group

1930

1955-1956

1957

1958

1960

1961

Born in Wendorf, Mecklenburg, East Germany

The ZERO Group is founded by Heinz Mack and Otto Piene in Düsseldorf. Uecker meets fellow artists Yves Klein, Heinz Mack, and Otto Piene

Uecker has first solo show at Galerie Schmela, Düsseldorf



Uecker participates in *Das Rote Bild*, which became a starting point for the formation of the ZERO group

The exhibition *Nul* takes place at the Stedelijk Museum, Amsterdam. Uecker begins experimenting with found-objects, such as chairs, tables and pianos

Major solo exhibition held at Moderna Museet, Stockholm

Uecker's work features prominently in the exhibition *ZERO: Countdown to Tomorrow, 1950s–60s*, Solomon R. Guggenheim Museum, New York

Uecker participates in *The Responsive Eye*, MoMA, New York

International ZERO Foundation is created, Uecker is a founding member

1962

1965

1966

1971

1974

2008

2014–15

The ZERO group disbands

Uecker has first solo exhibition in the United States

Begins teaching at the Kunstakademie Düsseldorf, where he was promoted to Professor in 1976. He continues to teach at the Kunstakademie until 1995.



Vogel is executed

Lot 6



Günther Uecker in his studio in Düsseldorf, 1986
© Ingrid von Kruse, 2017

5 AR

GÜNTHER UECKER (B. 1930)

Oval

1958

signed and dated 58; signed, titled and dated 1958 on the reverse of the panel
nails on burlap laid on board mounted on panel

87 by 88.7 by 10.5 cm.

34 1/4 by 34 15/16 by 4 1/8 in.

£450,000 - 650,000

US\$570,000 - 820,000

€530,000 - 760,000

This work is accompanied by a photo-certificate of authenticity signed by the artist.

This work will be included in the forthcoming Catalogue Raisonné being prepared by
the *Kunstsammlung Nordrhein-Westfalen*, Düsseldorf.

Provenance

Collection of the Artist, Düsseldorf

Private Collection, Germany (gift from the above)

Acquired directly from the above by the present owner



6 AR

GÜNTHER UECKER (B. 1930)

Vogel

1962

signed and dated 62; signed, titled and dated 62 on the reverse of the panel
nails and acrylic on canvas laid on board mounted on panel

74.9 by 74.8 by 10.5 cm.
29 1/2 by 29 7/16 by 4 1/8 in.

£400,000 - 600,000

US\$510,000 - 760,000

€470,000 - 700,000

This work is accompanied by a photo-certificate of authenticity signed by the artist.

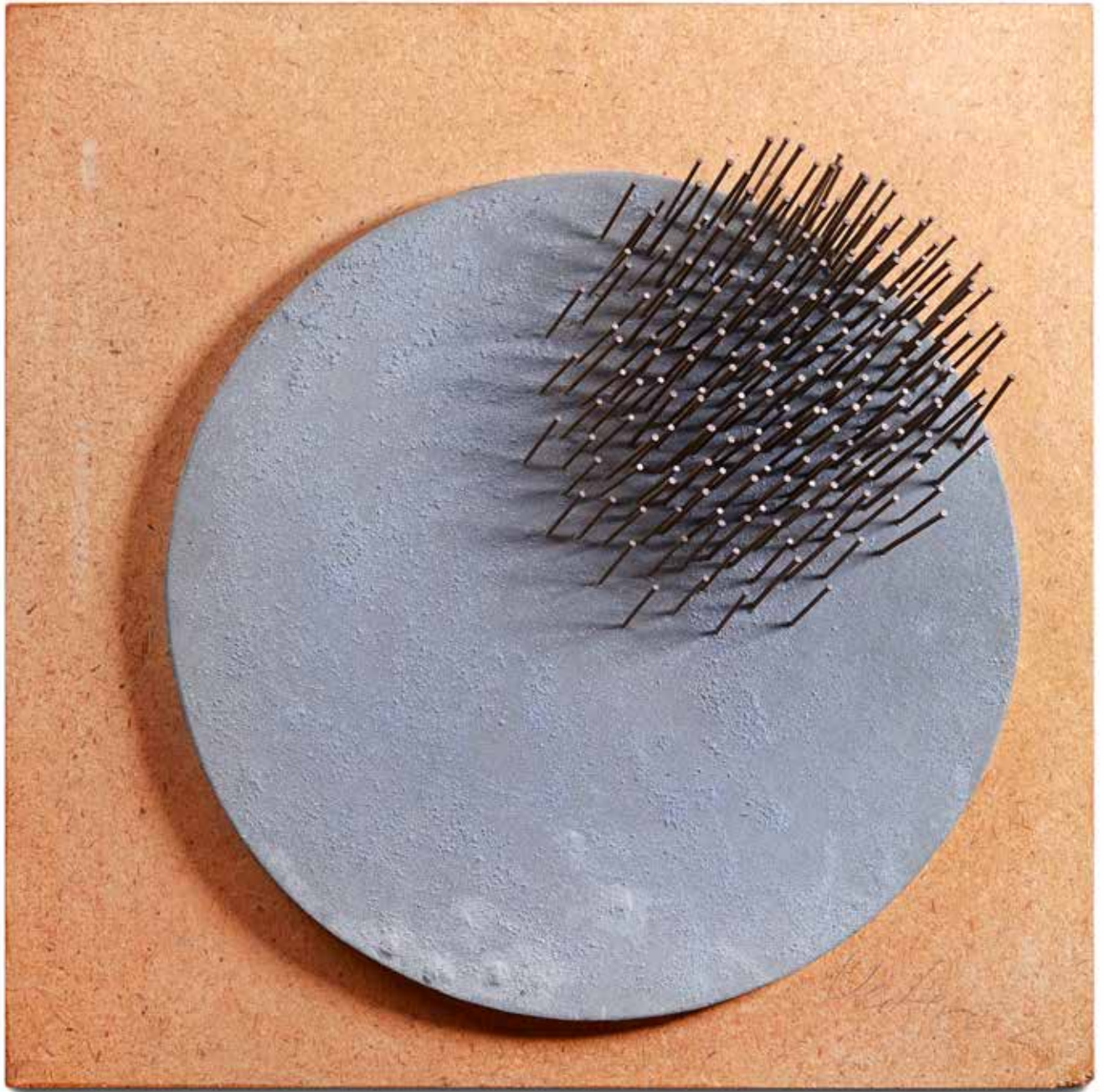
This work will be included in the forthcoming Catalogue Raisonné being prepared by
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Provenance

Collection of the Artist, Düsseldorf

Private Collection, Germany (gift from the above)

Acquired directly from the above by the present owner

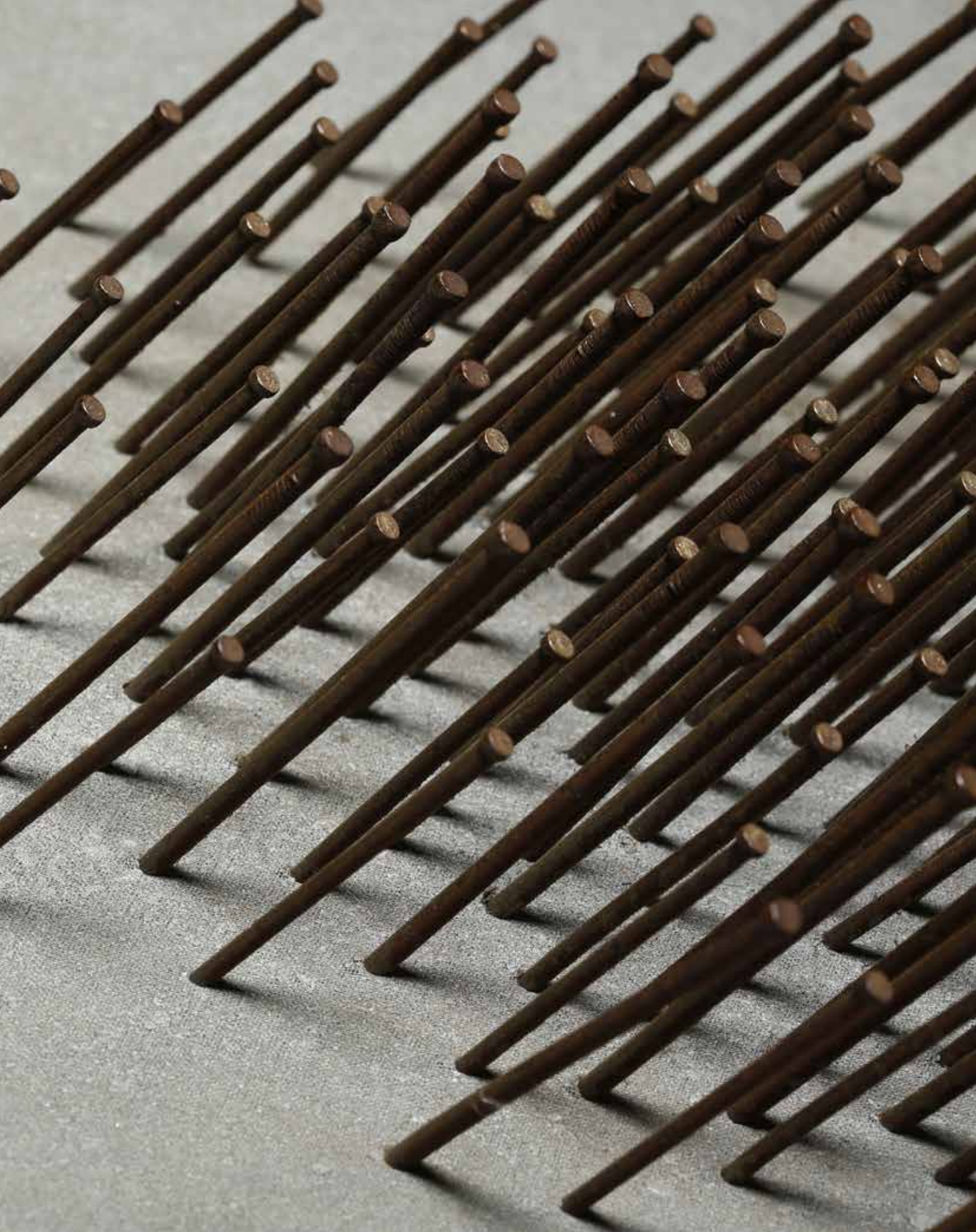


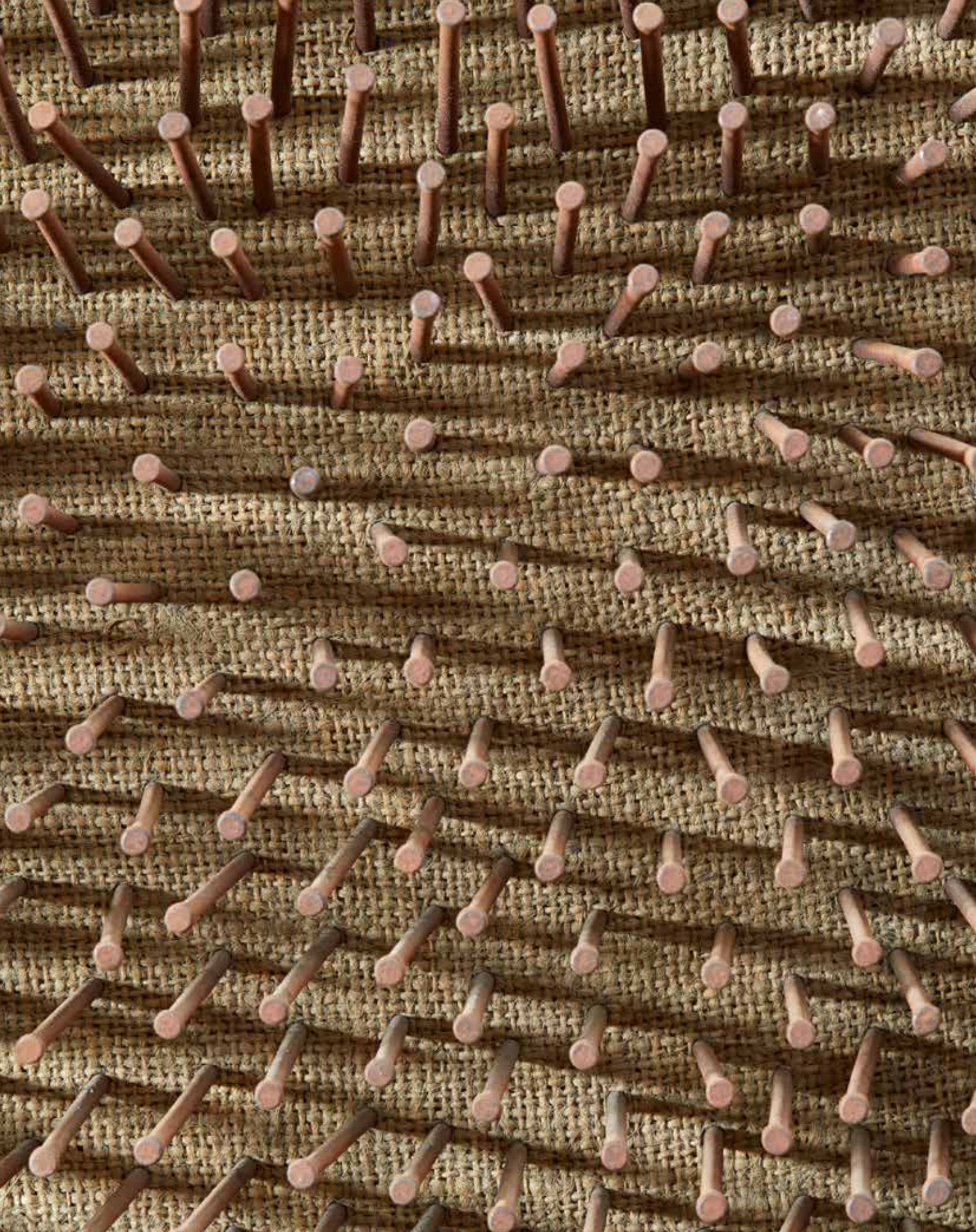
Appearing on the open market for the first time since its creation over half a century ago, *Oval* from 1958, is one of the very first works by the towering artist Günther Uecker to feature his signature standing nails. Furthermore both lots 5 and 6 by Günther Uecker offer an unrivalled insight into two crucial periods of his artistic development. As rare and important early artworks by this highly influential artist, they also transport us back to a key moment in the development of the European avant-garde of the second half of the Twentieth Century. Here we see the early manifestations of Uecker's signature style, the obsession with materiality and process which have defined his practice ever since. These were, and continue to be, works of the future, produced at a time of intense ambition and optimism, when artists truly believed that they could change the world: as Uecker himself wrote in 1961, "the intentions of today are the realities of tomorrow" (the artist in: *Zero International*, Nice 1998, n.p.).

Utilising the most unexpected of materials, most importantly the humble nail, Uecker was in effect challenging the very notions of what art could or should be, forging a bold new aesthetic for a modern world in the process. Modestly entitled *Oval* and *Vogel* ("Bird") these stunning, large-scale pieces may at first appear almost austere in their stark simplicity; in fact they are layered with meaning, bearing witness to Uecker's own startling approaches to materiality and the creative process, each work breaking boundaries both physical and philosophical.

Born in Wendorf, Germany in 1930, many of Günther Uecker's earliest and most powerful memories relate to the events of the Second World War. He describes this period of his life with great clarity, and recalls the intense struggle that he and his family faced with mixed emotion. These extreme experiences, with the associated feelings of wonder and drama, fear and uncertainty were, he believes, fundamental to the later development of his artistic career: "Yes, an existential feeling of life that has been tested on the self, that you have survived, is a form of wise presence on this planet. From this something is revealed. That is what makes art." ("Ja, ein existentielles Lebensgefühl, das an einem selbst erprobt ist, das man überlebt hat. Überlebt zu haben ist eine Form von weiser Gegenwart auf diesem Planeten. Daraus offenbart sich etwas. Das ist das, was Kunst ausmacht.") (the artist in an interview with Rose-Maria Gropp and Jürgen Kaube, 'Sie sprachen vom 8. Mai – was ist denn das?', *faz.net*, 9 May 2015).







In the Post-War years Uecker began his formal study of art, but found that traditional techniques such as drawing and painting were unsuited to his vision of the world. Only when he arrived at the Düsseldorf Kunstakademie in 1955, where he studied under Otto Pankok, a noted political activist and anti-Fascist, did he begin to develop a new direction, wrestling with ideas of representation and focusing as much on the creative process as the finished object: "the Düsseldorf Academy was where I finally came to understand the problematics of depiction versus visible reality" (the artist in: Bódi Kinga and Borus Judit Eds., *Material Becomes Picture*, Budapest 2012, p. 70). Now at last he found an art which could encapsulate the artist's true experiences: his life, his struggles, and the complex history of his nation.

Today, Uecker is perhaps best known as one of the founding members (alongside fellow Germans Heinz Mack and Otto Piene) of the ZERO Group, an affiliation of like-minded artists formed in 1957 which came to influence many later art movements. Often seen as a response to the painterly *Abstract Expressionism* which was then so admired across the Atlantic, ZERO proposed a new purity, a new silence, so different from the frantic, noisy gesturalism of American art of the period. Publishing a series of Manifestoes and organising many impromptu exhibitions, sometimes taking place in the artists' own studios, as well as 'Happenings' in gallery spaces like Alfred Schmela, Düsseldorf, ZERO quickly expanded, leading to collaborations and exhibitions with an impressive list of many of the greatest artists of the period: Yves Klein and Arman from France, Henk Peeters and Jan Schoonhoven from the Netherlands, Lucio Fontana, Piero Manzoni, Enrico Castellani and Agostino Bonalumi from Italy, Arnulf Rainer from Austria and Antoni Tàpies from Spain to name just a few. Each brought their own unique ideas to the table, sharing a similar ambition to shatter established ideas of representation and artistic practice, collaborating on individual works, installations, texts, exhibitions and events in the process.



Above

Mathias Goeritz, *Message Number 7B, Ecclesiastes VII: 6*, 1959
Museum of Modern Art (MoMA) - New York
DIGITAL IMAGE © 2017, The Museum of Modern Art/Scala, Florence
© DACS 2017

Left

Detail of Lot 5



Above

Lucio Fontana, *Fine di Dio*, 1963
Courtesy Fondazione Lucio Fontana, Milan
© Lucio Fontana/SIAE/DACS, London 2017

Right

Detail of Lot 5

That there was cross-fertilisation of ideas amongst this astounding roll call of European geniuses can be demonstrated by the similarities between the two present works and the work of Italians such as Lucio Fontana (whose later *Fine di Dio* canvasses surely echo the forms that we find in *Oval*) and Enrico Castellani (who also employed nails to develop form and volume in his distinctive shaped canvasses started in 1959). The importance of this shared ideology was clear to Uecker, who wrote in the manifesto *ZERO 3* that "Immediate experience comes only when we ourselves participate. To obtain widest participation, the production of art must cease to be limited to the individual, as it has been until now" (the artist in: Blair Asbury Brooks, 'How the Zero Group Became One of Art History's Most Viral Movements', artspace.com, 5 November 2014). Influencing, and being influenced by other members of this iconic group, Uecker's role in *ZERO* was certainly crucial to his own artistic evolution.

It is, of course, the nail which is the most essential element of Günther Uecker's greatest works. Although his output over the decades has demonstrated his adaptability and his versatility, it is the nails for which he is best-known. The idea of nailing into and onto a pictorial plane, thus effectively smashing out of two dimensions and creating works which blur the boundaries between painting and sculpture, first came to Uecker around 1956, inspired by his interest in the phenomenon of structure, his fascination for aspects of Eastern spiritualism, as well as his admiration for the Russian avant-garde of the 1920s and 1930s. His earliest experiments using the medium placed the nails flat on the work, making them parallel to, rather than infiltrating the third dimension. The experimentation into piercing the work with nails, as seen in the present works, began to develop by 1957, making *Oval* (1958) one of the earliest works of this type.





For him, this most un-artistic of media is important both for the visual impact that it creates, and also the physical process which is involved in its use. In both of the present works, the nail creates depth and a sense of movement. Constantly shifting, the shadows thrown by the nails lengthening and shortening as they react to different viewpoints and changing lighting, the works pulse with an internal vitality. Uecker relishes the very act of hammering a nail into a surface, in this case a board, but later also a broad range of everyday objects including

logs, chairs, tables and even a television set, relating its rhythmical repetitions to religious ritual.

Above

Man Ray, Gift (*Cadeau*), circa 1958 (replica of 1921 original)
Museum of Modern Art (MoMA) - New York
DIGITAL IMAGE © 2017, The Museum of Modern Art/Scala, Florence
© Man Ray Trust/ADAGP, Paris and DACS, London 2017

Right

Detail Lot 5





Indeed, he sees the nail as nothing less than a continuation of his own physical self: “The nail is basically an elongation I hold in my hand, an extension of my finger” (the artist in: Bódi Kinga and Borus Judit Eds., *Material Becomes Picture*, Budapest 2012, p. 72).

With such an attitude, it is hardly surprising that the nail is transformed in Uecker’s work from something lifeless, hard and industrial into something soft, poetic and beautiful, an impression which has also expressed by other artists influenced by his output as artist Ahmed Alsoudani stated: “The nail is transformed from a rigid, threatening object

to a part of a seemingly flowing surface. The nail becomes almost peaceful” (Ahmed Alsoudani, ‘Günther Uecker’, *bombmagazine.org*, Winter 2013 edition). In the hands of other artists, most notably Man Ray in his famous *Cadeau* (image p. 20) from 1921, the nail is presented as destructive, sharp and cold, constrained in a tight, regulated row but ready to slash and rip. When employed by Uecker, however, crowds of these nails become more fluid and creative, a mass shifting together and bringing space, volume and form where previously there was none.

As three-dimensional works which hang on the wall, whether *Oval* (lot 5) and *Vogel* (lot 6) should be classified as painting or sculpture is debatable, but perhaps ultimately irrelevant: Scottish artist and gallerist Richard Demarco wrote in 1990 of what he calls the 'Nailworks': "Their iconic nature called into question all unnecessary aesthetic considerations which would separate sculpture from painting" (Richard Demarco, *Günther Uecker: Pictlandgarden*, Edinburgh 1990, p. 7). Here we see the nail as a metaphor for the new; the most basic element of the creative process elevated and celebrated, art taken back to its roots in a way that epitomises the objectives of ZERO, but which remains utterly timeless and universal.

But there is more to these two works than just Uecker's trademark nails. The modest nature of the other materials used in *Oval* and *Vogel*, materials which expose the artist's interest in texture and colour, is also striking. In employing burlap, a thick hessian with a rough, fibrous weave, and unpainted industrial panels, the artist is brazenly exposing the complex materiality of the media. There is no artifice to these works, no attempt at disguise or pretence; instead, Uecker explores the visual potential of the base substances in all their raw beauty, working with, never against, their essential nature.

Wood has long been crucial to his output, bringing us closer to the basic elements of life. His oft-cited passion for the natural world has undoubtedly influenced these two works, both created largely from wood and metal, and both evoking thoughts of natural symbolism, not least in their titles. The circular form of *Oval* also surely references nature, as does its very materiality; the nails arranged in an organic, instinctive undulation. *Vogel*, meanwhile, appears more industrial, while two small holes in the central grey panel suggest that it may be related to the artist's kinetic spinning works of this period.

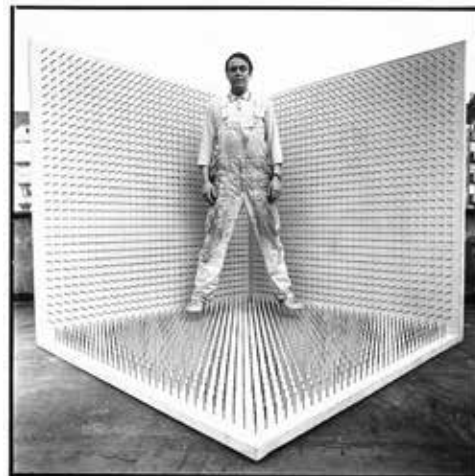


Right
Constantin Brancusi, *Bird in Space (Yellow Bird)*, 1923-24
Philadelphia Museum of Art - Philadelphia
© Photo The Philadelphia Museum of Art/Art Resource/Scala, Florence
© Succession Brancusi - All rights reserved. ADAGP, Paris and DACS, London 2017

The importance of such imagery for Uecker and his fellow members of the ZERO Group was demonstrated in a poem written in 1963 and published that same year in a leaflet entitled *Der neue Idealismus, poetisches Manifest* ("The new Idealism, a poetical Manifesto"): "Zero is silence. Zero is the beginning. Zero is round. Zero spins. Zero is the moon. The sun is Zero...". And yet the addition of the nails here adds a vital new dimension to these works, both literally and metaphysically. The nails bring with them a sense of depth, of light and shadow, and, most crucially perhaps, that sense of intense motion referenced in the poem quoted above.

The importance of these two works by Günther Uecker is manifest. *Oval* of 1958 is one of the earliest examples of his celebrated nail assemblages, dating from a time when the artist was exploring the new direction which was to define the rest of this career. Like Constantin Brancusi's iconic *Bird in Space* of 1923-1924 (image p. 23), the exquisite *Vogel* of 1962 is a static object which manages nevertheless to convey the dramatic dynamism of a creature in motion; it was produced when the ZERO Group was at its most creative and influential, a period when Uecker's oeuvre was becoming recognised on a global scale. Since that time, his reputation has only grown, continually enhanced by a series of solo shows and retrospectives around the world, his work also regularly included in exhibitions dedicated to the output and impact of the ZERO Group, such as *ZERO: Countdown to Tomorrow* held at New York's Guggenheim in 2014. In addition, his works are held in the collection of some of the world's greatest public institutions, including the Tate Modern, London, Los Angeles County Museum of Art, MoMA, New York, Musée National d'Art Moderne, Centre Georges Pompidou, Paris, the Hamburger Bahnhof, Berlin, and the Peggy Guggenheim Collection, Venice. These two works ably demonstrate the powerful artistic vision which

has established the artist's international reputation. Individually, each of these stunning works expresses its own unique character, proposing approaches both similar and diverse. Together, they recall the mood of the moment, challenging all that had come before, daring to be shockingly different, surprising and new. Uecker creates objects which spill out of the artistic plane and into the world; as the artist himself stated in 1963, "Art is not restricted to the surface of the picture. By setting nails around the boundary of the pictures, structures that fill the field of a picture are driven to spread over the frame, over the walls, over the furniture and other objects that surround us every day. Art invades the everyday world we live in" (the artist in: Adachiara Zevi, *Enrico Castellani, Dan Flavin, Donald Judd, Günther Uecker*, London 2009, p. 38). These are works of art without limit, without boundaries. Undoubted icons of Uecker's practice, both *Oval* and *Vogel* exemplify the genius of an artist who is now widely recognised as one of the greatest innovators of the modern age.



Above

Lothar Wolleh, *Günther Uecker portrayed by Lothar Wolleh*, Düsseldorf, 1968
© Oliver Wolleh, 2017

Right

Detail Lot 5



SELECTED ZERO & NUL HIGHLIGHTS FROM
POST-WAR & CONTEMPORARY ART, 8 MARCH 2017

Please refer to the Post-War & Contemporary Art catalogue for further details



4 AR

HENK PEETERS (1925-2013)

Pirografie 59#21
1959

signed, dated 59 and inscribed 59#21 on the reverse
smoke on linen

100.5 by 80.8 cm.
39 9/16 by 31 13/16 in.

£25,000 - 35,000
US\$32,000 - 44,000
€29,000 - 41,000

7 * AR TP

OTTO PIENE (1928-2014)

Light Ballet (Light Drum) and Light Ballet (Light Satellite), in two parts
1969

Drum: metal, glass, light projector lamps and electrical motor
Satellite: metal, plastic and light bulbs

Drum: 40.7 by 125.5 by 125.5 cm. (16 by 49 7/16 by 49 7/16 in.)
Satellite diameter: 39 cm. (15 3/8 in.)
Satellite height: 141 cm. (55 1/2 in.)

This work was executed in 1969.

£160,000 - 220,000
US\$200,000 - 280,000
€190,000 - 260,000



SELECTED HIGHLIGHTS FROM
POST-WAR & CONTEMPORARY ART, 8 MARCH 2017

Please refer to the Post-War & Contemporary Art catalogue for further details



33 AR

ANSELM KIEFER (B. 1945)

Untitled - Soldat (Sol invictus Heliogabal)

1974

signed on the stretcher
oil on burlap

80 by 70.5 cm.
31 1/2 by 27 3/4 in.

This work was executed in 1974.

£90,000 - 120,000
US\$110,000 - 150,000
€110,000 - 140,000

34 AR

GEORG BASELITZ (B. 1938)

Heiße Ecke

1987

signed with the artist's initials and dated 24. XI. 87; signed, titled and dated
o 20. XI. 87 + 24. XI. 87 on the reverse
oil on board

122.5 by 101.5 cm.
48 1/4 by 39 15/16 in.

£180,000 - 250,000
US\$230,000 - 320,000
€210,000 - 290,000



IMPRESSIONIST & MODERN ART

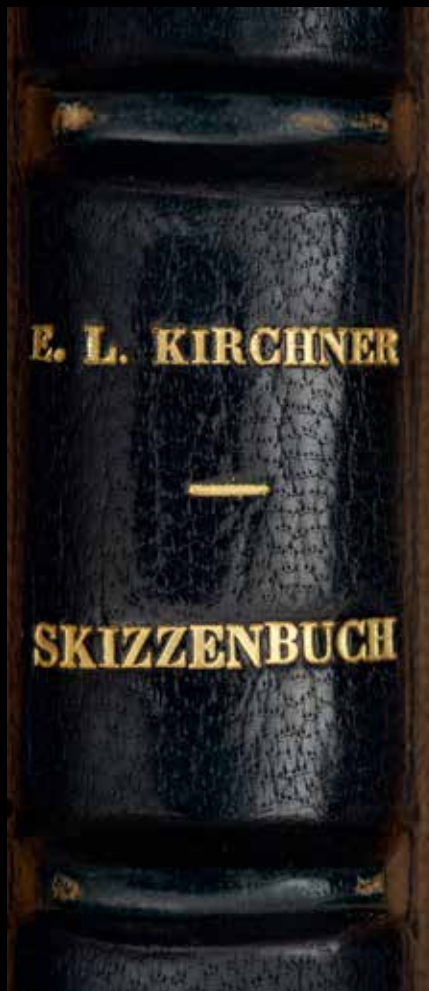
Thursday 2 March 2017 at 5pm
New Bond Street, London

ERNST LUDWIG KIRCHNER (1880-1938)

Skizzenalbum: an album compiled by the artist of 40 watercolours and drawings from 1900 - 1932 variously watercolour, pen and India ink, crayon charcoal and pencil on various paper and card
27 x 23,5 cm Album size
£150,000 - 200,000

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**IMPRESSIONIST
& MODERN ART**

Thursday 2 March 2017 at 5pm
New Bond Street, London

MAX PECHSTEIN (1881-1955)

Stehende und sitzende Akte
gouache and watercolour on buff card
Executed in Nidden, East Prussia, in 1911
£70,000 - 90,000

ENQUIRIES

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**POST-WAR &
CONTEMPORARY ART**

Tuesday 16 May 2017
New York

HELEN FRANKENTHALER (1928-2011)

Summer Angel, 1984
acrylic on canvas
91 1/8 x 114 1/2 in. (231.5 x 290.8 cm)

US\$700,000 - 900,000
£550,000 - 750,000

ENQUIRIES

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megan.murphy@bonhams.com

Closing date for entries
Thursday 9 March 2017



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**IMPRESSIONIST
& MODERN ART**

Wednesday 17 May 2017
New York

HENRI MATISSE (1869-1954)

Arbre de neige
signed 'H Matisse' (lower right)
gouache and découpage on paper
16 x 10 1/4 in (40.5 x 26 cm)
Created in 1947

US\$800,000 - 1,200,000
£650,000 - 950,000

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THE *LOT* IS AVAILABLE FOR INSPECTION AND YOU MUST FORM YOUR OWN OPINION IN RELATION TO IT. YOU ARE STRONGLY ADVISED TO EXAMINE ANY *LOT* OR HAVE IT EXAMINED ON YOUR BEHALF BEFORE THE *SALE*.

4. CONDUCT OF THE SALE

Our *Sales* are public auctions which persons may attend and you should take the opportunity to do so. We do reserve the right at our sole discretion to refuse admission to our premises or to any *Sale* without stating a reason. We have complete discretion as to whether the *Sale* proceeds, whether any *Lot* is included in the *Sale*, the manner in which the *Sale* is conducted and we may offer *Lots* for *Sale* in any order we choose notwithstanding the numbers given to *Lots* in the *Catalogue*. You should therefore check the date and starting time of the *Sale*, whether there have been any withdrawals or late entries. Remember that withdrawals and late entries may affect the time at which a *Lot* you are interested in is put up for *Sale*. We have complete discretion to refuse any bid, to nominate any bidding increment we consider appropriate, to divide any *Lot*, to combine two or more *Lots*, to withdraw any *Lot* from a *Sale* and, before the *Sale* has been closed, to put up any *Lot* for auction again. Auction speeds can exceed 100 *Lots* to the hour and bidding increments are generally about 10%. However these do vary from *Sale* to *Sale* and from *Auctioneer* to *Auctioneer*. Please check with the department organising the *Sale* for advice on this. Where a *Reserve* has been applied to a *Lot*, the *Auctioneer* may, in his absolute discretion, place bids (up to an amount not equalling or exceeding such *Reserve*) on behalf of the *Seller*. We are not responsible to you in respect of the presence or absence of any *Reserve* in respect of any *Lot*. If there is a *Reserve* it will normally be no higher than the lower figure for any *Estimate* in the *Catalogue*, assuming that the currency of the *Reserve* has not fluctuated adversely against the currency of the *Estimate*. The *Buyer* will be the *Bidder* who makes the highest bid acceptable to the *Auctioneer* for any *Lot* (subject to any applicable *Reserve*) to whom the *Lot* is knocked down by the *Auctioneer* at the fall of the *Auctioneer's* hammer. Any dispute as to the highest acceptable bid will be settled by the *Auctioneer* in his absolute discretion. All bids tendered will relate to the actual *Lot* number announced by the *Auctioneer*. An electronic currency converter may be used at the *Sale*. This equipment is provided as a general guide as to the equivalent amount in certain currencies of a given bid. We do not accept any responsibility for any errors which may occur in the use of the currency converter. We may use video cameras to record the *Sale* and may record telephone calls for reasons of security and to assist in solving any disputes which may arise in relation to bids made at the *Sale*. At some *Sales*, for example, jewellery *Sales*, we may use screens on which images of the *Lots* will be projected. This service is provided to assist viewing at the *Sale*. The image on the screen should be treated as an indication only of the current *Lot*. It should be noted that all bids tendered will relate to the actual *Lot* number announced by the *Auctioneer*. We do not accept any responsibility for any errors which may occur in the use of the screen.

5. BIDDING

We do not accept bids from any person who has not completed and delivered to us one of our *Bidding Forms*, either our *Bidder Registration Form*, *Absentee Bidding Form* or *Telephone Bidding Form*. You will be asked for proof of identity, residence and references, which, when asked for, you must supply if your bids are to be accepted by us. Please bring your passport, driving licence (or similar photographic proof of identity) and proof of address. We may request a deposit from you before allowing you to bid. We may refuse entry to a *Sale* to any person even if that person has completed a *Bidding Form*.

Bidding in person

You should come to our *Bidder* registration desk at the *Sale* venue and fill out a *Bidder* Registration Form on (or, if possible, before) the day of the *Sale*. The bidding number system is sometimes referred to as "paddle bidding". You will be issued with a large card (a "paddle") with a printed number on it. This will be attributed to you for the purposes of the *Sale*. Should you be a successful *Bidder* you will need to ensure that your number can be clearly seen by the *Auctioneer* and that it is your number which is identified as the *Buyer's*. You should not let anyone else use your paddle as all *Lots* will be invoiced to the name and address given on your *Bidder* Registration Form. Once an invoice is issued it will not be changed. If there is any doubt as to the *Hammer Price* of, or whether you are the successful *Bidder* of, a particular *Lot*, you must draw this to the attention of the *Auctioneer* before the next *Lot* is offered for *Sale*. At the end of the *Sale*, or when you have finished bidding please return your paddle to the *Bidder* registration desk.

Bidding by telephone

If you wish to bid at the *Sale* by telephone, please complete a Telephone *Bidding Form*, which is available from our offices or in the *Catalogue*. Please then return it to the office responsible for the *Sale* at least 24 hours in advance of the *Sale*. It is your responsibility to check with our Bids Office that your bid has been received. Telephone calls will be recorded. The telephone bidding facility is a discretionary service and may not be available in relation to all *Lots*. We will not be responsible for bidding on your behalf if you are unavailable at the time of the *Sale* or if the telephone connection is interrupted during bidding. Please contact us for further details.

Bidding by post or fax

Absentee *Bidding Forms* can be found in the back of this *Catalogue* and should be completed and sent to the office responsible for the *Sale*. It is in your interests to return your form as soon as possible, as if two or more *Bidders* submit identical bids for a *Lot*, the first bid received takes preference. In any event, all bids should be received at least 24 hours before the start of the *Sale*. Please check your Absentee *Bidding Form* carefully before returning it to us, fully completed and signed by you. It is your responsibility to check with our Bids Office that your bid has been received. This additional service is complimentary and is confidential. Such bids are made at your own risk and we cannot accept liability for our failure to receive and/or place any such bids. All bids made on your behalf will be made at the lowest level possible subject to *Reserves* and other bids made for the *Lot*. Where appropriate your bids will be rounded down to the nearest amount consistent with the *Auctioneer's* bidding increments. New *Bidders* must also provide proof of identity and address when submitting bids. Failure to do this will result in your bid not being placed.

Bidding via the internet

Please visit our *Website* at <http://www.bonhams.com> for details of how to bid via the internet.

Bidding through an agent

Bids will be accepted as placed on behalf of the person named as the principal on the *Bidding Form* although we may refuse to accept bids from an agent on behalf of a principal and will require written confirmation from the principal confirming the agent's authority to bid. Nevertheless, as the *Bidding Form* explains, any person placing a bid as agent on behalf of another (whether or not he has disclosed that fact or the identity of his principal) will be jointly and severally liable with the principal to the *Seller* and to *Bonhams* under any contract resulting from the acceptance of a bid. Subject to the above, please let us know if you are acting on behalf of another person when bidding for *Lots* at the *Sale*.

Equally, please let us know if you intend to nominate another person to bid on your behalf at the *Sale* unless this is to be carried out by us pursuant to a Telephone or Absentee *Bidding Form* that you have completed. If we do not approve the agency arrangements in writing before the *Sale*, we are entitled to assume that the person bidding at the *Sale* is bidding on his own behalf. Accordingly, the person bidding at the *Sale* will be the *Buyer* and will be liable to pay the *Hammer Price* and *Buyer's Premium* and associated charges. If we approve the identity of your client in advance, we will be in a position to address the invoice to your principal rather than you. We will

require proof of the agent's client's identity and residence in advance of any bids made by the agent on his behalf. Please refer to our *Conditions of Business* and contact our Customer Services Department for further details.

6. CONTRACTS BETWEEN THE BUYER AND SELLER AND THE BUYER AND BONHAMS

On the *Lot* being knocked down to the *Buyer*, a *Contract for Sale* of the *Lot* will be entered into between the *Seller* and the *Buyer* on the terms of the *Contract for Sale* set out in Appendix 1 at the back of the *Catalogue*. You will be liable to pay the *Purchase Price*, which is the *Hammer Price* plus any applicable VAT. At the same time, a separate contract is also entered into between us as *Auctioneers* and the *Buyer*. This is our *Buyer's Agreement*, the terms of which are set out in Appendix 2 at the back of the *Catalogue*. Please read the terms of the *Contract for Sale* and our *Buyer's Agreement* contained in the *Catalogue* in case you are the successful *Bidder*. We may change the terms of either or both of these agreements in advance of their being entered into, by setting out different terms in the *Catalogue* and/or by placing an insert in the *Catalogue* and/or by notices at the *Sale* venue and/or by oral announcements before and during the *Sale*. You should be alert to this possibility of changes and ask if there have been any.

7. BUYER'S PREMIUM AND OTHER CHARGES PAYABLE BY THE BUYER

Under the *Buyer's Agreement*, a premium (the *Buyer's Premium*) is payable to us by the *Buyer* in accordance with the terms of the *Buyer's Agreement* and at rates set out below, calculated by reference to the *Hammer Price* and payable in addition to it. Storage charges and *Expenses* are also payable by the *Buyer* as set out in the *Buyer's Agreement*. All the sums payable to us by the *Buyer* are subject to VAT. For this *Sale* the following rates of *Buyer's Premium* will be payable by *Buyers* on each lot purchased:

25% up to £100,000 of the *Hammer Price*
20% from £100,001 to £2,000,000 of the *Hammer Price*
12% from £2,000,001 of the *Hammer Price*

The *Buyer's premium* is payable for the services to be provided by *Bonhams* in the *Buyer's Agreement* which is contained in the *Catalogue* for this *Sale* and for the opportunity to bid for the *Lot* at the *Sale*.

On certain *Lots*, which will be marked "AR" in the *Catalogue* and which are sold for a *Hammer Price* of €1,000 or greater (converted into the currency of the *Sale* using the European Central Bank Reference rate prevailing on the date of the *Sale*), the *Additional Premium* will be payable to us by the *Buyer* to cover our *Expenses* relating to the payment of royalties under the Artists Resale Right Regulations 2006. The *Additional Premium* will be a percentage of the amount of the *Hammer Price* calculated in accordance with the table below, and shall not exceed €12,500 (converted into the currency of the *Sale* using the European Central Bank Reference rate prevailing on the date of the *Sale*).

<i>Hammer Price</i>	Percentage amount
From €0 to €50,000	4%
From €50,000.01 to €200,000	3%
From €200,000.01 to €350,000	1%
From €350,000.01 to €500,000	0.5%
Exceeding €500,000	0.25%

8. VAT

The prevailing rate of VAT at the time of going to press is 20%, but this is subject to government change and the rate payable will be the rate in force on the date of the *Sale*.

The following symbols are used to denote that VAT is due on the *Hammer Price* and *Buyer's Premium*:

- † VAT at the prevailing rate on *Hammer Price* and *Buyer's Premium*
- Ω VAT on imported items at the prevailing rate on *Hammer Price* and *Buyer's Premium*
- * VAT on imported items at a preferential rate of 5% on *Hammer Price* and the prevailing rate on *Buyer's Premium*

- G Gold bullion exempt from VAT on the *Hammer Price* and subject to VAT at the prevailing rate on the *Buyer's Premium*
- Zero rated for VAT, no VAT will be added to the *Hammer Price* or the *Buyer's Premium*
- α *Buyers* from within the EU: VAT is payable at the prevailing rate on just the *Buyer's Premium* (NOT the *Hammer Price*). *Buyers* from outside the EU: VAT is payable at the prevailing rate on both *Hammer Price* and *Buyer's Premium*. If a *Buyer*, having registered under a non-EU address, decides that the item is not to be exported from the EU, then he should advise *Bonhams* immediately.

In all other instances no VAT will be charged on the *Hammer Price*, but VAT at the prevailing rate will be added to *Buyer's Premium* which will be invoiced on a VAT inclusive basis.

9. PAYMENT

It is of critical importance that you ensure that you have readily available funds to pay the *Purchase Price* and the *Buyer's Premium* (plus VAT and any other charges and *Expenses* to us) in full before making a bid for the *Lot*. If you are a successful *Bidder*, payment will be due to us by 4.30 pm on the second working day after the *Sale* so that all sums are cleared by the eighth working day after the *Sale*. Unless agreed by us in advance payments made by anyone other than the registered *Buyer* will not be accepted. Payment will have to be by one of the following methods (all cheques should be made payable to *Bonhams* 1793 Limited). *Bonhams* reserves the right to vary the terms of payment at any time.

Sterling personal cheque drawn on a UK branch of a bank or building society: all cheques must be cleared before you can collect your purchases;

Cash: you may pay for *Lots* purchased by you at this *Sale* with notes, coins or travellers cheques in the currency in which the *Sale* is conducted (but not any other currency) provided that the total amount payable by you in respect of all *Lots* purchased by you at the *Sale* does not exceed £3,000, or the equivalent in the currency in which the *Sale* is conducted, at the time when payment is made. If the amount payable by you for *Lots* exceeds that sum, the balance must be paid otherwise than in coins, notes or travellers cheques;

Bank transfer: you may electronically transfer funds to our *Trust Account*. If you do so, please quote your paddle number and invoice number as the reference. Our *Trust Account* details are as follows:

Bank: National Westminster Bank Plc
Address: PO Box 4RY
250 Regent Street
London W1A 4RY
Account Name: Bonhams 1793 Limited Trust Account
Account Number: 25563009
Sort Code: 56-00-27
IBAN Number: GB 33 NWBK 560027 25563009

If paying by bank transfer, the amount received after the deduction of any bank fees and/or conversion of the currency of payment to pounds sterling must not be less than the sterling amount payable, as set out on the invoice.

Debit cards: there is no additional charge for purchases made with personal debit cards, issued by a UK bank. Debit cards issued by an overseas bank, deferred and company debit cards and all credit cards will be subject to a 2% surcharge;

Credit cards: Visa and Mastercard only. Please note there is a 2% surcharge on the total invoice value when payments are made using credit cards. It may be advisable to notify your card provider of your intended purchase in advance to reduce delays caused by us having to seek authority when you come to pay. If you have any questions with regard to payment, please contact our Customer Services Department.

China UnionPay (CUP) debit cards: No surcharge for using CUP debit cards will apply on the first £100,000 invoiced to a *Buyer* in any *Sale*; a 2% surcharge will be made on the balance over £100,000.

10. COLLECTION AND STORAGE

The *Buyer* of a *Lot* will not be allowed to collect it until payment in full and in cleared funds has been made (unless we have made a special arrangement with the *Buyer*). For collection and removal of purchased *Lots*, please refer to *Sale Information* at the front of the *Catalogue*. Our offices are open 9.00am – 5pm Monday to Friday. Details relating to the collection of a *Lot*, the storage of a *Lot* and our *Storage Contractor* after the *Sale* are set out in the *Catalogue*.

11. SHIPPING

Please refer all enquiries to our shipping department on:
Tel: +44 (0)20 8963 2850/2852 Fax: +44 (0)20 8963 2805
Email: shipping@bonhams.com

12. EXPORT/TRADE RESTRICTIONS

It is your sole responsibility to comply with all export and import regulations relating to your purchases and also to obtain any relevant export and/or import licence(s). Export licences are issued by Arts Council England and application forms can be obtained from its Export Licensing Unit. The detailed provisions of the export licencing arrangements can be found on the ACE website <http://www.artscouncil.org.uk/what-we-do/supporting-museums-cultural-property/export-controls/export-licensing/> or by phoning ACE on +44 (0)20 7973 5188. The need for import licences varies from country to country and you should acquaint yourself with all relevant local requirements and provisions. The refusal of any import or export licence(s) or any delay in obtaining such licence(s) shall not permit the rescission of any *Sale* nor allow any delay in making full payment for the *Lot*. Generally, please contact our shipping department before the *Sale* if you require assistance in relation to export regulations.

13. CITES REGULATIONS

Please be aware that all *Lots* marked with the symbol Y are subject to CITES regulations when exporting these items outside the EU. These regulations may be found at <http://www.defra.gov.uk/ahvla-en/imports-exports/cites/> or may be requested from:

Animal Health and Veterinary Laboratories Agency (AHVLA)
Wildlife Licencing
Floor 1, Zone 17, Temple Quay House
2 The Square, Temple Quay
BRISTOL BS1 6EB
Tel: +44 (0) 117 372 8774

14. THE SELLERS AND/OR BONHAMS' LIABILITY

Other than any liability of the *Seller* to the *Buyer* of a *Lot* under the *Contract for Sale*, neither we nor the *Seller* are liable (whether in negligence or otherwise) for any error or misdescription or omission in any *Description* of a *Lot* or any *Estimate* in respect of it, whether contained in the *Catalogue* or otherwise, whether given orally or in writing and whether given before or during the *Sale*. Neither we nor the *Seller* will be liable for any loss of *Business*, profits, revenue or income, or for loss of reputation, or for disruption to *Business* or wasted time on the part of management or staff, or for indirect losses or consequential damages of any kind, irrespective in any case of the nature, volume or source of the loss or damage alleged to be suffered, and irrespective of whether the said loss or damage is caused by or claimed in respect of any negligence, other tort, breach of contract (if any) or statutory duty, restitutionary claim or otherwise. In any circumstances where we and/or the *Seller* are liable in relation to any *Lot* or any *Description* or *Estimate* made of any *Lot*, or the conduct of any *Sale* in relation to any *Lot*, whether in damages, for an indemnity or contribution, or for a restitutionary remedy or otherwise, our and/or the *Seller's* liability (combined, if both we and the *Seller* are liable) will be limited to payment of a sum which will not exceed by way of maximum the amount of the *Purchase Price* of the *Lot* irrespective in any case of the nature, volume or source of any loss or damage alleged to be suffered or sum claimed as due, and irrespective of whether the liability arises from any negligence, other tort, breach of contract (if any) or statutory duty or otherwise. Nothing set out above will be construed as excluding or restricting (whether directly or

indirectly) our liability or excluding or restricting any person's rights or remedies in respect of (i) fraud, or (ii) death or personal injury caused by our negligence (or by the negligence of any person under our control or for whom we are legally responsible), or (iii) acts or omissions for which we are liable under the Occupiers Liability Act 1957, or (iv) any other liability to the extent the same may not be excluded or restricted as a matter of law or (v) our undertakings under paragraphs 9 (in relation to specialist *Stamp* or *Book Sales* only) and 10 of the *Buyer's Agreement*. The same applies in respect of the *Seller*, as if references to us in this paragraph were substituted with references to the *Seller*.

15. BOOKS

As stated above, all *Lots* are sold on an "as is" basis, subject to all faults, imperfections and errors of *Description* save as set out below. However, you will be entitled to reject a *Book* in the circumstances set out in paragraph 11 of the *Buyers Agreement*. Please note that *Lots* comprising printed *Books*, unframed maps and bound manuscripts are not liable to VAT on the *Buyer's Premium*.

16. CLOCKS AND WATCHES

All *Lots* are sold "as is", and the absence of any reference to the condition of a clock or watch does not imply that the *Lot* is in good condition and without defects, repairs or restorations. Most clocks and watches have been repaired in the course of their normal lifetime and may now incorporate parts not original to them. Furthermore, *Bonhams* makes no representation or warranty that any clock or watch is in working order. As clocks and watches often contain fine and complex mechanisms, *Bidders* should be aware that a general service, change of battery or further repair work, for which the *Buyer* is solely responsible, may be necessary. *Bidders* should be aware that the importation of watches such as Rolex, Frank Muller and Corum into the United States is highly restricted. These watches may not be shipped to the USA and can only be imported personally.

17. FIREARMS – PROOF, CONDITION AND CERTIFICATION

Proof of Firearms

The term "proof exemption" indicates that a firearm has been examined at a Proof House, but not proved, as either (a) it was deemed of interest and not intended for use, or (b) ammunition was not available. In either case, the firearm must be regarded as unsafe to fire unless subsequently proved. Firearms proved for Black Powder should not be used with smokeless ammunition.

The term "Certificate of Unprovability" indicates that a firearm has been examined at a Proof House and is deemed both unsuitable for proof and use. Reproof is required before any such firearm is to be used.

Guns Sold as Parts

Barrels of guns sold as parts will only be made available for sleeving and measurements once rendered unserviceable according to the Gun Barrel Proof Act of 1968 to 1978 and the Rules of Proof.

Condition of Firearms

Comment in this *Catalogue* is restricted, in general, to exceptional condition and to those defects that might affect the immediate safety of a firearm in normal use. An intending *Bidder* unable to make technical examinations and assessments is recommended to seek advice from a gunmaker or from a modern firearms specialist. All prospective *Bidders* are advised to consult the "of bore and wall-thickness measurements posted in the saleroom and available from the department. *Bidders* should note that guns are stripped only where there is a strong indication of a mechanical malfunction. Stripping is not, otherwise, undertaken. Guns intended for use should be stripped and cleaned beforehand. Hammer guns should have their rebound mechanisms checked before use. The safety mechanisms of all guns must be tested before use. All measurements are approximate.

Original Gun Specifications Derived from Gunmakers

The Sporting Gun Department endeavours to confirm a gun's original specification and date of manufacture with makers who hold their original records.

Licensing Requirements Firearms Act 1968 as amended

Bonhams is constantly reviewing its procedures and would remind you that, in the case of firearms or shotguns subject to certification, to conform with current legislation, *Bonhams* is required to see, as appropriate, your original registered firearms dealer's certificate / shot gun certificate / firearm certificate / museum firearms licence / Section 5 authority or import licence (or details of any exemption from which you may benefit, for instance Crown servant status) for the firearm(s) you have purchased prior to taking full payment of the amount shown on your invoice. Should you not already be in possession of such an authority or exemption, you are required to initially pay a deposit of 95% of the total invoice with the balance of 5% payable on presentation of your valid certificate or licence showing your authority to hold the firearm(s) concerned.

Please be advised that if a successful *Bidder* is then unable to produce the correct paperwork, the *Lot(s)* will be reoffered by *Bonhams* in the next appropriate *Sale*, on standard terms for *Sellers*, and you will be responsible for any loss incurred by *Bonhams* on the original *Sale* to you.

In the case of RFD certificates and Section 5 authorities, we wish to keep an up-to-date copy on file. Please supply us with a Fax or photocopy. It would be helpful if you could send us an updated copy whenever your certificate or authority is renewed or changed.

Lots marked 'S1' and bearing red labels are Section 1 firearms and require a valid British Firearms certificate, RFD Licence or import licence.

Lots marked 'S2' and bearing blue labels are Section 2 firearms and require a valid British Shotgun certificate, RFD licence or import licence.

Lots marked 'S5' and bearing specially marked red labels are Section 5 prohibited firearms and require a valid Section 5 Authority or import licence.

Lots marked with a 'S58' and bearing yellow labels are for obsolete calibres and no licence is required unless ammunition is held.

Unmarked *Lots* require no licence.

Please do not hesitate to contact the Modern Sporting Gun Department should you have any queries.

Taxidermy and Related Items

As a *Seller* of these articles, *Bonhams* undertakes to comply fully with Cites and DEFRA regulations. *Buyers* are advised to inform themselves of all such regulations and should expect the exportation of items to take some time to arrange.

18. FURNITURE

Upholstered Furniture

Whilst we take every care in cataloguing furniture which has been upholstered we offer no *Guarantee* as to the originality of the wood covered by fabric or upholstery.

19. JEWELLERY

Gemstones

Historically many gemstones have been subjected to a variety of treatments to enhance their appearance. Sapphires and rubies are routinely heat treated to improve their colour and clarity, similarly emeralds are frequently treated with oils or resin for the same purpose. Other treatments such as staining, irradiation or coating may have been used on other gemstones. These treatments may be permanent, whilst others may need special care or re-treatment over the years to retain their appearance. *Bidders* should be aware that *Estimates* assume that gemstones may have been subjected to such treatments. A number of laboratories issue certificates that give more detailed *Descriptions* of gemstones. However there may not be consensus between different laboratories on the degrees, or types of treatment for any particular gemstone. In the event that *Bonhams* has been given or has obtained certificates for any *Lot* in the *Sale* these certificates will be disclosed in the *Catalogue*. Although, as a matter of policy, *Bonhams* endeavours to provide certificates from recognised laboratories for certain gemstones, it is not feasible to obtain certificates for each *Lot*. In the event that no certificate is published in the *Catalogue*, *Bidders* should assume that the gemstones may have been treated. Neither *Bonhams* nor the *Seller* accepts any liability for contradictions or differing certificates obtained by *Buyers* on any *Lots* subsequent to the *Sale*.

Estimated Weights

If a stone(s) weight appears within the body of the *Description* in capital letters, the stone(s) has been unmounted and weighed by *Bonhams*. If the weight of the stone(s) is stated to be approximate and does not appear in capital letters, the stone(s) has been assessed by us within its/their settings, and the stated weight is a statement of our opinion only. This information is given as a guide and *Bidders* should satisfy themselves with regard to this information as to its accuracy.

Signatures

1. A diamond brooch, by Kutchinsky

When the maker's name appears in the title, in *Bonhams'* opinion the piece is by that maker.

2. A diamond brooch, signed Kutchinsky

Has a signature that, in *Bonhams'* opinion, is authentic but may contain gemstones that are not original, or the piece may have been altered.

3. A diamond brooch, mounted by Kutchinsky

Has been created by the jeweller, in *Bonhams'* opinion, but using stones or designs supplied by the client.

20. PHOTOGRAPHS

Explanation of Catalogue Terms

- "Bill Brandt": in our opinion a work by the artist.
- "Attributed to Bill Brandt": in our opinion probably a work by the artist, but less certainty to authorship is expressed than in the preceding category.
- "Signed and/or titled and/or dated and/or inscribed": in our opinion the signature and/or title and/or date and/or inscription are in the artist's hand.
- "Signed and/or titled and/or dated and/or inscribed in another hand": in our opinion the signature and/or title and/or date and/or inscription have been added by another hand.
- The date given is that of the image (negative). Where no further date is given, this indicates that the photographic print is vintage (the term "vintage" may also be included in the *Lot Description*). A vintage photograph is one which was made within approximately 5-10 years of the negative. Where a second, later date appears, this refers to the date of printing. Where the exact printing date is not known, but understood to be later, "printed later" will appear in the *Lot Description*.
- Unless otherwise specified, dimensions given are those of the piece of paper on which the image is printed, including any margins. Some photographs may appear in the *Catalogue* without margins illustrated.
- All photographs are sold unframed unless stated in the *Lot Description*.

21. PICTURES

Explanation of Catalogue Terms

The following terms used in the *Catalogue* have the following meanings but are subject to the general provisions relating to *Descriptions* contained in the *Contract for Sale*:

- "Jacopo Bassano": in our opinion a work by the artist. When the artist's forename(s) is not known, a series of asterisks, followed by the surname of the artist, whether preceded by an initial or not, indicates that in our opinion the work is by the artist named;
- "Attributed to Jacopo Bassano": in our opinion probably a work by the artist but less certainty as to authorship is expressed than in the preceding category;
- "Studio/Workshop of Jacopo Bassano": in our opinion a work by an unknown hand in a studio of the artist which may or may not have been executed under the artist's direction;
- "Circle of Jacopo Bassano": in our opinion a work by a hand closely associated with a named artist but not necessarily his pupil;
- "Follower of Jacopo Bassano": in our opinion a work by a painter working in the artist's style, contemporary or nearly contemporary, but not necessarily his pupil;
- "Manner of Jacopo Bassano": in our opinion a work in the style of the artist and of a later date;
- "After Jacopo Bassano": in our opinion, a copy of a known work of the artist;
- "Signed and/or dated and/or inscribed": in our opinion the signature and/or date and/or inscription are from the hand of the artist;
- "Bears a signature and/or date and/or inscription": in our opinion the signature and/or date and/or inscription have been added by another hand.

22. PORCELAIN AND GLASS

Damage and Restoration

For your guidance, in our *Catalogues* we detail, as far as practicable, recorded all significant defects, cracks and restoration. Such practicable *Descriptions* of damage cannot be definitive, and in providing *Condition Reports*, we cannot *Guarantee* that there are no other defects present which have not been mentioned. *Bidders* should satisfy themselves by inspection, as to the condition of each *Lot*. Please see the *Contract for Sale* printed in this *Catalogue*. Because of the difficulty in determining whether an item of glass has been repolished, in our *Catalogues* reference is only made to visible chips and cracks. No mention is made of repolishing, severe or otherwise.

23. VEHICLES

The Veteran Car Club of Great Britain

Dating Plates and Certificates

When mention is made of a Veteran Car Club Dating Plate or Dating Certificate in this *Catalogue*, it should be borne in mind that the Veteran Car Club of Great Britain using the services of Veteran Car Company Ltd, does from time to time, review cars already dated and, in some instances, where fresh evidence becomes available, the review can result in an alteration of date. Whilst the Club and Veteran Car Company Ltd make every effort to ensure accuracy, the date shown on the Dating Plate or Dating Certificate cannot be guaranteed as correct and intending purchasers should make their own enquiries as to the date of the car.

24. WINE

Lots which are lying under Bond and those liable to VAT may not be available for immediate collection.

Examining the wines

It is occasionally possible to provide a pre-*Sale* tasting for larger parcels (as defined below). This is generally limited to more recent and everyday drinking wines. Please contact the department for details.

OIt is not our policy to inspect every unopened case. In the case of wines older than 20 years the boxes will usually have been opened and levels and appearance noted in the *Catalogue* where necessary. You should make proper allowance for variations in ullage levels and conditions of corks, capsules and labels.

Corks and Ullages

Ullage refers to the space between the base of the cork and the wine. Ullage levels for Bordeaux shaped bottles are only normally noted when below the neck and for Burgundy, Alsace, German and Cognac shaped bottles when greater than 4 centimetres (cm). Acceptable ullage levels increase with age; generally acceptable levels are as follows:

Under 15 years old – into neck or less than 4cm
15 to 30 years old – top shoulder (ts) or up to 5cm
Over 30 years old – high shoulder (hs) or up to 6cm

It should be noted that ullages may change between publication of the *Catalogue* and the *Sale* and that corks may fail as a result of transporting the wine. We will only accept responsibility for *Descriptions* of condition at the time of publication of the *Catalogue* and cannot accept responsibility for any loss resulting from failure of corks either before or after this point.

Options to buy parcels

A parcel is a number of *Lots* of identical size of the same wine, bottle size and *Description*. The *Buyer* of any of these *Lots* has the option to accept some or all of the remaining *Lots* in the parcel at the same price, although such options will be at the *Auctioneer's* sole discretion. Absentee *Bidders* are, therefore, advised to bid on the first *Lot* in a parcel.

Wines in Bond

Wines lying in Bond are marked Δ. All *Lots* sold under Bond, and which the *Buyer* wishes to remain under Bond, will be invoiced without VAT or Duty on the *Hammer Price*. If the *Buyer* wishes to take the *Lot* as Duty paid, UK Excise Duty and VAT will be added to the *Hammer Price* on the invoice.

Buyers must notify *Bonhams* at the time of the *sale* whether they wish to take their wines under Bond or Duty paid. If a *Lot* is taken under Bond, the *Buyer* will be responsible for all VAT, Duty, clearance and other charges that may be payable thereon.

Buyers outside the UK must be aware that any forwarding agent appointed to export their purchases must have a movement certificate for *Lots* to be released under Bond.

Bottling Details and Case Terms

The following terms used in the *Catalogue* have the following meanings:

CB – Château bottled
DB – Domaine bottled
EstB – Estate bottled
BB – Bordeaux bottled
BE – Belgian bottled
FB – French bottled
GB – German bottled
OB – Oporto bottled
UK – United Kingdom bottled
owc – original wooden case
iwc – individual wooden case
oc – original carton

SYMBOLS

THE FOLLOWING SYMBOLS ARE USED TO DENOTE

- Y Subject to CITES regulations when exporting these items outside the EU, see clause 13.
- TP Objects displayed with a TP will be located at the Cadogan Tate warehouse and will only be available for collection from this location.
- W Objects displayed with a w will be located in the Bonhams Warehouse and will only be available for collection from this location.
- Δ Wines lying in Bond.
- AR An *Additional Premium* will be payable to us by the *Buyer* to cover our *Expenses* relating to payment of royalties under the Artists Resale Right Regulations 2006. See clause 7 for details.
- The *Seller* has been guaranteed a minimum price for the *Lot*, either by *Bonhams* or a third party. This may take the form of an irrevocable bid by a third party, who may make a financial gain on a successful *Sale* or a financial loss if unsuccessful.
- ▲ *Bonhams* owns the *Lot* either wholly or partially or may otherwise have an economic interest.
- Ⓞ This lot contains or is made of ivory. The United States Government has banned the import of ivory into the USA.

•, †, *, G, Ω, α see clause 8, VAT, for details.

DATA PROTECTION – USE OF YOUR INFORMATION

Where we obtain any personal information about you, we shall only use it in accordance with the terms of our Privacy Policy (subject to any additional specific consent(s) you may have given at the time your information was disclosed). A copy of our Privacy Policy can be found on our *Website* www.bonhams.com or requested by post from Customer Services Department, 101 New Bond Street, London, W1S 1SR or by email from info@bonhams.com

APPENDIX 1

CONTRACT FOR SALE

IMPORTANT: These terms may be changed in advance of the *Sale* of the *Lot* to you, by the setting out of different terms in the *Catalogue* for the *Sale* and/or by placing an insert in the *Catalogue* and/or by notices at the *Sale* venue and/or by oral announcements before and during the *Sale* at the *Sale* venue. You should be alert to this possibility of changes and ask in advance of bidding if there have been any.

Under this contract the *Seller's* liability in respect of the quality of the *Lot*, its fitness for any purpose and its conformity with any *Description* is limited. You are strongly advised to examine the *Lot* for yourself and/or obtain an independent examination of it before you buy it.

1 THE CONTRACT

- 1.1 These terms govern the *Contract for Sale* of the *Lot* by the *Seller* to the *Buyer*.
- 1.2 The Definitions and Glossary contained in Appendix 3 in the *Catalogue* are incorporated into this *Contract for Sale* and a separate copy can also be provided by *Bonhams* on request. Where words and phrases are used which are in the List of Definitions, they are printed in italics.
- 1.3 The *Seller* sells the *Lot* as the principal to the *Contract for Sale*, such contract being made between the *Seller* and you through *Bonhams* which acts in the sole capacity as the *Seller's* agent and not as an additional principal. However, if the *Catalogue* states that *Bonhams* sells the *Lot* as principal, or such a statement is made by an announcement by the *Auctioneer*, or by a notice at the *Sale*, or an insert in the *Catalogue*, then *Bonhams* is the *Seller* for the purposes of this agreement.

- 1.4 The contract is made on the fall of the *Auctioneer's* hammer in respect of the *Lot* when it is knocked down to you.

2 SELLER'S UNDERTAKINGS

- 2.1 The *Seller* undertakes to you that:
- 2.1.1 the *Seller* is the owner of the *Lot* or is duly authorised to sell the *Lot* by the owner;
- 2.1.2 save as disclosed in the *Entry* for the *Lot* in the *Catalogue*, the *Seller* sells the *Lot* with full title guarantee or, where the *Seller* is an executor, trustee, liquidator, receiver or administrator, with whatever right, title or interest he may have in the *Lot*;
- 2.1.3 except where the *Sale* is by an executor, trustee, liquidator, receiver or administrator the *Seller* is both legally entitled to sell the *Lot*, and legally capable of conferring on you quiet possession of the *Lot* and that the *Sale* conforms in every respect with the terms implied by the Sale of Goods Act 1979, Sections 12(1) and 12(2) (see the Definitions and Glossary);
- 2.1.4 the *Seller* has complied with all requirements, legal or otherwise, relating to any export or import of the *Lot*, and all duties and taxes in respect of the export or import of the *Lot* have (unless stated to the contrary in the *Catalogue* or announced by the *Auctioneer*) been paid and, so far as the *Seller* is aware, all third parties have complied with such requirements in the past;
- 2.1.5 subject to any alterations expressly identified as such made by announcement or notice at the *Sale* venue or by the *Notice to Bidders* or by an insert in the *Catalogue*, the *Lot* corresponds with the *Contractual Description* of the *Lot*, being that part of the *Entry* about the *Lot* in the *Catalogue* which is in bold letters and (except for colour) with any photograph of the *Lot* in the *Catalogue* and the contents of any *Condition Report* which has been provided to the *Buyer*.

3 DESCRIPTIONS OF THE LOT

- 3.1 Paragraph 2.1.5 sets out what is the *Contractual Description* of the *Lot*. In particular, the *Lot* is not sold as corresponding with that part of the *Entry* in the *Catalogue* which is not printed in bold letters, which merely sets out (on the *Seller's* behalf) *Bonhams'* opinion about the *Lot* and which is not part of the *Contractual Description* upon which the *Lot* is sold. Any statement or representation other than that part of the *Entry* referred to in paragraph 2.1.5 (together with any express alteration to it as referred to in paragraph 2.1.5), including any *Description* or *Estimate*, whether made orally or in writing, including in the *Catalogue* or on *Bonhams' Website*, or by conduct, or otherwise, and whether by or on behalf of the *Seller* or *Bonhams* and whether made prior to or during the *Sale*, is not part of the *Contractual Description* upon which the *Lot* is sold.
- 3.2 Except as provided in paragraph 2.1.5, the *Seller* does not make or give and does not agree to make or give any contractual promise, undertaking, obligation, guarantee, warranty, or representation of fact, or undertake any duty of care, in relation to any *Description* of the *Lot* or any *Estimate* in relation to it, nor of the accuracy or completeness of any *Description* or *Estimate* which may have been made by or on behalf of the *Seller* including by *Bonhams*. No such *Description* or *Estimate* is incorporated into this *Contract for Sale*.

4 FITNESS FOR PURPOSE AND SATISFACTORY QUALITY

- 4.1 The *Seller* does not make and does not agree to make any contractual promise, undertaking, obligation, guarantee, warranty, or representation of fact in relation to the satisfactory quality of the *Lot* or its fitness for any purpose.

- 4.2 The *Seller* will not be liable for any breach of any undertaking, whether implied by the Sale of Goods Act 1979 or otherwise, as to the satisfactory quality of the *Lot* or its fitness for any purpose.

5 RISK, PROPERTY AND TITLE

- 5.1 Risk in the *Lot* passes to you when it is knocked down to you on the fall of the *Auctioneer's* hammer in respect of the *Lot*. The *Seller* will not be responsible thereafter for the *Lot* prior to you collecting it from *Bonhams* or the *Storage Contractor*, with whom you have separate contract(s) as *Buyer*. You will indemnify the *Seller* and keep the *Seller* fully indemnified from and against all claims, proceedings, costs, expenses and losses arising in respect of any injury, loss and damage caused to the *Lot* after the fall of the *Auctioneer's* hammer until you obtain full title to it.
- 5.2 Title to the *Lot* remains in and is retained by the *Seller* until the *Purchase Price* and all other sums payable by you to *Bonhams* in relation to the *Lot* have been paid in full to, and received in cleared funds by, *Bonhams*.

6 PAYMENT

- 6.1 Your obligation to pay the *Purchase Price* arises when the *Lot* is knocked down to you on the fall of the *Auctioneer's* hammer in respect of the *Lot*.
- 6.2 Time will be of the essence in relation to payment of the *Purchase Price* and all other sums payable by you to *Bonhams*. Unless agreed in writing with you by *Bonhams* on the *Seller's* behalf (in which case you must comply with the terms of that agreement), all such sums must be paid to *Bonhams* by you in the currency in which the *Sale* was conducted by not later than 4.30pm on the second working day following the *Sale* and you must ensure that the funds are cleared by the seventh working day after the *Sale*. Payment must be made to *Bonhams* by one of the methods stated in the *Notice to Bidders* unless otherwise agreed with you in writing by *Bonhams*. If you do not pay any sums due in accordance with this paragraph, the *Seller* will have the rights set out in paragraph 8 below.

7 COLLECTION OF THE LOT

- 7.1 Unless otherwise agreed in writing with you by *Bonhams*, the *Lot* will be released to you or to your order only when *Bonhams* has received cleared funds to the amount of the full *Purchase Price* and all other sums owed by you to the *Seller* and to *Bonhams*.
- 7.2 The *Seller* is entitled to withhold possession from you of any other *Lot* he has sold to you at the same or at any other *Sale* and whether currently in *Bonhams'* possession or not until payment in full and in cleared funds of the *Purchase Price* and all other sums due to the *Seller* and/or *Bonhams* in respect of the *Lot*.
- 7.3 You will collect and remove the *Lot* at your own expense from *Bonhams'* custody and/ or control or from the *Storage Contractor's* custody in accordance with *Bonhams'* instructions or requirements.
- 7.4 You will be wholly responsible for packing, handling and transport of the *Lot* on collection and for complying with all import or export regulations in connection with the *Lot*.
- 7.5 You will be wholly responsible for any removal, storage or other charges or *Expenses* incurred by the *Seller* if you do not remove the *Lot* in accordance with this paragraph 7 and will indemnify the *Seller* against all charges, costs, including any legal costs and fees, *Expenses* and losses suffered by the *Seller* by reason of your failure to remove the *Lot* including any charges due under any *Storage Contract*. All such sums due to the *Seller* will be payable on demand.

8	FAILURE TO PAY FOR THE LOT	9	THE SELLER'S LIABILITY		
8.1	If the <i>Purchase Price</i> for a <i>Lot</i> is not paid to <i>Bonhams</i> in full in accordance with the <i>Contract for Sale</i> the <i>Seller</i> will be entitled, with the prior written agreement of <i>Bonhams</i> but without further notice to you, to exercise one or more of the following rights (whether through <i>Bonhams</i> or otherwise):	9.1	The <i>Seller</i> will not be liable for any injury, loss or damage caused by the <i>Lot</i> after the fall of the <i>Auctioneer's</i> hammer in respect of the <i>Lot</i> .	10.3	If either party to the <i>Contract for Sale</i> is prevented from performing that party's respective obligations under the <i>Contract for Sale</i> by circumstances beyond its reasonable control or if performance of its obligations would by reason of such circumstances give rise to a significantly increased financial cost to it, that party will not, for so long as such circumstances prevail, be required to perform such obligations. This paragraph does not apply to the obligations imposed on you by paragraph 6.
8.1.1	to terminate immediately the <i>Contract for Sale</i> of the <i>Lot</i> for your breach of contract;	9.2	Subject to paragraph 9.3 below, except for breach of the express undertaking provided in paragraph 2.1.5, the <i>Seller</i> will not be liable for any breach of any term that the <i>Lot</i> will correspond with any <i>Description</i> applied to it by or on behalf of the <i>Seller</i> , whether implied by the Sale of Goods Act 1979 or otherwise.	10.4	Any notice or other communication to be given under the <i>Contract for Sale</i> must be in writing and may be delivered by hand or sent by first class post or air mail or fax transmission, if to the <i>Seller</i> , addressed c/o <i>Bonhams</i> at its address or fax number in the <i>Catalogue</i> (marked for the attention of the Company Secretary), and if to you to the address or fax number of the <i>Buyer</i> given in the <i>Bidding Form</i> (unless notice of any change of address is given in writing). It is the responsibility of the sender of the notice or communication to ensure that it is received in a legible form within any applicable time period.
8.1.2	to resell the <i>Lot</i> by auction, private treaty or any other means on giving seven days' written notice to you of the intention to resell;	9.3	Unless the <i>Seller</i> sells the <i>Lot</i> in the course of a <i>Business</i> and the <i>Buyer</i> buys it as a <i>Consumer</i> ,	10.5	If any term or any part of any term of the <i>Contract for Sale</i> is held to be unenforceable or invalid, such unenforceability or invalidity will not affect the enforceability and validity of the remaining terms or the remainder of the relevant term.
8.1.3	to retain possession of the <i>Lot</i> ;	9.3.1	the <i>Seller</i> will not be liable (whether in negligence, other tort, breach of contract or statutory duty or in restitution or under the Misrepresentation Act 1967, or in any other way) for any lack of conformity with, or inaccuracy, error, misdescription or omission in any <i>Description</i> of the <i>Lot</i> or any <i>Entry</i> or <i>Estimate</i> in relation to the <i>Lot</i> made by or on behalf of the <i>Seller</i> (whether made in writing, including in the <i>Catalogue</i> , or on the <i>Website</i> , or orally, or by conduct or otherwise) and whether made before or after this agreement or prior to or during the <i>Sale</i> ;	10.6	References in the <i>Contract for Sale</i> to <i>Bonhams</i> will, where appropriate, include reference to <i>Bonhams'</i> officers, employees and agents.
8.1.4	to remove and store the <i>Lot</i> at your expense;	9.3.2	the <i>Seller</i> will not be liable for any loss of <i>Business</i> , <i>Business</i> profits or revenue or income or for loss of reputation or for disruption to <i>Business</i> or wasted time on the part of the <i>Buyer</i> or of the <i>Buyer's</i> management or staff or, for any indirect losses or consequential damages of any kind, irrespective in any case of the nature, volume or source of the loss or damage alleged to be suffered, and irrespective of whether the said loss or damage is caused by or claimed in respect of any negligence, other tort, breach of contract, statutory duty, restitutionary claim or otherwise;	10.7	The headings used in the <i>Contract for Sale</i> are for convenience only and will not affect its interpretation.
8.1.5	to take legal proceedings against you for any sum due under the <i>Contract for Sale</i> and/or damages for breach of contract;	9.3.3	in any circumstances where the <i>Seller</i> is liable to you in respect of the <i>Lot</i> , or any act, omission, statement, or representation in respect of it, or this agreement or its performance, and whether in damages, for an indemnity or contribution or for a restitutionary remedy or in any way whatsoever, the <i>Seller's</i> liability will be limited to payment of a sum which will not exceed by way of maximum the amount of the <i>Purchase Price</i> of the <i>Lot</i> irrespective in any case of the nature, volume or source of any loss or damage alleged to be suffered or sum claimed as due, and irrespective of whether the liability arises from any negligence, other tort, breach of contract, statutory duty, bailee's duty, restitutionary claim or otherwise.	10.8	In the <i>Contract for Sale</i> "including" means "including, without limitation".
8.1.6	to be paid interest on any monies due (after as well as before judgement or order) at the annual rate of 5% per annum above the base rate of National Westminster Bank Plc from time to time to be calculated on a daily basis from the date upon which such monies become payable until the date of actual payment;			10.9	References to the singular will include reference to the plural (and vice versa) and reference to any one gender will include reference to the other genders.
8.1.7	to repossess the <i>Lot</i> (or any part thereof) which has not become your property, and for this purpose (unless the <i>Buyer</i> buys the <i>Lot</i> as a <i>Consumer</i> from the <i>Seller</i> selling in the course of a <i>Business</i>) you hereby grant an irrevocable licence to the <i>Seller</i> by himself and to his servants or agents to enter upon all or any of your premises (with or without vehicles) during normal <i>Business</i> hours to take possession of the <i>Lot</i> or part thereof;			10.10	Reference to a numbered paragraph is to a paragraph of the <i>Contract for Sale</i> .
8.1.8	to retain possession of any other property sold to you by the <i>Seller</i> at the <i>Sale</i> or any other auction or by private treaty until all sums due under the <i>Contract for Sale</i> shall have been paid in full in cleared funds;	9.4	Nothing set out in paragraphs 9.1 to 9.3 above will be construed as excluding or restricting (whether directly or indirectly) any person's liability or excluding or restricting any person's rights or remedies in respect of (i) fraud, or (ii) death or personal injury caused by the <i>Seller's</i> negligence (or any person under the <i>Seller's</i> control or for whom the <i>Seller</i> is legally responsible), or (iii) acts or omissions for which the <i>Seller</i> is liable under the Occupiers Liability Act 1957, or (iv) any other liability to the extent the same may not be excluded or restricted as a matter of law.	10.11	Save as expressly provided in paragraph 10.12 nothing in the <i>Contract for Sale</i> confers (or purports to confer) on any person who is not a party to the <i>Contract for Sale</i> any benefit conferred by, or the right to enforce any term of, the <i>Contract for Sale</i> .
8.1.9	to retain possession of, and on seven days written notice to sell, <i>Without Reserve</i> , any of your other property in the possession of the <i>Seller</i> and/or of <i>Bonhams</i> (as bailee for the <i>Seller</i>) for any purpose (including, without limitation, other goods sold to you) and to apply any monies due to you as a result of such <i>Sale</i> in satisfaction or part satisfaction of any amounts owed to the <i>Seller</i> or to <i>Bonhams</i> ; and			10.12	Where the <i>Contract for Sale</i> confers an immunity from, and/or an exclusion or restriction of, the responsibility and/or liability of the <i>Seller</i> , it will also operate in favour and for the benefit of <i>Bonhams</i> , <i>Bonhams'</i> holding company and the subsidiaries of such holding company and the successors and assigns of <i>Bonhams</i> and of such companies and of any officer, employee and agent of <i>Bonhams</i> and such companies, each of whom will be entitled to rely on the relevant immunity and/or exclusion and/or restriction within and for the purposes of Contracts (Rights of Third Parties) Act 1999, which enables the benefit of a contract to be extended to a person who is not a party to the contract, and generally at law.
8.1.10	so long as such goods remain in the possession of the <i>Seller</i> or <i>Bonhams</i> as its bailee, to rescind the contract for the <i>Sale</i> of any other goods sold to you by the <i>Seller</i> at the <i>Sale</i> or at any other auction or by private treaty and apply any monies received from you in respect of such goods in part or full satisfaction of any amounts owed to the <i>Seller</i> or to <i>Bonhams</i> by you.				
8.2	You agree to indemnify the <i>Seller</i> against all legal and other costs of enforcement, all losses and other <i>Expenses</i> and costs (including any monies payable to <i>Bonhams</i> in order to obtain the release of the <i>Lot</i>) incurred by the <i>Seller</i> (whether or not court proceedings will have been issued) as a result of <i>Bonhams</i> taking steps under this paragraph 8 on a full indemnity basis together with interest thereon (after as well as before judgement or order) at the rate specified in paragraph 8.1.6 from the date upon which the <i>Seller</i> becomes liable to pay the same until payment by you.	10	MISCELLANEOUS	11	GOVERNING LAW
8.3	On any resale of the <i>Lot</i> under paragraph 8.1.2, the <i>Seller</i> will account to you in respect of any balance remaining from any monies received by him or on his behalf in respect of the <i>Lot</i> , after the payment of all sums due to the <i>Seller</i> and to <i>Bonhams</i> , within 28 days of receipt of such monies by him or on his behalf.	10.1	You may not assign either the benefit or burden of the <i>Contract for Sale</i> .		All transactions to which the <i>Contract for Sale</i> applies and all connected matters will be governed by and construed in accordance with the laws of that part of the United Kingdom where the <i>Sale</i> takes place and the <i>Seller</i> and you each submit to the exclusive jurisdiction of the courts of that part of the United Kingdom, save that the <i>Seller</i> may bring proceedings against you in any other court of competent jurisdiction to the extent permitted by the laws of the relevant jurisdiction. <i>Bonhams</i> has a complaints procedure in place.
		10.2	The <i>Seller's</i> failure or delay in enforcing or exercising any power or right under the <i>Contract for Sale</i> will not operate or be deemed to operate as a waiver of his rights under it except to the extent of any express waiver given to you in writing. Any such waiver will not affect the <i>Seller's</i> ability subsequently to enforce any right arising under the <i>Contract for Sale</i> .		

APPENDIX 2

BUYER'S AGREEMENT

IMPORTANT: These terms may be changed in advance of the Sale of the Lot to you, by the setting out of different terms in the Catalogue for the Sale and/or by placing an insert in the Catalogue and/or by notices at the Sale venue and/or by oral announcements before and during the Sale at the Sale venue. You should be alert to this possibility of changes and ask in advance of bidding if there have been any.

1 THE CONTRACT

- 1.1 These terms govern the contract between *Bonhams* personally and the *Buyer*, being the person to whom a Lot has been knocked down by the *Auctioneer*.
- 1.2 The Definitions and Glossary contained in Appendix 3 to the Catalogue for the Sale are incorporated into this agreement and a separate copy can also be provided by us on request. Where words and phrases which are defined in the List of Definitions are used in this agreement, they are printed in italics. Reference is made in this agreement to information printed in the *Notice to Bidders*, printed in the Catalogue for the Sale, and where such information is referred to it is incorporated into this agreement.
- 1.3 Except as specified in paragraph 4 of the *Notice to Bidders* the Contract for Sale of the Lot between you and the Seller is made on the fall of the *Auctioneer's* hammer in respect of the Lot, when it is knocked down to you. At that moment a separate contract is also made between you and *Bonhams* on the terms in this *Buyer's Agreement*.
- 1.4 We act as agents for the Seller and are not answerable or personally responsible to you for any breach of contract or other default by the Seller, unless *Bonhams* sells the Lot as principal.
- 1.5 Our personal obligations to you are governed by this agreement and we agree, subject to the terms below, to the following obligations:
- 1.5.1 we will, until the date and time specified in the *Notice to Bidders* or otherwise notified to you, store the Lot in accordance with paragraph 5;
- 1.5.2 subject to any power of the Seller or us to refuse to release the Lot to you, we will release the Lot to you in accordance with paragraph 4 once you have paid to us, in cleared funds, everything due to us and the Seller;
- 1.5.3 we will provide guarantees in the terms set out in paragraphs 9 and 10.
- 1.6 We do not make or give and do not agree to make or give any contractual promise, undertaking, obligation, *Guarantee*, warranty, representation of fact in relation to any *Description* of the Lot or any *Estimate* in relation to it, nor of the accuracy or completeness of any *Description* or *Estimate* which may have been made by us or on our behalf or by or on behalf of the Seller (whether made orally or in writing, including in the Catalogue or on *Bonhams' Website*, or by conduct, or otherwise), and whether made before or after this agreement or prior to or during the Sale. No such *Description* or *Estimate* is incorporated into this agreement between you and us. Any such *Description* or *Estimate*, if made by us or on our behalf, was (unless *Bonhams* itself sells the Lot as principal) made as agent on behalf of the Seller.

2 PERFORMANCE OF THE CONTRACT FOR SALE

You undertake to us personally that you will observe and comply with all your obligations and undertakings to the Seller under the *Contract for Sale* in respect of the Lot.

3 PAYMENT

- 3.1 Unless agreed in writing between you and us or as otherwise set out in the *Notice to Bidders*, you must pay to us by not later than 4.30pm on the second working day following the Sale:
- 3.1.1 the *Purchase Price* for the Lot;
- 3.1.2 a *Buyer's Premium* in accordance with the rates set out in the *Notice to Bidders* on each lot, and
- 3.1.3 if the Lot is marked ^[AP], an *Additional Premium* which is calculated and payable in accordance with the *Notice to Bidders* together with VAT on that sum if applicable so that all sums due to us are cleared funds by the seventh working day after the Sale.
- 3.2 You must also pay us on demand any *Expenses* payable pursuant to this agreement.
- 3.3 All payments to us must be made in the currency in which the Sale was conducted, using, unless otherwise agreed by us in writing, one of the methods of payment set out in the *Notice to Bidders*. Our invoices will only be addressed to the registered Bidder unless the Bidder is acting as an agent for a named principal and we have approved that arrangement, in which case we will address the invoice to the principal.
- 3.4 Unless otherwise stated in this agreement all sums payable to us will be subject to VAT at the appropriate rate and VAT will be payable by you on all such sums.
- 3.5 We may deduct and retain for our own benefit from the monies paid by you to us the *Buyer's Premium*, the *Commission* payable by the Seller in respect of the Lot, any *Expenses* and VAT and any interest earned and/or incurred until payment to the Seller.
- 3.6 Time will be of the essence in relation to any payment payable to us. If you do not pay the *Purchase Price*, or any other sum due to us in accordance with this paragraph 3, we will have the rights set out in paragraph 7 below.
- 3.7 Where a number of Lots have been knocked down to you, any monies we receive from you will be applied firstly pro-rata to pay the *Purchase Price* of each Lot and secondly pro-rata to pay all amounts due to *Bonhams*.

4 COLLECTION OF THE LOT

- 4.1 Subject to any power of the Seller or us to refuse to release the Lot to you, once you have paid to us, in cleared funds, everything due to the Seller and to us, we will release the Lot to you or as you may direct us in writing. The Lot will only be released on production of a buyer collection document, obtained from our cashier's office.
- 4.2 You must collect and remove the Lot at your own expense by the date and time specified in the *Notice to Bidders*, or if no date is specified, by 4.30pm on the seventh day after the Sale.
- 4.3 For the period referred to in paragraph 4.2, the Lot can be collected from the address referred to in the *Notice to Bidders* for collection on the days and times specified in the *Notice to Bidders*. Thereafter, the Lot may be removed elsewhere for storage and you must enquire from us as to when and where you can collect it, although this information will usually be set out in the *Notice to Bidders*.

- 4.4 If you have not collected the Lot by the date specified in the *Notice to Bidders*, you authorise us, acting as your agent and on your behalf, to enter into a contract (the "*Storage Contract*") with the *Storage Contractor* for the storage of the Lot on the then current standard terms and conditions agreed between *Bonhams* and the *Storage Contractor* (copies of which are available on request). If the Lot is stored at our premises storage fees at our current daily rates (currently a minimum of £3 plus VAT per Lot per day) will be payable from the expiry of the period referred to in paragraph 4.2. These storage fees form part of our *Expenses*.
- 4.5 Until you have paid the *Purchase Price* and any *Expenses* in full the Lot will either be held by us as agent on behalf of the Seller or held by the *Storage Contractor* as agent on behalf of the Seller and ourselves on the terms contained in the *Storage Contract*.
- 4.6 You undertake to comply with the terms of any *Storage Contract* and in particular to pay the charges (and all costs of moving the Lot into storage) due under any *Storage Contract*. You acknowledge and agree that you will not be able to collect the Lot from the *Storage Contractor's* premises until you have paid the *Purchase Price*, any *Expenses* and all charges due under the *Storage Contract*.
- 4.7 You will be wholly responsible for packing, handling and transport of the Lot on collection and for complying with all import or export regulations in connection with the Lot.
- 4.8 You will be wholly responsible for any removal, storage, or other charges for any Lot not removed in accordance with paragraph 4.2, payable at our current rates, and any *Expenses* we incur (including any charges due under the *Storage Contract*), all of which must be paid by you on demand and in any event before any collection of the Lot by you or on your behalf.

5 STORING THE LOT

We agree to store the Lot until the earlier of your removal of the Lot or until the time and date set out in the *Notice to Bidders*, on the Sale Information Page or at the back of the catalogue (or if no date is specified, by 4.30pm on the seventh day after the Sale) and, subject to paragraphs 6 and 10, to be responsible as *bailee* to you for damage to or the loss or destruction of the Lot (notwithstanding that it is not your property before payment of the *Purchase Price*). If you do not collect the Lot before the time and date set out in the *Notice to Bidders* (or if no date is specified, by 4.30pm on the seventh day after the Sale) we may remove the Lot to another location, the details of which will usually be set out in the relevant section of the Catalogue. If you have not paid for the Lot in accordance with paragraph 3, and the Lot is moved to any third party's premises, the Lot will be held by such third party strictly to *Bonhams'* order and we will retain our lien over the Lot until we have been paid in full in accordance with paragraph 3.

6 RESPONSIBILITY FOR THE LOT

- 6.1 Only on the payment of the *Purchase Price* to us will title in the Lot pass to you. However under the *Contract for Sale*, the risk in the Lot passed to you when it was knocked down to you.
- 6.2 You are advised to obtain insurance in respect of the Lot as soon as possible after the Sale.

7 FAILURE TO PAY OR TO REMOVE THE LOT AND PART PAYMENTS	7.3	If you pay us only part of the sums due to us such payment shall be applied firstly to the <i>Purchase Price</i> of the <i>Lot</i> (or where you have purchased more than one <i>Lot</i> pro-rata towards the <i>Purchase Price</i> of each <i>Lot</i>) and secondly to the <i>Buyer's Premium</i> (or where you have purchased more than one <i>Lot</i> pro-rata to the <i>Buyer's Premium</i> on each <i>Lot</i>) and thirdly to any other sums due to us.	9.3	Paragraph 9 will not apply in respect of a <i>Forgery</i> if:
7.1			9.3.1	the <i>Entry</i> in relation to the <i>Lot</i> contained in the <i>Catalogue</i> reflected the then accepted general opinion of scholars and experts or fairly indicated that there was a conflict of such opinion or reflected the then current opinion of an expert acknowledged to be a leading expert in the relevant field; or
7.1.1	7.4	We will account to you in respect of any balance we hold remaining from any monies received by us in respect of any <i>Sale</i> of the <i>Lot</i> under our rights under this paragraph 7 after the payment of all sums due to us and/or the <i>Seller</i> within 28 days of receipt by us of all such sums paid to us.	9.3.2	it can be established that the <i>Lot</i> is a <i>Forgery</i> only by means of a process not generally accepted for use until after the date on which the <i>Catalogue</i> was published or by means of a process which it was unreasonable in all the circumstances for us to have employed.
7.1.2				
7.1.3				
7.1.4	8 CLAIMS BY OTHER PERSONS IN RESPECT OF THE LOT	8	9.4	You authorise us to carry out such processes and tests on the <i>Lot</i> as we in our absolute discretion consider necessary to satisfy ourselves that the <i>Lot</i> is or is not a <i>Forgery</i> .
7.1.5	8.1	Whenever it becomes apparent to us that the <i>Lot</i> is the subject of a claim by someone other than you and other than the <i>Seller</i> (or that such a claim can reasonably be expected to be made), we may, at our absolute discretion, deal with the <i>Lot</i> in any manner which appears to us to recognise the legitimate interests of ourselves and the other parties involved and lawfully to protect our position and our legitimate interests. Without prejudice to the generality of the discretion and by way of example, we may:	9.5	If we are satisfied that a <i>Lot</i> is a <i>Forgery</i> we will (as principal) purchase the <i>Lot</i> from you and you will transfer the title to the <i>Lot</i> in question to us, with full title guarantee, free from any liens, charges, encumbrances and adverse claims, in accordance with the provisions of Sections 12(1) and 12(2) of the Sale of Goods Act 1979 and we will pay to you an amount equal to the sum of the <i>Purchase Price</i> , <i>Buyer's Premium</i> , <i>VAT</i> and <i>Expenses</i> paid by you in respect of the <i>Lot</i> .
7.1.6	8.1.1	retain the <i>Lot</i> to investigate any question raised or reasonably expected by us to be raised in relation to the <i>Lot</i> ; and/or	9.6	The benefit of paragraph 9 is personal to, and incapable of assignment by, you.
7.1.7	8.1.2	deliver the <i>Lot</i> to a person other than you; and/or	9.7	If you sell or otherwise dispose of your interest in the <i>Lot</i> , all rights and benefits under this paragraph will cease.
7.1.8	8.1.3	commence interpleader proceedings or seek any other order of any court, mediator, arbitrator or government body; and/or	9.8	Paragraph 9 does not apply to a <i>Lot</i> made up of or including a Chinese painting or Chinese paintings, a motor vehicle or motor vehicles, a <i>Stamp</i> or <i>Stamps</i> or a <i>Book</i> or <i>Books</i> .
7.1.9	8.1.4	require an indemnity and/or security from you in return for pursuing a course of action agreed to by you.	10 OUR LIABILITY	
7.1.10	8.2	The discretion referred to in paragraph 8.1:	10.1	We will not be liable whether in negligence, other tort, breach of contract or statutory duty or in restitution or under the Misrepresentation Act 1967 or in any other way for lack of conformity with or any inaccuracy, error, misdescription or omission in any <i>Description</i> of the <i>Lot</i> or any <i>Entry</i> or <i>Estimate</i> in respect of it, made by us or on our behalf or by or on behalf of the <i>Seller</i> (whether made in writing, including in the <i>Catalogue</i> , or on the <i>Bonhams' Website</i> , or orally, or by conduct or otherwise) and whether made before or after this agreement or prior to or during the <i>Sale</i> .
7.1.11	8.2.1	may be exercised at any time during which we have actual or constructive possession of the <i>Lot</i> , or at any time after such possession, where the cessation of such possession has occurred by reason of any decision, order or ruling of any court, mediator, arbitrator or government body; and	10.2	Our duty to you while the <i>Lot</i> is at your risk and/or your property and in our custody and/or control is to exercise reasonable care in relation to it, but we will not be responsible for damage to the <i>Lot</i> or to other persons or things caused by:
7.2	8.2.2	will not be exercised unless we believe that there exists a serious prospect of a good arguable case in favour of the claim.	10.2.1	handling the <i>Lot</i> if it was affected at the time of <i>Sale</i> to you by woodworm and any damage is caused as a result of it being affected by woodworm; or
	9 FORGERIES	9	10.2.2	changes in atmospheric pressure; nor will we be liable for:
	9.1	We undertake a personal responsibility for any <i>Forgery</i> in accordance with the terms of this paragraph 9.	10.2.3	damage to tension stringed musical instruments; or
	9.2	Paragraph 9 applies only if:	10.2.4	damage to gilded picture frames, plaster picture frames or picture frame glass; and if the <i>Lot</i> is or becomes dangerous, we may dispose of it without notice to you in advance in any manner we think fit and we will be under no liability to you for doing so.
	9.2.1	your name appears as the named person to whom the original invoice was made out by us in respect of the <i>Lot</i> and that invoice has been paid; and		
	9.2.2	you notify us in writing as soon as reasonably practicable after you have become aware that the <i>Lot</i> is or may be a <i>Forgery</i> , and in any event within one year after the <i>Sale</i> , that the <i>Lot</i> is a <i>Forgery</i> ; and		
	9.2.3	within one month after such notification has been given, you return the <i>Lot</i> to us in the same condition as it was at the time of the <i>Sale</i> , accompanied by written evidence that the <i>Lot</i> is a <i>Forgery</i> and details of the <i>Sale</i> and <i>Lot</i> number sufficient to identify the <i>Lot</i> .		

10.3.1 We will not be liable to you for any loss of *Business*, *Business* profits, revenue or income or for loss of *Business* reputation or for disruption to *Business* or wasted time on the part of the *Buyer's* management or staff or, if you are buying the *Lot* in the course of a *Business*, for any indirect losses or consequential damages of any kind, irrespective in any case of the nature, volume or source of the loss or damage alleged to be suffered, and irrespective of whether the said loss or damage is caused by or claimed in respect of any negligence, other tort, breach of contract, statutory duty, bailee's duty, a restitutionary claim or otherwise.

10.3.2 Unless you buy the *Lot* as a *Consumer*, in any circumstances where we are liable to you in respect of a *Lot*, or any act, omission, statement, representation in respect of it, or this agreement or its performance, and whether in damages, for an indemnity or contribution or for a restitutionary remedy or in any way whatsoever, our liability will be limited to payment of a sum which will not exceed by way of maximum the amount of the *Purchase Price* of the *Lot* plus *Buyer's Premium* (less any sum you may be entitled to recover from the *Seller*) irrespective in any case of the nature, volume or source of any loss or damage alleged to be suffered or sum claimed as due, and irrespective of whether the liability arises from negligence, other tort, breach of contract, statutory duty, bailee's duty, a restitutionary claim or otherwise.

You may wish to protect yourself against loss by obtaining insurance.

10.4 Nothing set out above will be construed as excluding or restricting (whether directly or indirectly) any person's liability or excluding or restricting any person's rights or remedies in respect of (i) fraud, or (ii) death or personal injury caused by our negligence (or any person under our control or for whom we are legally responsible), or (iii) acts or omissions for which we are liable under the Occupiers Liability Act 1957, or (iv) any other liability to the extent the same may not be excluded or restricted as a matter of law, or (v) under our undertaking in paragraph 9 of these conditions.

11 BOOKS MISSING TEXT OR ILLUSTRATIONS

Where the *Lot* is made up wholly of a *Book* or *Books* and any *Book* does not contain text or illustrations (in either case referred to as a "non-conforming *Lot*"), we undertake a personal responsibility for such a non-conforming *Lot* in accordance with the terms of this paragraph, if:

the original invoice was made out by us to you in respect of the *Lot* and that invoice has been paid; and

you notify us in writing as soon as reasonably practicable after you have become aware that the *Lot* is or may be a non-conforming *Lot*, and in any event within 20 days after the *Sale* (or such longer period as we may agree in writing) that the *Lot* is a non-conforming *Lot*; and

within 20 days of the date of the relevant *Sale* (or such longer period as we may agree in writing) you return the *Lot* to us in the same condition as it was at the time of the *Sale*, accompanied by written evidence that the *Lot* is a non-conforming *Lot* and details of the *Sale* and *Lot* number sufficient to identify the *Lot*.

but not if:

the *Entry* in the *Catalogue* in respect of the *Lot* indicates that the rights given by this paragraph do not apply to it; or

the *Entry* in the *Catalogue* in respect of the *Lot* reflected the then accepted general opinion of scholars and experts or fairly indicated that there was a conflict of such opinion; or

it can be established that the *Lot* is a non-conforming *Lot* only by means of a process not generally accepted for use until after the date on which the *Catalogue* was published or by means of a process which it was unreasonable in all the circumstances for us to have employed; or

the *Lot* comprises atlases, maps, autographs, manuscripts, extra illustrated books, music or periodical publications; or

the *Lot* was listed in the *Catalogue* under "collections" or "collections and various" or the *Lot* was stated in the *Catalogue* to comprise or contain collection, issue or *Books* which are undescribed or the missing text or illustrations are referred to or the relevant parts of the *Book* contain blanks, half titles or advertisements.

If we are reasonably satisfied that a *Lot* is a non-conforming *Lot*, we will (as principal) purchase the *Lot* from you and you will transfer the title to the *Lot* in question to us, with full title guarantee, free from any liens, charges, encumbrances and adverse claims and we will pay to you an amount equal to the sum of the *Purchase Price* and *Buyer's Premium* paid by you in respect of the *Lot*.

The benefit of paragraph 10 is personal to, and incapable of assignment by, you and if you sell or otherwise dispose of your interest in the *Lot*, all rights and benefits under this paragraph will cease.

12 MISCELLANEOUS

12.1 You may not assign either the benefit or burden of this agreement.

12.2 Our failure or delay in enforcing or exercising any power or right under this agreement will not operate or be deemed to operate as a waiver of our rights under it except to the extent of any express waiver given to you in writing. Any such waiver will not affect our ability subsequently to enforce any right arising under this agreement.

12.3 If either party to this agreement is prevented from performing that party's respective obligations under this agreement by circumstances beyond its reasonable control or if performance of its obligations would by reason of such circumstances give rise to a significantly increased financial cost to it, that party will not, for so long as such circumstances prevail, be required to perform such obligations. This paragraph does not apply to the obligations imposed on you by paragraph 3.

12.4 Any notice or other communication to be given under this agreement must be in writing and may be delivered by hand or sent by first class post or air mail or fax transmission (if to *Bonhams* marked for the attention of the Company Secretary), to the address or fax number of the relevant party given in the *Contract Form* (unless notice of any change of address is given in writing). It is the responsibility of the sender of the notice or communication to ensure that it is received in a legible form within any applicable time period.

12.5 If any term or any part of any term of this agreement is held to be unenforceable or invalid, such unenforceability or invalidity will not affect the enforceability and validity of the remaining terms or the remainder of the relevant term.

12.6 References in this agreement to *Bonhams* will, where appropriate, include reference to *Bonhams'* officers, employees and agents.

12.7 The headings used in this agreement are for convenience only and will not affect its interpretation.

12.8 In this agreement "including" means "including, without limitation".

12.9 References to the singular will include reference to the plural (and vice versa) and reference to any one gender will include reference to the other genders.

12.10 Reference to a numbered paragraph is to a paragraph of this agreement.

12.11 Save as expressly provided in paragraph 12.12 nothing in this agreement confers (or purports to confer) on any person who is not a party to this agreement any benefit conferred by, or the right to enforce any term of, this agreement.

12.12 Where this agreement confers an immunity from, and/or an exclusion or restriction of, the responsibility and/or liability of *Bonhams*, it will also operate in favour and for the benefit of *Bonhams'* holding company and the subsidiaries of such holding company and the successors and assigns of *Bonhams* and of such companies and of any officer, employee and agent of *Bonhams* and such companies, each of whom will be entitled to rely on the relevant immunity and/or exclusion and/or restriction within and for the purposes of Contracts (Rights of Third Parties) Act 1999, which enables the benefit of a contract to be extended to a person who is not a party to the contract, and generally at law.

13 GOVERNING LAW

All transactions to which this agreement applies and all connected matters will be governed by and construed in accordance with the laws of that part of the United Kingdom where the *Sale* takes (or is to take) place and we and you each submit to the exclusive jurisdiction of the courts of that part of the United Kingdom, save that we may bring proceedings against you in any other court of competent jurisdiction to the extent permitted by the laws of the relevant jurisdiction. *Bonhams* has a complaints procedure in place.

DATA PROTECTION – USE OF YOUR INFORMATION

Where we obtain any personal information about you, we shall only use it in accordance with the terms of our Privacy Policy (subject to any additional specific consent(s) you may have given at the time your information was disclosed). A copy of our Privacy Policy can be found on our *Website* www.bonhams.com or requested by post from Customer Services Department, 101 New Bond Street, London W1S 1SR, United Kingdom or by email from info@bonhams.com.

APPENDIX 3

DEFINITIONS AND GLOSSARY

Where these Definitions and Glossary are incorporated, the following words and phrases used have (unless the context otherwise requires) the meanings given to them below. The Glossary is to assist you to understand words and phrases which have a specific legal meaning with which you may not be familiar.

LIST OF DEFINITIONS

"Additional Premium" a premium, calculated in accordance with the *Notice to Bidders*, to cover *Bonhams'* Expenses relating to the payment of royalties under the Artists Resale Right Regulations 2006 which is payable by the *Buyer* to *Bonhams* on any *Lot* marked [AR] which sells for a *Hammer Price* which together with the *Buyer's Premium* (but excluding any VAT) equals or exceeds 1000 euros (converted into the currency of the *Sale* using the European Central Bank Reference rate prevailing on the date of the *Sale*).
"Auctioneer" the representative of *Bonhams* conducting the *Sale*.

"Bidder" a person who has completed a *Bidding Form*.

"Bidding Form" our Bidding Registration Form, our Absentee Bidding Form or our Telephone Bidding Form.

"Bonhams" Bonhams 1793 Limited or its successors or assigns. *Bonhams* is also referred to in the *Buyer's Agreement*, the Conditions of Business and the *Notice to Bidders* by the words "we", "us" and "our".

"Book" a printed *Book* offered for *Sale* at a specialist *Book Sale*.

"Business" includes any trade, *Business* and profession.

"Buyer" the person to whom a *Lot* is knocked down by the *Auctioneer*. The *Buyer* is also referred to in the *Contract for Sale* and the *Buyer's Agreement* by the words "you" and "your".

"Buyer's Agreement" the contract entered into by *Bonhams* with the *Buyer* (see Appendix 2 in the *Catalogue*).

"Buyer's Premium" the sum calculated on the *Hammer Price* at the rates stated in the *Notice to Bidders*.

"Catalogue" the *Catalogue* relating to the relevant *Sale*, including any representation of the *Catalogue* published on our *Website*.

"Commission" the *Commission* payable by the *Seller* to *Bonhams* calculated at the rates stated in the *Contract Form*.

"Condition Report" a report on the physical condition of a *Lot* provided to a *Bidder* or potential *Bidder* by *Bonhams* on behalf of the *Seller*.

"Conditions of Sale" the *Notice to Bidders*, *Contract for Sale*, *Buyer's Agreement* and Definitions and Glossary.

"Consignment Fee" a fee payable to *Bonhams* by the *Seller* calculated at rates set out in the Conditions of Business.

"Consumer" a natural person who is acting for the relevant purpose outside his trade, *Business* or profession.

"Contract Form" the *Contract Form*, or vehicle *Entry* form, as applicable, signed by or on behalf of the *Seller* listing the *Lots* to be offered for *Sale* by *Bonhams*.

"Contract for Sale" the *Sale* contract entered into by the *Seller* with the *Buyer* (see Appendix 1 in the *Catalogue*).

"Contractual Description" the only *Description* of the *Lot* (being that part of the *Entry* about the *Lot* in the *Catalogue* which is in bold letters, any photograph (except for the colour) and the contents of any *Condition Report*) to which the *Seller* undertakes in the *Contract for Sale* the *Lot* corresponds.

"Description" any statement or representation in any way descriptive of the *Lot*, including any statement or representation relating to its authorship, attribution, condition, provenance, authenticity, style, period, age, suitability, quality, origin, value, estimated selling price (including the *Hammer Price*).

"Entry" a written statement in the *Catalogue* identifying the *Lot* and its *Lot* number which may contain a *Description* and illustration(s) relating to the *Lot*.

"Estimate" a statement of our opinion of the range within which the hammer is likely to fall.

"Expenses" charges and *Expenses* paid or payable by *Bonhams* in respect of the *Lot* including legal *Expenses*, banking charges and *Expenses* incurred as a result of an electronic transfer of money, charges and *Expenses* for loss and damage cover, insurance, *Catalogue* and other reproductions and illustrations, any customs duties, advertising, packing or shipping costs, reproductions rights' fees, taxes, levies, costs of testing, searches or enquiries, preparation of the *Lot* for *Sale*, storage charges, removal charges, removal charges or costs of collection from the *Seller* as the *Seller's* agents or from a defaulting *Buyer*, plus *VAT* if applicable.

"Forgery" an imitation intended by the maker or any other person to deceive as to authorship, attribution, origin, authenticity, style, date, age, period, provenance, culture, source or composition, which at the date of the *Sale* had a value materially less than it would have had if the *Lot* had not been such an imitation, and which is not stated to be such an imitation in any description of the *Lot*. A *Lot* will not be a *Forgery* by reason of any damage to, and/or restoration and/or modification work (including repainting or over painting) having been carried out on the *Lot*, where that damage, restoration or modification work (as the case may be) does not substantially affect the identity of the *Lot* as one conforming to the *Description* of the *Lot*.

"Guarantee" the obligation undertaken personally by *Bonhams* to the *Buyer* in respect of any *Forgery* and, in the case of specialist *Stamp Sales* and/or specialist *Book Sales*, a *Lot* made up of a *Stamp* or *Stamps* or a *Book* or *Books* as set out in the *Buyer's Agreement*.

"Hammer Price" the price in the currency in which the *Sale* is conducted at which a *Lot* is knocked down by the *Auctioneer*.

"Loss and Damage Warranty" means the warranty described in paragraph 8.2 of the Conditions of Business.

"Loss and Damage Warranty Fee" means the fee described in paragraph 8.2.3 of the Conditions of Business.

"Lot" any item consigned to *Bonhams* with a view to its *Sale* at auction or by private treaty (and reference to any *Lot* will include, unless the context otherwise requires, reference to individual items comprised in a group of two or more items offered for *Sale* as one *Lot*).

"Motoring Catalogue Fee" a fee payable by the *Seller* to *Bonhams* in consideration of the additional work undertaken by *Bonhams* in respect of the cataloguing of motor vehicles and in respect of the promotion of *Sales* of motor vehicles.

"New Bond Street" means *Bonhams's* saleroom at 101 New Bond Street, London W1S 1SR.

"Notional Charges" the amount of *Commission* and *VAT* which would have been payable if the *Lot* had been sold at the *Notional Price*.

"Notional Fee" the sum on which the *Consignment Fee* payable to *Bonhams* by the *Seller* is based and which is calculated according to the formula set out in the Conditions of Business.

"Notional Price" the latest in time of the average of the high and low *Estimates* given by us to you or stated in the *Catalogue* or, if no such *Estimates* have been given or stated, the *Reserve* applicable to the *Lot*.

"Notice to Bidders" the notice printed at the back or front of our *Catalogues*.

"Purchase Price" the aggregate of the *Hammer Price* and *VAT* on the *Hammer Price* (where applicable), the *Buyer's Premium* and *VAT* on the *Buyer's Premium* and any *Expenses*.

"Reserve" the minimum price at which a *Lot* may be sold (whether at auction or by private treaty).

"Sale" the auction *Sale* at which a *Lot* is to be offered for *Sale* by *Bonhams*.

"Sale Proceeds" the net amount due to the *Seller* from the *Sale* of a *Lot*, being the *Hammer Price* less the *Commission*, any *VAT* chargeable thereon, *Expenses* and any other amount due to us in whatever capacity and howsoever arising.

"Seller" the person who offers the *Lot* for *Sale* named on the *Contract Form*. Where the person so named identifies on the form another person as acting as his agent, or where the person named on the *Contract Form* acts as an agent for a principal (whether such agency is disclosed to *Bonhams* or not), "*Seller*" includes both the agent and the principal who shall be jointly and severally liable as such. The *Seller* is also referred to in the Conditions of Business by the words "you" and "your".

"Specialist Examination" a visual examination of a *Lot* by a specialist on the *Lot*.

"Stamp" means a postage *Stamp* offered for *Sale* at a Specialist *Stamp Sale*.

"Standard Examination" a visual examination of a *Lot* by a non-specialist member of *Bonhams's* staff.

"Storage Contract" means the contract described in paragraph 8.3.3 of the Conditions of Business or paragraph 4.4 of the *Buyer's Agreement* (as appropriate).

"Storage Contractor" means the company identified as such in the *Catalogue*.

"Terrorism" means any act or threatened act of terrorism, whether any person is acting alone or on behalf of or in connection with any organisation(s) and/or government(s), committed for political, religious or ideological or similar purposes including, but not limited to, the intention to influence any government and/or put the public or any section of the public into fear.

"Trust Account" the bank account of *Bonhams* into which all sums received in respect of the *Purchase Price* of any *Lot* will be paid, such account to be a distinct and separate account to *Bonhams's* normal business bank account.

"VAT" value added tax at the prevailing rate at the date of the *Sale* in the United Kingdom.

"Website" *Bonhams Website* at www.bonhams.com

"Withdrawal Notice" the *Seller's* written notice to *Bonhams* revoking *Bonhams's* instructions to sell a *Lot*.

"Without Reserve" where there is no minimum price at which a *Lot* may be sold (whether at auction or by private treaty).

GLOSSARY

The following expressions have specific legal meanings with which you may not be familiar. The following glossary is intended to give you an understanding of those expressions but is not intended to limit their legal meanings:

"artist's resale right": the right of the creator of a work of art to receive a payment on *Sales* of that work subsequent to the original *Sale* of that work by the creator of it as set out in the Artists Resale Right Regulations 2006.

"bailee": a person to whom goods are entrusted.

"indemnity": an obligation to put the person who has the benefit of the indemnity in the same position in which he would have been, had the circumstances giving rise to the indemnity not arisen and the expression "indemnity" is construed accordingly.

"interpleader proceedings": proceedings in the Courts to determine ownership or rights over a *Lot*.

"knocked down": when a *Lot* is sold to a *Bidder*, indicated by the fall of the hammer at the *Sale*.

"lien": a right for the person who has possession of the *Lot* to retain possession of it.

"risk": the possibility that a *Lot* may be lost, damaged, destroyed, stolen, or deteriorate in condition or value.

"title": the legal and equitable right to the ownership of a *Lot*.

"tort": a legal wrong done to someone to whom the wrong doer has a duty of care.

SALE OF GOODS ACT 1979

The following is an extract from the Sale of Goods Act 1979:

"Section 12 Implied terms about title, etc

- (1) In a contract of sale, other than one to which subsection (3) below applies, there is an implied term on the part of the seller that in the case of a sale he has a right to sell the goods, and in the case of an agreement to sell he will have such a right at the time when the property is to pass.
- (2) In a contract of sale, other than one to which subsection (3) below applies, there is also an implied term that-
 - (a) the goods are free, and will remain free until the time when the property is to pass, from any charge or encumbrance not disclosed or known to the buyer before the contract is made, and
 - (b) the buyer will enjoy quiet possession of the goods except in so far as it may be disturbed by the owner or other person entitled to the benefit of any charge or encumbrance so disclosed or known.
- (3) This subsection applies to a contract of sale in the case of which there appears from the contract or is to be inferred from its circumstances an intention that the seller should transfer only such title as he or a third person may have.
- (4) In a contract to which subsection (3) above applies there is an implied term that all charges or encumbrances known to the seller and not known to the buyer have been disclosed to the buyer before the contract is made.
- (5) In a contract to which subsection (3) above applies there is also an implied term that none of the following will disturb the buyer's quiet possession of the goods, namely:
 - (a) the seller;
 - (b) in a case where the parties to the contract intend that the seller should transfer only such title as a third person may have, that person;
 - (c) anyone claiming through or under the seller or that third person otherwise than under a charge or encumbrance disclosed or known to the buyer before the contract is made.
- (5A) As regards England and Wales and Northern Ireland, the term implied by subsection (1) above is a condition and the terms implied by subsections (2), (4) and (5) above are warranties."

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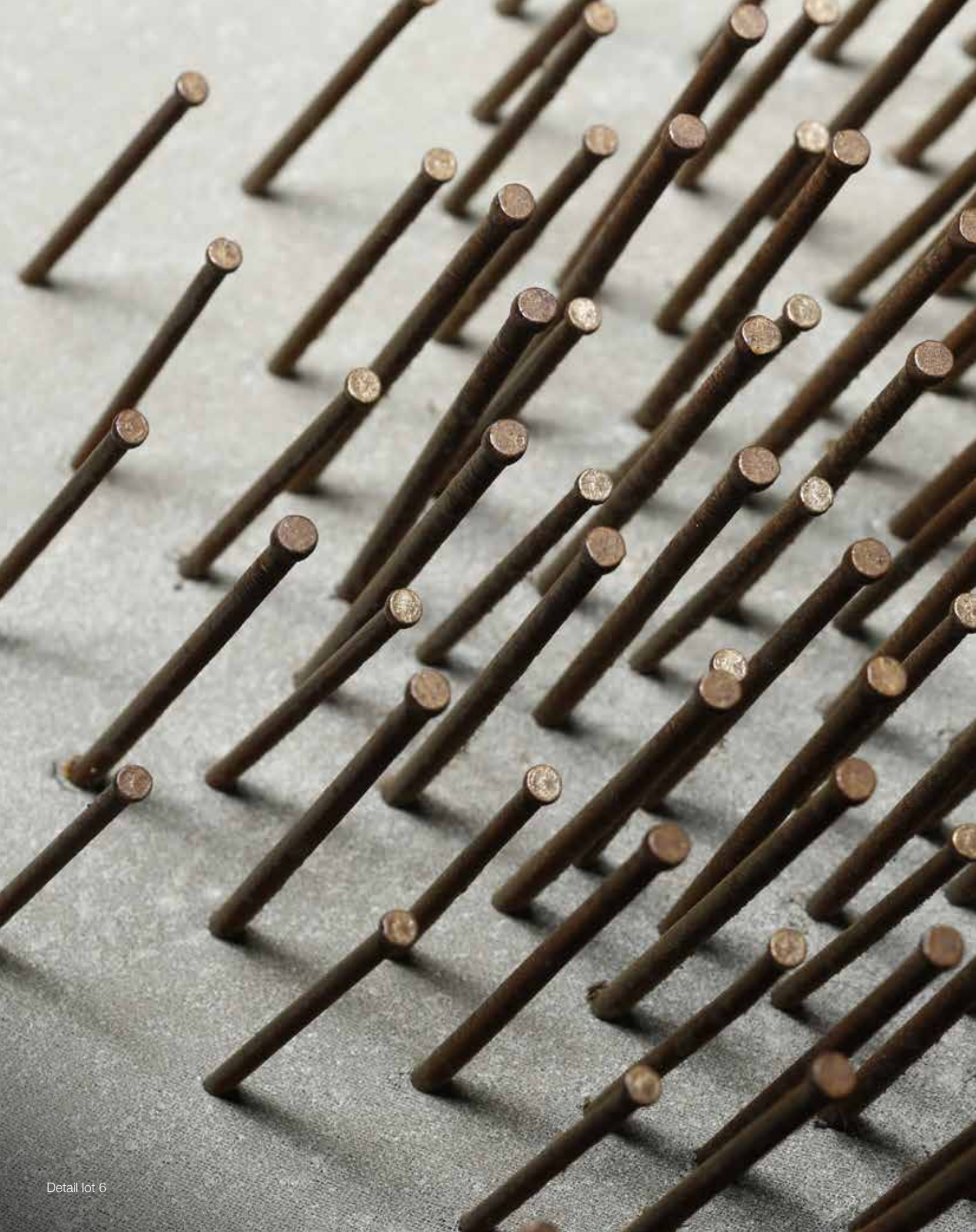
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