# Important British, Continental and South African Paintings and Sculpture

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Fine Art Auctioneers | Consultants

DIRECTORS: E BRADLEY (CHAIRMAN), M-J DARROLL, V PHILLIPS, (P GENOVESE, A PALMER ALTS) CB STRAUSS AND SA WELZ (MD)

#### Monday 1 November 2010 at 4.00 pm and 8.00 pm

PREVIEW AND AUCTION

#### Country Club, Johannesburg, Woodmead

Corner Lincoln Road & Woodlands Drive, Woodmead GPS Co-ordinates: Latitude: 26.0519 S – Longitude: 28.0675 E

#### On view Friday 29 October, Saturday 30 October and Sunday 31 October 10.00 am to 5.00 pm

ILLUSTRATED CATALOGUE R100.00

Contact numbers during viewing and auction 079 407 5140 and 079 367 0637 Fax: 086 565 9324



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Preview and Auction at

Country Club Johannesburg, Woodmead

Corner Lincoln Road & Woodlands Drive, Woodmead



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A MUSEUM IN THE MAKING





Wits Art Museum (WAM) is currently building a new home for its extraordinary art collections. Construction began in April 2010 and will be completed towards the end of 2011. WAM will have five world-class exhibition areas, research and teaching facilities, museum storage facilities, prime commercial event space as well as administrative and support facilities. If you would like receive information about forthcoming Wits Art Museum events please email us at Julia.Charlton@wits.ac.za

For more information: www.wits.ac.za/wam Tel: +2711 717 1362/3 Fax: +2711 717 1369



# Forthcoming Auction in Cape Town

Monday 7 March 2011 Important Paintings, Furniture, Silver and Ceramics

Entries close mid January 2011

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#### Elisabeth Bradley

Chairman

Elisabeth Bradley has a distinguished record in business serving on the Boards of several major South African companies. Her family introduced Toyota vehicles to the South African market. She is a graduate of the University of the Free State and of London University. Throughout her career she has been actively involved in a broad range of education and policy initiatives. She is a keen collector of South African art.



#### Dr Conrad Strauss

Vice-Chairman

Conrad Strauss joined the Standard Bank in 1963 after lecturing in economics at Rhodes University, becoming Group Managing Director in 1978 and Chairman from 1992 to 2000. He has been actively involved in public life for many years, serving on various business and Governmental advisory bodies and in various education initiatives. Conrad has a long personal and professional commitment to the arts. During his stewardship, the Standard Bank National Arts Festival in Grahamstown expanded to become the centrepiece of the creative and performing arts in South Africa.



#### Stephan Welz

Managing Director Paintings, Watercolours, Drawings, Prints and Sculpture

Stephan is the longest practising fine art expert and auctioneer in South Africa with over 35 years of experience with Sotheby's in London, Amsterdam and South Africa. He has a vast knowledge of South African art and antiques making him the most respected "Generalist" in these fields. He has presided over most of the major South African art and antique auctions and holds the most auction records.



#### Mary-Jane Darroll Executive Director

Paintings, Watercolours, Drawings, Prints and Sculpture

Mary-Jane, who is an MA graduate in Fine Arts from Wits University, is a former Curator of the Standard Bank Gallery and Corporate Collection. During her tenure at the Bank, she was Fine Art Co-Ordinator of the Standard Bank National Arts Festival in Grahamstown. Subsequently, she was Head of the Paintings Department at Stephan Welz & Co, in association with Sotheby's, and later a Director of the Everard Read Gallery in Johannesburg.



Vanessa Phillips

Director Furniture, Silver, Ceramics and Jewellery

Trained as a ceramic restorer, Vanessa founded the first Porcelain Restoration School in South Africa in 1984. She joined Stephan Welz & Co, in association with Sotheby's, as a ceramic specialist in 1988 and, during the next twenty years, broadened her expertise to include furniture, silver and glass. Through her knowledge of local and international decorative and fine art she has introduced many important private collections to the auction market.

Ann Palmer

Director Paintings, Watercolours, Drawings, Prints and Sculpture



Born and educated in the UK, Ann Palmer has been living in South Africa since 1964. She has worked at various art galleries since the 1970s and has been on the Council of the Friends of the South African National Gallery for ten years. Ann commenced with Stephan Welz & Co, in association with Sotheby's in 1990 and has been involved with the auction world ever since. She was delighted to join Stephan Welz in his new venture, Strauss & Co., at the beginning of 2009 to head up the Paintings Department in Cape Town.

Bina Genovese





Bina has worked in the art auction world both locally and internationally for over twenty years. After completing her BA HONS at Wits she obtained a diploma for the one year Decorative and Fine Arts course at Christie's in London. On her return to Johannesburg she joined Stephan Welz & Co, in association with Sotheby's, in the Decorative Arts and Client Services departments. She emigrated to Italy after two years, becoming part of the management team at Christie's. She moved to Cape Town nine years later and re-joined Stephan Welz & Co, in association with Sotheby's, as manager of the Cape Town office.

Emma Bedford is highly regarded both locally and internationally, having played an unequalled role as

Emma Bedford Senior Specialist Paintings, Watercolours, Drawings, Prints and Sculpture



Senior Curator and Head of Art Collections at Iziko South African National Gallery and as Director of Goodman Gallery Cape. She is an acknowledged expert in modern and contemporary art with particular reference to South African art, has extensive experience in curating exhibitions and managing collections and has authored and edited numerous publications. Mica Curitz

Silver, Paintings, Furniture and Ceramics



After obtaining her degree in Humanities at The University of Cape Town, Mica completed a course in art and business at The Sotheby's Institute of Art in London. On her return to Cape Town she joined Stephan Welz θ Co, in association with Sotheby's where she became head of the silver department. Three years later she entered the contemporary art world as a consultant. Mica is delighted to be back in the auction world with Strauss θ Co.





Fine Art Auctioneers | Consultants

## **Explanation of Cataloguing Practice**

The terms used in this catalogue have the meanings ascribed to them below. Any statement as to the authorship, attribution, origin, date, age, provenance and condition is a statement of opinion and should not be taken as a statement of fact. Please read the Conditions of Business printed in this catalogue, with particular reference to paragraph 2. Buyers are advised to inspect the property themselves. Condition reports are available on request.

While the use of these terms and their definitions are based upon careful study and represent the opinion of specialists, Strauss & Co and the consignor assume no risk, liability and responsibility for the authenticity of authorship of any lot in this catalogue described by these terms.

#### 'Name of the artist ...'

In Strauss & Co's opinion a work by the artist.

#### 'Attributed to ...'

In Strauss & Co's opinion probably a work by the artist in whole or in part.

#### 'Studio of ... '

In Strauss & Co's opinion a work executed in the artist's studio but not necessarily under his supervision.

#### 'Circle of ...'

In Strauss & Co's opinion a work by an as yet unidentified hand, closely associated with the named artist and showing his influence.

#### 'Follower of ...'

In Strauss & Co's opinion a work executed in the artist's style but not necessarily his pupil.

#### 'Manner of ...'

In Strauss & Co's opinion a work executed in the artist's style and of a later date.

#### 'After ...'

In Strauss & Co's opinion a copy of known work by the artist but of any date.

#### 'signed ..., dated ..., inscribed ...'

In Strauss & Co's opinion the work has been signed, dated or inscribed by the artist.

#### 'Bears a signature ... , dated... and/or inscribed ...'

In Strauss & Co's opinion the signature, date and/or inscription are by a hand other than that of the artist.

## Guide for Bidding

#### **Conditions of Sale**

Strauss & Co's Conditions of Sale are set out in this catalogue. Bidders are strongly advised to read these and familiarise themselves with the terms and information relating to buying at auction. It is important to note that Strauss & Co act on behalf of the seller. Please refer to Sections 2 and 3 of the Conditions of Business set out in this catalogue.

#### Estimates

Pre-sales estimates are based upon the current market prices achieved at auction for comparable property, condition, rarity and provenance. Any bid between the high and the low estimate will, in Strauss & Co's opinion, stand a fair chance of success. Estimates are exclusive of Buyer's Premium and VAT. Printed estimates in the catalogue may be altered and are subject to revision.

#### Reserves

All lots may be subject to a reserve which is a confidential figure arrived at between Strauss & Co and the seller and below which a lot may not be sold. The reserve is generally calculated at a percentage below the low estimate but may not exceed the low estimate.

#### **Buyer's Premium**

Strauss & Co charges a premium to the buyer on the final bid price calculated at 10% for lots selling over R10 000, and 15% for lots selling at and below R10 000. VAT is payable on the Premium at the applicable rate.

#### **Pre-auction Viewing**

This is open to the public free of charge. Strauss & Co's specialists are available to give condition reports or advice at viewings or by appointment.

#### **Bidding at the Auction**

The auctioneer will accept bids from those present in the saleroom, by absentee written bids left in advance or from telephone bidders. The auctioneer may bid on behalf of the seller up to the amount of the reserve, by placing consecutive or responsive bids for a lot.

**In person:** Prior to the sale, bidders are required to complete a registration card in order to obtain a bidding number and to produce some form of identification, for example, ID document, driving licence, passport or proof of current address. The onus is on the bidder to ensure that the auctioneer is aware of the bid and that that correct lot number, bidder's number and price are called out.

Absentee written bids: These are written instructions from prospective buyers directing Strauss & Co to bid on their behalf up to a specific amount for each lot. Although bidders are advised to record the maximum limit to which they will bid they may well be successful in securing the lot at a lower figure, depending on the interest in the lot. In the event of an identical bid, the earliest will take precedence. Telephoned Absentee bids must be confirmed before the sale in writing. Please ensure that Absentee bids are placed at least 24 hours before the sale.

**Telephone bids:** Bidders who are unable to attend the auction may arrange to bid on the telephone. As the number of telephone lines is limited, it is advisable to book a telephone at least 24 hours before the sale. In the event of a breakdown in the telephone communications, it is advisable to leave a maximum bid as a safeguard. Telephone bids may be recorded.

#### **Payment and Collection of Purchases**

All lots sold will be invoiced to the name and address that appear on the registration forms.

#### Payment

Successful bidders are required to make payment for their purchases immediately after the sale. Pictures will be released on proof of payment.

#### **Methods of Payment**

Payment may be made by:-

a) Cheque (by prior arrangement)

b) Electronic Transfer

c) Credit cards acceptable to Strauss & Company (Mastercard and Visa)

d) Direct Cash deposit into our Current Account

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#### Collections

All purchases must be removed by 12 noon on the day following the sale. After this time all purchased lots will be removed to Strauss & Co's premises at 89 Central Street, Houghton, and may be subject to removal and handling fees.



Country Club Johannesburg, Woodmead

1 November 2010 – 4 pm

British, Continental, American and South African Paintings and Sculpture

Session One: Lots 1-149

British, Continental and American Paintings, Drawings, Watercolours, Prints and Sculpture



#### 1

#### **Howard Hodgkins**

BRITISH 1932-

#### Put more Flags out Now (H.90)

signed with the initials, dated 92 and numbered 42/75 in pencil etching with carborundum printed in colour 42,3 by 53,6 cm

R25 000 - 40 000

#### 2

#### Menashe Kadishman

ISRAELI 1932-

#### A Sheep's Head with Purple Bonnet

signed and dated 85 acrylic on paper 97 by 67,5 cm

R10 000 - 15 000

#### 3

Max Papart FRENCH 1911-1994

#### Teatres

signed and numbered 13/15 in pencil in the margin etching printed in colours with collage 47,5 by 62,5 cm

R4 000 - 6 000



#### Pablo Picasso

SPANISH 1881-1973

#### Composition au Verre et Compotier

signed and numbered 206/300 in pencil in the margin etching and aquatint in colour 49 by 59,9 cm

R60 000 - 80 000

Atelier Crommelynck, Paris PROVENANCE David Krut Fine Art, Johannesburg





5

#### **Henry Spencer Moore**

BRITISH 1898-1986

#### Mother and Child XVIII, 1983 (C.688)

signed, numbered 48/65 and inscribed 'pl XVIII' in pencil in the margin and signed in the plate etching and aquatint 22 by 16,5 cm

R15 000 - 20 000

#### 6

#### Henry Spencer Moore

BRITISH 1898-1986

#### Mother and Child (C.684)

signed and numbered 'PL XIV' 26/65 in pencil in the margin etching and aquatint 23,9 by 18,8 cm

R8 000 – 12 000

#### 7

Henri Matisse

FRENCH 1869-1954

Vierge et Enfant (Duthuit. Pl. 353) signed and numbered 45/100 in pencil in the margin lithograph 35 by 28,5 cm

R25 000 - 40 000





Henry Spencer Moore

BRITISH 1898-1986

Reclining Figure, 1982 (C.653) signed and numbered 34/50 in pencil in the margin lithograph printed in colour 31 by 38,5 cm

R15 000 - 20 000

9

#### Marino Marini

ITALIAN 1901-1980

Marino to Stravinsky, Scomposizione, 1972, Plate V. (A.143)

signed and numbered 57/75 in pencil in the margin etching, dry-point and coloured aquatint 39,5 by 33 cm

R20 000 - 30 000

10

Marino Marini ITALIAN 1901–1980

Impressioni, 1959 (A.58) signed, numbered 29/60 and inscribed 'EA' in pencil in the margin etching 44 by 36 cm

R15 000 - 20 000

11

John Piper BRITISH 1903–1992

**Eye and Camera** signed and numbered 9/10 in pencil in the margin aquatint in colour 46 by 67 cm

R6 000 – 9 000



#### Julian Opie

BRITISH 1958-

#### This is Shahnoza in 3 parts (08.2008)

one panel signed, all three are inscribed with the title and numbered 7/30 respectively on labels on the reverse aluminium and flocking on acrylic 130 by 147 cm

R100 000 - 120 000



Julian Opie BRITISH 1958–

Ruth Smoking 5, 2006 signed and numbered 25/50 on the reverse silkscreen in colour 120,5 by 81,5 cm

R40 000 - 60 000



#### Tom Wesselmann

AMERICAN 1931-2004

#### Helen Nude

signed, dated 81 and numbered 137/150 in pencil in the margin screen-print in colour 78,5 by 80,5 cm

R60 000 - 80 000

#### James Coignard

FRENCH 1925-1997

#### Remarque Verte; Remarque Jaune

both signed and numbered 47/75 etchings with carborundum in colour each 65 by 50cm (2)

#### R5 000 – 7 000

#### 16

#### Joe Tilson

BRITISH 1928-

#### Oak Oracle

signed, dated 1980 and inscribed 'for Brian' in pencil in the margin soft-ground etching and aquatint in colour with photolithographic collage and brass eyelets sheet size: 79 by 57 cm

#### R4 000 - 6 000

#### 17

#### Joe Tilson

BRITISH 1928-

#### Oak Mantra

signed, dated 1981 and numbered 11/100 in pencil in the margin soft-ground etching and aquatint in colour, with collage of a single steel stud, string and painted plaque 104 by 73 cm

#### R3 000 – 5 000

#### 18

#### **Jacqueline Marval**

FRENCH 1866-1932

#### Parc Monceau

signed; inscribed with the artist's name and title on a label on the reverse oil on canvas 45 by 53,5 cm

#### R10 000 - 15 000

Executed circa 1908. EXHIBITED Galerie Druet, late 1908 in a group exhibition of works by Cézanne, Cross, Othon Friesz, Gauguin, Van Gogh, Van Dongen, Jules Flandrin, Laprade, Luce, Maillol, Jean Puy, Seurat, Paul Signac and Vallotton.



Edward Seago BRITISH 1910–1974

*February, Norfolk* signed; inscribed with the title on the reverse oil on board 49,5 by 75 cm

R70 000 - 100 000

South African Paintings, Drawings, Watercolours, Prints and Sculpture



#### 20

#### John Henry Amshewitz

SOUTH AFRICAN 1882-1942

#### The Arrival of Jan van Riebeeck at the Cape, 1652

signed and dated 1938 oil on canvas 72 by 89,5 cm

R30 000 - 50 000

This painting was commercially reproduced and sold by E. Schweickerdt (Pty) Ltd, Pretoria in the 1960s and appears in colour on page 9 of their *Art Catalogue*.

#### **Nils Severin Andersen**

SOUTH AFRICAN 1897-1972

#### Van Riebeeck's Dromedaris

*approaching the Cape* signed oil on board 60 by 90 cm

#### R20 000 - 30 000

This painting was commercially reproduced and sold by E. Schweickerdt (Pty) Ltd, Pretoria in the 1960s and appears in black and white on page 20 of their *Art Catalogue*.

#### 22

#### **Frans David Oerder**

SOUTH AFRICAN 1867-1944

#### Heidelberg Castle

signed, numbered 74/100 and inscribed with the title in pencil in the margin, also signed with the initials in the plate etching 22,5 by 27,5 cm

#### R2 000 - 3 000

#### 23

Jacob Hendrik Pierneef

SOUTH AFRICAN 1886-1957

#### Groep Huise Tulbagh (Nilant 10)

signed, inscribed K.P. Tulbagh in pencil in the margin linocut 12,5 by 17,5 cm

#### R6 000 – 9 000

#### 24

#### Jacob Hendrik Pierneef

SOUTH AFRICAN 1886-1957

#### Wilgerboom en Stroom (N.86)

signed, inscribed 'impr' and dated 'druk 1933' in pencil in the margin, signed with the monogram in the plate linocut 21,3 by 26,5 cm

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R10 000 - 15 000
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#### 25

#### Jacob Hendrik Pierneef

SOUTH AFRICAN 1886-1957

#### An Extensive Mountainous Landscape

signed with the studio stamp pencil and coloured pencil 25,5 by 40 cm

#### R12 000 - 16 000

PROVENANCE The Egon Guenther Gallery, Johannesburg

#### 26

#### Jan Ernst Abraham Volschenk

SOUTH AFRICAN 1853-1936

#### Morning Sunshine

signed and dated 1911; signed, dated 1911 and inscribed with the title on the reverse oil on canvas 33,5 by 28,5 cm

#### R30 000 - 50 000

#### Jan Ernst Abraham Volschenk

SOUTH AFRICAN 1853-1936

#### A Vlei in Mountains (Happy Valley, Riversdale)

signed and dated 1933; signed, dated 1933 and inscribed with the title on the reverse oil on canvas 24 by 36,5 cm

R30 000 - 40 000

#### 28

27

Robert Gwelo Goodman SOUTH AFRICAN 1871–1939

#### A Lakeside with Trees

signed with the initials and dated 1909 watercolour 50 by 70,5 cm

R20 000 - 30 000

PROPERTY OF THE ESTATE LATE ESTHER HOLLOWAY

29

Robert Gwelo Goodman SOUTH AFRICAN 1871–1939

*Breede River, Cape* watercolour 30,5 by 35 cm

R10 000 - 15 000

PROPERTY OF THE ESTATE LATE ESTHER HOLLOWAY

30

Maggie (Maria Magdalena) Laubser

SOUTH AFRICAN 1886-1973

#### Bloublommetjieskloof

signed and signed with the initials oil on canvas laid-down on board 27 by 36,5 cm

R25 000 - 35 000







PROPERTY OF THE ESTATE LATE ESTHER HOLLOWAY

31

#### Gregoire Johannes Boonzaier

SOUTH AFRICAN 1909-2005

#### Kommetjie Lighthouse in the Mist

signed and dated 1928; inscribed with the title on a label on the reverse oil on canvas 32 by 37,5 cm

R80 000 - 120 000



PROPERTY OF THE ESTATE LATE ESTHER HOLLOWAY

#### 32

#### Willem Hermanus Coetzer

SOUTH AFRICAN 1900-1983

#### Green Proteas

signed and dated 59 oil on canvas laid-down on board 39 by 34,5 cm

R40 000 - 60 000

Tinus (Marthinus Johannes) de Jongh SOUTH AFRICAN 1885–1942

A Cottage in a Mountainous Landscape signed oil on canvas 32,5 by 47 cm

R25 000 - 40 000

34

**Tinus (Marthinus Johannes) de Jongh** SOUTH AFRICAN 1885–1942

Breede River

signed oil on canvas 23 by 30 cm

R25 000 - 40 000

35

Otto Klar SOUTH AFRICAN 1908–1994

An Extensive River Landscape signed oil on board 24,5 by 54,5 cm

R8 000 - 12 000

36

Otto Klar SOUTH AFRICAN 1908–1994

An Extensive Bushveld Landscape with a River signed oil on board 16 by 39,5 cm

R12 000 - 18 000

37

Willem Hermanus Coetzer SOUTH AFRICAN 1900–1983

A Mountain Landscape signed and dated 45 oil on board 17,5 by 25 cm

R12 000 - 16 000

#### 38

Willem Hermanus Coetzer SOUTH AFRICAN 1900–1983 Mountainous Gorge, Natal

signed and dated 61; indistinctly inscribed with the title on the reverse oil on board 29 by 39,5 cm

R25 000 - 40 000

39

Willem Hermanus Coetzer

A Farm with Cattle and a Figure feeding Chickens signed and dated 42 oil on canvas 40 by 59 cm

R25 000 - 40 000

40

Willem Hermanus Coetzer SOUTH AFRICAN 1900–1983

An Extensive Landscape with a House and Figure signed oil on canvas laid-down on board 27 by 37 cm

R30 000 - 40 000







41 Willem Hermanus Coetzer SOUTH AFRICAN 1900–1983

Approaching Storm, O.F.S. signed and dated 46 oil on canvas 69 by 84,5 cm

R35 000 - 50 000

#### 42

Willem Hermanus Coetzer SOUTH AFRICAN 1900–1983

Mont-Aux-Sources

signed; signed and inscribed with the title on the reverse oil on canvas laid-down on board 44 by 60 cm

R35 000 - 50 000



#### Willem Hermanus Coetzer

SOUTH AFRICAN 1900-1983

#### Eastern Buttress Mont-Aux-Sources

signed and dated 45; signed, dated 1945 and inscribed with the title on the stretcher on the reverse oil on canvas 60 by 75,5 cm

R70 000 - 90 000





SOUTH AFRICAN 1900-1983

A Pilanesberg Landscape with a Fire in the Distance

signed oil on canvas laid-down on board 40 by 50 cm

R20 000 - 30 000

#### 45

Willem Hermanus Coetzer

SOUTH AFRICAN 1900-1983

*Mountain Landscape, N.E. Transvaal* signed; indistinctly signed and inscribed with the title on the reverse oil on canvas laid-down on board 44,5 by 60 cm

R25 000 - 35 000





#### Errol Stephen Boyley

SOUTH AFRICAN 1918-2007

#### **Breede River with a View of Houses** signed oil on canvas 49,5 by 75 cm

R30 000 - 50 000

#### 47

Errol Stephen Boyley SOUTH AFRICAN 1918–2007

# Boat Yard, Fort Beaufort signed

oil on canvas laid-down on board 60 by 90 cm

R30 000 - 50 000



#### Errol Stephen Boyley SOUTH AFRICAN 1918–2007

A River Landscape signed oil on canvas laid-down on board 67,5 by 100,5 cm

R50 000 – 70 000

#### 49

Alfred Palmer SOUTH AFRICAN 1877-1951

*Figures on Horseback in the Breakers* signed oil on board 34,5 by 43,5 cm

R12 000 - 18 000




Nerine Constantia Desmond SOUTH AFRICAN 1908–1993

#### The Cavalcade, Basutoland

signed; inscribed with the artist's name and title on a label on the reverse oil on board 60 by 88,5 cm

#### R40 000 - 60 000

This painting was commercially reproduced and sold by E. Schweickerdt (Pty) Ltd, Pretoria in the 1960s and appears in colour on page 1 of their *Art Catalogue*.

## 51

#### **Gordon Frank Vorster**

SOUTH AFRICAN 1924-1988

A Wooded Landscape

signed acrylic on canvas laid-down on board 59 by 89,5 cm

R12 000 - 18 000

## 52

### **Gordon Frank Vorster**

SOUTH AFRICAN 1924-1988

#### Gemsbok and Zebra in a Winter Landscape

signed oil on canvas laid-down on board 137,5 by 184 cm

R18 000 - 24 000

# Gordon Frank Vorster

Antelopes Fighting signed oil on canvas laid-down on board 41,5 by 101 cm

R5 000 – 7 000

EXHIBITED Gallery 101, Johannesburg

#### 54

53

Leng Dixon SOUTH AFRICAN 1916–1968

*Women and Children by a Cape Cottage* signed pen and ink and gouache 28 by 26,5 cm

#### R8 000 - 12 000

#### 55

#### Piet (Pieter Gerhardus) van Heerden

SOUTH AFRICAN 1917-1991

A Cape Homestead amongst Trees signed oil on canvas 50 by 59,5 cm

R30 000 - 50 000

#### 57

**Gregoire Johannes Boonzaier** 

SOUTH AFRICAN 1909-2005

## Street Scene, District Six, Cape Town

signed and dated 1969; signed and inscribed with the location on the reverse pen and ink and watercolour 22,5 by 30 cm

R12 000 - 18 000







## **Ernst Karl Erich Mayer**

SOUTH AFRICAN 1876-1960

#### An Extensive Bushveld Landscape

signed and dated 1934 watercolour over pencil 18,5 by 26 cm

R7 000 - 10 000

#### 59

**Ernst Karl Erich Mayer** SOUTH AFRICAN 1876–1960

#### The Old Baobab Tree

signed and dated 1939 oil on paper laid-down on board 36 by 54 cm

## R50 000 - 70 000

This painting was commercially reproduced and sold by E. Schweickerdt (Pty) Ltd, Pretoria in the 1960s and appears in black and white on page 15 of their *Art Catalogue*.

## 60

#### **Maud Frances Eyston Sumner**

SOUTH AFRICAN 1902-1985

## French Landscape

signed; inscribed with the title on a label on the reverse charcoal and wash 43 by 59 cm

#### R12 000 - 16 000

PROVENANCE The Eric Heilbronner Collection

EXHIBITED The Everard Read Gallery, Johannesburg

Sydney Carter south african 1874-1945

Blue Gums

signed oil on canvas laid-down on board 35 by 34,5 cm

#### R5 000 – 7 000

#### 62

Sydney Carter SOUTH AFRICAN 1874–1945

#### **Between Sunflowers**

signed oil on canvas 75 by 62 cm

#### R20 000 - 30 000

#### 63

Sydney Carter SOUTH AFRICAN 1874–1945

#### Met die Pad oor die Brug

signed; inscribed with the title on a label on the reverse gouache 36 by 50,5 cm

## R7 000 – 10 000

EXHIBITED Pretoria Art Museum, Pretoria, *Commemorative Exhibition*, 1974

#### 64

Sydney Carter SOUTH AFRICAN 1874–1945

A Woman Walking on a Farm Road signed oil on canvas 59,5 by 74,5 cm

R20 000 - 30 000





#### Sydney Carter

SOUTH AFRICAN 1874–1945 An Extensive Landscape with a River and Figures; Cape Cottage both signed watercolour 25,5 by 38 cm; 25 by 32 cm (2)

#### R6 000 – 9 000

#### 66

#### Maggie (Maria Magdalena) Laubser

SOUTH AFRICAN 1886-1973

#### Landscape

signed and dated '40; signed, dated 1940 and inscribed with the title on a label on the reverse watercolour over pencil 22 by 28,5 cm

#### R10 000 - 15 000

PROVENANCE Mr. B. Trakman, Cape Town EXHIBITED South African National Gallery, Cape Town, *Maggie Laubser Retrospective Exhibition*, 1969, catalogue number 170.

#### LITERATURE

Dalene Marais, *Maggie Laubser; her Paintings, Drawings and Graphics*, Perskor, Johannesburg and Cape Town, 1994, page 358, catalogue number 1124.

#### 67

#### **Terence John McCaw**

SOUTH AFRICAN 1913-1978

A View of the Portuguese Market Gardens, Oaklands, Johannesburg signed and dated 43 oil on canvas 55 by 60 cm

#### R40 000 - 60 000

PROVENANCE The Late Joan Hoather









#### **Terence John McCaw**

SOUTH AFRICAN 1913-1978

**Cottages** signed and dated 47 oil on canvas-board 39 by 49 cm

R30 000 - 40 000

## 69

Terence John McCaw

SOUTH AFRICAN 1913-1978

White Cottage near Caledon signed and dated 49; inscribed with the title on the reverse oil on canvas laid-down on board 24 by 34,5 cm

R20 000 - 30 000

Errol Stephen Boyley SOUTH AFRICAN 1918–2007

Green Landscape with Houses signed oil on board 45 by 60 cm

R30 000 - 40 000

## 71

**Ernst Karl Erich Mayer** 

SOUTH AFRICAN 1876-1960

A Mountainous Landscape signed and dated 1943; inscribed with the title on the frame on the reverse oil on panel 28,5 by 39,5 cm

R25 000 - 40 000

## 72

## Enslin Hercules du Plessis

SOUTH AFRICAN 1894-1978

The Terrace, Capri

signed and inscribed with the title watercolour over pencil 37 by 49 cm

R7 000 - 10 000





## Enslin Hercules du Plessis

SOUTH AFRICAN 1894-1978

#### The Bridge, Hatfield Park

signed twice; signed and inscribed with the title on a label on the reverse oil on card 37 by 45 cm

#### R10 000 - 15 000

PROVENANCE Thomas Agnew and Sons, London

#### EXHIBITED

The Pretoria Art Museum, Pretoria, *Enslin du Plessis Retrospective Exhibition*, 1970. A fragment of a label of an exhibition arranged by the Empire Art Loan Collection, Burlington Gardens on the reverse.

#### 74

#### Maggie (Maria Magdalena) Laubser

SOUTH AFRICAN 1886-1973

#### Die Wingerd

signed with the initials and dated '45; inscribed with the title on a label on the reverse pastel 27 by 19 cm

#### R8 000 - 12 000

PROVENANCE Mr. B. Trakman, Cape Town EXHIBITED

South African National Gallery, Cape Town, *Maggie Laubser Retrospective Exhibition*, 1969, catalogue number 175.

#### LITERATURE

Dalene Marais, *Maggie Laubser; her Paintings, Drawings and Graphics*, Perskor, Johannesburg and Cape Town, 1994, page 358, catalogue number 1126.





## Maud Frances Eyston Sumner

SOUTH AFRICAN 1902-1985

#### Hillside

signed pen and ink and watercolour 45 by 59,5 cm

#### R20 000 - 30 000

#### 76

Maud Frances Eyston Sumner SOUTH AFRICAN 1902–1985

**Church** signed watercolour 46,5 by 61,5 cm

#### R30 000 - 50 000

#### 77

Maud Frances Eyston Sumner SOUTH AFRICAN 1902–1985

A Wooded Landscape with a River signed charcoal and watercolour 46 by 60 cm

R20 000 - 40 000

## 78

## Maud Frances Eyston Sumner

SOUTH AFRICAN 1902-1985

A View of a Park Pathway and a Swing signed charcoal and watercolour over pencil 45,5 by 60 cm

78

R30 000 - 50 000







#### Maud Frances Eyston Sumner SOUTH AFRICAN 1902–1985

Tree Reflections signed oil on canvas 24 by 59 cm

R20 000 - 30 000

## 80

Alexis Preller SOUTH AFRICAN 1911-1975

A Mountainous Landscape signed and dated 45 pencil and coloured-crayon on paper 21,5 by 29 cm

R20 000 - 30 000



**Fred Schimmel** 

SOUTH AFRICAN 1928-2009

#### An Extensive Landscape with Abstract

#### Form

signed and dated '91 oil on paper laid-down on card 83 by 64 cm

#### R10 000 - 15 000

#### 82

Speelman Mahlangu

SOUTH AFRICAN 1958-2004

Mask, Drum, Bowls and Bird signed oil on board with corrugated-cardboard collage 42 by 43,5 cm

### R5 000 – 7 000

#### 83

## **Gordon Frank Vorster**

SOUTH AFRICAN 1924-1988

#### Rooftops

signed twice; signed and inscribed with the title on the reverse oil on board 60 by 87,5 cm

#### R5 000 – 7 000

#### 84

## Walter Whall Battiss

SOUTH AFRICAN 1906-1982

## Luipaard's Vlei Estate G.M. Coy near

Krugersdorp, 74 signed, numbered 23/30 and inscribed with the title in pencil in the margin screenprint in colour 41,5 by 61,5 cm

#### R10 000 - 15 000

#### LITERATURE

Karin Skawran and Michael Macnamara (Eds.) *Walter Battiss*, Johannesburg, 1985, on page 175, plate 45, illustrated in colour.



#### 85

## Zainab Reddy

SOUTH AFRICAN 1930-

#### Three Women signed and dated 65 oil on canvas 48,5 by 36 cm

#### R7 000 - 10 000

PROVENANCE The Walter Schwitter Gallery, Pretoria

#### 86

## Diederick (George) During

SOUTH AFRICAN 1917-

#### A Girl with a Dove

signed tempera on paper 58,5 by 37 cm

#### R5 000 – 7 000





## Maud Frances Eyston Sumner

SOUTH AFRICAN 1902-1985

#### Portrait of a Man

signed watercolour over charcoal 57,5 by 43,5 cm

## R20 000 - 30 000

EXHIBITED The Hoffer Art Gallery, Pretoria, 4–16 November 1987

#### 88

## Maud Frances Eyston Sumner

SOUTH AFRICAN 1902-1985

Alfred Bernard Sumner, the artist's father signed oil on canvas laid-down on board 71 by 58 cm

R30 000 - 50 000

## 89

## Maud Frances Eyston Sumner

SOUTH AFRICAN 1902-1985

## Alfred Bernard Sumner, the artist's father

signed and dated 33 oil on canvas 80 by 64 cm

#### R30 000 - 50 000



## Maud Frances Eyston Sumner

SOUTH AFRICAN 1902-1985

## Basil Bernard Sumner, the artist's brother

signed oil on board 58 by 46 cm

R30 000 - 50 000



Maud Frances Eyston Sumner SOUTH AFRICAN 1902–1985

#### Mrs. Shackleton signed and dated 1928

oil on canvas 75 by 56 cm

R70 000 - 100 000

Robert Broadley SOUTH AFRICAN 1908–1988

A Woman in a White Dress

SIGNED OIL ON CANVAS—BOARD 48,5 by 38,5 cm

R12 000 - 18 000

93 Terence John McCaw

SOUTH AFRICAN 1913-1978

A Nude in front of a Mirror signed and dated '70 mixed media on paper 49 by 39 cm

R8 000 - 12 000

#### 94

Jean Max Friedrich Welz

SOUTH AFRICAN 1900-1975

A Standing Nude signed charcoal with oil wash 62,5 by 39,5 cm

R10 000 - 15 000

#### 95

Jean Max Friedrich Welz

SOUTH AFRICAN 1900-1975

A Young Girl signed and dated 71 charcoal 67,5 by 49 cm

R6 000 – 9 000

#### 96

**Frans Martin Claerhout** 

SOUTH AFRICAN 1919-2006

A Female Nude

signed oil on board 50 by 34,5 cm

R40 000 - 60 000



Gerard Bhengu SOUTH AFRICAN 1910–1990

A Smiling Man signed watercolour 35 by 25 cm

R12 000 - 18 000

#### 98

Moses Kottler

SOUTH AFRICAN 1892-1977

A Head of Young Shangaan signed and indistinctly numbered 1/4? bronze with white residue 30 by 23,5 by 16 cm; mounted on a stone base: 13,5 by 14,4 by 14 cm

#### R25 000 - 40 000

cf. J. du P. Scholtz *Moses Kottler, His Cape Years*, Cape Town, Tafelberg Publishers Limited, 1976, 'Head of an African', illustrated on page 52.

#### 99

#### Willem de Sanderes Hendrikz

SOUTH AFRICAN 1910-1959

Africa, 1950 chamotte and lava rock 25 by 16,5 by 15 cm

#### R12 000 - 18 000

Accompanied by a letter from the artist's brother, Andre Hendrikz, dated 3 December 1969, in which he certifies the authenticity of this work, and also confirms the materials used and lists places where this work was exhibited.





#### 100

## Alexis Preller

SOUTH AFRICAN 1911-1975

#### Head of Rima

signed and dated 45 pencil and coloured-crayon on paper 28 by 21 cm

## R25 000 - 35 000

cf. Esmé Berman and Karel Nel, *Alexis Preller: Collected Images*, Johannesburg, 2009, page 116.

#### 101

## **Bettie Cilliers-Barnard**

SOUTH AFRICAN 1914-

#### A Head of a Woman signed three times and dated 1951 twice oil on canvas

44 by 34 cm

#### R25 000 - 40 000

#### 102

## Norman Clive Catherine

SOUTH AFRICAN 1949-

## Self Portrait

signed, dated 80, numbered 78/100 and inscribed with the title in pencil in the margin hand-separated offset lithograph 54,5 by 42 cm

## R8 000 - 12 000

LITERATURE The Goodman Gallery, *Norman Catherine*, Johannesburg, 2000, illustrated on page 160.

## Walter Whall Battiss

SOUTH AFRICAN 1906-1982

#### Nudes

signed, numbered 8/30 and inscribed with the title in pencil in the margin screenprint in colour 41 by 60 cm

#### R20 000 - 30 000

#### EXHIBITED

Standard Bank Gallery, Johannesburg, *Walter Battiss Gentle Anarchist*, 20 October to 3 December 2005, illustrated in colour on page 154 of the catalogue.

#### LITERATURE

Karin Skawran and Michael Macnamara (Eds.) *Walter Battiss*, Johannesburg, 1985, on page 170, plate 42, illustrated in colour.

#### 104

## Walter Whall Battiss

SOUTH AFRICAN 1906-1982

#### Orgy 4

signed, numbered 33/39 and inscribed with the title in pencil in the margin screenprint in colour 44 by 64 cm

#### R25 000 - 35 000

#### EXHIBITED

Standard Bank Gallery, Johannesburg, *Walter Battiss Gentle Anarchist*, 20 October to 3 December 2005, illustrated in colour on page 55 of the catalogue.

#### LITERATURE

Karin Skawran and Michael Macnamara (Eds.) *Walter Battiss*, Johannesburg, 1985, on page 89, plate 18, illustrated in colour.





#### Walter Whall Battiss

SOUTH AFRICAN 1906-1982

#### Orgy 5

signed, numbered 24/32 and inscribed with the title in the margin screenprint in colour 43,5 by 61 cm

#### R25 000 - 35 000

#### EXHIBITED

Standard Bank Gallery, Johannesburg, *Walter Battiss Gentle Anarchist*, 20 October to 3 December 2005, illustrated in colour on page 153 of the catalogue.

#### 106

#### Walter Whall Battiss

SOUTH AFRICAN 1906-1982

#### Untitled

signed and numbered 43/45 in pencil screenprint in colour with small collage vignette framed in relief 86 by 62 cm

#### R15 000 - 20 000

#### EXHIBITED

Standard Bank Gallery, Johannesburg, *Walter Battiss Gentle Anarchist*, 20 October to 3 December 2005, illustrated in colour on page 190 of the catalogue.

#### LITERATURE

Department of National Education, *Kunst Aus SüdAfrika*, Pretoria, 1982, illustrated on the front cover

#### 107

#### Nat (Nathaniel) Mokgosi

SOUTH AFRICAN 1946-

#### A Figure Riding a Beast

signed and dated 74 pen and ink over pencil 114 by 81,5 cm

R7 000 - 10 000





#### Zwelidumile Mxgazi (Dumile) Feni-Mhlaba

SOUTH AFRICAN 1942-1991

#### Dedication, Ruth First, Lilian Ngoyi

signed, dated 1991, numbered 'A/P IV' and inscribed with the title in pencil in the margin lithograph in colour sheet size: 88 by 63,5 cm

#### R10 000 - 15 000

Born in Worcester in the Western Cape, Zwelidumile Mhlaba, better known as Dumile Feni, relocated to Johannesburg where he received informal training from Ephraim Ngatane who advised he study at the Jubilee Art Centre under Cecil Skotnes. He was also encouraged and supported by Ezrom Legae and Bill Ainslie, amongst others. Despite being selected to represent South Africa at the São Paulo Biennale in 1967, he was subjected to sustained harassment because of the powerful political statements in his work. As a result he left the country for London where he enjoyed success with exhibitions at the Grosvenor Gallery and the Camden Art Centre. In 1979 he moved to the United States and after completing the graduate program in film and television at New York University, he settled in New York. He exhibited, amongst others, on the benefit exhibition of the International Defence and Aid Fund for Southern Africa, maintaining that his intention was 'to keep the conscience of the world alive to the issues at stake'1

Journalist, academic and political activist, Ruth First was the daughter of Jewish immigrants. As a BA (Social Studies) student at the University of the Witwatersrand from 1942 to 1946, her fellow students included Nelson Mandela and Joe Slovo, whom she later married. In 1953 First helped found the Congress of Democrats and edited *Fighting Talk*, a journal supporting the Congress Alliance. She was on the drafting committee of the Freedom Charter and in 1956 both she and Slovo were arrested and charged with treason along with 156 otherleading figures and stood trial until 1961 as one of the accused in the four–year-long Treason Trial.

During the state of emergency following the Sharpeville shooting in March 1960, First fled to Swaziland with her children and settled in London. From 1977 she was based in Maputo, Mozambique where she was appointed professor and research director of the Centre for African Studies at the



Eduardo Mondlane University until her untimely death in 1982.<sup>2</sup>

Lilian Ngoyi's energy and her gift as a public speaker won her rapid recognition and within a year of joining the ANC in 1950, she was elected as president of the African National Congress Women's League. In 1956 she was elected president of the Federation of South African Women (FEDSAW) and became the first woman elected to the ANC national executive committee. She addressed protest meetings against apartheid in a number of world centres, including London's Trafalgar Square.

On 9 August 1956, the day now celebrated as Women's Day, she led the women's anti-pass march on the Union Buildings in Pretoria. Holding thousands of petitions in one hand, it was Ngoyi who knocked on Prime Minister Strijdom's door to hand over the petitions. In that same year Ngoyi was also arrested and was tried alongside her fellow Treason Trialists.<sup>3</sup> In Feni's tribute to these two extraordinary south african women, Ruth First and Lilian Ngoyi are depicted as strong individuals supporting one another in a firm embrace. Feni was recognised as amongst the foremost artists able to articulate the political climate of his day and called 'the Goya of the townships'. As a painter, sculptor, graphic artist, poet and film maker, he is celebrated as one of the greatest African artists of the twentieth century. Renowned for his *A frican Guernica* in the Fort Hare Collection, Dumile Feni is represented in the permanent collections of the Museum of Modern Art, New York and of major South African art museums.

1 Bruce Smith, Dumile Feni: The artist and his work, August 2004. http://www.dumile.org.za/history/history\_mith-b\_01.htm 2 Information obtained from south afric\_an History Online – New Dictionary of South African Biography, p 69. http://www.anc.org.za/ ancdocs/history/people/ruthfirst.html 3 Information obtained from http://www.sahistory.org.za/pages/ people//bios/ngoyi,l.htm



#### Ben (Benjamin) Mzimkulu Macala

SOUTH AFRICAN 1938-1997

A Seated Figure signed bronze 19 by 19 by 17 cm

R12 000 - 16 000

## 110

#### **Cecil Edwin Frans Skotnes**

SOUTH AFRICAN 1926-2009

#### Two Figures

signed, dated 79, inscribed 'artist proof' and numbered 'VIII/XV' in pencil in the margin woodcut in colour 39 by 59 cm

R3 000 - 5 000

#### 111

## Walter Whall Battiss

SOUTH AFRICAN 1906-1982

# Sydney Harbour signed, dated '17 April 1976' and inscribed with the title

pen and ink and watercolour 33 by 48 cm

#### R18 000 - 24 000

#### EXHIBITED Standard Bank Gallery, Johannesburg, *Walter Battiss Gentle Anarchist*, 20 October to 3 December 2005, illustrated in colour on page 134 of the catalogue.

#### 112

#### **Douglas Owen Portway**

SOUTH AFRICAN 1922–1993 An Animal and Figural Composition signed and numbered 2/50 soft-ground etching 39 by 49 cm

R6 000 – 9 000



#### **Douglas Owen Portway**

SOUTH AFRICAN 1922-1993

## Animal and Figural Forms

signed and dated '64 mixed-media on paper 39,5 by 51 cm

#### R10 000 - 15 000

PROVENANCE Drion Galleries, London, 1964

#### 114

#### **Enslin Hercules du Plessis**

SOUTH AFRICAN 1894-1978

#### Capri

signed, inscribed with the title and indistinctly dated Feb 1928 watercolour over pencil 37 by 55 cm

#### R7 000 - 10 000

#### 115

## **Nils Severin Andersen**

SOUTH AFRICAN 1897-1972

#### Hoetjies Bay

signed; dated 1957 and inscribed with the title on the frame on the reverse oil on board 60 by 90 cm

R20 000 - 30 000





Francois Krige SOUTH AFRICAN 1913-1994

Seascape signed and dated 91 oil on board 29 by 59,5 cm

R30 000 - 40 000

## 117

#### Annemarie Oppenheim

SOUTH AFRICAN 1904-1991

#### Yachts Moored at the Coast

signed and dated 55 oil on canvas 52,5 by 63 cm

R6 000 – 9 000

## 118

Trevor Coleman SOUTH AFRICAN 1936-

#### A Lonely Boat, Jaffa

signed and dated 2009; signed, dated 2009 and inscribed with the title on the reverse acrylic on canvas 91 by 121,5 cm

R12 000 - 15 000

#### 119

## Jackson (Jekiseni Mbhazima Sagani) Hlungwani

SOUTH AFRICAN 1923-2010

#### Giant Fish

signed wood 590 by 110 by 50 cm

#### R30 000 - 50 000

PROVENANCE The Everard Read Gallery, Johannesburg







Cecil Higgs SOUTH AFRICAN 1900–1986

A Coastal Composition

signed and dated 58 watercolour, ink and gouache 37 by 55 cm

R7 000 - 10 000

#### 121

Larry (Laurence Vincent) Scully

SOUTH AFRICAN 1922-2002

An Abstract Composition in Blue, Red and Black signed and dated 69 oil on canvas 121 by 151,5 cm

## R18 000 - 24 000

122

Lionel Abrams SOUTH AFRICAN 1931–1997

#### An Abstract Plaque

a montage in relief of copper plaques with brass, metal and enamel detailing 150 by 133 cm

#### R25 000 - 40 000

This work was commissioned by Fanny Elaine Goldstein in the 1960s and installed in her Killarney residence.





Willem Hermanus Coetzer SOUTH AFRICAN 1900–1983

Proteas in an Earthenware Vase signed and dated 80; signed and dated 28-7-80 on the reverse oil on board 49 by 39,5 cm

R25 000 - 35 000

## 124

**Cecil Higgs** SOUTH AFRICAN 1900–1986

A Still Life of Flowers signed oil on canvas laid-down on board 50 by 40 cm

R30 000 - 50 000

Alfred Neville Lewis

SOUTH AFRICAN 1895-1972

Still Life of Roses in a Pewter Beer

*Mug* signed oil on board 28 by 37,5 cm

R12 000 - 16 000

#### 126

**Terence John McCaw** SOUTH AFRICAN 1913–1978

A Glass Jug of Flowers signed oil on canvas laid-down on board 47 by 37 cm

R30 000 - 50 000

#### 127

David Johannes Botha SOUTH AFRICAN 1921–1995

A Still Life of Daisies, Apples and a Turquoise Bowl signed and dated 49 oil on canvas 89 by 49 cm

R25 000 - 40 000

#### 128

Christo Coetzee SOUTH AFRICAN 1929–2001

#### An Abstract Form

signed and dated 1964, indistinctly inscribed 'Paris No.100' mixed media on paper 50 by 35 cm

R7 000 - 10 000









## Paul Edmunds

SOUTH AFRICAN 1970-

#### Fan

signed and inscribed 'working proof' in pencil in the margin linocut sheet size: 150 by 110 cm

R12 000 - 18 000

#### 130

Gerard Sekoto SOUTH AFRICAN 1913-1993

Workers Resting signed and dated 49 charcoal 23,5 by 31,5 cm

R25 000 - 40 000

#### 131

Irma Stern SOUTH AFRICAN 1894–1966

Watussi Dancers signed and dated 1942 brush and ink 37 by 27,5 cm

R25 000 - 35 000



Gerard Sekoto SOUTH AFRICAN 1913-1993

Dance in the Night Club signed; inscribed with the title on the reverse pencil on board 17,5 by 32,5 cm

## R18 000 - 24 000

There is another sketch of the same subject on the reverse.

#### 133

Maurice Charles Louis van Essche

SOUTH AFRICAN 1906-1977

*Three Congolese Dancers* signed oil on board 25,5 by 46,5 cm

R40 000 - 60 000



## Louis Khehla Maqhubela

SOUTH AFRICAN 1939-2010

#### A Township Scene

signed and dated 68 mixed media on paper 49 by 69 cm

R18 000 - 24 000

#### 135

## Jabulane Sam Nhlengethwa

SOUTH AFRICAN 1955-

A Township Scene signed and dated '85 mixed media with collage on paper 30,5 by 48 cm

R15 000 - 20 000

#### 136

**Eli Kobeli** SOUTH AFRICAN 1932–1999

A Township Scene with Figures and Children signed and dated 77 watercolour with heightening 49 by 70 cm

R5 000 - 8 000





137

## Jabulane Sam Nhlengethwa

SOUTH AFRICAN 1955-

## Grazing I; Grazing II; Grazing III; Grounded and Loneliness II

all signed and dated o6, numbered: 5/30, 4/30, 9/30, 6/30, 4/30 respectively, and inscribed with the titles in pencil in the margin soft-ground etchings each approximately: 69 by 83cm (5)

R40 000 - 60 000

## Michael Maimane

SOUTH AFRICAN 1961-

A Donkey Cart with Figures Outside a House signed and dated 2010

mixed media on board 40 by 49 cm

#### R7 000 - 10 000

#### 139

## **Robert Griffiths Hodgins**

SOUTH AFRICAN 1920-2010

*Crook; Tec* both signed and dated o4 and numbered 2/15 in pencil in the margin soft-ground etching with hand-colouring each approximately: 27 by 20cm (2)

#### R5 000 – 8 000

140

**Robert Griffiths Hodgins** SOUTH AFRICAN 1920–2010

Arthur Rimbaud hand-painted ceramic plate, framed diameter: 23 cm

R6 000 – 9 000

## 141

William Joseph Kentridge

SOUTH AFRICAN 1955-

## Sophiatown, the 1980 season, Market Theatre Poster

signed in ballpoint-pen photolithograph in black and white 59 by 41,5 cm

R3 000 – 5 000

## 142 William Joseph Kentridge

SOUTH AFRICAN 1955-

## Goodman Gallery, Johannesburg, October 1999, Exhibition Poster

signed and numbered 194/220 in red crayon in the margin photolithograph in colour 64,5 by 93 cm

#### R4 000 – 6 000

143

#### William Joseph Kentridge

SOUTH AFRICAN 1955-

## 9 Drawings for Projection, Old Fort, Constitution Hill, Johannesburg, 22nd to 24th March 2004, Poster

signed and numbered 148/200 in red crayon in the margin photolithograph in colour 84 by 54 cm

#### R4 000 – 6 000

144

#### William Joseph Kentridge SOUTH AFRICAN 1955-

Preparing the Flute, The Goodman Gallery, Johannesburg, South Africa, 4th June to 16th July 2005, ExhibitionPoster signed and numbered 174/200 in red crayon in the margin photolithograph in colour 78,5 by 64 cm

R4 000 – 6 000

#### 144–149 No Lots End of Session One



## Country Club Johannesburg, Woodmead

1 November 2010 – 8 pm

## South African Paintings and Sculpture

Session Two: Lots 150–230

OPPOSITE Lot 194 Alexis Preller, Angel Head (detail)



PROPERTY OF THE ESTATE LATE ESTHER HOLLOWAY

150

Frans David Oerder SOUTH AFRICAN 1867–1944

Winter Scene, Cape Flats

signed oil on board 12,5 by 22 cm

R30 000 - 40 000



PROPERTY OF THE ESTATE LATE ESTHER HOLLOWAY

151

## Frans David Oerder

SOUTH AFRICAN 1867–1944

## Apies River, North of Pretoria

signed oil on canvas 42 by 62,5 cm

R120 000 - 180 000



PROPERTY OF THE ESTATE LATE ESTHER HOLLOWAY

152

## Pieter Hugo Naudé

SOUTH AFRICAN 1868-1941

*Bain's Kloof* signed and dated 21 oil on board

24,2 by 29,3 cm

R80 000 - 120 000


## **Frans David Oerder**

SOUTH AFRICAN 1867-1944

## Frederik Jacobus Bezuidenhout's Farm, Bezuidenhout Valley

signed oil on canvas 48,5 by 95 cm

R250 000 - 400 000

### Executed circa 1898.

On 20 September 1861, Frederik Jacobus Bezuidenhout purchased this farm from the widow of the original owner, B.P. Viljoen, and gave his name to the area. Now a large residential suburb of Johannesburg it lies between the long hill known as Observatory on the north and the Kensington ridge on the south. The homestead with its row of walnut trees was at the foot of the valley near Gillooley's Farm.



A photograph of Mr Tomlinson's sitting room, showing the two Pieter Wennings flanking a Hugo Naudé still life which appeared in *Die Huisgenoot*, 25 June 1954.

#### **Pieter Willem Frederick Wenning**

SOUTH AFRICAN 1873-1921

### *The Apies River and Union Buildings* oil on board 40 by 50 cm

### R1 000 000 - 1 200 000

#### PROVENANCE

Gordon Campbell Tomlinson and thence by descent

In February 1919 Pieter Wenning instructed the Johannesburg auctioneer Ernest Lezard to auction over thirty of his paintings and drawings. It was then customary for artists to auction a large body of their recent work. Wenning was at the time under financial pressure particularly since his wife required serious surgery. She underwent the operation only to die a few days later on 23 February.

The sale was not a great success with almost a quarter of the works remaining unsold yet two works, *The Apies River and Union Buildings* and *Landscape Pretoria* (this and the following lot), each sold for £15 (R30) reputedly then the highest price ever paid for a painting by Wenning. The paintings were purchased by Gordon Campbell Tomlinson.

Tomlinson was born on the 6 October 1887 one of 13 children. Both attorney and author he took a leading role in the second Afrikaans language movement. Together with Prof. J.J. Smith and Dr. Tobie Muller they published the periodical *Ons Moedertaal* which later merged with *Die Huisgenoot*. At the time that he purchased these paintings he practised as an attorney at Vredefort where he spent the greater part of his life.

Shortly after acquiring the paintings, Tomlinson arranged a small local exhibition of his collection and presented a lecture. He wrote to Shortly after acquiring the paintings, Tomlinson arranged a small local exhibition of his collection and presented a lecture. He wrote to Wenning, J.E.A. Volschenk and Hugo Naudé asking for their approach to and philosophy of art and also their aims. All three replied at some length. Their replies are reproduced in an article on the Tomlinson collection published in *Die Huisgenoot* of 25 June 1954 by Prof. G. Dekker. Sadly a part of the Wenning reply had been mislaid. Wennings reply is also reproduced in the catalogue for the retrospective exhibition presented by the Pretoria Art Museum in March 1967. Both paintings are now being sold by Tomlinson descendants.

In this remarkable painting of Pretoria in the early twentieth century, Pieter Wenning captures an image of a fertile place, populated with trees and lush undergrowth alongside the Apies River as it flows north through the city. Above this landscape, a bright blue sky optimistically takes up almost two thirds of the composition. In the distance are the Union Buildings on Meintjies Kop, the site selected by architect Sir Herbert Baker because it was 'nearer to the town, which it dominated as did the Acropolis the city of Athens ...'' Significantly, the Union Buildings were designed to commemorate the merging of the two former Boer colonies and the two british colonies. In addition to housing the government in its administrative capital, the Union Buildings were intended to provide a visible symbol of the fusing of the two disparate histories and cultures into one united country.

The cornerstone was laid in late 1910 and the building completed in 1913 just a few years before Wenning painted this scene. The Union Buildings feature in other works such as the pencil and wash drawing entitled *Die Uniegebou*, Pretoria which was amongst the works that the artist consigned to D. C. Boonzaier in March 1916 for sale. In correspondence between them dating from 27 March to 11 May 1916 they discussed the works and Boonzaier noted in a diary entry of 14 May 1916: 'This is one of the most charming things Wenning has done.'<sup>2</sup>

While Wenning was working daily in De Bussy's Bookshop he used every available free Wednesday afternoon and Sundays to go out painting. It often took him about an hour to cycle out to his chosen sites where he would work furiously, sometimes till after sunset, before packing up and cycling back into town. At one stage he acquired a tent, the better to be able to immerse himself in the landscape and study its features.

His landscapes show evidence of careful observation from nature, yet the painterly quality remains paramount. With broad brushstrokes loaded with a range of blues and greens, he captures the vista over Pretoria with a vision that is fresh and assured.

1 Peter Unsworth, 'Herbert Baker's gift to the nation', *The Sunday Times*, 30 May 2010, pages 10–11. 2 J. Du P. Scholtz, D. C. Boonzaier en Pieter Wenning: Verslag van 'n





# Pieter Willem Frederick Wenning

SOUTH AFRICAN 1873-1921

*Landscape, Pretoria* oil on board 35,5 by 42,2 cm

R600 000 - 900 000

See the notes to Lot 154 PROVENANCE Gordon Campbell Tomlinson and thence by descent



# Jacob Hendrik Pierneef

SOUTH AFRICAN 1886-1957

# A Mountainous Landscape

signed oil on card 22,5 by 30,2 cm

R80 000 - 120 000

PROPERTY OF THE ESTATE LATE J. J. VAN SCHAIK

### 157

### Jacob Hendrik Pierneef

SOUTH AFRICAN 1886-1957

### Barberton en Nelshoogte, Kaapschehoop

signed and dated 49; inscribed with the title and 'van Pierneef Studio'25.11.49' on the frame on the reverse oil on canvas 65,5 by 85,5 cm

### R3 000 000 - 4 000 000

PROVENANCE The late J. L. van Schaik and thence by descent This remarkable painting by Jacob Hendrik Pierneef has an illustrious provenance. It was acquired from the artist by Johannes Lambertus van Schaik (1888–1965) on 25 November 1949 and inherited by his son Jan Jacob van Schaik (1917–2009). The former came to South Africa from Holland in 1911 and joined the bookseller De Bussy in Johannesburg. In 1914 he founded the bookselling and publishing house J L van Schaik in Pretoria. The business flourished and on his death his two sons Jan and Hans continued to run the company until 1986 when it was sold to Nasionale Pers. It still continues to trade under the name Van Schaiks.

Acquired from the artist's studio shortly after it was painted, the provenance is evidence of the close and supportive relationship between the artist and the bibliophile. As a patron of the arts, Van Schaik is known to have collected impressive works that include Irma Stern's *Gladioli*, on Strauss & Co's 11 October sale in Cape Town. The fact that he selected this particular painting is evidence of its importance in Pierneef's oeuvre.

Viewed from the Nelshoogte plateau along the southern part of the Mpumalanga escarpment area west of the town of Barberton, the painting offers a spectacular view of the valley with the river coursing into the distance. The foreground has an astonishing wealth of detail in the vegetation and thorn trees so emblematic of Pierneef's landscape paintings.

The title alerts us to the artist's thoughts as

he traced the contours of this remarkable area. Kaapschehoop, a tiny hamlet in the Barberton district, was one of the first places in which alluvial gold deposits were discovered in the 1880s. Prospectors, seeing in the 10 000 square kilometre valley a resemblance to the Cape of Good Hope with Table Mountain towering above it, named it De Kaap valley and their incorrigible optimism gave rise to the official name of the hamlet. Pierneef's painting thus becomes a cultural meditation on the origins of the gold industry that gave first Barberton and then the Witwatersrand their raison d'être.

Pierneef succeeds in achieving both a breadth of vision and a depth of perspective by structuring his composition in astute ways. The rolling hills and the sloping mountains that are arranged in a series of interlocking diagonals, encourage our eye to travel to the edges of the painting and back to its centre, emphasising the width of the landscape. Linear perspective that leads one's eye, via the zigzagging river to the vanishing point and aerial perspective with warm colours that advance in the foreground and with cool, receding colours in the background, provide the impression of deep space.

The result is a painting that is breathtaking in its scale and ability to evoke the vastness of the South African landscape. While the artist's compositional strategies lend complexity to the painting, the apparently endless variations lull one into a sense of wonder and satisfaction.





# Jan Ernst Abraham Volschenk

SOUTH AFRICAN 1853-1936

# A Landscape with Trees

signed and dated 1905 oil on canvas 59,5 by 90 cm

R120 000 - 160 000



## Adriaan Hendrik Boshoff

SOUTH AFRICAN 1935-2007

*Olifants River, near Middelburg, Mpumalanga* oil on canvas laid-down on board 74,5 by 121 cm

R250 000 - 350 000



### Robert Gwelo Goodman SOUTH AFRICAN 1871–1939

The Little Berg, Natal

signed oil on canvasboard 73,5 by 99,5 cm

 $R350\ 000-400\ 000$ 

PROVENANCE W.A. Campbell, Mount Edgecombe EXHIBITED Royal Institute Galleries, Piccadilly, London, 6 to 28 June 1924 LITERATURE Joyce Newton Thompson, *Gwelo Goodman South African Artist*, London, 1951, pages 132 and 140, illustrated facing page 124.



John Meyer SOUTH AFRICAN 1942-

# Trying above the Dam

signed; signed, dated 81.09 and inscribed with the title on the reverse oil on canvas 59 by 74,5 cm

R140 000 - 180 000

### Jacob Hendrik Pierneef

SOUTH AFRICAN 1886-1957

#### Baobab Tree

signed and dated 46; signed, inscribed with the title and 'Pretoria. TVL' on the reverse oil on canvas 75 by 100,5 cm

### R5 000 000 - 7 000 000

#### LITERATURE

Stephan Welz, *Art at Auction in South Africa 1969–1989*, Johannesburg, 1989, page 62 illustrated in colour. Born in Pretoria, Jacob Hendrik Pierneef was the son of Dutch immigrants whose circle of friends included Anton van Wouw, Frans Oerder and Pieter Wenning, each of whom offered the young artist sound advice and encouragment in his artistic pursuits.

When the second Anglo-Boer War broke out in 1899, the family chose deportation to the Netherlands where the young Pierneef's studies and exposure to the old masters there and in Rome were to have a formative influence on his development. In 1900 he studied drawing under an architect in Hilversum and in 1901 attended the Rotterdam Academy. Back in South Africa, the gifted painter, Frans Oerder, taught him for several years and he learnt etching and wood-engraving under George Smithard.

Returning to Europe in 1925, he was exposed to many stimuli but it was Dutch artist and theorist, Willem van Konijnenburg (1868-1943), who was to have the most seminal influence on Pierneef's art and thinking through his philosophy regarding the spiritual effects of mathematical proportion, linear rhythm and simplified form. Accordingly, principles of geometry that stress precision through the emphasis of linear elements in painting are employed to achieve harmony, balance and unity.

While the Impressionists' and Post-Impressionists' colour palette and treatment of light effects also impressed him, Pierneef found in Van Konijnenburg's ideas the approach that was to become the foundation for his mature style, of which this painting is an excellent example.

The composition is dominated by the majestic grandeur of the baobab tree whose soaring verticality suggests power, dignity and oneness. The intersecting arcs of the spreading branches and the sweeping, white clouds focus attention on the apex of the tree. In addition, the curving lines of the road and the dynamic diagonals of the trees, arranged in diminishing perspective, concentrate interest on the extraordinary bulk of the baobab's trunk.

Trees are significant in Pierneef's oeuvre. Not only are specific trees characteristic of particular geographic areas which they assist in describing, but they are emblematic of his art where trees are both an active defining principle used to structure the composition and the key elements in conveying symbolic information.

Pierneef painted the trees in this bushveld scene with such devoted attention to detail that they are clearly recognisable. The large baobab (*Adansonia digitata*) in the centre is flanked by umbrella trees, or 'haak en steek' (*Acacia tortilis*). The tree with the green crown and whitish bark is known as the Sheppard tree (*Boschia albitrunca*), while the tree on the far right is probably the 'bergkaree' (*Rhus leptodictya*) with its characteristically bent branches. The tall tree in the right foreground, with its erect growth, appears to be a 'boekenhout' (*Faurea saligna*). Typical bushveld trees in the background include the bushwillow (*Combretum* species), thorn trees (*Acacia species*) and probably the tree wisteria (*Bolusanthus speciosus*).

In his influential book on the Johannesburg Station Panels, Nic Coetzee points out that trees have a special place in the work of Pierneef in general ...

The tree is a potent and complex symbol:<sup>1</sup> 'the symbolism of the tree denotes the life of the cosmos: its consistence, growth, proliferation, generative and regenerative processes.<sup>2</sup> This would fit in with the pantheistic view of Nature as a vast process of becoming, and the outer forms of things in Nature are merely concrete manifestations of the immanent essence in Nature. The tree can be seen as an encapsulation of Nature, symbolically spanning many generations. Like an art that remains representational but ostensibly signifying intangible, universal ideas, trees are rooted in the past but reach into the future: anchored in the earth, they extend to heaven.<sup>3</sup>

With thanks to Ernst van Jaarsveld, Botanist and Horticulturist, Kirstenbosch National Botanical Gardens, for information on the trees in this painting.

1 D. Cosgrove and S. Daniels (eds), *The Iconography of Landscape:* Essays on the Symbolic Representations, Designs and Use of Past Environments, Cambridge University Press, Cambridge, 1988, pages 32–42.

2 J. E. Cirlot, *A Dictionary of Symbols*, Routledge, London, 1973, page 347.

3 N. J. Coetzee, Pierneef, Land and Landscape: The Johannesburg Station Panels in Context, C B M Publishing, Johannesburg, 1992, page 21.









# Gerard Bhengu

SOUTH AFRICAN 1910-1990

# A Mountainous River Landscape with Aloes

signed watercolour 26 by 36,5 cm

R60 000 - 90 000



# Jacob Hendrik Pierneef

SOUTH AFRICAN 1886-1957

# An Extensive Landscape with Acacia Tortilis

signed and dated 1936 oil on board 52,5 by 65 cm

R1 200 000 - 1 800 000



# Gregoire Johannes Boonzaier

SOUTH AFRICAN 1909-2005

Firs, Cape signed and dated 1963 oil on canvas 39 by 49 cm

R100 000 - 140 000



# Maud Frances Eyston Sumner

SOUTH AFRICAN 1902-1985

# A Blossoming Tree, and House in a Wooded Landscape

signed oil on canvas 48 by 58,5 cm

R180 000 - 220 000

**Maud Frances Eyston Sumner** 

SOUTH AFRICAN 1902-1985

### Nature Morte

signed and dated 50; signed and inscribed with the title on the reverse oil on canvas 50 by 60 cm

R250 000 - 400 000

Maud Sumner, more than most other artists, has introduced to the South African art scene an appreciation of French art through her paintings which reveal an intelligent and sensitive response to the French modernist masters.

Maud Sumner was an educated, articulate and independent woman who, in many ways, was ahead of her time. In 1922 she was awarded her MA in Literature from Oxford University and went on to study art in London and Paris. While she was born in Johannesburg and continued to visit South Africa and England, it was in Paris that she made her home. She once famously declared: 'As a person I am South African and English, but as a painter I am French'.

In Paris she studied under Maurice Denis, the leading theorist of the Nabi movement, and met many of the great artists of the day including Braques, Matisse, Picasso, Léger and Villon. Not only did she relish the artistic atmosphere of the art capital but she absorbed the influences of French modernism which are clearly evident in this still life.

Nature Morte displays the distinct influences of both Analytical and Synthetic Cubism, the former in the analysis of forms from different angles and the latter in the decorative treatment of the painted surface through large shapes of bright colour and varied patterning. It is hardly surprising that paintings such as these would have caught the attention of major international collectors. Sumner is represented in the Musée de l'Art Moderne, Paris; the Stedelijk Museum, Amsterdam, the Ashmolean Museum, Oxford and the Contemporary Art Society, London, amongst others.





# Maud Frances Eyston Sumner

SOUTH AFRICAN 1902-1985

*Trees* oil on canvas 45 by 64 cm

R150 000 - 250 000



# Maurice Charles Louis van Essche

SOUTH AFRICAN 1906-1977

A Still Life with a White Vase, Pears and Apples on a Table signed oil on board 54,5 by 67 cm

R250 000 - 350 000



# Frans David Oerder

SOUTH AFRICAN 1867-1944

## A Still Life with Roses in a Blue Vase signed oil on canvas 79,5 by 99,5 cm

R180 000 - 220 000

## Maggie (Maria Magdalena) Laubser

SOUTH AFRICAN 1886-1973

# Still Life with Flowers

signed oil on board 54,5 by 39,5 cm

## R200 000 - 300 000

### PROVENANCE

Mrs M.G. Louw, Somerset-West, acquired directly from the artist, thence by inheritance Mrs E. Horn, Cape Town.

## LITERATURE

Dalene Marais, *Maggie Laubser; her Paintings, Drawings and Graphics*, Perskor, Johannesburg and Cape Town, 1994, page 358, catalogue number 1279.





Irma Stern with *White Lilies* photographed at the opening of her exhibition in the Argus Gallery, Cape Town, March 1941. (Photograph: *The Cape Argus* 24 March 1941)



The fabric used in the still life now a cushion cover in the UCT Irma Stern Museum.

White Lilies was included in Irma Stern's solo exhibition at the Argus Gallery in March 1941, where it was identified as among the best works.

The unnamed reviewer notes that previous exhibitions by the artist had 'aroused the strongest emotions in many of the spectators' and adds:

'But times change and public taste becomes more sophisticated, and in these days an Irma Stern exhibition arouses so little critical antagonism that you would almost think she had become an 'old master' in the full flush of her career.'

Further on we read:

'Her present exhibition is as full of interest as ever and it contains, perhaps, even more variety. Landscapes, seascapes, still life and portraits – the large room is vivid with colour and full of her own strong, vigorous personality. The pictures glow with the painter's vitality.'

Under the sub-heading, A LOVELY WORK, the reviewer asserts:

Some of the still life paintings, particularly 'White Lilies' (34) are among the best things she has done in this manner  $...^1$ 

All the hallmarks of Stern's mature style are evident in this relatively early painting. The white lilies are articulated mainly through strong brushwork and thick, impasto paint, providing the perfect foil for the bold designs of the exotic objects and textile in the foreground. The fabric is probably of Indonesian origin and may well have been acquired along the east coast on one of Stern's journeys en route from Cape Town to Europe. Cut and sewn into a favourite cushion cover, it is still in the UCT Irma Stern Museum today.

On the right is the picnic basket that Stern famously carried with her on many outings. Stories abound of the substantial lunches and delectable edibles that would emerge from the basket that accompanied her on her daily visits to the Argus Gallery where custodian Stella Chiappini welcomed her and visitors.

Evidence of the pleasures of reading, relaxing and feasting on figs that spill from a blue plate, anchor the foreground with their rich patterning. By contrast, the white lilies against the soft, rosetinted background lend a calm, almost ethereal atmosphere.

With thanks to Christopher Peter of the UCT Irma Stern Museum, Cape Town, for his assistance in identifying objects in this painting.

1 'Pictures by Irma Stern: A Vigorous and Vital Personality', *The Cape Argus*, Monday 24 March 1941, page 11.

### 172

Irma Stern SOUTH AFRICAN 1894–1966

#### White Lilies

signed and dated 1936 oil on canvas 67,5 by 64,5 cm

R4 000 000 - 5 000 000





Alexis Preller SOUTH AFRICAN 1911–1975

### A Persian Vase with Flowers signed and dated 45 oil on canvas laid-down on board 49 by 38,5 cm

## R160 000 - 180 000

cf. Esmé Berman and Karel Nel, *Alexis Preller: Collected Images*, Johannesburg, 2009, *Persian Vase*, illustrated in black and white on page 109.



# Pieter Willem Frederick Wenning

SOUTH AFRICAN 1873-1921

A Still Life with Hibiscus and Fuchsias signed oil on canvas 29,5 by 22 cm

## R250 000 - 350 000

PROVENANCE J. J. van Nouhuys Sister O. Bär Cyril Berman Volks Art Auctions, Pretoria, 20 October 1993, Lot 86.

### EXHIBITED

Pieter Wenning Gallery, Johannesburg, *Pieter Wenning Memorial Exhibition*, 29 January – 12 February 1946, catalogue number 71 with the title *Flowerpiece Petunias*, illustrated. *Pieter Wenning* 1873–1921 *Commemorative Exhibition*, Pretoria Art Museum, March 1967, catalogue number 24, with the title *Still life with petunias*. Illustrated in black and white.

### LITERATURE

J. du P. Scholtz, D. C. Boonzaier en Pieter Wenning verslag van 'n vriendskap, Cape Town, 1973, page 53, note 73.





PROPERTY OF THE ESTATE LATE ESTHER HOLLOWAY

# 175

# **Pieter Willem Frederick Wenning**

SOUTH AFRICAN 1873-1921

# Still Life with Flowering Quinces

signed oil on canvas 24 by 34,5 cm

R350 000 - 450 000



176 Irma Stern SOUTH AFRICAN 1894–1966

A Studio Still Life with the Artist's Brushes and Roses signed and dated 1936 oil on canvas 64,5 by 50 cm

R2 500 000 – 3 500 000



Maggie (Maria Magdalena) Laubser

SOUTH AFRICAN 1886-1973

*Irises in a Blue and White Beer Mug* signed with the initials and dated '20 oil on canvas laid-down on board 49 by 33,5 cm

R60 000 - 90 000

### LITERATURE

Dalene Marais, *Maggie Laubser; her Paintings, Drawings and Graphics*, Perskor, Johannesburg and Cape Town, 1994, page 358, catalogue number 167.



# William Joseph Kentridge

SOUTH AFRICAN 1955-

# Dutch Iris

signed and numbered 34/50 in pencil in the margin etching and aquatint, 3 plates and 14 colours 108 by 59 cm

R70 000 - 100 000



In Irma Stern's *Lilies* the flowers appear to burst from the vase as if in a seasonal statement of spring. These Madonna lilies are 'distinguished from St Joseph's lilies by their shorter leaves, yellow flower centres and heavy, pollen-laden anthers. As symbols of purity, they feature in innumerable religious paintings and depictions of Mary.<sup>1</sup>

Despite their symbolic attributes, Stern ascribes to the flowers and objects in this still life a strong physicality that makes them convincingly real. The vase is, in all likelihood, a Chinese jar which Stern acquired for her own collection and which is currently in the UCT Irma Stern Museum (above) (catalogue number 534). With its brownish slip and heavy copper-green glaze, it stands 21 centimetres.

But never an artist to be constrained by perceptual reality, Stern has allowed herself the licence to explore the medium of paint in ways that heighten the sensuality of the medium. The fluid contours of the ceramics, the glowing golden colours and the sure brushwork are all evidence of the fluent, confident style of Irma Stern at the height of her powers.

In contrast to her more colourful paintings, the artist has used a quiet palette and infused the painting with light by employing a predominance of crisp whites that range to creamy tones in the flowers and fabric, offsetting these with lemon yellow pollen spatters, a rich cadmium yellow background and the raw ochre jar. The effect is one of harmony and subtlety, enlivened by complementary contrasts in the orange stamens and fruit against the blue vase and bowl and the red and green of the foreground apple.

With thanks to Christopher Peter of the UCT Irma Stern Museum, Cape Town, for his assistance in identifying objects in this painting.

1 Marion Arnold, *Irma Stern A Feast for the Eye*, Fernwood Press, 1995, illustrated plate 140.

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### Irma Stern

SOUTH AFRICAN 1894-1966

#### Lilies

signed and dated 1944 oil on canvas 60 by 65 cm

### R4 000 000 - 5 000 000

PROVENANCE Dulcie Howes, acquired from the artist.

#### LITERATURE

Marion Arnold, *Irma Stern: A Feast for the Eye*, Fernwood Press, 1995, on page 140, illustrated in colour.





Maud Frances Eyston Sumner SOUTH AFRICAN 1902–1985

Lilies in an African Pot signed oil on canvas 59 by 49 cm

R100 000 - 150 000
# 181 William Mitcheson Timlin

SOUTH AFRICAN 1892-1943

# The Building of a Fairy City, The Cathedral

signed, dated 1925, inscribed with the title and with the artist's owl device mark pen and ink and watercolour 58 by 38,5 cm

## R130 000 - 160 000

William Timlin started a series of fantasy paintings for a book entitled *The Building of a Fairy City*. He also wrote the text but never completed the project.







Two views of Lot 182

## 182

# Anton van Wouw

SOUTH AFRICAN 1862-1945

## Laughing Basuto

signed, dated 1936, inscribed 'Joh-n' and bears the foundry mark'G. Massa. Rome'  $\,$ 

bronze with deep brown patina and white enamelled eyes and teeth 31,3 by 26 by 20,5cm mounted on a wooden base 5,5 by 27 by 28,5 cm

## R500 000 - 700 000

### PROVENANCE

Volks Auctioneers Sales Company in association with E Schweickerdt, Pretoria, 27 October 1972, lot 3, illustrated.

#### LITERATURE

A.E. Duffey, *Anton van Wouw, The Smaller Works*, Pretoria, 2008, illustrated on page 74 (illustration of another cast).





## Anton van Wouw

SOUTH AFRICAN 1862-1945

## Sidwana Tokozile (The Coffee Drinker)

signed, inscribed with the title, 'S.A Joh-burg' and bears the foundry mark 'G. Massa. Rome.' bronze, dark-brown patination 29,5 by 11,5 by 11,5 cm

R250 000 - 350 000

LITERATURE A.E. Duffey, *Anton van Wouw, The Smaller Works*, Pretoria, 2008, pages 74 and 75, (illustration of another cast).



Alexis Preller SOUTH AFRICAN 1911-1975

A Portrait of a Young Girl with Blue Eyes and Dark Hair

signed and dated 45 oil on canvasboard 37,5 by 28 cm

R180 000 - 240 000



Alexis Preller SOUTH AFRICAN 1911-1975

## African Head

signed and dated 44 mixed media on gesso 41,5 by 33,5 cm

# R220 000 - 280 000

cf. Esmé Berman and Karel Nel, *Alexis Preller Africa: The Sun and Shadows*, Johannesburg, 2009, the sketch 'African Head, 1938', illustrated on page 294.

## Maggie (Maria Magdalena) Laubser

SOUTH AFRICAN 1886-1973

# Portrait of a Woman; Landscape with Birds, Houses and Boats in the

#### Background

signed oil on board 48 by 40,5 cm

## R500 000 - 800 000

#### PROVENANCE

Dr. and Mrs. A. H. Smith, Johannesburg, acquired directly from the artist.

#### LITERATURE

Dalene Marais, *Maggie Laubser; her Paintings, Drawings and Graphics*, Perskor, Johannesburg and Cape Town, 1994, page 358, catalogue number 1582. Portrait of a Woman; Landscape with Birds, Houses and Boats in the Background was included in Maggie Laubser's Prestige Retrospective Exhibition that toured to the South African National Gallery, Cape Town; the Pretoria Art Museum and the Johannesburg Art Gallery in 1969.

It also features in Dalene Marais' catalogue raisonné in the section headed 'South Africa. The established Artist. Abstraction and Consolidation CA 1950–1973.<sup>1</sup>

At this stage Laubser was settled in her home 'Altyd Lig' in the Strand. Her career was firmly established, she was honoured in various major exhibitions and tributes were pouring in: her paintings featured in the *Overseas Exhibition* of South African Art at the Tate Gallery, London in 1948, the Venice Biennale in 1953 as well as in numerous local and international touring exhibitions. The south african Academy for Science and Art had awarded her a Medal of Honour for Painting in 1946 and made her an Honorary Member in 1968.

The motifs in these later works included many of her favourites such as Langebaan and the adjacent coastal areas, of which this painting could be one. As Marais points out, while these motifs are recalled from memory, they are still related to observed reality. However, details are reduced in order to focus on the essence of the scene and its capacity to convey her emotional attachment to the subject.

Maggie Laubser's empathy with those who lived close to their sources of income and to their sustenance is legendary. This woman, shielded from the elements by her yellow scarf, could well be waiting on the shore for the fishing boats, a conjecture supported by the shielded from the elements by her yellow scarf, could well be waiting on the shore for the fishing boats, a conjecture supported by the presence of many seagulls. Heightened colour and strong outlines create rhythmic patterns across the composition that emphasise the simple, yet most vital, elements of life. The dynamic shapes of the birds in the foreground are echoed in the path leading to the house while the flight path of the bird at the top left accentuates the billowing sails on the horizon that are bringing the boats in.

1 Dalene Marais, *Maggie Laubser: her paintings, drawings and graphics*, Perskor, Johannesburg and Cape Town, 1994, page 311.





Maurice Charles Louis van Essche SOUTH AFRICAN 1906–1977

A Portrait of a Woman with a Pink Head Scarf signed oil on board 52 by 37 cm

R70 000 - 100 000



Maurice Charles Louis van Essche SOUTH AFRICAN 1906–1977

A Harlequin Flautist

signed oil on board 75 by 60 cm

R250 000 - 350 000



Maurice Charles Louis van Essche

SOUTH AFRICAN 1906-1977

*Two Congolese Women in a Landscape* signed

oil on board 58,5 by 49 cm

R300 000 - 400 000



190 Vladimir Griegorovich Tretchikoff SOUTH AFRICAN 1913–2006

# A Young Girl

signed oil on canvas 65 by 50 cm

R300 000 - 400 000



# Erik (Frederik Bester Howard) Laubscher

SOUTH AFRICAN 1927-

## Silence of Full Moon

signed and dated '91; signed, dated 1991, inscribed with the title in both English and Afrikaans on the reverse oil on canvas 100 by 109,5 cm

R90 000 - 120 000



Alexis Preller SOUTH AFRICAN 1911-1975

Apple signed and dated '64 oil on canvas 40,5 by 51 cm

R150 000 - 200 000



# Johannes Petrus Meintjes

SOUTH AFRICAN 1923-1980

# The Red Head Boy

signed and dated 54; inscribed with the title on the reverse oil on board 39,5 by 29 cm

R30 000 - 50 000

This is a Portrait of Roland Starke, the catalogue number from the artist's diary is 427.



# **Cecil Edwin Frans Skotnes**

SOUTH AFRICAN 1926-2009

# Two Figures

signed carved and painted wood panel 61 by 45 cm

R250 000 - 350 000



## **Alexis Preller**

SOUTH AFRICAN 1911-1975

#### Angel

signed and dated '72 oil and goldleaf on panel 40,5 by 51 cm

## R1 000 000 - 1 500 000

#### LITERATURE

Esmé Berman and Karel Nel, *Alexis Preller: Collected Images*, Johannesburg, 2009, illustrated on page 249.

By stylising its features and modifying its general character, he integrated the Angel concept into his iconographic continuum. Although the resultant image is entirely original, it has subtle links to several sources. There is, for instance, a resemblance to certain typical features of Yoruba masks, one of which Preller owned. The wide-open, almond-shaped eye, the cicatrised markings on the cheek, the full lips and the suggestion of a natural beard are all reminiscent of Yoruba conventions.

The artificial, ritual beard – Egyptian symbol of divine authority – has been a significant element of all the Young King images, while the stylised shape that sweeps back from the head emanates from the flowing hair that had evolved into the streaming wake behind the Winds.

It had now been formalised, creating strange wing-like projections that propel the Angel through the air. The Angel King and other versions of the theme are mythographic icons. They represent the ultimate condition of the mythical god-kings, on final release from any bondage to the earthly world.<sup>1</sup>

1 Esmé Berman and Karel Nel, Alexis Preller: Collected Images, Shelf Publishing, 2009, pages 247-249.



# Cecil Edwin Frans Skotnes

SOUTH AFRICAN 1926-2009

*Head* carved and painted wood panel 45 by 61 cm

R200 000 - 300 000

Accompanied by a certificate of authenticity signed by Thelma and John Skotnes, (the artist's wife and son), dated 10/09/2009.

### **Alexis Preller**

SOUTH AFRICAN 1911-1975

#### Kouros

signed and dated '71 oil with goldleaf on panel 60,6 by 50,7 cm

## R800 000 - 1 200 000

#### EXHIBITED

Pretoria Art Museum, *Alexis Preller Retrospective*, October – November 1972, catalogue number 173, illustrated in black and white.

#### LITERATURE

Esmé Berman and Karel Nel, *Alexis Preller: Collected Images*, Johannesburg, 2009, illustrated on page 235. 1968 was a seminal year for Alexis Preller. He met Guna Massyn, the attractive youth who was to become his life's companion and he undertook a trip to Greece and Turkey in August and September. Preller was thrilled to be exploring the ancient Aegean history, culture and mythology that had so fascinated him. He toured many sites including Delphi, the seat of Apollo and the famed oracle. The son of Zeus, Apollo has been variously recognised as a god of light and the sun; truth and prophecy; medicine and healing. Being supportive of all the arts and the very epitome of civilization, Apollo is seen to be both creative and handsome.

Apollo's youthfulness is captured in the sculpted figure of the kouros, which has come to represent the ideal of male beauty. Inspired by these figures and what they may represent, Preller sought ways of developing this new theme in his paintings. As Karel Nel explains:

The image that Preller chose ... is that of an archaic Greek kouros, or Apollo figure. In company with so many of those ancient sculptures, only the torso of this kouros has survived the ravages

of time. But the absence especially of a head and its identifying facial features is, in fact, a virtue, because it lends a universal quality to the emerging figure – an anonymity that amplifies the impact of the image and adds potency to Preller's abstract theme.

Speaking of an earlier painting of the same subject, Nel continues:

The quality of the work lies in the grandeur of its conception. It does not present a mimetic image of a man, yet it conveys an immensely powerful idea of manhood. One fails to be concerned about the incompleteness of the figure: the mental image of this form is of a total being.<sup>1</sup>

While Preller's experimentation with gestural abstraction is increasingly evident in the more painterly treatment that minimises contour lines and integrates the figure into the ground, the iconic status of this symbol of beauty is enhanced through the addition of gold leaf.

1 Esmé Berman and Karel Nel, *Alexis Preller: Collected Images*, Shelf Publishing, 2009, pages 225–227.





Alexis Preller SOUTH AFRICAN 1911-1975

*Three Wise Men* signed and dated '64 oil on canvas 72,5 by 65 cm

R800 000 - 1 000 000

PROVENANCE Acquired from Christie Truter's brother, Lincoln in 1990.



Alexis Preller SOUTH AFRICAN 1911-1975

**Constellation** signed and dated '66 oil on canvas 100,5 by 85 cm

# R750 000 - 1 000 000

cf. Julia Charlton (Ed.), *Signature Pieces The Standard Bank Corporate Art Collection*, Cape Town, 2009, *Creation*, 1966, page 199, illustrated in colour.



# Fred (Frederick Hutchison) Page

SOUTH AFRICAN 1908-1984

# Two Heads in the Balance

signed and dated '71 polymer on paper laid-down on board 62,5 by 56 cm

R80 000 - 100 000



François Krige SOUTH AFRICAN 1913–1994

*Two Bathers* signed and dated 41 oil on card 55 by 36 cm

R50 000 - 80 000



Irma Stern SOUTH AFRICAN 1894–1966

# Arab Woman and Child

signed and dated 1961 ball-point pen, brush and ink, pastel and watercolour 33 by 47 cm

R100 000 - 140 000



Gerard Sekoto SOUTH AFRICAN 1913-1993

# Parisian Café Scene

signed gouache over pencil 24 by 30 cm

R60 000 - 90 000



Gerard Sekoto

SOUTH AFRICAN 1913-1993

# Women in the Wind

signed and dated 1961; signed and inscribed with the title on the reverse brush and ink and gouache 31 by 48,5 cm

R180 000 - 240 000



205 William Joseph Kentridge

SOUTH AFRICAN 1955-

# Exchange

signed and numbered 14/40 in pencil in the margin serigraph 34,5 by 34,6 cm

R60 000 - 80 000

William Kentridge was awarded the Standard Bank Young Artist Award in 1987, during the period when this work was produced. After working extensively in theatre in the mid- to late 1970s, he went to Paris in the early 80s to study acting and directing at the École Jacques working extensively in theatre in the mid- to late 1970s, he went to Paris in the early 80s to study acting and directing at the École Jacques Lecoq. By the mid-80s he was working as an art director in the commercial film industry. Of the impact that these experiences had on his drawings, Kentridge has remarked:

One of the things I learnt was the way the space in which people moved – film space – was so completely arbitrary and changeable ... So the drawings that emerged from the film work had to do with the freedom that came from being able to play with space.<sup>1</sup>

Works by German Expressionist Max Beckmann, Otto Dix and Käthe Kollwitz made a strong impression on him, both in terms of their expressive potential for social commentary and for their use of graphic media, in particular charcoal. Inspired by English satirist William Hogarth, he produced a body of drawings that comment on society and manners. They also refer to great art works he would have seen in Paris, like Watteau's *Embarkation for Cythera*, the inspiration for *The Embarkation*, with which this work has much in common.

A handrail in the foreground invites us to step into the picture. It suggests the steps of a swimming pool, which Kentridge used throughout the 80s as a trope for a particular south african lifestyle. It also resembles the portable steps that continue to feature in his works and that played a significant role in his lecture performance, *I am not me, the horse is not mine*, which formed part of Kentridge's process of developing his celebrated production of Dmitri Shostakovich's *The Nose* for the Metropolitan Opera House, New York in 2010.

Beyond the middle ground which suggests various outdoor leisure activities such as camping, an empty stadium frames a Highveld landscape as if it is the main event, albeit a contested one. Unlike the tradition of south african landscape art, Kentridge provides an essentially urbanised view of the landscape defined by structures and objects that provide evidence of human intervention and habitation.

1 Geofrey V. Davis and Anne Fuchs, eds., *Theatre and Change in South Africa*, Harwood Academic Publishers, Amsterdam, 1996, page 141.

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#### William Joseph Kentridge

SOUTH AFRICAN 1955-

## Highveld Landscape with Stadium

signed conté and pastel with heightening sheet size: 69 by 99 cm

R500 000 - 800 000







### William Joseph Kentridge

SOUTH AFRICAN 1955-

# Drawing from 'WEIGHING ... and WANTING'

signed conté with heightening 75 by 105,5 cm

R500 000 - 700 000

Executed between 1997 and 1998.

Towards the end of 1997 William Kentridge shifted from his experiments with chalk on black paper back to his more familiar technique of drawn and erased charcoal and pastel on white paper. The figure of Soho Eckstein re-emerges as an older man torn between the conflicting demands of the public world of business and the private world of love and intimacy. In 1998 these drawings crystallised into the poignant film *WEIGHING ... and WANTING.* 

The film was inspired by a dream in which the artist is consoled by a stranger who points out some writing on a wall. The title arises from the biblical story of King Belshazzar to whom a phrase appears on a wall informing him that he has been weighed and found wanting.

Contesting images of dreams and reality, equilibrium and crisis, love and hatred and growth and destruction are explored in the body of drawings that Kentridge produced for the film. In these a range of metaphors are employed to examine a personal relationship under stress, which shatters and is reconstituted.



# Pieter Hugo Naudé

SOUTH AFRICAN 1868-1941

# Preparing the Nets, Old Harbour Hermanus signed

oil on board 25 by 32,5 cm

R120 000 - 160 000



Irma Stern SOUTH AFRICAN 1894–1966

# A Venetian Coastline with Boats

signed and dated 1948 gouache and oil on paper 48,2 by 68 cm

R200 000 - 300 000

Irma Stern SOUTH AFRICAN 1894-1966

Repairing Fishing Nets on the Quay

signed and dated 1963 oil on canvas 89 by 69 cm

R2 000 000 - 2 400 000





Sidney Goldblatt SOUTH AFRICAN 1919-1979

Fishing Boats on the Beach signed oil on board 59 by 120,5 cm

R50 000 - 70 000


# Alfred Friedrich Franz Krenz

SOUTH AFRICAN 1899-1980

# Fishermen, False Bay

signed and dated 1963; inscribed with the artist's name, title and dated 1963 on the reverse oil on board 63 by 84,5 cm

R70 000 - 100 000



# Ephraim Mojalefa Ngatane

SOUTH AFRICAN 1938-1971

# Pimville Street Scene

signed and dated '68 oil on board 59,5 by 75 cm

R250 000 - 350 000



# Gregoire Johannes Boonzaier

SOUTH AFRICAN 1909-2005

# Coastal Landscape with Boats

signed and dated 1986 oil on board 16,5 by 28 cm

R120 000 - 180 000



# David Johannes Botha

SOUTH AFRICAN 1921-1995

# A Township Scene on a Wet Day

signed and dated '62 oil on canvas 49 by 75 cm

R70 000 – 90 000



# Welcome Mandla Koboka

SOUTH AFRICAN 1941-

Women in a Township signed oil on board 42 by 59,5 cm

R30 000 - 50 000



Alfred Thoba

SOUTH AFRICAN 1951-

Three Mine Workers working 'Riskfully' Fighting to get Overtime

signed and dated 25/1/2009 on the reverse oil on board 60 by 27 cm

R25 000 - 40 000



# Marianne Podlashuc

SOUTH AFRICAN 1932-2006

### Mother and Children Baakens Valley, South End signed acrylic on board

acrylic on board 73,5 by 90 cm

R50 000 – 70 000



# **Cecil Edwin Frans Skotnes**

SOUTH AFRICAN 1926-2009

# Two Figures Conversing

signed and dated 74 carved and painted wood panel 120,2 by 110,5 cm

R500 000 - 700 000



# 220 Cecil Edwin Frans Skotnes

SOUTH AFRICAN 1926-2009

### Place of Totems 1968-89

signed and dated 68; inscribed with the title and dated 1968-89 on the reverse carved and painted wood panel 120 by 180,3 cm

R800 000 - 1 200 000



PROPERTY OF THE ESTATE LATE ROGER BUCZYNSKI

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# **Robert Griffiths Hodgins**

SOUTH AFRICAN 1920-2010

# Girlfriend, Boyfriend

signed, dated 1987 and inscribed with the title on the reverse oil on canvas 60 by 81 cm

R70 000 - 100 000



PROPERTY OF THE ESTATE LATE ROGER BUCZYNSKI

#### 222

# **Robert Griffiths Hodgins**

SOUTH AFRICAN 1920-2010

# Ubu: The Browning Version

signed and dated '84/6; signed, inscribed with the title and dated 1984/6 on the reverse tempera with oil glazes on panel 34,5 by 50,2 cm

R30 000 - 50 000



#### **Kendell Geers**

SOUTH AFRICAN 1968-

#### (X) Version I

signed, dated 1993 and inscribed with the title on the reverse photocopy collage on masonite with X shape form cut-out 102 by 196 cm

R60 000 - 80 000

EXHIBITED The Everard Read Contemporary, Johannesburg, *Threshold*, 1993



Christo Coetzee SOUTH AFRICAN 1929-2001

Abstract Composition signed and dated 72 acrylic on canvas laid-down on board 90 by 63 cm

R50 000 - 80 000



# **Robert Griffiths Hodgins**

SOUTH AFRICAN 1920-2010

# Nude in a Pink Boudoir

signed, dated 2008 and inscribed with the title on the reverse oil on canvas 75 by 75 cm

R70 000 - 100 000

EXHIBITED The Goodman Gallery Cape, 2008



Jabulane Sam Nhlengethwa

SOUTH AFRICAN 1955-

Salmon and Red Couch, (diptych) signed and dated '07 oil on canvas 140 by 200 cm

R60 000 - 90 000

# Norman Clive Catherine

A Figural Totem signed and dated 1991 oil on wood 109 by 53 by 57 cm

R180 000 - 240 000





#### **Cecil Edwin Frans Skotnes**

SOUTH AFRICAN 1926-2009

# Carved Figural Totem

accompanied by a certificate of authenticity signed by Thelma and John Skotnes, (the artist's wife and son), dated '10/09/2009' carved and painted wood 94 by 30 by 5cm; with a marble and steel base: 40 by 26 by 40 cm

R90 000 - 120 000

Executed circa 1960.





Edoardo Villa SOUTH AFRICAN 1915-

Rhythmic Forms signed and dated 1987 painted steel approximately: 235 by 120 by 160 cm

R300 000 - 400 000



Dylan Lewis SOUTH AFRICAN 1964-

# Standing Leopard

signed, dated 2000 and numbered 2/15 (scs) bronze 69 by 87 by 24 cm

R300 000 - 500 000

End of Sale

# Strauss&co

Fine Art Auctioneers | Consultants

# **Conditions of Business**

Strauss and Company (Proprietary) Limited ('Strauss & Co') carries on business as fine art auctioneers and consultants. As auctioneers, Strauss & Co would usually act as agent of the seller of a lot or (in instances where Strauss & Co owns or has a financial interest in any lot) as principal. The contractual relationship of Strauss & Co with prospective buyers and sellers is governed by (i) the conditions set out below, (ii) any additional or special terms and conditions that Strauss & Co may impose (whether in the form of notices displayed at the premises at which any auction is conducted or announced by the auctioneer prior to or during any auction and whether in respect of any specific lot or in general), and (iii) such other terms and conditions as may be set out in any relevant catalogue (collectively the 'general conditions of business').

# **1 DEFINITIONS**

In these general conditions of business, headnotes are for convenience only and shall not be used in their interpretation, any expression which denotes any gender shall include the other genders, any expression which denotes the singular shall include the plural (and vice versa), any expression which denotes a natural person shall include a juristic person (and vice versa) and the following terms shall have the following meanings —

- 1.1. **'auction'** means any private treaty or auction sale at which a lot is offered for sale by Strauss & Co;
- 1.2 **'auctioneer'** means the representative of Strauss & Co conducting an auction;
- 1.3 **'bidder'** means any person making, attempting or considering to make a bid or offer to buy a lot at an auction, including the buyer of that lot;
- 1.4 'buyer' means the bidder who makes the bid or offer for any lot that is finally accepted by the auctioneer (after determination by the auctioneer of any dispute that may exist in respect thereof) at a sale of that lot, and (where the buyer is an agent acting for a principal), the buyer and the buyer's principal jointly and severally;

- 1.5 'buyer's premium' means the premium payable by the buyer of a lot to Strauss & Co on the sale of that lot, calculated on the hammer price of that lot at the relevant current rates;
- 1.6 **'catalogue'** means any advertisement, brochure, estimate, price-list and other publication (in whatever medium, electronically or otherwise) published by Strauss & Co in respect of any auction;
- 1.7 'current rates' means Strauss & Co's current rates of commission, premiums and other amounts payable to Strauss & Co for the time being, together with VAT thereon (if any), all as published by Strauss & Co (whether in a catalogue or otherwise) or as agreed between a prospective buyer or seller (as the case may be) and Strauss & Co;
- 1.8 'forgery' means an imitation made with the intention of deceiving as to authorship, origin, date, age, period, culture or source, which is not shown to be such in the description in the catalogue and which at the date of the sale had a value materially less than it would have had if it had been in accordance with that description and includes any misrepresentation made with the intention of deceiving as to authorship, origin, date, age, period, culture or source;
- 1.9 **'hammer price'** means the bid or offer made by the buyer for any lot that is finally accepted by the auctioneer (after determination by the auctioneer of any dispute that may exist in respect thereof) at a sale of that lot, together with VAT thereon (if any);
- 1.10 **'lot'** means any item or items to be offered for sale by Strauss & Co at an auction;
- 1.11 'prime rate' means the publicly quoted base rate of interest (percent, per annum compounded monthly in arrear and calculated on a 365 day year, irrespective of whether or not the year is a leap year) from time to time published by The Standard Bank of South Africa imited, or its successor-intitle, as being its prime overdraft rate, as certified by any manager of such bank, whose appointment, authority and designation need not be proved;

- 1.12 **'private treaty'** means the sale of any lot other than by auction sale at a price privately agreed on by the buyer and seller;
- 1.13 **'purchase price'** means the hammer price of any lot at a sale thereof, plus the applicable buyer's premium for that lot, plus all recoverable expenses for which the buyer is liable in respect of that lot;
- 1.14 **'recoverable expenses'** includes all fees, taxes (including VAT), charges and expenses incurred by Strauss & Co in relation to any lot that Strauss & Co is entitled to recover from a buyer or seller;
- 1.15 **'reserve'** means the confidential minimum hammer price (if any) at which a lot may be sold at an auction as agreed between the seller of that lot and Strauss & Co in writing;
- 1.16 **'sale proceeds'** means the amount due by Strauss & Co to the seller of a lot in respect of the sale of that lot, made up of the hammer price of the lot, less the applicable seller's commission for that lot, less all recoverable expenses for which the seller is liable in respect of that lot and any other amounts due to Strauss & Co by the seller in whatever capacity and howsoever arising;
- 1.17 'sale' means the sale of any lot at an auction, whether done by private treaty or auction sale, and 'sell' and 'sold' shall have corresponding meanings;
- 1.18 **'seller'** means the person named as the seller of any lot, being the person that offers the lot for sale;
- 1.19 **'seller's commission'** means the commission payable by the seller to Strauss & Co on the sale of a lot that is calculated on the hammer price of that lot at the relevant current rate; and
- 1.20 **'VAT'** means value added tax levied in terms of the Value Added Tax Act, 1991.

# **2 CONDITIONS MAINLY CONCERNING BUYERS**

#### 2.1 The buyer

- 2.1.1 Any dispute of whatever nature about any bid or about the identity of the buyer (including without limitation any dispute about the validity of any bid, or whether a bid has been made, or any dispute between two or more bidders or between the auctioneer and one or more bidders) shall be determined at the auctioneer's absolute discretion.
- 2.1.2 Every bidder shall be deemed to act as principal unless, prior to the commencement of any auction, Strauss & Co provides a written acknowledgement that a particular bidder is acting on behalf of a third party.
- 2.1.3 All bidders wishing to make bids or offers in respect of any lot must complete a registration form prior to that lot being offered for sale, which registration form will include an acknowledgement by the bidder that he

is acquainted with and bound by these general conditions of business. Bidders shall be personally liable for their bids and offers made during any auction and shall be jointly and severally liable with their principals if acting as agent.

2.1.4 Bidders are advised to attend any auction at which a lot is to be sold by auction sale, but Strauss & Co will endeavour to execute absentee written bids and/or telephone bids, provided they are, in Strauss & Co's absolute discretion, received in sufficient time and in legible form. When bids are placed by telephone before an auction they are accepted at the sender's risk and must, if so requested by Strauss & Co, be confirmed in writing to Strauss & Co before commencement of the auction. Persons wishing to bid by telephone during the course of an auction must make proper arrangement with Strauss & Co in connection with such telephonic bids at least twenty hours before the commencement of the auction. As telephone bids cannot be entirely free from risk of communication breakdown, Strauss & Co will not be responsible for losses arising from missed bids. Telephone bidding may be recorded and all bidders consent to such recording.

# 2.2 Examination of lots

- 2.2.1 It is the responsibility of all prospective buyers to examine and satisfy themselves as to the condition of each lot prior to the auction, and that the lot matches any oral or written description provided by the seller and/or Strauss & Co. All illustrations of a lot in any catalogue are intended merely as guidance for bidders and do not provide definitive information as to colours, patterns or damage to any lot.
- 2.2.2 Strauss & Co shall not be liable for any error, misstatement or omission in the description of a lot (whether in any catalogue or otherwise), unless Strauss & Co, its employees or agents, engaged in intentional misleading or deceptive conduct.
- 2.2.3 In bidding for any lot, all bidders confirm that they have not been induced to make any bid or offer by any representation of the seller or Strauss & Co.

### 2.3 Exclusions and limitations of liability to buyers

2.3.1 If a lot sold to a buyer proves to be a forgery (which will only be the case if an expert appointed by Strauss & Co for such purpose confirms same in writing), the buyer may (as his sole remedy hereunder or at law) return the lot to Strauss & Co within three hundred and sixty five days of the date of the sale of that lot in the same condition in which it was as at the date of sale, together with a written statement by the buyer detailing the defects to the lot, the date of the sale and the number of the lot. Should Strauss & Co be satisfied in its absolute discretion that the lot is a forgery and that the buyer is capable of transferring good and marketable title to the lot to a third party purchaser thereof, free from any encumbrances and other third party claims, the sale of that lot shall be set aside and the hammer price of that lot shall be refunded to the buyer, provided that the buyer

shall have no rights against Strauss & Co (whether under these general conditions of business, at law or otherwise) if:

- 2.3.1.1 the only method of establishing that the lot was a forgery was by means of a scientific process not generally accepted for use until after publication of the catalogue in which that lot was identified for purposes of the auction at which it was sold, or by means of a process which was impracticable and/or unreasonably expensive and/or could have caused damage to the lot;
- 2.3.1.2 the description of the lot in the catalogue in which that lot was identified for purposes of the auction at which it was sold was in accordance with the then generally accepted opinion of scholars and experts or fairly indicated that there was conflict of such opinion;
- 2.3.1.3 a buyer's claim (whether in contract, delict or otherwise) shall always be limited to an amount equal to the hammer price of the lot;
- 2.3.1.4 the benefits of this condition shall not be transferable by the buyer of any lot to a third party and shall always rest exclusively with the buyer.
- 2.3.2 Neither Strauss & Co nor the seller:
- 2.3.2.1 shall be liable for any omissions, errors or misrepresentations in any information (whether written or otherwise and whether provided in a catalogue or otherwise) provided to bidders, or for any acts omissions in connection with the conduct of any auction or for any matter relating to the sale of any lot, including when caused by the negligence of the seller, Strauss & Co, their respective employees and/or agents;
- 2.3.2.2 gives any guarantee or warranty to bidders other than those expressly set out in these general conditions of business (if any) and any implied conditions, guarantees and warranties are excluded.
- 2.3.3 Without prejudice to any other provision of these general conditions of business, any claim against Strauss & Co and/or the seller of a lot by a bidder shall be limited to the hammer price of the relevant lot. Neither Strauss & Co nor the seller shall be liable for any indirect or consequential losses.
- 2.3.4 A purchased lot shall be at the buyer's risk in all respects from the fall of the auctioneer's hammer, whether or not payment has been made, and neither Strauss & Co nor the seller shall thereafter be liable for, and the buyer indemnifies Strauss & Co against, any loss or damage of any kind, including when caused by the negligence of Strauss & Co and/or its employees or agents.
- 2.3.5 All buyers are advised to arrange for their own insurance cover for purchased lots effective from the day after the date of sale for purposes of protecting their interests as Strauss & Co cannot warrant that the seller has insured its interests in the lot or that Strauss & Co's insurance cover will extend to all risks.
- 2.3.6 Strauss & Co does not accept any responsibility for lots damaged by insect infestation, changes in atmospheric conditions or other conditions outside its control, and shall not be liable for damage to glass or picture frames.

### 2.4 Import, export and copyright restrictions

Save as expressly set out in 3.3, Strauss & Co and the seller make no representation or warranties as to whether any lot is subject to export, import or copyright restrictions. It is the buyer's sole responsibility to obtain all approvals, licences, consents, permits and clearances that may be or become required by law for the sale and delivery of any lot to the buyer.

### 2.5 Conduct of the auction

- 2.5.1 The auctioneer has the absolute discretion to withdraw or re-offer lots for sale, to accept and refuse bids and/or to re-open the bidding on any lots should he believe there may be a dispute of whatever nature (including without limitation a dispute about the validity of any bid, or whether a bid has been made, and whether between two or more bidders or between the auctioneer and any one or more bidders) or error of whatever nature, and may further take such other action as he in his absolute discretion deems necessary or appropriate. The auctioneer shall commence and advance the bidding or offers for any lot in such increments as he considers appropriate.
- 2.5.2 The auctioneer shall be entitled to place bids on any lot on the seller's behalf up to the reserve, where applicable.
- 2.5.3 The contract between the buyer and the seller of any lot shall be deemed to be concluded on the striking of the auctioneer's hammer at the hammer price finally accepted by the auctioneer (after determination of any dispute that may exist). Strauss & Co is not a party to the contract of sale and shall not be liable for any breach of that contract by either the seller or the buyer.

### 2.6 Payment and collection

- 2.6.1 A buyer's premium, calculated at the applicable current rate of the hammer price, shall be payable by the buyer to Strauss & Co in respect of the sale of each lot. The buyer acknowledges that Strauss & Co, when acting as agent for the seller of any lot, may also receive a seller's commission and/or other fees for or in respect of that lot.
- 2.6.2 The buyer shall pay Strauss & Co the purchase price immediately after a lot is sold and shall provide Strauss & Co with details of his name and address and, if so requested, proof of identity and any other information that Strauss & Co may require.
- 2.6.3 Unless otherwise agreed in advance, the buyer shall make full payment of all amounts due by the buyer to Strauss & Co (including the purchase price of each lot bought by that buyer) on the date of sale (or on such other date as Strauss & Co and the buyer may agree upon in writing) in cash, electronic funds transfer, or such other payment method as Strauss & Co may be willing to accept. Any cheque and/or credit card payments must be arranged with Strauss & Co prior to commencement of the auction. All credit card purchases are to be settled in full on the date of sale.

- 2.6.4 Ownership in a lot shall not pass to the buyer thereof until Strauss & Co has received settlement of the full purchase price of that lot in cleared funds. Strauss & Co shall not release a lot to the buyer prior to full payment thereof. However, should Strauss & Co agree to release a lot to the buyer prior to payment of the purchase price in full, ownership of such lot shall not pass to the buyer, nor shall the buyer's obligations to pay the purchase price be impacted, until such receipt by Strauss & Co of the full purchase price in cleared funds.
- 2.6.5 The refusal of any approval, licence, consent, permit or clearance as required by law shall not affect the buyer's obligation to pay for the lot.
- 2.6.6 Any payments made by a buyer to Strauss & Co may be applied by Strauss & Co towards any sums owing by the buyer to Strauss & Co on any account whatsoever and without regard to any directions of the buyer or his agent. The buyer shall be and remain responsible for any removal, storage, or other charges for any lot and must at his own expense ensure that the lot purchased is removed immediately after the auction but not until payment of the total amount due to Strauss & Co. All risk of loss or damage to the purchased lot shall be borne by the buyer from the moment when the buyer's bid is accepted by Strauss & Co in the manner referred to above. Neither Strauss & Co nor its servants or agents shall accordingly be responsible for any loss or damage of any kind, whether caused by negligence or otherwise, from date of the sale of the lot, whilst the lot is in their possession or control.
- 2.6.7 All packaging and handling of lots is at the buyer's risk and expense, will have to be attended to by the buyer, and Strauss & Co shall not be liable for any acts or omissions of any packers or shippers.
- 2.6.8 If the sale of any lot is rescinded, set aside or cancelled by an action of the buyer, and Strauss & Co has accounted to the seller for the sale proceeds, the seller shall immediately refund the full sale proceeds to Strauss & Co, who will in turn refund the purchase price to the buyer.

#### 2.7 Remedies for non payment or failure to collect

Without prejudice to any rights that the seller may have, if any lot is not paid for in full or removed in accordance with the conditions of 2.6 above, or if there is any other breach of these general conditions of business by the buyer, Strauss & Co as agent of the seller shall, at its absolute discretion and without limiting any other rights or remedies that may be available to it or the seller hereunder or at law, be entitled to exercise one or more of the following remedies:

- 2.7.1 to remove, store and insure the lot at its premises or elsewhere and at the buyer's sole risk and expense;
- 2.7.2 to rescind the sale of that or any other lots sold to the buyer at the same or any other auction;
- 2.7.3 to set off any amounts owed to the buyer by Strauss & Co against any amounts owed to Strauss & Co by the buyer for the lot;
- 2.7.4 to reject future bids and offers on any lot from the buyer;

- 2.7.5 to proceed against the buyer for damages;
- 2.7.6 to resell the lot or cause it to be resold by public auction or private treaty, with estimates and reserves at Strauss & Co's sole discretion, in which event the buyer shall be liable for any shortfall between the original purchase price and the amount received on the resale of the lot, including all expenses incurred by Strauss & Co and the seller in such resale;
- 2.7.7 to exercise a lien over any of the buyer's property in Strauss & Co's possession, applying their sale proceeds to any amounts owed by the buyer to Strauss & Co;
- 2.7.8 to retain that or any other lots sold to the buyer at the same time or at any other auction and to release such lots only after payment of the total amount due;
- 2.7.9 to disclose the buyer's details to the seller to enable the seller to commence legal proceedings;
- 2.7.10 to commence legal proceedings;
- 2.7.11 to charge interest at a rate not exceeding the prime rate plus 3% per month on the total amount due to the extent that it remains unpaid after the date of the auction;
- 2.7.12 if the lot is paid for in full but remains uncollected after forty five days of the auction, following fourteen days written notice to the buyer, to resell the lot by auction or private treaty, with estimates and reserves at Strauss & Co's sole discretion. The sale proceeds of such lot if so resold, less all recoverable expenses, will be forfeited unless collected by the buyer within three months of the original auction.

# **3 CONDITIONS MAINLY CONCERNING SELLERS**

#### 3.1 Strauss & Co's powers

- 3.1.1 The seller irrevocably instructs Strauss & Co to offer for sale at an auction all objects submitted for sale by the seller and received and accepted by Strauss & Co and to sell the same to the relevant buyer of the lot of which those objects form part, provided that the bid or offer accepted from that buyer is equal to or higher than the reserve (if any) on that lot (subject always to 3.1.3), all on the basis set out in these general conditions of business. The seller further irrevocably permits Strauss & Co to bid for any lot of which any of those objects form part as agent for one or more intending buyers.
- 3.1.2 Strauss & Co are authorised to retain any objects not sold on auction for a period of seven days after the auction for the possible sale of such objects by Strauss & Co by way of private treaty or otherwise pursuant to 3.1.3.
- 3.1.3 The seller further irrevocably authorises Strauss & Co to offer for sale whether by private treaty or otherwise, and without any further instruction or notification to the seller, within seven days after the auction, all or any remaining objects submitted for sale by the seller and received and

accepted by Strauss & Co in accordance with 3.1.1, which objects were not sold on auction, provided that the bid or offer accepted from that buyer is equal to or higher than the amount that the seller would have received had that lot been sold on auction at the reserve on that lot taking into account the deduction of the applicable seller's commission and recoverable expenses for which the seller is liable.

- 3.1.4 Strauss & Co and the auctioneer each has the right, at his absolute discretion, to offer an object referred to above for sale under a lot, to refuse any bid or offer, to divide any lot, to combine two or more lots, to withdraw any lot from an auction, to determine the description of lots (whether in any catalogue or otherwise), to store accepted objects at the auction premises or any other location as he may deem fit and whether or not to seek the opinion of experts.
- 3.1.5 Strauss & Co shall not be under any obligation to disclose the name of the buyer to the seller.

#### 3.2 Estimated selling range and descriptions

- 3.2.1 Any estimated selling range provided by Strauss & Co to the seller is a mere statement of opinion and should not be relied upon as a true reflection of the hammer price which a lot may achieve at a sale. Strauss & Co reserves the right to revise the estimated selling range at any time.
- 3.2.2 The seller acknowledges that Strauss & Co is entitled to rely on the accuracy of the description of a lot as provided by or on behalf of the seller.
- 3.2.3 Strauss & Co shall not be liable for any error, misstatement or omission in the description of a lot (whether in any catalogue or otherwise), unless Strauss & Co, its employees or agents, engaged in intentional misleading or deceptive conduct.

#### 3.3 Warranties of the seller

- 3.3.1 The seller warrants to Strauss & Co and to the buyer that:
- 3.3.1.1 he is the true owner of all objects submitted for sale and/or is properly authorised by the true owner to do so, and that he is able to transfer good and marketable title to all such objects, free from any encumbrances and other third party claims, to the buyer of the lot of which those objects form part;
- 3.3.1.2 he has complied with all requirements, legal or otherwise, in relation to any export or import of the lot, if applicable, and has notified Strauss & Co in writing of any failure by third parties to comply with such requirements in the past;
- 3.3.1.3 the lot and any written provenance given by the seller are authentic;
- 3.3.1.4 the lot is fit for its purpose and safe if used for the purpose for which it was designed and is free from any defect not obvious on external inspection;
- 3.3.1.5 to the extent that the seller required any approval,licence, consent, permit or clearance by law to be in possession of any lot or for the sale of any lot, he is in possession of a valid approval, licence, consent, permit and clearance.

- 3.3.2 Notwithstanding any other provision of these general conditions of business, none of the seller, Strauss & Co, its servants or agents is responsible for errors of description or for the authenticity of any lot, and no warranty whatever is given by Strauss & Co, its servants or agents, or any seller to any buyer in respect of any lot (save insofar as the seller is concerned as set out in 3.3.1), and all express or implied conditions or warranties are hereby excluded.
- 3.3.3. The seller of any object forming part of a lot not held by Strauss & Co at the auction premises warrants and undertakes to Strauss & Co and the buyer that the relevant object will be available and in a deliverable state on demand to the buyer.
- 3.3.4 The seller agrees to indemnify and keep indemnified Strauss & Co and the buyer against any loss or damage suffered by either in consequence of any breach of any warranty in these general conditions of business.

#### 3.4 Commission and expenses

- 3.4.1 Seller's commission, calculated at the applicable current rate of the hammer price, shall be payable by the seller to Strauss & Co in respect of the sale of each lot comprising one or more objects submitted by the seller for sale. The seller acknowledges that Strauss & Co may also receive a buyer's premium and other fees for or in respect of that lot. Without derogating from the seller's obligation to pay the seller's commission and any recoverable expenses for which the seller is liable, the seller irrevocably authorises Strauss & Co to deduct from the hammer price of any lot the seller's commission and all such recoverable expenses for which the seller seller's price of any lot the seller's commission and all such recoverable expenses for which the seller is liable.
- 3.4.2 Strauss & Co may deduct and retain the seller's commission and the recoverable expenses for which the seller is liable from the amount paid by the buyer for the lot as soon as the purchase price, or part of it, is received and prior to the sale proceeds being paid to the seller.

#### 3.5 Reserve

- 3.5.1 All lots will be sold without reserve or minimum price unless a reserve has been placed on a lot, in which event such lot will be offered for sale subject to the reserve. A reserve shall only be placed on a lot if agreed in writing between the seller and Strauss & Co prior to the auction. A reserve, once placed on a lot, may not be changed by the seller without the prior written consent of Strauss & Co. Should Strauss & Co consent to an increase of the reserve on a lot, Strauss & Co reserves the right to charge the seller an additional offer fee as the object may not be sold on auction as a result of the increased reserve.
- 3.5.2 Where a reserve has been placed on a lot, only the auctioneer may bid on behalf of the seller.
- 3.5.3 Where a reserve has been placed on a lot and the auctioneer is of the opinion that the seller or any person acting as agent of the seller may

have bid on the lot, the auctioneer may knock down the lot to the seller without observing the reserve and the seller shall pay to Strauss & Co the buyer's premium and all expenses for which the buyer is liable in addition to the seller's commission and all expenses for which the seller is liable.

3.5.4 Should no reserve have been placed on a lot, Strauss & Co shall not be liable if the purchase price of the lot is less than the estimated selling range.

#### 3.6. Insurance

- 3.6.1 Unless Strauss & Co and the seller have otherwise agreed in writing, Strauss & Co will insure all objects, with the exception of motor vehicles, consigned to it or put under its control for sale and may, at its discretion, insure property placed under its control for any other purpose for as long as such objects or property remain at Strauss & Co's premises or in any other storage depot chosen by them.
- 3.6.2 The insurance referred to above shall be arranged at the expense of the seller, and will be for the amount estimated by Strauss & Co to be the mid-range of the estimated selling price as established by Strauss & Co (or such other value agreed with the seller) and shall subsist until whichever is the earlier of the ownership of the property passing from the seller or the seller or consignor becoming bound to collect the property. The sum for which the property is insured by Strauss & Co shall never be construed as a warranty of Strauss & Co as to the value of the property.
- 3.6.3 If any payment is made to Strauss & Co under the said insurance, in the event of loss or damage to any object, Strauss & Co shall pay such amount to the seller after deduction of the seller's commission and expenses incurred by them.
- 3.6.4 In the event the seller instructs Strauss & Co not to insure a lot or property submitted for sale, it shall at all times remain at the risk of the seller. In such an event, the seller undertakes to:
- 3.6.4.1 indemnify Strauss & Co against all claims made or proceedings brought against them in respect of damage or loss to the lot of whatsoever nature and howsoever arising and in all circumstances, even when negligence is alleged or proved;
- 3.6.4.2 reimburse Strauss & Co on demand for all costs, payments or expenses made or incurred in connection herewith. All payment made by Strauss & Co in connection with such loss, damage, payments, costs or expenses shall be binding on the seller as conclusive evidence thereof that Strauss & Co was liable to make such payment;
- 3.6.4.3 notify any insurer of the existence of the indemnity contained herein.

#### 3.7 Payments for the proceeds of sale

3.7.1 Strauss & Co shall only be liable to remit the sale proceeds of a lot to the seller thereof on the later of thirty days after the date of the sale of that lot

or seven days after the date on which the full purchase price for that lot has been received by Strauss & Co in cleared funds.

- 3.7.2 If the buyer of a lot fails to pay the total amount due to Strauss & Co within twenty eight days after the date of sale of that lot, Strauss & Co shall give notice of this to the seller of that lot and shall request the seller's written instructions as to the appropriate course of action to be followed. Should Strauss & Co deem it so appropriate, Strauss & Co will assist the seller to recover the total amount due from the buyer. Should no written instructions be forthcoming from the seller within seven days after request, the seller hereby authorises Strauss & Co, at Strauss & Co's absolute discretion but at the seller's expense:
- 3.7.2.1 to agree terms for payment of the total outstanding amount;
- 3.7.2.2 to remove, store and insure the lot sold;
- 3.7.2.3 to settle any claim by or against the buyer on such terms as Strauss & Co in their absolute discretion deem fit;
- 3.7.2.4 to take such steps as Strauss & Co in their absolute discretion consider necessary to collect monies due to the seller from the buyer;
- 3.7.2.5 if necessary, to rescind the sale and refund any monies to the buyer.
  - 3.7.3 Should Strauss & Co pay an amount equal to the sale proceeds to the seller before having received full payment of the purchase price from the buyer, ownership of the lot shall pass to Strauss & Co.
  - 3.7.4 If the sale of any lot is rescinded, set aside or cancelled by an action of the buyer, and Strauss & Co has accounted to the seller for the sale proceeds, the seller shall immediately refund the full sale proceeds to Strauss & Co, who will in turn refund the purchase price to the buyer and make the lot available to the seller for collection. Any annulment, rescission, cancellation or nullification of the sale shall not affect the seller's obligation to pay the commission to Strauss & Co.

#### 3.8 Withdrawal fees

- 3.8.1 A seller may only withdraw a lot from being offered for sale by written notification to Strauss & Co which is received by Strauss & Co at least twenty four hours prior to the commencement of the auction at which the lot is to be offered for sale.
- 3.8.2 Upon receipt of proper notification of withdrawal as envisaged above, Strauss & Co reserves the right to charge the full seller's commission and buyers premium to the seller as a withdrawal fee, both calculated on the latest middle estimate of the selling price of the property withdrawn, together with VAT and all expenses incurred in relation to the property.
- 3.8.3 If a lot is withdrawn, the seller shall arrange for the collection and removal of the lot at the seller's expense within three days after date of the withdrawal, provided the seller has paid the recoverable expenses and applicable withdrawal fee to Strauss & Co

#### 3.9 Photography and illustration

Strauss & Co shall have the full and absolute right to illustrate, photograph or otherwise reproduce images of any lot submitted by the seller for sale, whether or not in conjunction with the sale, and to use such photographs and illustrations at any time and in their sole and absolute discretion. The copyright of all photographs taken and illustrations made of any lot by Strauss & Co shall be the sole and absolute property of Strauss & Co and Strauss & Co undertakes to abide by all copyright applicable to any and all lots submitted for sale.

#### 3.10 Unsold lots

- 3.10.1 Strauss & Co are authorised to retain any objects not sold on auction for a period of seven days after the auction and may proceed to sell any such unsold lot during this period, be it by way of private treaty or otherwise, without any further instruction or notification to the seller in terms of 3.1.
- 3.10.2 Where any lot remains unsold, Strauss & Co shall notify the seller accordingly and the seller shall collect the lot at the seller's expense within seven days after despatch by Strauss & Co of a notice to the effect that the lot has not been sold.
- 3.10.3 In these circumstances, the seller must make arrangements either to reoffer the lot for sale or to collect and pay all recoverable expenses and other amounts for which the seller is liable.
- 3.10.4 Should the seller fail to collect the lot within seven days of notification, the seller shall in addition be responsible for all removal, storage and insurance expenses.
- 3.10.5 Should the seller fail to collect the lot within six months of date of the notification referred to above, Strauss & Co shall be authorised to sell the lot by private treaty or public auction, on such terms and conditions as they think fit, without reserve and to deduct from the hammer price all sums owing to Strauss & Co, including (without limitation) storage, removal, insurance expenses, the expenses of both auctions, reduced commission in respect of the auction as well as commission on the sale and all other reasonable expenses, prior to remitting the balance to the seller or, in the event he cannot be located, placing it into a bank account in the name of Strauss & Co for and on behalf of the seller.
- 3.10.6 Strauss & Co reserves the right to charge commission in accordance with the current rates on the bought in price and expenses in respect of any unsold lots.

# **4 GENERAL PROVISIONS**

- 4.1 Strauss & Co use information supplied by bidders or sellers, or otherwise lawfully obtained, for the provision of auction related services, client's administration, marketing and otherwise as required by law.
- 4.2 The bidder and seller agree to the processing of their personal information and to the disclosure of such information to third parties worldwide for the purposes outlined in 4.1 above.

- 4.3 Any representation or statement by Strauss & Co in any catalogue as to authorship, genuiness, origin, date, providence, age, condition or estimated selling price is a statement of opinion. Every person interested should rely on his own judgement as to such matters and neither Strauss & Co nor its agents or servants are responsible for the correctness of such opinions, subject to 2.3.1.
- 4.4 Strauss & Co will have the right, at its sole and absolute discretion, to refuse entry to its premises or attendance at its auction by any person.
- 4.5 These general conditions of business, every auction and all matters concerned therewith will be governed by and construed in accordance with the laws of South Africa and the buyer submits to the non-exclusive jurisdiction of the South African courts.
- 4.6 If any of these general conditions of business are held to be unenforceable, the remaining parts shall remain in force and effect.
- 4.7 The non-exercise of or delay in exercising any right or power of a party does not operate as a waiver of that right or power, nor does any single exercise of a right or power preclude any other or further exercise of it or the exercise of any other right or power. A right or power may only be waived in writing, signed by the party to be bound by the waiver.
- 4.8 These general conditions of business constitute the entire agreement of the parties on the subject matter.
- 4.9 Neither party shall be liable for any loss or damage, or be deemed to be in breach of these conditions, if its failure to perform or failure to cure any of its respective obligations hereunder results from any event or circumstance beyond its reasonable control. The party interfered with shall, give the other party prompt written notice of any force majeure event. If notice is provided, the time for performance or cure shall be extended for a period equivalent to the duration of the force majeure event or circumstance described in such notice, except that any cause shall not excuse payment of any sums owed to Strauss & Co prior to, during or after such force majeure event.
- 4.10 Any notice by Strauss & Co to a seller, consigner, respective bidder or buyer may be sent by Strauss & Co to the latest address as provided to Strauss & Co by the seller consigner, respective bidder or buyer.
- 4.11 Any notice to be addressed in terms of 4.10 may be given by airmail or hand-mail or sent by prepaid post, and if so given will be deemed to have been received by the addressee seven days after posting, or by facsimile, and if so given will be deemed to have been duly received by the addressee within one working day from transmission or by e-mail, and if so given will be deemed to have been duly received by the addressee within twenty four hours from transmission. Any indemnity under these conditions will extend to all proceedings, actions, costs, expenses, claims and demand whatever incurred or suffered by the person entitled to the benefits of the indemnity. Strauss & Co declares itself to be a trustee for its relevant agents and servants of the benefit of every indemnity under these conditions to the extent that such indemnity is expressed to be for the benefit of its agents and servants.



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