



# Acceptance in Lieu

Report 2013



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Front cover: *L'Italienne*  
by Jean-Baptiste  
Camille Corot.  
Photo: Freud Estate

Left: *Cheval au gallop sur le  
pied droit* by Edgar Degas.  
Photo: Freud Estate



# Preface



Above: Sir Peter Bazalgette, Chair, Arts Council England.  
Photo: Philippa Gedge

## Sir Peter Bazalgette

For many years the Acceptance in Lieu scheme has enabled those paying inheritance tax both to meet their obligations and to enrich the national culture by transferring works of art and valuable objects to our museums and libraries. In 2012/13 the scheme brought treasures with an unprecedented commercial value of £50 million into the national collections. If their sale had been on the open market, these works of art might have been lost to us forever: instead, this report details the beautiful and fascinating objects that can now be enjoyed by the public.

Among these is a striking and significant portrait of John Ruskin, painted by John Millais in 1854. Around it swirled one of the great scandalous love affairs of the age, for while working on the

portrait Millais fell in love with Ruskin’s wife, Effie. This is now the subject of a contemporary film. The arts do indeed resonate and inspire down the centuries and, to that end, Acceptance in Lieu can ensure that such notable works of art remain in the public domain. We’re delighted the portrait of Ruskin has been allocated to the Ashmolean Museum in Oxford, where Ruskin was the first Slade Professor of Fine Art, and where the Ashmolean already houses the John Ruskin Teaching Collection.

The last case in this report gives me particular pleasure, as it is the first of what we hope will be many donations through the Cultural Gifts Scheme, launched in March 2013. This is an important element in the Government’s range of tax incentives to encourage philanthropy, and allows individuals and companies to reduce substantially their income or corporation tax liabilities, according to the value of the gift. Our first donation comes from the writer and broadcaster Hunter Davies, who wrote the only authorised biography of The Beatles and has given some of his most treasured papers, including John Lennon’s hand-written lyrics to *Strawberry Fields Forever*, *In My Life* and *She Said She Said*. These will now become a permanent part of the British Library Collection.

We’re grateful to Hunter Davies for getting the Cultural Gifts Scheme off to a terrific start and I hope that other donors will be inspired to follow his lead.

We welcome the way in which the Government is encouraging donations through legacies and life-time giving. As the Acceptance in Lieu and Cultural Gifts Scheme both demonstrate, the nation and its collections gain enormously – and in perpetuity – from such concessions.

It is the Arts Council’s Acceptance in Lieu Panel that ensures the schemes operate properly: it has the trust of executors, donors and the respect of the museums it benefits. I want to express our gratitude to the Panel and the many advisers who generously give their time and expertise and we want especially to thank Tim Knox for his work as Chair. Tim has relinquished his position since his appointment as Director of the Fitzwilliam Museum. I am sure that under the new Chairman, Edward Harley, Acceptance in Lieu will continue to thrive and the Cultural Gifts Scheme will grow into an equally important way of keeping our museums and libraries vital places of enrichment.

**Sir Peter Bazalgette**  
Chair, Arts Council England

# Introduction



Above: Edward Harley, Chairman, Acceptance in Lieu Panel.  
Photo: Cazenove

## Edward Harley

I took up the position of Chairman of the Acceptance in Lieu (AIL) Panel in the last few days of the year under review (2012/13) and my first responsibility is to congratulate my predecessor, Tim Knox, on his achievements. Tim has made a lasting impact in his two years as Panel Chairman and has now taken up his new post as Director of the Fitzwilliam Museum. Since 2011 he has ensured that the AIL scheme has been expertly managed and has adeptly followed in the footsteps of the late Jonathan Scott. It was with much sadness that we learned that Jonathan, who had done so much to build up AIL in the first decade of the new century, had died just after Christmas 2012.

For a second year, and as with 2011/12, we have had to operate within the confines of a fixed budget which could not be exceeded. It is fortunate, however, that in 2012/13, in anticipation of the introduction of the Cultural Gifts Scheme (CGS), £30 million of tax can be settled. Previously AIL was allowed to settle £20 million of tax. The new threshold which has been all the more welcome in a time of austerity in spending has meant that in the year ending 31 March 2013, objects with an agreed value just a fraction short of £50 million have come into public ownership.

The table below shows the amount of tax settled and the value of the objects that have been acquired for the nation over the last decade.

Number and value of objects accepted in lieu 2004-13

Year to 31 March	Number of cases	Value of objects accepted (£million)	Tax settled (£million)
2004	23	21.7	15
2005	28	13	8.9
2006	38	25.2	13.2
2007	32	25.3	13.9
2008	32	15.2	10.3
2009	36	19.8	10.8
2010	33	15.7	10.8
2011	26	8.3	4.9
2012	25	31.3	20
2013	30*	49.4*	30*
<b>Totals</b>	<b>303</b>	<b>224.9</b>	<b>137.8</b>

\* Includes the first Cultural Gift

## Government support for acquisitions

The £30 million available has deliberately not been divided into a set amount for AIL and a precise figure for CGS. Having a single budget for both schemes allows a flexibility which acknowledges that it will take some time to establish cultural gifts as part of the philanthropic planning arrangements of private donors. In 2012/13, the scheme opened for applications in March 2013, allowing an exceptional number of AIL cases to be completed. The first cultural gift, the lyrics and letters of John Lennon (see case 30, pages 64-65 of this report) gave the scheme the best possible start. Through the generosity of Hunter Davies, the original biographer of the Beatles and editor of *The John Lennon Letters*, the handwritten lyrics of the Beatles hit songs *Strawberry Fields Forever*, *She Said She Said* and *In My Life* have become part of the collection of the British Library and join such iconic documents as Magna Carta and the writings of Jane Austen.

We are in discussion with other potential donors and will be working with them and museums and libraries to ensure that CGS becomes as significant a part of the cultural landscape as has long been the case with AIL. The UK now has an excellent set of initiatives to encourage philanthropic giving and it is important that they become widely known and that the take-up of these incentives grows to ensure the long-term health of the cultural sector.

The past year has seen a quite exceptional list of AIL cases completed. A masterpiece by the French 17th century painter, Nicolas Poussin, has been accepted and allocated to the Fitzwilliam Museum in Cambridge. *Extreme Unction* is one of the series of paintings that came to England in the mid-18th century and hung until recently in Belvoir Castle. The great collection of drawings by Poussin's Italian contemporary, Guercino, formed in the mid-20th century by the doyen of Italian 17th century scholars, Sir Denis Mahon, has been secured in perpetuity for the Ashmolean Museum.

## Allocations

One of the most pleasing aspects of the allocations this year is the number of places which have either received AIL items for the first time ever or for the first time in many years. The Hepworth Wakefield, which opened in May 2011, has been allocated its first AIL object – appropriately, a sculpture by Barbara Hepworth carved 50 years ago in 1963. Other first time allocatees include the Shipley Art Gallery in Gateshead which received a very fine collection of 20th century studio ceramics, and the Scott Polar Research Institute in Cambridge which has been given the maquette by Kathleen Scott of the famous statue of her husband which stands in Waterloo Place in Central London. Mount Stewart on the shores of Stranford Loch in Northern Ireland has received a large collection of chattels which will allow the National Trust – which owns and runs the property – to increase the areas of the house which are open to the public considerably. Other National Trust houses to have benefited from the scheme during the year include Knole in Kent, Waddesdon Manor in Buckinghamshire and Montacute in Somerset. The Bowes Museum in Bishop Auckland in County Durham has been allocated one of JMW Turner's paintings of Lowther Castle, its first AIL allocation in nearly 25 years.

Other highlights of the year include the magnificent gold stand and hardstone bowl which was believed in the 19th century to be associated with Charlemagne, the first Holy Roman Emperor, and which was one of the treasures of Hamilton Palace. It has been allocated to the National Museum Scotland.

A number of objects await permanent allocation and with the publication of this report, the availability of this material will be announced on the Arts Council's website.<sup>1</sup> We urge potential allocatees to keep an eye on what is awaiting allocation and to apply for allocation if the material is suitable for their collection and a suitable level of public access can be provided.

## Archives

For archival offers, advice on where the material should find a permanent home is provided by the Historical Manuscripts Commissioner and Chief Executive of The National Archives. This advice ensures that archives are housed in repositories that are appropriate and which provide conditions that will ensure their long-term preservation. The allocations made during the year for offers in lieu that were accepted in previous years (see Appendix 4 on page 72) lists a number of cases where the recommendation on permanent allocation has taken several years to confirm. In most of these cases, a decision has awaited the completion of a new archival facility and we note that with the new archival premises in Maidstone and Worcester, papers accepted some years ago have now found a permanent home.

As in previous years there has been a rich group of archival offers accepted. Seven archival offers were accepted in lieu in 2012/13 including the political papers of George Villiers, 4th Earl of Clarendon, which cover his diplomatic and political career including his three periods as Foreign Secretary and the first known notes and letters of the great naturalist Charles Darwin. The most significant was the archive of the Westmorland family of Apethorpe in Northamptonshire which included many documents of national importance as well as providing a wealth of material relating to the county. This was a large hybrid offer where the tax payable was much less than the amount that could have been satisfied by the acceptance of the whole archive. The Clarendon archive was also a hybrid.

## Additional funding

In both these archival cases and also with Poussin's *Extreme Unction* the offer in lieu would not have been completed without the support of external funders. The largest grant was £3 million from the Heritage Lottery Fund towards the Poussin and two grants from the National Heritage Memorial Fund of £650,000 and £205,000 for the Clarendon and Apethorpe papers respectively. The Art Fund gave a grant of £100,000 towards the Poussin.

## Conditional Exemption

The AIL Panel has, since 1998, also advised HM Revenue & Customs on whether objects which are the subject of a claim for Conditional Exemption are of pre-eminent importance. Whereas previously this work has been smaller in scale than AIL cases, the last 12 months have seen a growth in the number and scale of cases referred to the Panel by HM Revenue & Customs. This has added considerably to the work of the Panel and involved additional travelling around the country to see some of the material within the claims.

The preparation of the inventories listing the objects is an onerous task for the claimants and their agents and can take a considerable amount of time. We have seen in 2012/13 model examples of such listings and the care taken has made the work of the Panel and its advisers that much easier.

In a few isolated cases, and most commonly where the exemption claim involves archives, the listing of the material in the claim is inadequate for either the Panel or its advisers to make a judgement as to whether the necessary standard of pre-eminence is reached. This causes delay which could be avoided by good initial preparation.

1) <http://www.artscouncil.org.uk/what-we-do/supporting-museums/cultural-property/tax-incentives/items-allocation/>

## Acceptance in Lieu Panel membership

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In addition to the departure of Tim Knox from the Panel as Chair, 2012/13 saw the retirement of several long-standing Panel members. Lindsay Stainton has given many years of outstanding service to the Panel and her wise counsel will be much missed. Mark Fisher has been a one-man encyclopaedia of knowledge on the UK's museums and galleries and his advice was invaluable in many areas but particularly so when it came to allocation of offers. Geoffrey Bond, who joined the Panel from the former Museums, Libraries and Archives Council Board, brought wide experience of museum governance and legal considerations.

The Panel is fortunate to have gained the expertise of Pilar Ordovas, Robert Upstone and James Stourton who joined the Panel in 2012/13. We also look forward to Jonathan Harris and Barnaby Wright joining the Panel as full members in 2013/14.

The Arts Council in challenging times continues to support fully the work of the Panel and its Secretariat and we owe it a considerable debt of gratitude for its commitment to developing museums and archives, not only in the work of the Panel but in its wider support for museums and its encouragement of philanthropy.

It has been an exceptional year by any standards for the AIL Panel. The value of works accepted has been greater than in any previous year and the range of items has been broader than ever. Furthermore, the museums and galleries which have benefited stretch geographically across the United Kingdom. None of the above would have been possible without a dedicated Panel which meets increasingly often and is supported, as ever, by a wide range of experts who all give their time selflessly to enhance our national collections. The Arts Council has continued to be consistently supportive and the Secretariat, so ably led by Gerry McQuillan, has managed the increased workload with flair and faultless attention to detail. Many thanks to all those who have contributed in such a successful year.

**Edward Harley**  
Chairman, Acceptance in Lieu Panel

## Acceptance in Lieu

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# Cases 2012/13

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### Pre-eminence criteria

The pre-eminence criteria used in assessing objects offered under both schemes and referred to in the following case reports are as follows:

- 1 does the object have an especially close association with our history and national life?
- 2 is the object of especial artistic or art-historical interest?
- 3 is the object of especial importance for the study of some particular form of art, learning or history?
- 4 does the object have an especially close association with a particular historic setting?



# 1. Hepworth: two sculptures

The two sculptures by Dame Barbara Hepworth (1903–75) included in this offer are:

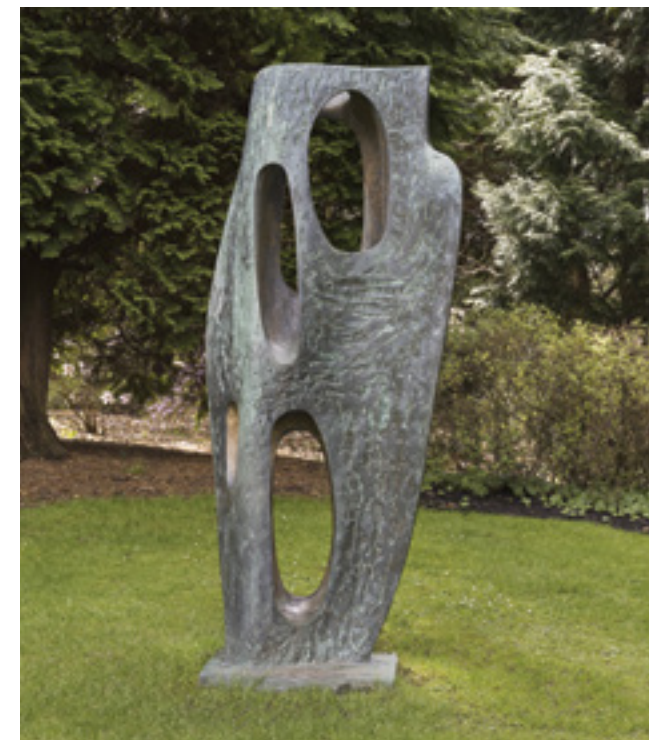
- a) *Ascending Form (Gloria)*, 1958, BH 239, bronze, cast 5/6, 190.5cm high
- b) *Rock Form (Porthcurno)*, 1964, BH 363, cast 0/6 bronze, 243.8cm high

*Ascending Form (Gloria)* is one of the artist's first works cast in bronze which allowed her to work on a larger scale than she had been able to achieve while working directly in stone and wood. The use of carved plaster from which the bronze was cast also allowed a variety of texture and surface decoration not available in other mediums. It was to be one of the artist's favourite works and another cast of it stands near the entrance to the Longstone cemetery in St Ives where she is buried. The implicitly religious nature of the work is indicated by the use of Latin in the title and some commentators have seen an allusion in the sculpture to the human hands raised in prayer.

*Rock Form (Porthcurno)* takes its name from the hamlet of Porthcurno on the south coast of Cornwall near Land's End. The sculpture echoes the rugged terrain of the Cornish coast and the three voids evoke the rocks that can be seen in that area which have been eroded over millennia by wind, waves and sea. The contrast between the outer modelled surface and the smooth internal cavities is especially striking. The overall size and scale of the bronze also evoke the human form in the landscape and the work is as much the figure in the landscape as the landscape itself.

Both sculptures have been in Edinburgh since the year after the artist's death. In 1976 the Scottish National Gallery of Modern Art was housed in Inverleith House, the former home of the Keeper of the Botanic Gardens in Edinburgh. These two sculptures remained there when the Gallery moved in 1984 to its present site in the Dean Village in the west of the city.

The Panel considered the two sculptures to be pre-eminent under the second and third criteria, to be in acceptable condition and, following negotiation, appropriately valued. They have been permanently allocated to the Scottish National Gallery of Modern Art in accordance with the wish of the offeror and will remain for the present at the Royal Botanic Gardens in Edinburgh.



Far left: *Ascending Form (Gloria)* by Barbara Hepworth.  
Photo: Scottish National Gallery of Modern Art

Left: *Rock Form (Porthcurno)* by Barbara Hepworth.  
Photo: Scottish National Gallery of Modern Art



## 2. Chattels from Knole

- The offer consisted of seven portraits, an antique bust and two sets of English silver associated with the great Sackville house of Knole near Sevenoaks in Kent.
- The details of the objects are as follows:
- a) Flemish School, circa 1525  
*Portrait of a man*, oil on panel, 24.1cm by 27.9cm
  - b) Anglo-French School, circa 1620  
*The Brothers Coligny, Odet (1517-1571), Gaspard II (1519-1572) and François (1521-1569) de Coligny*, oil on canvas, 218.4cm by 160cm
  - c) Sir Anthony van Dyck  
*Portrait of Sophonisba Anguissola (1532–1625)*, oil on canvas, 55.9cm by 30.5cm
  - d) After Sir Anthony van Dyck  
*Portrait of Sir Anthony Cope (?)*, oil on canvas, 218.4cm by 132.1cm
  - e) Studio of Daniel Mytens  
*Portrait of James, 2nd Marquis of Hamilton (1589–1625)*, oil on canvas, 218.4cm by 132.1cm
  - f) Circle of Sir Joshua Reynolds  
*Portrait of King George III*, oil on canvas, 243.8cm by 152.4cm
  - g) Studio of Sir Thomas Lawrence  
*Portrait of King George IV*, oil on canvas, 274.3cm by 182.9cm
  - h) A Roman marble portrait head of a statesman or literatus, early Augustan period, late 1st century BC to early 2nd century AD, 76.2cm high
  - i) A set of five George III silver two-branch candelabra by Augustine Le Sage, London, 1766, after a design by Sir William Kent, 38.1cm high; 43.2cm wide overall
  - j) A pair of George III silver-gilt six-light candelabra and a matching eight-light candelabrum by Paul Storr, London 1813, 72.4cm high and 88.9cm high

The portraits reflect the allegiances, both political and religious, along with family links, of the owners of Knole since the 16th century. The Flemish portrait, which was traditionally but wrongly believed to depict the religious reformer, Martin Luther, reflects Knole’s strong links to the English Reformation. In this period the house changed from being the Archbishop of Canterbury’s residence to a royal residence and then to the home of the Sackvilles who became Earls of Dorset at the beginning of the 17th century. The posthumous portrait of the Brothers Coligny, all of whom were supporters of the Protestant cause in France in the 16th century, reflects the religious sympathies of the Sackvilles. Odet de Coligny had been created a cardinal by the age of 16 but having become a Calvinist he fled France for England. He died in Canterbury and was buried in the cathedral.

The Van Dyck *Portrait of Sophonisba Anguissola* depicts the celebrated artist in her old age. A note in a sketchbook used by Van Dyck when he was in Italy in the 1620s, now in the British Museum, records their meeting at Palermo on 12 July 1624 when she was aged 92. The same notebook, which was accepted in lieu in 1957/58, also contains a small sketch which clearly forms the basis for this portrait which originally is likely to have been larger and have shown Anguissola seated in a chair, as in the sketch.

Above: *Sophonisba Anguissola* by Sir Anthony van Dyck.  
Photo: Matthew Hollow Photography



The portrait of Sir Anthony Cope is after a lost original by Van Dyck, according to the late 18th century inscription it bears. Sir Anthony Cope was an ancestor of Arabella Cope who married the 3rd Duke of Dorset in 1790, nine years before the painting first appears in the Knole inventories. The first Sir Anthony Cope died in 1614 and the next Sir Anthony was not born until 1632 and it would be highly unusual for Van Dyck to have painted a posthumous portrait. A definitive answer as to which male member of the Cope family is depicted awaits further research.

The *Portrait of James, 2nd Marquis of Hamilton* is a good copy from Mytens' studio of a portrait of the influential courtier and Lord High Commissioner to the Scottish Parliament who would have been professionally known to the Sackvilles if not socially. The painting is first recorded at Knole in 1708. Autograph versions are in the Royal Collection and the collection of the Dukes of Hamilton and another studio copy is in the Scottish National Portrait Gallery in Edinburgh.

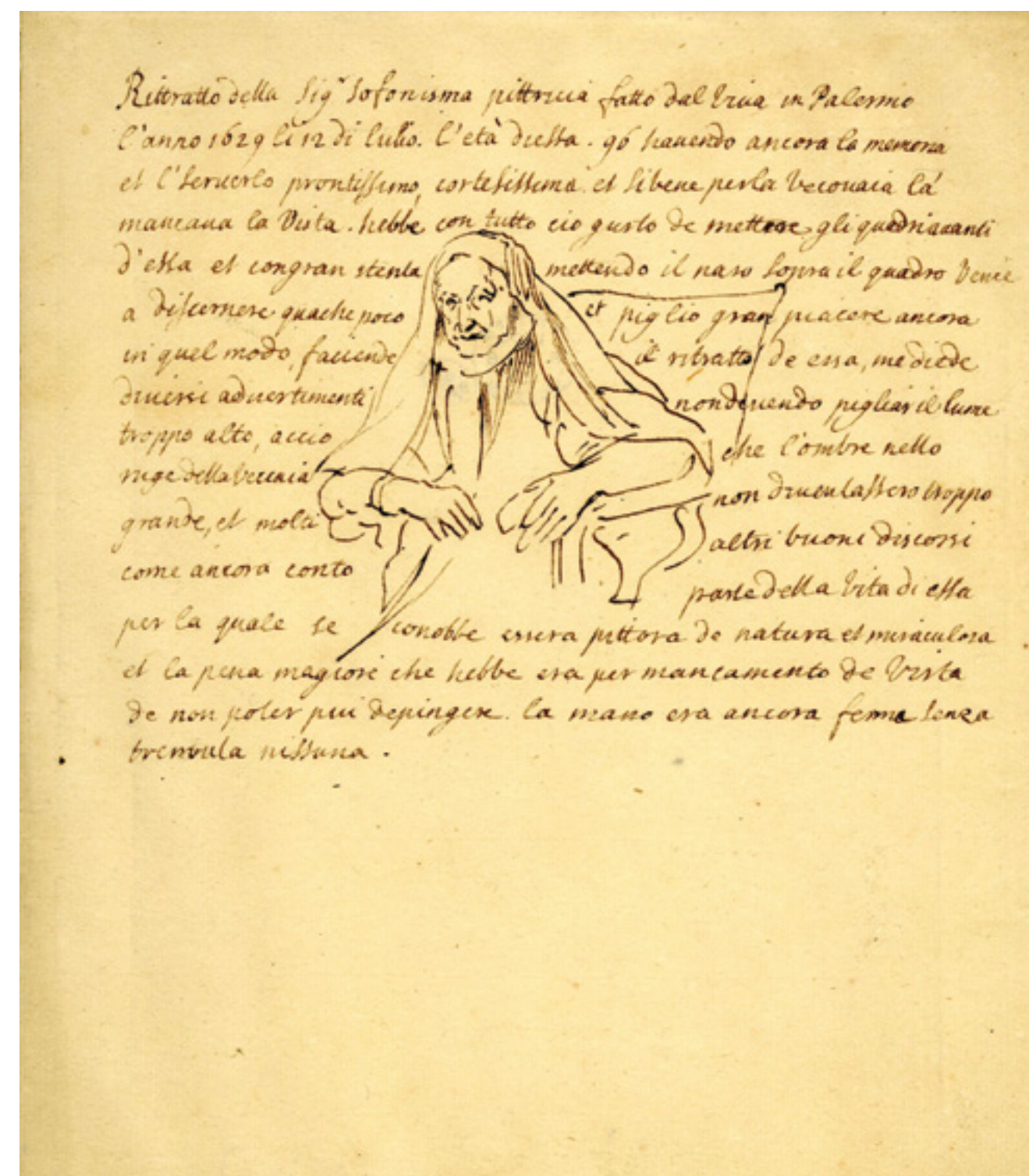
The two royal portraits, of George III in coronation robes, after the original in the Royal Academy, and of George IV, appear in the Knole inventories in 1828 and are likely to have come into the house when Arabella, widow of the 3rd Duke of Dorset, married Charles, 1st Earl Whitworth. He had been George III's 'envoy extraordinary' to Poland in 1785 and St Petersburg in 1787, and was ambassador to France in 1802–3 and George III's portrait is likely to have been allocated to Whitworth as part of one of these ambassadorial appointments. The prime version of Lawrence's portrait of the future George IV was exhibited in 1815 at the Royal Academy. The head is of very fine quality and may be by the hand of Lawrence with the rest of the portrait by studio hands.

The fine antique over-life sized bust is of early Augustan date (late 1st century BC to early 1st century AD). It was found in 1769 in the ruins of the Emperor Hadrian's great villa at Tivoli, near Rome, by the painter, archaeologist and dealer Gavin Hamilton. It was sold to the Duke of Dorset by the dealer Robert Jenkins. A companion bust from Hadrian's villa was accepted in lieu in 1966 and is on display at Knole along with three other antique busts.

The two sets of George III silver candelabra are part of the grand assembly of silver used for formal dining at Knole that also included the two sets of wine coolers reported in the 2010–12 Acceptance in Lieu Report (case 51, page 63) and which were acquired by Charles, 1st Earl Whitworth. The five two-light candelabra are based on a design by William Kent which was published in 1744 and used by several silversmiths. The design has an unusual band of owl head masks on the baluster stem, symbolic of the goddess Minerva and her wisdom. The Knole candelabra are engraved with the initials ED for Elizabeth, Dowager Duchess of Dorset, the widow of the 1st Duke, and also bear a duchess' coronet. The suite of candelabra was originally larger, with two of the five accepted in lieu bearing numbers 2 and 8.

The three large candelabra by Paul Storr from 1813, which stand nearly a metre high, are exceptional examples of the Rococo revival style. They were commissioned by Whitworth in the year that he was appointed Viceroy of Ireland and bear motifs of shamrocks, roses and thistles as well as Whitworth's coat-of-arms. The inclusion of owl heads is most likely a deliberate echo of the candelabra already at Knole (considered above) and mark this set out from others of similar design. They epitomise the extravagant display of plate that was characteristic of the Regency, and late 19th century images of diners at Knole show these candelabra dominating the table.

The Panel considered the items to be either pre-eminent or associated with Knole, in acceptable condition and after negotiation to be fairly valued. They have all been permanently allocated to the National Trust to remain on display at Knole in accordance with the condition attached to the offer.



Above: *Sophonisba Anguissola* by Sir Anthony van Dyck. This note and drawing is included in Van Dyck's sketchbook and dated 12 July 1624. Photo: Trustees of the British Museum



### 3. Raphael drawing

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This drawing by Raphael (1483-1520), *Ajax and Cassandra*, metalpoint on prepared pink paper, 11.2cm by 14.9cm, is one of a small group of drawings in silverpoint on primarily pink paper which have been collectively given the title of the 'Pink Sketchbook'. Eleven leaves survive, of which six are in the Palais des Beaux-Arts, Lille, two are in the British Museum, and single sheets are in Cleveland and Rotterdam, along with this drawing discovered at Knole in Kent in 1987. Whether the 11 surviving pages were ever bound together into a single unit is doubtful as there is no evidence on any of the sheets of binding holes on the left nor the wear that might be expected on the right that would suggest the pages were regularly turned. The group does have, however, a stylistic unity. It is thought that this drawing came into the collection of John Sackville, 3rd Duke of Dorset in the mid-18th century.

All the pink sketchbook drawings can be dated to Raphael's early years in Rome, circa 1508–11, when he was commissioned by Pope Julius II to redecorate the papal apartments in the Vatican. Another drawing from the series, now in Lille, is a study for the figure of Christ from the *Disputa*, the first of the frescos that Raphael painted in the Vatican. Other sketches from the pink sketchbook relate to *The Garvagh Madonna* (National Gallery) and independent studies of the Madonna and Child along with studies after the antique.

By the beginning of the 16th century, drawing in metalpoint was in considerable decline with most artists using chalk. Raphael, however, continued to use metalpoint when in Rome up until 1516. This silverpoint drawing shows a directness of vision, a fluency of execution and precision of modelling that are unequalled in the medium.

The present sheet depicts the Trojan princess, Cassandra, who had been blessed by the gift of prophecy but cursed by Apollo for refusing his advances, so her predictions would not be believed. Despite her warnings the Greek wooden horse had been brought into the walls of Troy with disastrous consequences. As the city fell to the invading Greeks she fled to the temple of Athena and clung to her statue for protection. Ajax pursued her and is seen in the drawing violently wrenching her from the statue before he rapes her.

The Panel considered the drawing to be pre-eminent under the second and third criteria, in acceptable condition and offered at a fair market valuation. It has been temporarily allocated to the British Museum pending a decision on its permanent allocation.

Above: *Ajax and Cassandra*  
by Raphael.  
Photo: Trustees of the  
British Museum



## 4. Objects relating to Captain Robert Falcon Scott RN

This offer, which coincided with the centenary celebrations of Scott's death in 1912 following his expedition's heroic achievement in reaching the South Pole, consisted of Scott's medals, a small archive of papers, a portrait of Scott by Daniel Wehrschmidt, oil on canvas, 1905, 151.1cm by 100.3cm and the maquette for the statue of Scott by his widow, the Paris trained sculptor, Kathleen Scott (1878–1947).

The 24 medals which were awarded to Scott both during his lifetime and posthumously include the Royal Geographical Society's Gold Medal, its highest honour, awarded at a ceremony in the Albert Hall in 1904 following his first Antarctic expedition. Also within the group are Scott's Commander of the Royal Victorian Order neck badge, as well as Royal Victorian Order, Polar Medal and Legion d'Honneur miniatures. Other awards come from geographical and other societies in Germany, Sweden, Denmark, France, Belgium, Austria, Italy and the United States and reflect Scott's international status as an explorer. Other medals were awarded following Scott's death as testimony to his achievements and his bravery.

The portrait by the American artist Daniel Wehrschmidt (1861–1932) is the only oil portrait painted from life and depicts Scott in naval uniform standing on board his ship, the *Discovery*, and wearing both the Cross of the Commander of the Victorian Order awarded him by King Edward VII and the Polar Medal.

The small maquette in plaster and wood stands 65cm high and relates to Kathleen Scott's larger than life bronze statue of her husband in full Antarctic gear which was commissioned in 1914 and unveiled a year later in Waterloo Place in London. A replica of the statue carved in marble was sculpted in London and shipped to Wellington, New Zealand, in 1916. Sadly, this was toppled by the Wellington earthquake in 2011 and badly damaged.

The small archive contains the letter from Victor Campbell to Scott informing him that he had encountered Roald Amundsen's expedition of which Scott had been previously unaware. Amundsen was later to claim the prize for being first to the Pole. Finally there are two rough sketches and a letter by Tryggve Gran to Lady Scott recording his discovery in November 1912 of the tent in which lay the bodies of Scott, Bowers and Wilson.

The Panel considered the collection met the first and third criteria, that it was fairly valued and in acceptable condition. The medals have been permanently allocated to the British Museum, the Wehrschmidt portrait to the National Portrait Gallery and the maquette to the Scott Polar Research Institute, Cambridge, to which the archive has also been temporarily allocated pending a decision on its permanent allocation.

Below: Captain Robert Falcon Scott RN by Kathleen Scott. Photo: Christie's Images



## 5. Chattels from Mount Stewart

The offer consisted of a mixed group of over 700 items and sets from Mount Stewart House, County Down, the Irish seat of the Vane-Tempest-Stewart family, later Marquesses of Londonderry, who played a leading role in British and Irish social and political life.

The house and its celebrated gardens were acquired in 1744 by Alexander Stewart and rebuilt by his son and grandson, the 1st and 3rd Marquesses of Londonderry, in the early 19th century. The 1st Marquess (1739–1821) employed James 'Athenian' Stuart to build the Temple of the Winds. The west wing was built in 1804–5 to designs by George Dance. The celebrated Irish architect, William Vitruvius Morison, added the rest of the main block, including the huge entrance portico and two-storey central hall, in the late 1830s.

In 1922 the 7th Marquess and his wife, Edith, decided to make Mount Stewart their home rather than merely a summer residence. Edith, Lady Londonderry, was one of the great political hostesses of her day, socialising with aristocrats, writers, artists and politicians. From the 1920s to her death in 1959 she created the famed gardens at Mount Stewart which she gave to the National Trust in 1957. The house was also transformed into a place of comfort and relaxation and much of the interiors remained untouched, rendering the house a rare survival of pre-and post-War interior decoration.

In 1976 the house and many of its contents were given to the National Trust together with an endowment. The present offer incorporates the bulk of the previously loaned contents of the house including De Laszlo's depiction of Edith with a Deerhound, Lavery's portrait of the 7th Marquess and two pairs of prehistoric giant Irish deer antlers dug from the bog on the estate, all in the Smoking Room, a Greek stele (circa 450 BC) in the Central Hall and all the contents of the Chapel which remains a consecrated space. The National Trust will now open additional rooms and show the whole collection for the first time.

Below: A Greek marble stele, c. 450 BC. Mount Stewart, Northern Ireland. Photo: Sotheby's



The Panel considered the majority of the chattels to be associated with a building in National Trust ownership and that it was appropriate that they should remain so with 11 items being considered individually pre-eminent under the fourth criterion. It considered the overall total offer valuation to be fair with the exception of one item which it proposed should be increased by 50 per cent, which was accepted by the offerors. All the chattels have been permanently allocated to the National Trust for retention at Mount Stewart in accordance with the condition attached to the offer.







## 6. The Hamilton-Rothschild tazza

This magnificent tazza is made up of a sardonyx bowl mounted with a solid gold holder, which is itself mounted on a gold and enamel column and base. All three of the elements are of exceptional interest.

The bowl, 8.6cm high, 24.6cm long and 16.2cm wide, is carved from a single boulder of sardonyx. Only one larger piece is known from the Treasury of St Mark's Cathedral in Venice. The engravings on the exterior and interior of the bowl along with the thickness of the stone, mark it as having been worked in the Imperial workshops in Byzantium during the 9th or 10th century. The closest comparables are to be found in St Mark's Treasury (the Chalice of the Emperor Romanos, reigned 920–44) and in the Treasury of Prague Cathedral (the Chalice of Charles IV, 1316–78). The bowl was acquired by Alexander Hamilton, later 10th Duke of Hamilton, in St Petersburg in 1807–8, when he was British ambassador, for the enormous sum of 6,000 roubles. It was the most expensive of a large group of acquisitions he made in the city and was described as the *Benetier de Charlemagne*, a benetier being a vessel to contain water blessed for ecclesiastical use.

The bowl is held in a holder created in 1812 by the royal jewellers, Rundell, Bridge & Rundell for Alexander Hamilton. It is mounted upon a base and column which was invoiced as "an enamelled foot of a very rich Custodia" (ie a monstrance – the metal shrine used to hold the consecrated bread in Roman Catholic liturgical devotions). The provenance of the custodia has been traced back to an advert in the *Morning Chronicle* of July 1811 which advertised the auction of "a Custodia set with emeralds, saved from the plunder of the French Army at the Convent of the Escorial". This object is identified with a monstrance recorded in the 1571 inventories of the Escorial which are still preserved in the monastery's archive.

The complete bowl and stand was housed in Hamilton Palace for most of the 19th century. The 1825 inventory records an onyx vase valued at £1,500. By 1852, the inventory records that it had been used as a christening bowl. It was then sold, along with five other items, for £24,000 to Alfred de Rothschild by the 12th Duke prior to the great sale of the contents of Hamilton Palace in the 1880s.

The Panel considered that the tazza met the second, third and fourth criteria, that it was in acceptable condition and that, following negotiation, it was fairly valued. It has been permanently allocated to National Museums Scotland in accordance with the condition attached to the offer.



Left:  
The Hamilton-  
Rothschild tazza.  
Photo: Sotheby's



## 7. The Westmorland of Apethorpe archive

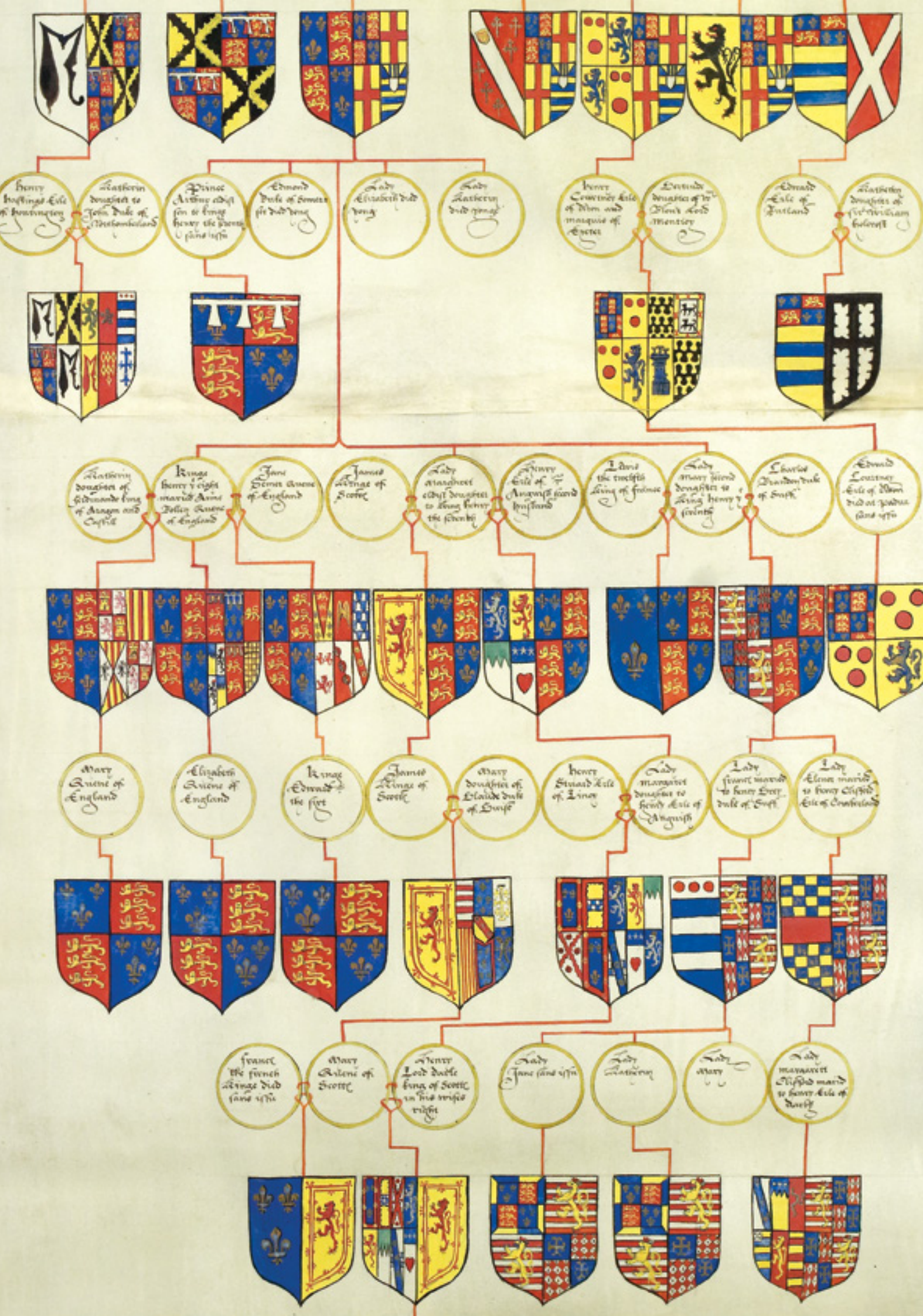
This large archive which is of both regional and national significance is associated with Apethorpe Hall, the magnificent Tudor and Jacobean house in Northamptonshire. The house was acquired by Sir Walter Mildmay in 1550 and passed by marriage to Sir Francis Fane in 1617. He became Earl of Westmorland in 1624 and two years later inherited his mother's titles to become also Baron le Despencer and Baron Bergavenny. As a result the archive not only contains the important economic and family papers of Sir Walter Mildmay, who was Chancellor of the Exchequer from 1559–89 and had earlier served the Crown in matters of financial management during the reigns of Henry VIII, Edward VI and Mary Tudor, but also records relating to the ancient Despencer and Bergavenny baronies. Further elements such as the Scrope papers came through marriage.

The Mildmay papers have extensive records from the Exchequer including 43 detailed volumes of financial accounting for the first part of Elizabeth's reign. Also included are extensive genealogical materials, often finely decorated, from the late 16th and early 17th centuries tracing the Mildmay and related family ancestry back to illustrious pedigrees in early English history. The household and estate papers for Apethorpe Hall which contain inventories of the house taken in 1629, 1705, 1736, 1774 and 1842 have been of particular importance in the recent restoration of the property by English Heritage, following a century of unsympathetic occupation since its sale by the Westmorlands in 1904. They include extensive medieval deeds and about 200 deeds relating to the Northamptonshire properties of the Benedictine Abbey of Thorney in Cambridgeshire.

The Scrope papers relate to the service of the regicide, Adrian Scrope, as Governor of Bristol and also in Scotland during the Commonwealth. Several are from Oliver Cromwell. The papers of John Scrope from the mid-18th century relate to payments for secret agents working for Britain's interests abroad. While the money paid out is detailed, what the agents did in return for the sometimes very large payments remains a mystery.

The Panel considered that the archive met the first and third criteria, that it was fairly valued and in acceptable condition. The amount of tax that could be settled by the acceptance of this major archive was much larger than was actually payable and Northamptonshire launched a major fundraising campaign to make good the difference. The National Heritage Memorial Fund provided a generous grant of £650,000. The archive has been permanently allocated to Northamptonshire Record Office in accordance with the condition attached to the offer.

Left: Apethorpe Archive. Heraldic family tree, commissioned by the Westmorland family to demonstrate their ancient and noble blood. Photo: © Northamptonshire Record Office





## 8. George Stubbs: *Equestrian Portrait of John Musters*

This painting by George Stubbs (1724-1806), *Equestrian Portrait of John Musters on his favourite hunter, Pilgrim, in the park at Colwick*, oil on panel, 84.4cm by 102cm, is one of a group of seven works commissioned from Stubbs by John Musters in 1777–78. The Musters family had acquired Colwick from the Byron family in the 17th century and in 1775–76 Colwick Hall had been completely rebuilt in the Palladian style by the architect John Carr of York for John Musters. Having built his new mansion, Musters soon set about acquiring paintings by Stubbs to decorate his new home. In 1775 Musters married Sophia Catherine Heywood from Devon. In the year that the painting was created, 1777, Musters was serving as High Sherriff of Nottingham. He also made a couple of attempts to become the Tory candidate for the local parliamentary seat but on neither occasion was he successful.

The two largest paintings by Stubbs that Musters commissioned record Musters and his wife Sophia riding in the park of his impressive new home and Musters with his friend the Rev Philip Story outside the stables at Colwick. Others depict the horses and spaniels that were clearly an important element of the life of this typical 18th century member of the landed gentry. Although some of the paintings left the family in the 19th century, this painting on offer had remained in family ownership since it was painted and it retains the contemporary frame which was also used for the other Stubbs pictures that Musters commissioned.

John Musters' sporting interests were well known and as well as keeping the finest pack of hounds in the county he is said to have given £100 in the 1770s for the building of the grandstand at the Nottingham racecourse.

The Panel considered that the painting met the third criterion within a regional context given its connections with Nottinghamshire. After negotiation it agreed that it was fairly valued and in acceptable condition. It has been temporarily allocated to the Nottingham Castle Museum and Art Gallery, pending a decision on its permanent allocation.



Right: *Equestrian Portrait of John Musters* by George Stubbs.  
Photo: Christie's Images



## 9. Sir Peter Lely: *Portrait of John and Sarah Earle*

This large double portrait by Sir Peter Lely (1618–80), *John Earle of Heydon (1622–97) and his wife, Sarah (1630–67)*, oil on canvas, 122cm by 163cm, had remained in family ownership since it was painted. The portrait can be dated stylistically and from the woman's hairstyle to circa 1657–8, at which time the Dutch-born Peter Lely had been in England for about 14 years. He had initially trained as a landscape painter in Haarlem and his early works in England were mainly figurative landscapes. He later concentrated on portraits, in response to the demand of his English patrons.

John Earle was the eldest son of Erasmus Earle of Heydon Hall in Norfolk. After studying at Oxford and Lincoln's Inn he was made High Sheriff of Norfolk in 1654. This was the date of his marriage to Sarah, daughter of Sir John Hare of Stow Bardolph in Norfolk. She is depicted with no attempt to disguise her rather plain features and determined chin and is refreshingly different from Lely's later courtly women with their uniformity of fashionable beauty. The central motif of hand holding and John Earle's pointing gesture becomes the focal point of the painting, both psychologically and compositionally, and is often associated with marriage portraits, although in this case the portrait post-dates the marriage. Seated before a stone balustrade, on which centre far left Lely places his distinctive PL monogram, the respective halves of the composition – hers against a characteristic Lely landscape, his against a theatrical van Dyckian curtain – are united by the central column which, with its associations of stability and steadfastness, becomes a metaphor for their marriage. It is one of approximately 20 double husband and wife portraits Lely produced, most of which were painted in this decade and during the early years of the Restoration.

The Earle family were significant Norfolk patrons of Lely and commissioned other portraits of members of the family. This portrait had never been exhibited previously; it had only been illustrated in black and white in the catalogue of portraits in Norfolk private collections by Duleep Singh, published in 1928.

The Panel considered the painting met the third criterion within a regional context, that it was in acceptable condition and that, after negotiation, it was fairly valued. It has been temporarily allocated to the Norwich Castle Museum and Art Gallery, pending a decision on its permanent allocation.



*Right: Portrait of John and Sarah Earle by Sir Peter Lely.*  
Photo: Norfolk Museum Service



# 10. Sir Henry Raeburn: two portraits

The offer consisted of two portraits of sitters from the Montgomery family by Sir Henry Raeburn:

a) *Portrait of Sir James Montgomery, Bt, Lord Chief Baron of Exchequer (1721–1803), aged 80*  
oil on canvas, 228.6cm by 148.6cm

b) *Portrait of Lady Montgomery, née Helen Graham, oil on canvas, 235cm by 151.1cm*

James William Montgomery studied law in Edinburgh, advancing to Solicitor General for Scotland in 1761 and then Lord Advocate in 1766. In 1767 he purchased the Stobo estate near Peebles for the seemingly huge sum of £40,500. In 1775 he was created Lord Chief Baron of the Scottish Exchequer, a post that gave him jurisdiction over customs and excise and matters of revenue, stamp duty and probate. At the age of 80 he resigned from the bench and was created a baronet, and this portrait depicts Montgomery at the end of his career. Seated in black judicial robes, an ornate mace – the symbol of his authority – lies on the table to his right upon which are heaped the official papers which await his attention. The painting shows Raeburn at the peak of his powers and the sitter as a highly successful lawyer, judge and politician. An important figure in the science of agriculture, Montgomery represents a pillar of the Scottish establishment at a most exciting period of Edinburgh's unfolding history.

Montgomery's son, James, inherited the baronetcy and following the death of his first wife, married Helen Graham, daughter of Thomas Graham of Kinross House, in 1816. By this time he had completed the build of Stobo Castle in Peeblesshire and the portrait of his new wife must have been intended for his new mansion. The low viewpoint and elongated figure of the sitter suggest that the portrait was intended to be hung high in the castle and seen from below. Engaging the spectator in a direct and forthright gaze, the young Lady Montgomery wears a long high-waisted white dress and is surrounded by her red shawl. By her marriage she brought Kinross House and estate into the Montgomery family.

The Panel considered the paintings to be pre-eminent under the third criterion, that they were in acceptable condition and that after negotiation, they were fairly valued. They have been temporarily allocated to the Scottish National Portrait Gallery pending a decision on their permanent allocation.



Right: *Portrait of Lady Montgomery* by Sir Henry Raeburn.  
Photo: Christie's Images

Far right: *Portrait of Sir James Montgomery* by Sir Henry Raeburn.  
Photo: Christie's Images





# 11. Archive of the 4th Earl of Clarendon

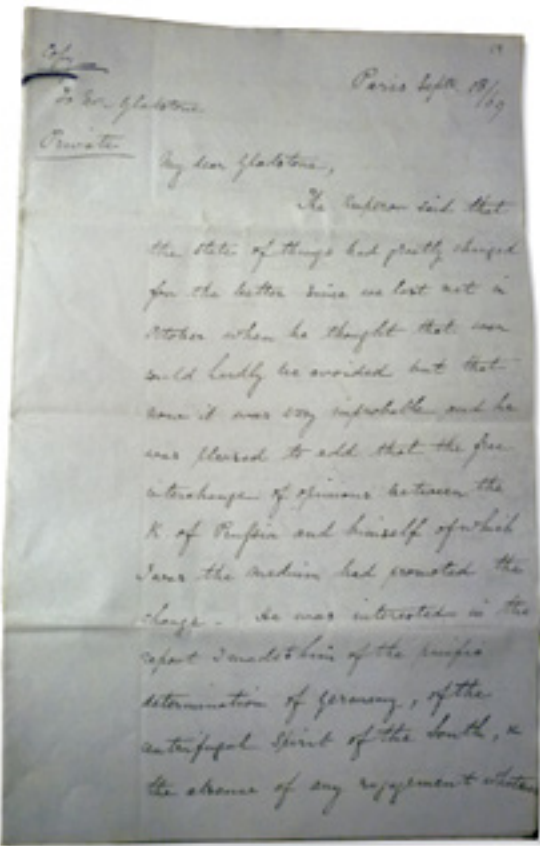
This archive contains the political and diplomatic papers of George Villiers, 4th Earl of Clarendon (1800–70). The archive covers his career from 1820 until his death while still in office.

There are four principal sections. The first covers his period as British Ambassador in Madrid from 1833 to 1839 during the First Carlist War when Spain was bitterly divided between liberal and conservative factions following the death without any male issue of King Ferdinand VII. Britain supported the liberals and these papers include not only copies of Clarendon’s dispatches to London but his dealings with the Spanish politicians and the commanders of the British voluntary forces fighting in Spain.

Clarendon’s period as Lord Lieutenant of Ireland from 1847–52 covers the time of the disastrous famine when it is estimated a fifth of the population died or was effectively forced into emigration. While Clarendon was aware of the extent of the crisis it was Lord John Russell’s government in London which was ultimately responsible for the inadequacy of the funding that was sent to Ireland. Clarendon was unable to convince London that the economic principle that Irish expenditure should essentially come from within Ireland must be overturned in the circumstances of the famine.

Clarendon was Foreign Secretary for three periods: 1853–58, 1865–66 and 1868–70 when British power was at its zenith. The extensive archive contains 130 bound volumes of private letters received from ambassadors, Cabinet colleagues and foreign statesmen on all the principal subjects of the day including the Crimean War, Italian reunification and the American Civil War and its aftermath.

The final section includes correspondence for the periods when Clarendon was out of office and 18 boxes of uncatalogued material covering the period from 1820 to the 1860s.



The Panel considered the archive to be pre-eminent under the first and third criteria, to be fairly valued and in acceptable condition. The amount of tax payable by the offeror was less than could have been satisfied by the acceptance of the archive and the Bodleian Library, where the papers have been permanently allocated in accordance with the condition attached to the offer, made good the difference by means of, inter alia, a grant of £205,000 from the National Heritage Memorial Fund.

Left: The Clarendon Archive. The 4th Earl of Clarendon’s copy of his letter as Foreign Secretary to Prime Minister Gladstone from September 1869 describing Franco-German relations. Photo: Bodleian Library

# 12. Archive of the Acton family of Aldenham

This archive of over 180 boxes relates to the Acton family of Aldenham in Shropshire. The manorial documents date from 1227 to 1783 and include leases, rentals, valuations, maps, settlements, wills, accounts, bills, vouchers, extensive estate correspondence and other papers which are of prime importance for the study of the history of this part of the county. The Actons were one of the leading families of Shropshire and held significant lands centred on Aldenham Park situated between Much Wenlock and Bridgnorth. There are 1,298 deeds pre-dating 1550 including 19 relating to Bridgnorth. As is often the case in Shropshire, manorial records are few, but include 14th century summary accounts of Arundel (FitzAlan) manors and rolls for the manor of Morville (16th to 18th century) and for the manor of Haughton and Shirlett (16th to 18th century). The archive includes a fine set of five maps of the estate made by Thomas Burton of Tuxford, Nottinghamshire, between 1720 and 1722. There is a further excellent map of the parish of Acton Round, measuring approximately 250cm by 135cm, by John Pratchett of Sheinton, dated 1724, making use of an unusual set of symbols to indicate the state of cultivation. A further notable item is the rent roll for 1414 of the Chantry of St Thomas the Martyr in the Church of St Leonard in Bridgnorth.

The archive also contains papers relating to several generations of the Acton family, including Sir John Francis Edward Acton, 6th Baronet (1736–1811) who was commander of the naval forces of the Grand Duchy of Tuscany, Prime Minister of Naples and friend of Admiral Nelson, and his son Charles Januarius Edward Acton (1803–47). Despite an education at Westminster and Cambridge, Charles retained his family’s Catholicism and rose to become a Cardinal with an important position in ecclesiastical administration at the Vatican, and an adviser to Pope Gregory XVI on matters relating to Catholic affairs in Britain and its colonies. Finally there is a significant group of papers relating to John, 1st Baron Acton (1834–1902), the eminent Catholic historian and editor who was an MP and later Regius Professor of History at Cambridge University.

	A	R	P
The Hall, Offices, & Inner Courts and Court	01	3	14
The Bowling Green	00	2	36
The Kitchen Garden	01	0	20
The Innermost Courts & Fields	00	3	34
The Ox Patch & Barnfield Corn Field	02	1	14
The Ox Patch & Barnfield Corn Field	01	3	13
The Dovehouse Orchard	04	0	22
The Stable Orchard	02	0	26
The Old Orchard	03	3	13
The Brick Yard	09	0	21
The Cockshoot Field	09	0	19
Haddingers Meadow	09	2	07
Aldenham Meadow	09	3	04
Corn Leasow	13	2	10
Corn Leasow Hill	10	2	20
The Far Ox Leasow	13	1	10
The Moor Meadow	02	3	20
The Heald	09	2	03
The Near Ox Leasow	16	3	36
Colliers Meadow, on the East side of the	07	1	26

The Panel considered the archive to be pre-eminent under the third criterion, to be fairly valued and in acceptable condition. It has been temporarily allocated to Shropshire Archives pending a decision on its permanent allocation.

Left: The Acton of Aldenham Archive. A page from a land survey of 1720. Photo: Shropshire Archives



## 13. Papers of Charles Darwin

This small but highly significant archive by the great Victorian scientist and author of *The Origin of Species* includes the earliest known manuscripts by Charles Darwin (1809–82). The first is a 'Memorandum Book' which dates to January 1822 when Darwin was just 12 years old and contains entries in the form of six letters addressed to "My dear friend", although it is not known whether they are copies of letters to a real recipient or simply a type of diary entry to an imaginary correspondent. Although undated the unorthodox spelling suggests that the list of books Darwin drew up dates from about the same time. These include: Gilbert White's *The Natural History of Selborne* which was one of the books that fostered the budding scientist's interests in ornithology; the memoirs of the radical writer Thomas Holcroft which were published in 1816; and *Northanger Abbey*, Jane Austen's first novel published in late 1817, the first evidence of a love of Austen that was to last Darwin's whole life along with his repeated reading of Walter Scott and Mrs Gaskell. Other books on the list include Thomas Bewick's *A History of British Birds* and *Poems* by Thomas Campbell.

Other elements in these early papers include a small note on chemistry and a little note once apparently attached to an archaeological specimen and reading, "A piece of a tile found in Wenlock Abi C Darwin January 23, 1819", the first record of Darwin's investigative inquisitiveness which was to have such a profound consequence in later life. Other papers include a reading list from 1827 when Darwin was studying at Edinburgh University, notes on his finances and significantly, in view of what was to be the effect of his theories, a two-page prayer.

The second section of the offer comprises a group of 30 of Darwin's letters to his son Francis and incoming letters to Darwin with his autograph draft replies. These letters have scientific as well as personal interest including detailed discussion on the similarities between the laughter and facial expressions of humans and monkeys. The final section includes letters to Charles and Francis Darwin by other correspondents including Alfred Russel Wallace, J D Hooker and Samuel Butler.



Left: A page of assorted notes handwritten by Charles Darwin when he was aged about 10

## 14. Papers of Margaret Gatty and Juliana Ewing



The period from the middle of the 19th century to the First World War is widely regarded as the golden age of children's literature. Margaret Gatty (1809–73) and her daughter Juliana Ewing (1841–85) were leading writers in the genre.

Margaret Gatty was born into a clerical family but the early death of her mother threw her and her sister onto their own resources and they were educated at home where Margaret developed her literary interests. Despite her father's initial resistance, she married a local curate, Alfred Gatty, in 1839 and settled in Ecclesfield, near Sheffield, where she raised her eight children. Following a

recuperative stay in Hastings she developed an interest in seaweeds which led to a network of scientific friends and eventually in 1863 she published a *History of British Seaweeds*. Her first excursion into children's books, *The Fairy Godmothers*, was published in 1851 and for the next 20 years she produced a range of tales and domestic stories and edited the monthly *Aunt Judy's Magazine* which published not only some of her own work but also that of her daughter Juliana as well as Lewis Carroll. Her most popular works, *Parables from Nature*, which appealed to adults as well as children, used natural history as a way of teaching morality and religion.

Juliana began her publishing career in 1862 when her stories were printed in Charlotte Yonge's *Monthly Packet* and she was a regular contributor to her mother's *Aunt Judy's Magazine* which she edited after her mother's death. Following her marriage in 1867 to Major Alexander Ewing, the couple moved to Canada for two years where Juliana continued to write. On her return to England and for the rest of her life she produced a steady stream of short stories, novels and verse, some published in illustrated editions for which she worked with leading artists such as George Cruikshank and Randolph Caldecott.

The archive includes letters from Charles Darwin, Lewis Carroll, Alfred Lord Tennyson and William Wordsworth, together with drawings and watercolours by Margaret Gatty.

The Panel considered that although the material in the archive being offered was not the main element of the Gatty archive, which had been donated by Juliana Ewing's sister and transferred to Sheffield Archives, it was important that the two elements should be reunited. Accordingly the papers on offer were considered to be pre-eminent under the third criterion, in acceptable condition and after negotiation, fairly valued. They have been temporarily allocated to Sheffield Archives pending a decision on their permanent allocation.

Above: Watercolour by Margaret Gatty.  
Photo: Sheffield Archives



# 15. Furniture from Chicheley Hall

Chicheley Hall was built in red brick and fine stone between 1719 and 1724 on the site of a much earlier manor house for Sir John Chester, 4th Baronet Chester of Chicheley (1666–1726). Francis Smith of Warwick had overall control of the building works and Sir John Chester and his friend Burrell Massingbred of Ormsby Hall, Lincolnshire, were closely involved with the design. Whether a professional architect was also involved is much debated. There are affinities with the work of Thomas Archer, especially to Bradmore House, Hammersmith, which is usually attributed to Archer. The house remained in the Chester family until after the Second World War, during which it was used by the Special Operations Executive. It was sold by the Chesters in 1952 and in 2007 was bought by the Royal Society, which now runs it as a residential conference centre.

The furniture appears to have been acquired primarily around the time of the completion of the present house and consists of a pair of giltwood and gesso pier glasses, two giltwood mirrors and a pair of gilt-gesso side tables, a pair of gilt-gesso pier tables, a single giltwood and gesso side table and a pair of gilt-gesso pier tables all dating from circa 1722. The single most important item is a giltwood and gilt-gesso side table which may be dated to the years following 1726 when John Chester succeeded his father. This very grand design incorporates the Chester arms with those of John Chester's wife's family.

The largest element in the collection is a suite of a settee and 10 chairs which is also thought to have been acquired for the new house. All 11 elements are upholstered in embroidery which depict various scenes taken from Ovid, principally from the *Metamorphoses* and based mostly on a late 17th century Parisian engraving and on one by Hendrick Goltzius. The offer also included a four leaf screen each leaf decorated with a single embroidery and clearly by the same maker as the seat furniture. While the settee and chairs are undoubtedly made in England, the embroidery may be of French origin. It is hoped that further research among the Chester papers may provide some clearer evidence of the makers involved.

The latest material is a group of 18 George III mahogany hall chairs which bear the Chester crest and originally comprised a set of 20. The two not on offer are on loan to the Royal Society and remain at Chicheley Hall.

The Panel considered the furniture to be pre-eminent under the second and third criteria, in acceptable condition and fairly valued. It has been permanently allocated to the National Trust for display at Montacute House in accordance with the condition attached to the offer.

Right, top: George I giltwood and gilt gesso side table, circa 1720 from Chicheley Hall. Photo: Robert Holden Ltd.

Right, bottom: A George I figured walnut and gilt sofa with needlework upholstery from the History of Troy, circa 1720, from Chicheley Hall. Photo: Robert Holden Ltd.





## 16. Mark Rothko: watercolour

*Untitled*, circa 1941, watercolour on paper, 53.8cm by 36.2cm by Mark Rothko (1903–70) is a rare work from an important phase in Rothko's working practice. In the 1940s Rothko's works underwent a period of transition as he moved from realism to the form of abstract painting for which he is most celebrated today. *Untitled* constitutes a formative moment within the artist's oeuvre, when he was exploring ways of combining cultural sources such as mythological imagery inspired by the artist's reading of Nietzsche with primitive forms and a strong Surrealist influence shaped by the context of the New York art scene in the 1940s.

Rothko used watercolour in particular to develop this body of work from which only a small number of examples survive. The art historian Bonnie Clearwater has described the technique the artist applied to these works:

"Using generous soft-bristled brushes he applied the watercolour [and] gouache... Before the paint dried, he would return with black ink in order to define forms or to gesture automatic lines. When introduced into areas still wet with paint, the ink would bleed, resulting in the black bursts that spot some of these works...As a final step he would frequently scratch and gouge the paper with a razor blade, the back of a brush or some other sharp implement, exposing the white paper beneath the pigment." (Bonnie Clearwater, *Mark Rothko: Works on Paper*, New York, 1984, p30)

In *Untitled* three monochromatic grey bands form the backdrop to the floating forms. Within this backdrop one can detect the emergence of the familiar colour blocks that would come to form the signature elements of Rothko's greatest works. Rothko would return to the use of grey tones in the powerful series of work which he executed in the last years of his life. The floating forms in the present work, although indeterminate, possess a distinctive primordial quality and serve as an antecedent to the biomorphic works of the later 1940s. There is also a sense of newly found freedom of expression and movement in the forms which is in contrast to the more static works of the late 1930s and early 1940s.

The Panel considered the watercolour to be pre-eminent under the second and third criteria, in acceptable condition and fairly valued. The watercolour has been temporarily allocated to Tate pending a decision on its permanent allocation.

Right: *Untitled*, circa 1941  
by Mark Rothko.  
Photo: Tate





## 17. Alfred de Dreux: *Portrait of Baron Lionel Nathan de Rothschild*



Alfred de Dreux's (1810-1860), *Portrait of Baron Lionel Nathan de Rothschild in a Gig drawn by a Chestnut Stallion*, oil on canvas, 63.5cm by 91.5cm, is signed and dated 1838 and therefore must have been painted in Paris as de Dreux did not visit England until 1848. Lionel Nathan de Rothschild (1808-79) was the eldest son of Nathan Meyer Rothschild who had come to England from Frankfurt in 1798 and who was responsible for establishing the Rothschilds' position of pre-eminence in the financial world of Great Britain. After studies at the University of Göttingen and then working in his father's business in London, he moved to Paris and worked with his uncle James. He became head of the London branch of the Rothschild business empire on the death of his father in 1836. Although he later refused Lord John Russell's offer of a baronetcy he styled himself 'Baron' and in the year this portrait was painted he was given licence to use the title of an Austrian Baron which had been granted to his father.

In 1847 he was elected as one of the MPs for the City of London but could not take up his seat as an MP's oath of allegiance required swearing an oath upon the New Testament which would have been unacceptable to any member of the Jewish community. It was not to be for another 11 years after various attempts to amend the form of the allegiance that he could at last take his seat in the House of Commons and so become the first Jewish member of it. Although he remained an MP until 1874 he never actually spoke in any debate in Parliament.

Through his uncle De Dreux knew the great French painter Gericault and it may have been his influence that led him to concentrate almost exclusively on equestrian portraits. He was a highly fashionable artist in his day but his reputation suffered after his death in a duel in 1860 and it was only in the 20th century that his work gained fresh interest. He is poorly represented in Britain and this is only the fifth securely attributed work in a UK public collection.

The Panel considered that the painting met the first criterion on account of its subject and the third for the artist. It was fairly valued and in acceptable condition. It has been permanently allocated, in accordance with the condition attached to the offer, to the National Trust for display at Waddesdon Manor, the Rothschild house built by Ferdinand de Rothschild who married Baron Lionel's daughter.

Above: Baron Lionel  
Nathan de Rothschild in a  
Gig by Alfred de Dreux.  
Photo: Sothbey's



# 18. Arts and Crafts collection

This extensive archive of material assembled by the architect John Brandon-Jones (1908–99), a distinguished architectural historian, gives an important insight into the history of late 19th and 20th century architecture and design and into the most influential architects of the English Arts and Crafts Movement: Charles Francis Annesley Voysey (1857–1941); Philip Webb (1831–1915); W R Lethaby (1857–1931); Emery Walker (1851–1933); Charles Cowles-Voysey (1889–1981); and John Brandon-Jones (1908–99).

John Brandon-Jones was a passionate early admirer of the English Arts and Crafts Movement and, through his own architectural practice, was connected to one of the movement's greatest practitioners, CFA Voysey: in 1933 he joined the practice of Voysey's eldest son, Charles Cowles-Voysey, first as an assistant and later as a partner. They specialised in civic buildings and together won a competition for the design of Watford Town Hall.

During the war he was in the Orkneys and Shetlands with the Admiralty works department, building barracks and radio stations. At Lerwick he met his wife, Helen Moffatt. It was during this time that he discovered Melsetter on Hoy, the house built in 1898 by WR Lethaby. John was sent to visit the house to see if it was suitable accommodation for the naval top brass and he was so taken by it that he went round the house measuring it, photographing it and painting pictures of it. He recommended it as an admiral's billet and it was occupied by the admiral in charge of Scapa Flow.

This encounter encouraged Brandon-Jones to research the architecture he had learnt from Milne, Bagenal and Cowles-Voysey which had its origins in the 1870s and 1880s in the circle of William Morris. He gathered information about Webb and Lethaby, adding these to the CFA Voysey furniture and drawings which came to him through the Voysey family.

The archive includes over 30 items of furniture and objects designed by CFA Voysey, Cowles-Voysey and Philip Webb and a large number of architectural designs and drawings by them. Webb and Voysey were two of the most influential domestic architects of the 19th and 20th centuries. Webb's Red House for William Morris was one of the earliest examples of designing from inside outwards. Voysey's austere, pared-down designs – perfect for a servant-less age – became the inspiration for much of the architecture of the leafy suburbs of every town and city in Britain. There are designs by Voysey including an important carpet 'The River Rug' (a unique design woven just once for Voysey), "a cheap cockney villa minus ostentatious jimcrackery", war memorials, public buildings and original designs for posters ('Love & the Pilgrim'), wallpapers and fabrics. There are Philip Webb drawings for Forthampton Court, labourers' cottages and numerous churches and for wood and stone carvings and furniture, often annotated with precise instructions. There is also a group of material relating to William Morris including Webb's original sketch for Morris in the Home Mead and the stone tablet carved by George Jack on the Morris memorial cottages at Kelmscott. Webb's collection was saved by his friend, Emery Walker, and passed by his daughter to Brandon-Jones.

Both Voysey and Webb had considerable influence on early council house design – and in the layout of council estates in the inter-war years.

Also included are three photographs of Jane Morris, William Morris's wife, posed by Dante Gabriel Rossetti (her lover) which provide evidence of his use of photography as an aid to his painting.

The Panel considered that the collection met the third criterion, was in acceptable condition and fairly valued overall. The collection awaits permanent allocation.



Right: *The River Rug*, 1903, 244 by 122cm, designed by C. F. A. Voysey. Photo: Victoria and Albert Museum



## 19. Nicolas Poussin: *Extreme Unction*



*Extreme Unction*, oil on canvas, 95.5cm by 121cm, is one of seven canvases commissioned in the 1630s by the Roman scholar, patron and collector, Cassiano del Pozzo from Nicolas Poussin (1594–1665).

Each canvas represented one of the seven sacraments of the Catholic Church which mark the principal moments at which a unique sacredness touches the normal pattern of daily existence. *Extreme Unction* addresses the transition from life to death and Poussin has given this a visual representation by creating a scene from the early Christian era which depicts a dying man being anointed by a priest-like figure. Surrounding him, various members of his family and household react to the scene with a range of emotions, from the grief of the figures at the end of the bed to the apparent indifference of the serving girl departing out of the room on the right. All this is set within the precise geometry of a plain rectangular room which has at its centre the architectural motif of a perfect circle. This is balanced by the diagonals created by the figures that are clothed in garments of saturated colours and bathed in a soft light which gives each figure shape and volume and overall depth to the space within which they stand. The painting is a masterpiece of composition, balance and colour and one which along with other paintings from the set, has had a profound influence on artists in the succeeding centuries.

Recognised as one of the artistic glories of Rome in the 18th century, an attempt to bring them to England by Sir Robert Walpole was thwarted by papal authorities who prohibited their export. It was only in 1785 that the painting and its six companions were acquired by the 4th Duke of Rutland and brought to London where they created a sensation. The set was broken up by accident and by sales in the intervening period and *Ordination* was sold in 2010 to the Kimbell Art Museum in Texas. *Extreme Unction* was offered to the nation to satisfy the tax arising on the Kimbell sale but as this was less than the tax that could have been satisfied by a painting of this value, the Fitzwilliam Museum had to raise almost £3.9 million. The Heritage Lottery Fund gave £3 million and the Fitzwilliam itself raised £700,000. The remainder came from The Art Fund and a joint public appeal with the museum.

The Panel considered *Extreme Unction* to be pre-eminent under all four criteria, in acceptable condition and, after negotiation, to be offered at a fair market value. The painting has been permanently allocated to the Fitzwilliam Museum in accordance with the condition attached to the offer.

Above: Nicolas Poussin  
(French, 1594-1665)  
*Extreme Unction*, 1638-  
1640, oil on canvas  
Photo: © The Fitzwilliam  
Museum, Cambridge.



## 20. The Sir Denis Mahon collection of Guercino drawings



This collection of 46 drawings by Guercino (1591–1666), and one by his nephew Cesare Gennari and two after Guercino by Sir Joshua Reynolds, was formed by the great scholar and collector of 17th century Bolognese art, Sir Denis Mahon. With characteristic generosity, on his death in 2011 Sir Denis bequeathed his superb collection of 57 Italian Baroque paintings to six museums and galleries in the United Kingdom.

Guercino, as the pre-eminent artist in 17th century Bologna was central to Sir Denis' interest in the art of the Italian Baroque and he assembled this group of drawings to demonstrate Guercino's brilliance over the full range of media. In addition, the collection has fine examples from throughout Guercino's career and demonstrates all the principal aspects of the artist's interests. The collection was put together with a scholar's eye to document the working pattern and practice of the artist. Several of the drawings relate to specific projects and give the viewer a clear understanding of the artist's working progress.

The provenance of several of the drawings has been traced back by Sir Denis to the *infinità di dissenso* that were recorded as still remaining in Guercino's house in Bologna not long after his death and which were slowly dispersed by the artist's nephews and heirs. In the 18th century it is known that a number of English collectors and their agents were buying from this still extensive collection. This reflected the passion for Guercino's drawing that then existed in England and led to the Royal Collection holding over 850 sheets – the largest group of Guercino's drawings – which Sir Denis, along with Nicholas Turner, was to catalogue and publish in 1985.

Some of the drawings are preparatory studies for paintings that Sir Denis acquired. *The Angel appearing to Hagar and Ishmael* shows Guercino developing the pose of Hagar and the spatial relationship with the angel which led to the completed composition now in the National Gallery. As well as figure subjects, the collection also includes a large landscape drawing and a fantasy subject *Diablere* which can be related to other known drawings of sorcery which appear to have been drawn for the amusement of the artist and his friends.

The Panel considered the collection to be pre-eminent under the second and third criteria, in acceptable condition and offered at a fair market value. The amount of inheritance tax payable by the offerors was less than that which the acceptance of this collection could have satisfied. Most generously the difference of almost £600,000 was forgone to allow permanent allocation to the Ashmolean Museum, in accordance with the condition attached to the offer, and where the drawings had been on loan for over 30 years.

Left: *The Angel appearing to Hagar and Ishmael*, red chalk, 18.6 by 26.1 cm by Guercino  
Photo: Ashmolean Museum



## 21. Two Qing dynasty Chinese ceramics

The offer consisted of:

- a) a Guan-type Hu-shaped vase, Yongzheng seal mark and period, the base with a six character Yongzheng seal mark, 19.3cm
- b) a pair of yellow-glazed 'lotus' dishes, Qianlong seal marks and period, and inscribed with a six-character Qianlong seal mark, each 26.8cm

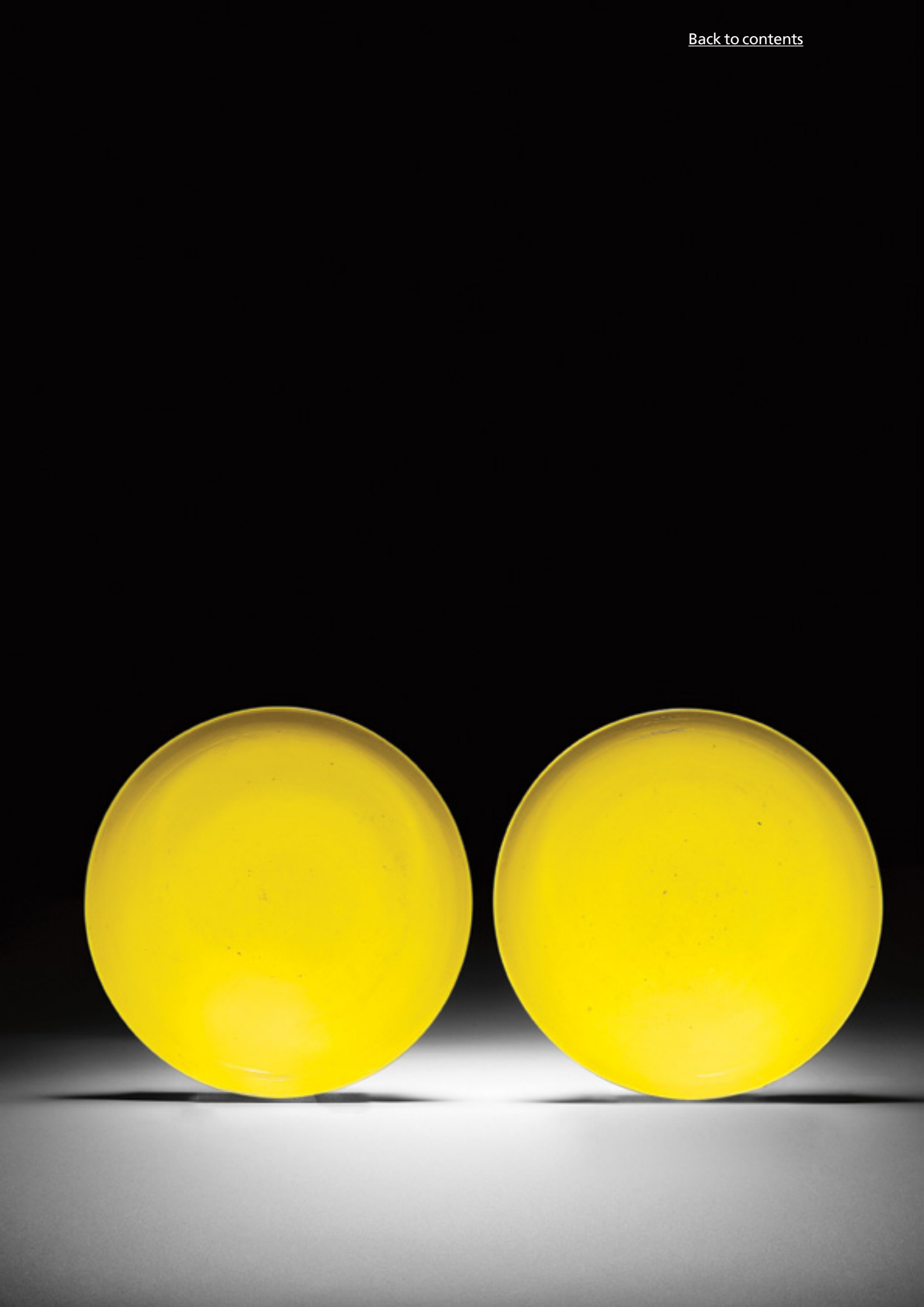
The vase was made for the Imperial Court of the Yongzheng Emperor who ruled from 1723–35. In 1727 he issued an edict requiring that Court objects had to be different in style from those made outside the Court. It is modelled on a Song dynasty (618–907) original and reflects the archaism of the period, when scholarly interest in China's past was flourishing, and is testimony to the Emperor's particular interest. It is known that he sent original Guan ware pieces from the Imperial collection to the kilns at Jingdezhen as models for the potters to copy. The shape of this particular vase is derived from an archaic bronze prototype such as have been excavated in Western Han tombs and which date to the 2nd century BC. The vase is of particular note for its subtlety in shape and colour. The Jingdezhen potters have recreated the crackle of the glaze that was so prized in Song ceramics. Both the vase and the pair of lotus dishes were made by the Imperial workshop. The unusual dishes are engraved with lotus sprays and are notable for the size and thinness of the potting. The dishes have a direct connection to the Imperial Chinese court, not only because they bear the Imperial reign mark, but because they are yellow, a colour reserved for the Emperor. Both the vase and the dishes possess an unusually early English provenance, having been bought from one of the foremost dealers in Chinese art in the early 20th century, and provide an interesting insight into the scholarly taste of English collecting.



The Panel considered that the ceramics met the second and third criteria, were in acceptable condition and after negotiation, fairly valued. The vase has been temporarily allocated to the British Museum and the plates to the Ashmolean Museum pending a decision on their permanent allocation.

Left: A Guan-type Hu-shaped vase.  
Photo: Sotheby's

Right: A pair of yellow-glazed "Lotus" dishes.  
Photo: Sotheby's





## 22. Two paintings by Johann Zoffany

The offer consisted of two paintings by Johan Zoffany (1733–1810):

- a) *David Garrick and Mary Bradshaw in David Garrick's 'The Farmer's Return'*, oil on canvas, 102.6cm by 127cm
- b) *David Garrick and Mrs Cibber as Jaffier and Belvidera in 'Venice Preserv'd'*, oil on canvas, 101.6cm by 127cm

They were commissioned in 1762 by the great actor-manager David Garrick (1717–79) to hang in the dining room of his house at the Adelphi and they remained with his widow until her death in 1822 when they were sold the following year. Garrick was at the height of his fame and celebrity in the early 1760s and had regularly commissioned artists to paint him in his most celebrated roles. It is likely that Garrick had encountered Zoffany when he was working with Benjamin Wilson who had been painting Garrick since the 1750s. *The Farmer's Return* was a topical play performed at the Drury Lane Theatre which told of a farmer who travels to London to see George III's coronation and encounters a ghost which eventually turns out to be a hoax. Garrick demonstrates how the ghost knocked twice for 'no' when he asked if his wife, played by Mary Bradshaw, was true while he was away in London. The painting was met with considerable approbation and even earned praise from Horace Walpole. It was to be the foundation of Zoffany's future success in England.

Thomas Otway's most famous play, *Venice Preserv'd*, was first performed in 1682. When it was revived in October 1762 with Garrick and the great tragedienne and singer Susannah Cibber, for whom Handel had written some of his finest music, both were giving their last performances in the roles for which they had become legendary. The scene depicts the moment when Jaffier believes that his wife Belvidera has betrayed his friend Pierre who is to be put to death the next day. He determines to kill her but her acceptance of her fate makes Jaffier relent. The painting was soon engraved and when Garrick was the toast of Paris a few months later he asked his brother George to send him copies of the print to satisfy the demands of his admirers.

The Panel considered that the paintings met the third criterion, were in acceptable condition and fairly valued. They have been temporarily allocated to the Bowes Museum pending a decision on their permanent allocation.



Left, top: *David Garrick and Mary Bradshaw in David Garrick's 'The Farmer's Return'* by Johan Zoffany.  
Photo: Sotheby's

Left, bottom: *David Garrick and Mrs Cibber as Jaffier and Belvidera in 'Venice Preserv'd'* by Johan Zoffany.  
Photo: Sotheby's



## 23. Raphael Montañez Ortiz: two works from the Destruction in Art Symposium

The offer consisted of two works by Raphael Montañez Ortiz (born 1943) performed at the Islington home of Jay and Fran Landesman during the 1966 Destruction in Art Symposium:

- a) *Duncan Terrace Piano Destruction Concert: The Landesmans' Homage to "Spring Can Really Hang You Up The Most"*, wood, metal, paint, red felt, gold paint, textile, nails, 142cm by 124cm by 28cm
- b) *Duncan Terrace Chair Destruction*, wood, metal, straw, horse hair, stuffing, fabric, varnish/adhesive, nails, 150cm by 102cm by 62cm

These are the only known surviving works from the first Destruction in Art Symposium (DIAS) which took place in London in September 1966. International avant-garde artists, scientists, poets and thinkers were invited "to focus attention on the element of destruction in Happenings and other art forms, and to relate this destruction in society" (DIAS press release). The event radically shifted the limits of art in ways that continue to reverberate into the present.

Raphael Ortiz – a self-proclaimed Latin American revolutionary from New York – performed a series of public destruction events for DIAS, three of which took place at the Landesman's home in Duncan Terrace: *Piano Destruction Concert*, *Chair Destruction* and *Mattress Destruction* which no longer exists. For *Piano Destruction Concert* Ortiz, stripped to the waist and armed with an axe, hacked apart the piano which Fran Landesman had used to write the lyrics to her hit *Spring Can Really Hang You Up The Most*, in front of an audience, including two Tate curators. Prior to the performance, Ortiz had requested that the piano be tuned.

The deconstruction of man-made objects explores the opposition between creation and destruction and poses a number of questions about the value of utilitarian objects, their function and their new existence as a sculptural object within an artistic context. The deconstruction of a piano, a cultural domestic object intended to create art, adds a further dimension symbolically and sonically. The physical act of destruction becomes an audible 'concert' orchestrated by Ortiz himself. Sound was an important element for Ortiz, particularly because of its role in indigenous rituals. As a person of indigenous roots Ortiz explained, "I am faithful to those indigenous roots and to deconstructing Eurocentric concepts and objects – the piano – as a symbol of the Eurocentric oppression" (Ortiz in interview with Yasmin Ramirez, 1996).

The Panel considered that the two works met the third criterion, were in acceptable condition and fairly valued. They have been temporarily allocated to Tate pending a decision on their permanent allocation.



This page: *Duncan Terrace Chair Destruction* by Raphael Montañez Ortiz.  
Photo: Tate

Far right: *Duncan Terrace Piano Destruction Concert: The Landesmans' Homage to "Spring Can Really Hang You Up The Most"* by Raphael Montañez Ortiz.  
Photo: Tate





## 24. 20th century studio pottery

This collection of 22 pots includes three works by Bernard Leach (1897–1979), eight by Lucie Rie (1902–95), six by Hans Coper (1920–81), two by Gordon Baldwin (born 1932) and single works by Ruth Duckworth (1919–2009), Ewen Henderson (1934–2000) and Gillian Lowndes (1936–2010). They range in date from 1952 to 1988 and were all acquired direct from the artists by Henry Rothschild (1913–2009) who had founded the Primavera Gallery shortly after the end of the Second World War. The exhibitions that he organised in his London and Cambridge galleries in the 1950s were of major importance in launching the careers of several studio potters and played a vital role in ensuring that contemporary craft was given a public space and recognition long before official support from organisations such as the Craft Council, which was established in 1971. Henry Rothschild gave Hans Coper his first one-man show at the Primavera Gallery in 1958.

The works by Coper include a stoneware pitcher from 1952, a thistle-form from 1958 and four works from the 1970s, including a Cycladic arrow form, a Cycladic bud pot and a black earthenware pot with disc top. Coper had fled from Germany to the UK just before the outbreak of the war and, having first been interned, served in the non-combatant corps. With no previous experience he started to work in the studio of Lucie Rie who had also come to England as a result of Hitler's persecutions. She sent Coper off to learn how to throw pots and during the late 1940s and 50s they worked together. The eight works by Lucie Rie include fine examples from the late 1950s to the mid-1980s.

The jar, bottle and charger by Bernard Leach, the founder of the revival in hand crafted pottery in England in the 20th century, all date from his last two decades.



The Panel considered the collection to be pre-eminent under the second and third criteria, that it was fairly valued and in acceptable condition. It has been permanently allocated to the Shipley Art Gallery, Gateshead, in accordance with the condition attached to the offer.



Left: Cycladic Arrow Form, 1974 by Hans Coper

Far left: Pilgrim Bottle, 1973 by Bernard Leach

## 25. Jean-Baptiste Camille Corot: *L'Italienne*



Jean-Baptiste Camille Corot's (1795–1875) *L'Italienne* or *La Femme à la Manche Jaune*, circa 1870, oil on canvas, 73cm by 59cm, is a monumental example of one of the artist's late female portraits. Although better known as a landscape painter, Corot painted around 350 portraits during his lifetime, the vast majority depicting women. He regarded his figure paintings as private and chose not to exhibit them. This work was painted in Corot's Paris studio and the sitter is likely to have been a professional model; Corot is known to have used both Italian and Parisian models whom he dressed in traditional Italian costume.

The figure's austere pose recalls that of Italian Renaissance painting and is similar to a further work by Corot, *Sibylle* (circa 1870), which now hangs in the Metropolitan Museum. *L'Italienne* is thought to be a 'finished version' of the composition sketched out in *Sibylle*. X-rays of the latter have revealed that Corot originally painted the figure playing a cello, hence the arrangement of the hands. Painted in a robust and assured manner the young woman in *L'Italienne* turns away and gazes into the distance, exuding an air of confidence and quiet introspection. The masterful use of light and choice of colour evokes the portraits of Vermeer while the rough-hewn brushwork lends a distinctly modern quality to the work.

*L'Italienne*, which was previously in the collection of Lucian Freud, encapsulates Freud's fascination with the depiction of the female form in a manner which starkly captures the quintessence of a sitter freed from the restraints of flattery. His long-time assistant, David Dawson, said that "Lucian loved the girl in the painting". Freud bought the painting at Christie's, New York, on 9 May 2001 and hung it on the top floor of his London home.

Above: Lucian Freud with his back to the camera and Dr Nicholas Penny, Director of The National Gallery with J-B C Corot's *L'Italienne*. Photo by kind permission of David Dawson

The Panel considered the portrait to be pre-eminent under the second and third criteria, that it was fairly valued and in acceptable condition. It has been permanently allocated to the National Gallery in accordance with the condition attached to the offer.



## 26. Edgar Degas: three sculptures

The offer consisted of three bronzes by Edgar Degas (1834–1917):

- a) *La Masseuse*, bronze, inscribed: 'Degas'; '55/D'; 'CIRE/PERDUE/A.A. HEBRARD', 42cm by 36.5cm by 42.5cm
- b) *Cheval au gallop sur le pied droit*, bronze, inscribed: 'Degas'; '47/G'; 'CIRE/PERDUE/A.A. HEBRARD', 31.6cm by 20.5cm by 48.2cm
- c) *Portrait de femme, la tête appuyée, contre la main gauche*, bronze, inscribed: 'Degas'; '62/Q'; 'CIRE/PERDUE/A.A. HEBRARD', 12.3cm by 17.5cm by 16.2cm

Degas produced a large number of sculptures (often referred to as waxes) throughout his career in his quest to capture movement and explore the female figure in three-dimensional form. With the exception of *Petite Danseuse de Quatorze Ans*, Degas, however, never intended his sculptures to be for public consumption and chose not to exhibit them publicly. It was only after his death that the full extent of Degas' sculptural work was revealed. On 13 May 1918 Degas' heirs commissioned the Hébrard foundry to reproduce 72 of the original waxes recorded on his death in bronze in an edition of 22. With the exception of the first two complete sets which went to Degas' heirs and the foundry, every bronze was inscribed 'Degas', stamped with the foundry mark, numbered 1–72 and marked A–T.

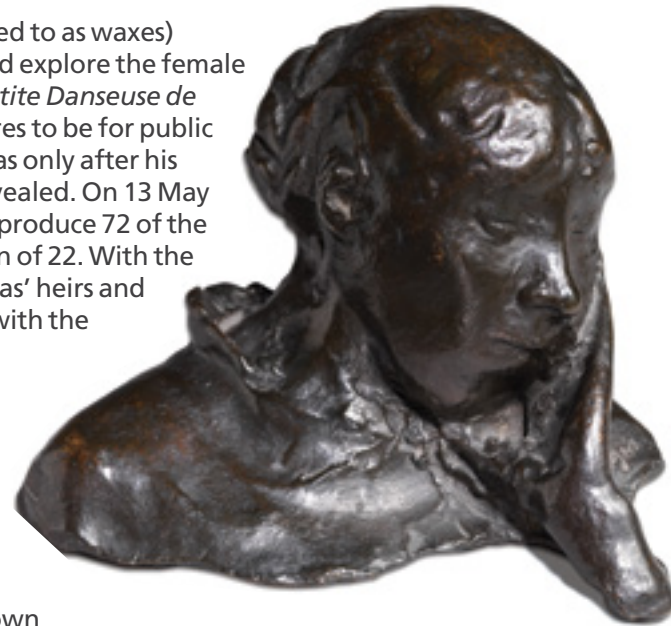
The three bronzes offered were acquired by Lucian Freud and reveal much about the influence of Degas' work upon Freud's. Like Degas, Freud shared a love of horses and a fascination with portraiture; in particular, the ability to capture figures in motion and unflinchingly direct portrayals of the female form.

*La Masseuse* is unique within Degas' oeuvre as the only known freestanding multi-figure group. It is one of his most ambitious sculptures in terms of its spatial articulation and unconventional viewpoints. Degas flouts French 19th century sculptural conventions, prioritising his interest in capturing the momentary action of a domestic scene in candid detail over that of archetypal beauty and balance. The bronze was cast prior to 1926 as part of a complete set for the Norwegian painter and dealer, Walther Halvorsen.

*Cheval au gallop sur le pied droit* is the largest and most animated of the 15 waxes of horses recorded on Degas' death. The pose of the horse is based on a frame of Eadweard Muybridge's stop-action sequence of photographs, "Annie G" galloping, published in 1887.

*Portrait de femme, la tête appuyée, contre la main gauche* is a sensitive portrayal of a woman, derived from one of only a handful of three-dimensional portraits by Degas known to survive. The format of the sculpture is unusual in the cropping of the torso and arm and there is some debate as to who the melancholy sitter is.

The Panel considered the bronzes to be pre-eminent under the third criterion, in acceptable condition and fairly valued. The bronzes have been permanently allocated as follows: *La Masseuse* to the Walker Art Gallery, Liverpool; *Cheval au Gallop* to the National Museum Wales; and *Portrait de femme* to Leeds Art Gallery.



Above: *Cheval au gallop sur le pied droit* by Edgar Degas.  
Photo: Freud Estate

Right: *La Masseuse* by Edgar Degas.  
Photo: Freud Estate

Above, left: *Portrait de femme, la tête appuyée, contre la main gauche* by Edgar Degas.  
Photo: Freud Estate



## 27. John Everett Millais: *John Ruskin*

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John Everett Millais' (1829–1896) *John Ruskin*, oil on canvas, 78.7cm by 68cm, was painted in 1853–4 and is one of the iconic portraits of the Pre-Raphaelite Brotherhood. It depicts the great Victorian critic John Ruskin (1819–1900) whose enthusiastic support for the young artists who had formed the Brotherhood in 1848 had been crucial in establishing their public recognition. In May 1851 Ruskin had defended Millais from attacks in *The Times* following inclusion of his work in the Royal Academy's annual exhibition. His friendship with Millais was well enough established over the next two years for Millais to ask Ruskin's wife, Effie Grey, to act as the model for the female figure in the work he was preparing for the 1853 Royal Academy exhibition, *The Order of Release*, and for Millais to be invited to accompany the Ruskins for a summer holiday in Scotland.

Ruskin wrote to his father back in London in early July 1853 that Millais was to paint both him and Effie. He wrote "He is going to paint me among the rocks – in a companion picture." The composition for Effie's portrait proved difficult and only one canvas was delivered from London. Ruskin informed his father, "Millais has fixed on his place – a lovely piece of worn rock, with foaming water, and weeds, and moss, and a noble overhanging bank of dark crag – and I am to be standing looking quietly down the stream – just the sort of thing I used to do for hours together – he is very happy at the idea of doing it and I think you will be proud of the picture – and we shall have the two most wonderful torrents in the world, Turner's St Gothard – and Millais's Glenfinlas. He is going to take the utmost possible pains with – and says he can paint rocks and water better than anyone else – I am sure the foam of the torrent will be something quite new in art."

Over that summer in Scotland, Millais spent much time with Effie and the two fell in love while work on Ruskin's portrait continued. The following year the Ruskins' marriage was annulled on the grounds of non-consummation and she married Millais in 1855. This scandal meant that the painting was not shown at the Royal Academy in 1854 and Ruskin gave the painting to a close friend in 1871.

The Panel considered the portrait to be pre-eminent under the second and third criteria, to be in acceptable condition and appropriately valued. It has been permanently allocated to the Ashmolean Museum in accordance with the condition attached to the offer.

Right: *John Ruskin*  
by John Everett Millais.  
Photo: Ashmolean  
Museum





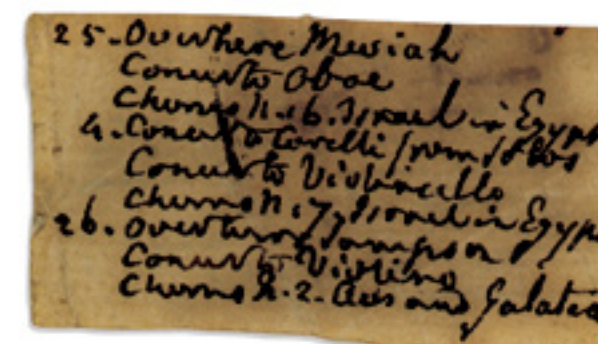
## 28. Material relating to the Griesbach family

The Griesbachs were of Hanoverian origin and were related by marriage to the Herschel family whose most famous member, William Herschel, the astronomer who discovered the planet Uranus, followed a similar route to England in the mid 18th century. Serving in the Hanoverian foot guards they were called to England in 1756 by George II as part of the defence of the country in the Seven Years' War. Although they returned after the immediate threat of French invasion had passed, various members of both families used their musical talent to come to England.

George Griesbach (1757–1824), a nephew of Herschel, responded to an emissary of George III who was recruiting for a military band for the King. He and his fellow musicians came via Hamburg to London and were immediately taken to Kew Palace to play for their new royal employers. This group was known as the Queen's Private Band and played for the King and Queen on an almost daily basis, travelling from one residence to another. They were engaged to provide music, both at dinner and in the evenings until 10pm. George III appears to have been much involved in deciding the repertoire that was played and the papers accepted in lieu include eight tiny musical programmes in the hand of the King which show his preference for Handel.

At other times the musicians joined the larger Queen's Band of Musick to give concerts before an invited audience of several hundred. At various times during the 1780s the band included all four of George Griesbach's younger brothers. Silhouettes of George, his brothers and other family members are also included in the collection, along with an autograph memoir written by George in his later years which describes his life as a musician at the court of George III.

The Panel considered the material to be pre-eminent under the third criterion and to be in acceptable condition. The offer value was considered to be an undervaluation and the Panel proposed that it should be increased by 20 per cent, which was agreed. The collection has been permanently allocated to the British Library, in accordance with the condition attached to the offer, where it can be seen alongside the extensive collection of musical manuscripts, including those of George Frederick Handel, formed by King George and Queen Charlotte.



Left: Two of the music programmes in the hand of George III showing his preference for the music of Handel.  
Photo: British Library

Far left: Silhouettes of members of the Griesbach family.  
Photo: British Library



## 29. Jan Van Huysum: flower painting

Jan Van Huysum's (1682-1749), *Still Life of Roses, Tulips, Peonies and other Flowers in a Sculpted Vase and a Bird's Nest on a Ledge*, oil on copper, 78.7cm by 60.3cm, is one of the artist's rare signed early works. On stylistic grounds the painting can be dated to the years circa 1714–20.

Jan Van Huysum was an outstanding European 18th century still-life painter and is generally considered to mark the apogee of Dutch flower painting which had begun in the early years of the preceding century. He lived all his life in Amsterdam but his fame was international and he was one of the most celebrated artists of his time and the most expensive of all the 18th century still-life painters. There are just under 250 known paintings by Van Huysum which demonstrate his superb technical ability in depicting the varied textures and surfaces of the botanical specimens which he amassed in exuberant compositions. The present example typifies the asymmetric, almost rococo, composition which led to his works being prized by many of the leading collectors throughout Europe. The various flowers are arranged in a terracotta pot with classical relief and there is added interest in the precisely detailed observation of insects and butterflies along with the virtuoso depiction of light refracted through water droplets on several of the flower heads. At the bottom right of the composition is a minutely observed bird's nest in which are shown four eggs and the transparent wing of an insect.

This painting is of very high quality and being on copper – a medium that Van Huysum is known to have used only seldom and rarely on such a scale – has allowed the artist to produce a work which shows the highest technical virtuosity and finest surface. The composition was engraved in 1806, when the painting was in the collection of Johann Rudolf Count Czernin who formed one of the greatest collections in Austria in the first part of the 19th century.

The Panel considered the painting to be pre-eminent under the second and third criteria, to be in acceptable condition and fairly valued. The painting has been permanently allocated to the Scottish National Gallery in accordance with the wish of the offeror, where it will be the first Dutch flower painting to enter the permanent collection.

Right: Flower painting  
by Jan Van Huysum.  
Photo: Scottish National  
Gallery





## 30. Lyrics and letters by John Lennon

The donation, the first under the Cultural Gifts Scheme, consisted of a collection of manuscript lyrics and letters written by John Lennon (1940–80):

- a) John Lennon to Hunter Davies, 1968, autograph letter
- b) John Lennon to Hunter Davies, 1968, autograph postcard
- c) John Lennon to Stuart Sutcliffe, undated (circa 1962), unsent autograph letter including sketches and verse
- d) *In My Life*, autograph song lyrics
- e) *She Said She Said* autograph song lyrics
- f) *Strawberry Fields*, autograph song lyrics

As one of the most commercially successful and critically acclaimed acts in the history of popular music, the Beatles' cultural legacy is still very much apparent today. Author, journalist and broadcaster Hunter Davies acquired the above items whilst writing the only authorised biography of the Beatles, published in 1968. Davies spent a considerable period of time with the Beatles when they were at the height of their musical genius and had unprecedented access to them.

Together with Paul McCartney, John Lennon was responsible for writing most of the Beatles' songs. These iconic papers provide a fascinating insight into Lennon's personal life and the creative workings of his mind, not only as a songwriter but also as a writer and poet. The autograph song lyrics for some of the Beatles' best known songs show a number of alterations and deletions which are of significant interest to researchers, and the letter to former band-mate Stuart Sutcliffe illustrates Lennon's mastery of wordplay and nonsense writing.

Hunter Davies who in the past had loaned some of the material to the British Library said, "I want my Beatles collection to be kept together, in one place, and on public display, and the British Library is the perfect home for it. I have always been pleased to see them in the Treasures Gallery, next to the Magna Carta, and works by Shakespeare and Beethoven, because that's where I honestly think they belong. Working on a new book about the Beatles lyrics made me determined that the British Library should have the world's best public collection of Beatles manuscripts – I'm really pleased the Cultural Gifts Scheme has helped me make this a reality."

The Panel considered the material to be pre-eminent under the first and third criteria, in acceptable condition and fairly valued. The material has been permanently allocated to the British Library in accordance with the wish attached to the donation.

Right: Roly Keating, CEO of the British Library (left) and Ed Vaizey, Minister for Culture (centre) accepting on behalf of the nation the first Cultural Gift of John Lennon material from Hunter Davies (right)





# *Appendices*



*The Angel appearing to  
Hagar and Ishmael*, red  
chalk, 18.6 by 26.1 cm  
by Guercino  
Photo: Ashmolean  
Museum



## Appendix 1

### Cases completed 2012/13

	Description	Allocatee	Tax
1	Hepworth: two sculptures	National Galleries of Scotland	£707,323
2	Knole chattels	National Trust (Knole)	£890,493 <sup>2</sup>
3	Raphael drawing	To be confirmed	£771,150
4	Robert F Scott material	British Museum, National Portrait Gallery Scott Polar Research Institute & t.b.c.	£378,700
5	Mount Stewart chattels	National Trust (Mount Stewart)	£1,645,567
6	Hamilton-Rothschild tazza	National Museum of Scotland	£2,100,000
7	Apethorpe archive	Northamptonshire Record Office	£59,260
8	Stubbs: John Musters	To be confirmed	£926,100
9	Lely: John and Sarah Earle	To be confirmed	£87,500
10	Raeburn: two portraits	To be confirmed	£210,965
11	Archive of 4th Earl of Clarendon	Bodleian Library	£474,080
12	Acton archive	To be confirmed	£105,000
13	Charles Darwin papers	Cambridge University Library	£175,000
14	Margaret Gatty papers	To be confirmed	£49,000
15	Chicheley Hall furniture	National Trust (Montacute)	£1,123,500
16	Rothko: watercolour	To be confirmed	£175,000
17	De Dreux: Baron Lionel de Rothschild	National Trust (Waddesdon)	£210,000
18	Arts & Crafts collection	To be confirmed	£935,655
19	Poussin: Extreme Unction	Fitzwilliam Museum	£5,934,899
20	Guercino drawings	Ashmolean Museum	£4,350,000
21	Chinese ceramics	To be confirmed	£142,833
22	Zoffany paintings	To be confirmed	£1,470,000
23	Ortiz: DIAS works	To be confirmed	£70,000
24	20th century studio pottery	Shipley Art Gallery	£126,350
25	Corot: L'Italienne	National Gallery	£1,400,000
26	Degas: three sculptures	National Museum Wales Walker Art Gallery, Liverpool Leeds Art Gallery	£1,340,500
27	Millais: John Ruskin	Ashmolean Museum	£1,567,135 <sup>3</sup>
28	Griesbach manuscripts	British Library	£3,990
29	Jan Van Huysum: flower painting	Scottish National Gallery	£2,450,000
30	John Lennon: lyrics and letters	British Library	£120,000
	Total		£30,000,000

2) This figure includes £62,815 for one of the pairs of wine coolers reported as Case 51 in our previous report for 2010-12 which was not drawn down until April 2012.

3) The acceptance of the Millais satisfied £7,000,000.  
The remaining tax credit will be drawn down in 2013/14

## Appendix 2

### Members of the Acceptance in Lieu Panel during 2012/13

Tim Knox (Chairman) (until 28 February 2013)	Formerly Director, Sir John Soane's Museum.
Edward Harley (Chairman) (from 21 March 2013)	Director (Charities) at Cazenove Capital Management and recently retired President of the Historic Houses association. Trustee of Samuel Courtauld Trust and President of Friends of Herefordshire Record Office.
Brian Allen (from 1st September 2012)	Chairman, Hazlitt, Gooden & Fox. Formerly, Director of The Paul Mellon Centre for Studies in British Art and before that Professor of Art History at Yale University.
Geoffrey Bond DL OBE (until 30 August 2012)	Chair MLA London, MLA Board Member. Broadcaster and Lawyer.
Lucinda Compton	Conservator, member of the Historic Houses Association, former committee member of the British Antique Restorers' Association.
Patrick Elliott	Senior Curator, Scottish National Gallery of Modern Art, Edinburgh.
Katharine Eustace	Editor, <i>The Sculpture Journal</i> ; Trustee Compton Verney Collections Settlement.
Mark Fisher (until 30 August 2012)	MP and former Minister for the Arts; author of <i>Britain's Best Museums &amp; Galleries</i> , Penguin, 2004.
Pilar Ordovas (from 1st September 2012)	Owner, Ordovas Gallery, formerly, Director, Gagosian Gallery and previously International Director and Deputy Chairman, Post-War and Contemporary Art, Europe, at Christie's.
Andrew McIntosh Patrick	Dealer and collector; formerly Managing Director of the Fine Art Society, New Bond Street, London.
David Scrase	Assistant Director Collections, Keeper, Paintings, Drawings & Prints, Fitzwilliam Museum, Cambridge.
Lindsay Stainton (until 30 August 2012)	Formerly curator in Department of Prints and Drawings, British Museum and subsequently with London dealers Hazlitt, Gooden & Fox.
James Stourton (from 1st January 2013)	Recently retired Chairman of Sotheby's UK. Author: <i>Great Collectors of our Time: Art Collecting since 1945</i> (2007), <i>The British as Art Collectors: From the Tudors to the Present</i> (2012), <i>Great Houses of London</i> (2012).
Robert Upstone (from 1st January 2013)	Director, Modern British Art, the Fine Art Society. Formerly Curator of Modern British Art at Tate Britain.
Christopher Wright OBE	Formerly, Keeper of Manuscripts, British Library, member of the Reviewing Committee on the Export of Works of Arts.
Lucy Wood	Formerly, Senior Curator, Furniture, Textiles and Fashion Dept., Victoria and Albert Museum; curator at Lady Lever Art Gallery, Wirral.



## Appendix 3

### Expert advisers 2012/13

Daniel Alcouffe	formerly Musée du Louvre, Paris
David Anfam	Independent Consultant
Sir Jack Baer	Independent Consultant
Jean-Luc Baroni	Jean-Luc Baroni Ltd
Katrin Bellinger	Bellinger at Colnaghi
Robert Bowman	Robert Bowman Gallery
Clare Breay	British Library
Richard Calvocoressi	Henry Moore Foundation
Laetitia Catoir	Blain Southern
Hugo Chapman	British Museum
Deborah Clarke	Royal Collections Trust
Michael Clarke	Scottish National Gallery
Hugh Cobbe	Independent Consultant
Howard Coutts	Bowes Museum
Richard Day	Day & Faber Ltd
Diana Dethloff	Independent Consultant
Nimrod Dix	Dix Noonan Webb
Mark Donnelly	Fine Art Consultant
Stephen Duffy	Wallace Collection
James Ede	Charles Ede Ltd
Adrian Eeles	Independent Consultant

Peter Funnell	National Portrait Gallery
Anton Gabszewicz	Independent Consultant
Rick Gekoski	R A Gekoski Rare Books & Manuscripts
Francesca Galloway	Francesca Galloway Ltd
Hugh Gibson	Thomas Gibson Fine Art
René Gimpel	Gimpel Fils
Philippa Glanville	Independent Consultant
Mary Greensted	Independent Consultant
Bendor Grosvenor	Philip Mould Ltd
Matthew Hall	Erskine, Hall & Coe Ltd
Jonathan Harris	Bilson LLP
Karen Hearn	Independent Consultant
Robert Holden	Robert Holden Ltd.
James Holland-Hibbert	Hazlitt Holland-Hibbert
James Holloway	formerly Scottish National Portrait Gallery
Peter Holmes	Arlington Conservation
Edward Horswell	The Sladmore Gallery
Timothy Hunter	Gurr Johns
David Jaffé	Independent Consultant
Ken James	National Museums Northern Ireland
Ian Jenkins	British Museum

Paul Joannides	University of Oxford
James Joll	Independent Consultant
Alastair Laing	formerly National Trust
Lisa Le Feuvre	Henry Moore Institute
James Lin	Fitzwilliam Museum
Robert McPherson	R & G McPherson Antiques
Ed Maggs	Maggs Bros Ltd
Patrick Matthiesen	Matthiesen Gallery
Kim Mawhinney	National Museums Northern Ireland
James Mayor	Mayor Gallery
Anthony Mould	Anthony Mould Ltd
Angela Nevill	Nevill Keating Pictures Ltd
Jonathan Pepler	Formerly, Cheshire County Archive
Nicholas Poole-Wilson	Independent Consultant
Martin Postle	The Paul Mellon Centre
Felix Pryor	Independent Consultant
Paulus Rainer	Kunsthistorisches Museum, Vienna
Paul Reeves	Paul Reeves Ltd
Hamish Riley-Smith	Hamish Riley-Smith Rare Books
Mike Rumsey	Natural History Museum
Timothy Schroder	Independent Consultant

Michael Simpson	Hazlitt Gooden & Fox
Peyton Skipwith	Independent Consultant
Anthony Smith	Independent Consultant
Michael Snodin	Independent Consultant
Anthony Speelman	Edward Speelman Ltd
Ann Stewart	National Museums Northern Ireland
Lindsay Stewart	Bernard Quaritch Ltd
Georgina Stonor	Independent Consultant
Elsie Taylor	National Museums Northern Ireland
Barbara Tomlinson	Royal Museums Greenwich
Charles Truman	Independent Consultant
Michael Tollemache	Michael Tollemache Fine Art
Johnny Van Haeften	Johnny Van Haeften Gallery
Richard Verdi	Independent Consultant
Christoph Vogtherr	Wallace Collection
Susan Walker	Ashmolean Museum
Aidan Weston-Lewis	National Gallery Scotland
Michael Whiteway	Haslam & Whiteway Ltd
John Wilson	John Wilson Manuscripts Ltd
Joan Winterkorn	Bernard Quaritch Ltd
Christopher Woolgar	University of Southampton



## Appendix 4

### Permanent allocation of items reported in earlier years but only decided in 2012/13

**Archive of the Sackville family of Knole and the papers of Lionel Cranfield, 1st Earl of Middlesex** which was case 1 in the 2003/04 Report has been permanently allocated to the **Kent History and Library Centre**, Maidstone.

**Archive of the Wharnccliffe family of Yorkshire** which was case 10 in the 2004/05 Report has been permanently allocated to the **Sheffield Archives**.

**Archive of the North family, Earls of Guilford** which was case 4 in the 2005/06 Report has been permanently allocated to the **Kent History and Library Centre**, Maidstone. (Other political papers from this archive had been permanently allocated in 2006 to the British Library)

**Richard Bonington's *La Ferté*** which was case 27 in the 2006/07 Report has been permanently allocated to **The National Gallery**.

**Papers from the Lyttelton family of Hagley Hall, Worcestershire** which was case 23 in the 2009/10 Report have been permanently allocated to **The Hive**, Worcester.

**Barbara Hepworth's *Single Form (Antiphon)* and *Talisman II*** which were part of case 30 in the 2010/12 Report have both been permanently allocated to the **Ashmolean Museum**, Oxford.

**Barbara Hepworth's *Two Forms with White (Greek)*** which was part of case 30 in the 2010/12 Report has been permanently allocated to the **Hepworth Wakefield**.

**Barbara Hepworth's *Two Spheres in Orbit*** which was part of case 30 in the 2010/12 Report has been permanently allocated to the National Museum Liverpool for display at the **Walker Art Gallery**.

**The Spencer House Sofa** which was part of case 35 in the 2010/12 Report has been permanently allocated to the **National Museums of Scotland**.

**Part of the archive of the Savile of Rufford family** which was case 20 of the 2010/12 Report has been permanently allocated to **Nottinghamshire Archives**.

**JMW Turner's *Lowther Castle, Westmorland, Evening*** which was case 34 of the 2010/12 Report has been permanently allocated to the **Bowes Museum**, County Durham.

**Guercino's *The Samian Sibyl*** which was case 37 of the 2010/12 Report has been permanently allocated to the **National Gallery**.

**Joshua Reynolds' *Maria Gideon and her brother, William*** which was case 38 of the 2010/12 Report has been permanently allocated to the **Barber Institute of Fine Art**, Birmingham.

**The eight Camden Town Group paintings and drawings** which was case 43 of the 2010/12 Report have been permanently allocated to the **Brighton Museum and Art Gallery**.

**The Cowper Seal Cups** which was case 44 of the 2010/12 Report have been permanently allocated to the **Victoria and Albert Museum**.

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