

BLOOMSBURY

AUCTIONS

THE HISTORY OF WESTERN SCRIPT:
A SELECTION FROM THE SCHØYEN COLLECTION,
IN CELEBRATION OF THE COLLECTOR'S
EIGHTIETH BIRTHDAY

WEDNESDAY 8 JULY 2020

offerenti argentū mortē & rapinā p̄nuntiavit ex qua
pecunia adq̄uisita fuerat. ipse etiā hostilem impetū lon
ge post secuturū cognosceret. & cognoscendo p̄dicere &
S̄p̄namq; sc̄s sicut ex p̄terito motiā perū absentiu
infudit. ita ex futuro mentē eius tetigit. ut aduersal
clades a longe. oculomētis uenientes cerneret;
Finitisq; mutue familiaritatis obsequiis. uenerabilis
pater. diem uocationis sue demiserit cordi ad p̄sumens.
intrepidus expectabat; Cūq; de die in diem febriū uis
corpus debilitaret. in eadem ciuitate senex & plenus
dierū obit; Cuius anima introiit in taber
naculū dī sui. assumpta est cū angelis uocata ad cenam
nuptiarū agni. accūbit cū abrahā. isaac. & iacob in
regno celozū; Certamen enim bonū ō athlētā xp̄i cer
tasti. xp̄m semp̄ in p̄spectore bauulasti. cuius gloriā
ideo feliciter ingressus es; **O** quam beatus es pie
confessor. Chorus nāq; anglozū letus occurrit.
reuerenti ad patriam; & qui ad n̄s tecū erat. secu
rus habitationem istam reliquisti. & usq; ad soliu ui
sionis aeternę penetraisti; Illinc nos patrocini ad
iua continuis. ut in hoc ouiliq; d̄ exemplis inlustrasti
& uirtutib; decorasti sit pax continua. peccatozū ex
optata remissio. & xp̄ianę religionis iugis exercitatio.
Opitula p̄ d̄ n̄o n̄o: qui cū patre & sp̄s̄cō uiuit & regnat
d̄s p̄ in finita sc̄ta sc̄tozū amen;

Post dies illos. & ipsius oppidiantes. uiam uerū
uersecarnis ingressus ē; Deinde secundū sermo
nem uiridi p̄dicta regionis desolatio aduenit;
& cū obsideret urbem eandem barbaricam manus.

aquam quā absconditos cuniculos ciues sustentabat
a suo ductu traduxit; Ita factum ē. ut castrensē sc̄tis
penuria uicti ultro portas hostibus aperirent. & p̄da
se ipsos hostili gladio traderent;

Requieuit autē dī famulus. xiiii kalendarū febro
marū. & sepultus ē in basilica sc̄i martini. ubi etiā
beatus leubinus eiusdem ciuitatis pontifex humatus ē;
EXPLICIT VITA BEATI LAUNOMARI CONFESSORIS ATQ; ABBATIS.

PAVCA DEMIRACVLIS QVAE D̄NS
PER BEATVM LAUNOMARVM NRIS
TEMPORE SVS OPERARI

A NNO AB INCARNATIONE
D̄NI N̄RI IHS XPI DCCC LXXII. CUM AMPECCA
872

torū nrōrū magnitudine iustodi iudicio p
merente. omnem neustriam ac penē totā aquitaniā
p̄ decem & octo continuos annos longelateq; p̄ort
mannorū gens uastasset. ciuitates castella. & monas
teria usq; ad solū destruens. cur bionensis monasterii
abbas Guarno nomine cū aliquibus fratrib; eiusdem
coenobii. metu ac timore memorate p̄fide gentis. qui
cotidie maiora molunt̄ in destructionē sc̄di ecclē.
p̄mittente ac consentiente domno rege karolo
cū p̄cerib; suis. transtulit corpus p̄tiosi ac beatissimi
Launomari. in pagū ab rincadinū. in uillam quæ dicit̄
patriciacus. Quā deniq; uillam retro actis tēporib;
rodulfus uassus dominicus memorato monasterio
ob remediū anime sue contulerat. ipsamq; olim gens
brittannozū cū principe suo salomone cū multis alis

: ihu xpo

*Solene istud manus
huius translatio. facta
in Brittonia.*

*no. 244.
translatio
na. ist. sol.
ist. u.*

*no. 244.
translatio
na. ist. sol.
ist. u.*

*caluo. 62
a. 20. 21.
reg. 10. 101.*

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EIGHTIETH BIRTHDAY

WEDNESDAY 8 JULY 2020 | 10.30AM

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AUCTION NO. 14328

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Front cover: Lot 3

Inside front cover & page 1: Lot 28

Opposite: Lot 43

Back cover: Lot 80

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Introduction

On 31 January this year Dr Martin Schøyen became an octogenarian. He has been collecting examples of ancient, medieval and sometimes modern palaeography, as well as other rare book related artefacts, for nearly sixty-five years. By the 1980s, he was a dominant presence in the auction rooms and with many of the top dealers, outbidding all others and gathering up entire catalogues when sent proofs. Depending how one counts (some of his manuscript numbers include entire sub-collections and archives of several hundred items under a single acquisition number), he has between 14,000 and 20,500 items at present, so at its upper limits nearly one item per day for the entire period he has been collecting.

The greatest collections are formed within the context of their era. Just as the celebrated collection of Sir Thomas Phillipps could not have been formed without the secularisations of the monasteries in France, Germany and Italy spilling their libraries onto the open market at the end of the eighteenth century, so The Schøyen Collection could not have been formed without the collector's recognition of the value of the fragment, and the availability of many of the finest of these in the second half of the twentieth century. In 1960, A.N.L. Munby while championing the acquisition of text manuscripts by institutional buyers, suggested they eschew whole codices and instead acquire "single leaves and fragments of as many styles and periods of writing ... including papyri" ("The Acquisition of Manuscripts by Institutional Libraries", his *Essays and Papers*, 1977, p. 73). When others collected whole books, Martin turned his main attention to important fragments of them, sometimes just a tiny scrap of a leaf cut at the close of the Middle Ages from its now-lost parent codex and reused to strengthen a binding of a later book. It is uncommon now for a codex to emerge on the market and significantly change scholarship on the text or scribal centre, but this is still the case for a handful of the fragments that we offer in each of our biannual sales. With Phillipps as a guiding light (Martin owns nearly 1100 codices and manuscript volumes and some 6500 documents, letters and various texts from that collection), but an eye on where his time and energy might be best spent, he launched into the manuscript collecting world. In turn, in many ways, he has become a new benchmark for another generation of collectors.

This is the third substantial auction sale from The Schøyen Collection, following that of Sotheby's on 10 July 2012, and Christie's on 10 July 2019. The idea for this sale came about during discussions in the second half of 2019 about the celebration of Martin's birthday in 2020. Thankfully as the vast majority of the items here are drawn from his London library, and were already with us in the opening weeks of this year, most of the necessary work for this catalogue could be performed before the Covid-19 outbreak temporarily closed our doors.

This sale follows the model set by those earlier sales, in keeping at its heart Martin's wish to inspire interest in palaeography and supply freely available study materials for its teaching. Of course, this was the idea behind his vast website, making available a few hundred of the items there as a representative sample of the collection, as well as the access he has freely given to a legion of scholars who wish to work on items in the collection. Thus, this sale is also arranged in a narrative sequence by significant palaeographical eras, with certain key scripts reproduced in small samples with transcriptions. For introductions to each of these palaeographical sections we direct our reader to the Sotheby's catalogue and the informative and readable introductions there, as well as the voluminous academic literature, beginning with B. Bischoff, *Latin Palaeography: Antiquity and the Middle Ages*, 1986 (in the original German) and 1990 (in English translation), as well as M. Brown, *A Guide to Western Historical Scripts from Antiquity to 1600*, 1993, and A. Derolez, *The Palaeography of Gothic Manuscript Books*, 2006.

When one turns the pages of one of the sale catalogues of The Schøyen Collection, or scrolls through the webpages of the collection, one gets a glimpse of the staggering numbers of items in many tens of categories and sub-categories that the collector has assembled in a single lifetime. To the mind of the present cataloguer the words of Jorge Luis Borges come hot on the heels of that thought: "I have always imagined that Paradise will be a kind of library". For the manuscript collector, 'fragmentologist' and 'fragmentophile' in particular, I suspect this is as close as we can come in this world.

The Ancient World

In this section we include items on almost every writing surface employed by man: stone, clay, linen, wood, bronze, papyrus, parchment and even gold. We begin with Babylonian carved items and clay tablets of the fifth millennium BC. to the seventh century BC., both in pictographic form (lots 1, 2 and 3, the last the well-known Kishim Tablet, with perhaps the first record of any personal name in history) and in cuneiform (lot 4), often identified as the first true writing in human history. While not strictly western, these are part of any story of ancient script. From here we move on to Ancient Egypt (lot 5) and a mummy wrapping inscription in hieratic, and then to Ancient Greece, the latter with both examples of classical texts in Greek half-uncials and cursive on papyrus and a wooden leaf (lots 6 and 7). Another votive text from third-century Roman Britain, on gold leaf, with its inscription in Roman Capitals punched in with lines of dots, follows (lot 8), with a second and more formal example of Roman Capitals in a large bronze plaque produced in 209 AD. for public display (lot 9). The remaining eight lots show languages and scripts important for the early transmission of the Bible, with Coptic (in a fine Coptic Uncial hand of the fifth century AD.), Hebrew (a notable fragment of the eleventh century AD. from the Cairo Genizah), Syriac, Armenian and even Georgian.



Lot 1

1 †
Stamp seal with two horned quadrupeds, possibly antelope, each held by a large hand, carved in simple lines, floral zigzag motifs on reverse, on olive-green steatite or chlorite rectangular block [Near East, fifth or fourth millennium BC.]

Semi-precious stone, carved in deep relief, with two pierced holes at head (for suspension), some small scuffs, else in excellent condition, 74 by 48 by 15mm.

Provenance:

1. From the formidable antiquities collection of Hans Erlenmeyer (1900-1967), and his wife Marie-Louise Erlenmeyer (1912-1997), housed in Basel; this piece acquired in the 1950s. In 1981 Marie-Louise Erlenmeyer founded the Erlenmeyer Foundation to promote animal and species protection.

2. Sold on behalf of the foundation at Sotheby's, 12 June 1997, lot 10 (illustrated there); to the current owner;

3. Schøyen Collection, London and Oslo, their MS 2411/3.

Text:

Before the invention of cuneiform, the civilisations of Mesopotamia used pictograms: signs representing goods, animals, places, jobs, numbers and administrative processes, rather than an actual alphabet. The depiction of the shapes of many of these 'proto-cuneiform' signs, necessarily stylised through the use of a wedge-shaped reed impressed into clay, subsequently evolved into cuneiform proper. As such they are perhaps the earliest dawn of palaeography, and the beginning of our survey here.

Such rectangular or square stamp seals were the forerunner of cylinder seals, and were most probably used to mark ownership of goods through the impressing of their symbols onto clay containers.

£4,000-6,000



Lot 2

2 †
Stamp seal, with single large male ibex with long curving horns, walking left, small half-moon marks denoting ground, and ridge worn into reverse, carved on black steatite or chlorite [Near East, fourth millennium BC.]

Semi-precious stone, carved in deep relief and good detail, pierced through centre, some small scratches, current collection number in white on reverse, else in excellent condition, 47 by 51 by 13mm.

Provenance:

1. From the formidable antiquities collection of Hans Erlenmeyer (1900-1967), and his wife Marie-Louise Erlenmeyer (1912-1997), housed in Basel; this piece acquired in the 1950s. In 1981 Marie-Louise Erlenmeyer founded the Erlenmeyer Foundation to promote animal and species protection.

2. Sold on behalf of the foundation at Sotheby's, 12 June 1997, lot 8 (illustrated there); to the current owner;

3. Schøyen Collection, London and Oslo, their MS 2409/1.

Text:

A fine pictographic stamp seal, most probably with an owner's personal emblem. See also previous lot.

£4,000-6,000

3 †

The Kushim Clay Tablet, a large and remarkably fine pictographic tablet recording beer production at the brewery at the Inanna Temple in Uruk, with the apparent personal name ‘Kush-im’, that perhaps the first attested personal name in history, clay tablet with pictographic inscription [Sumer (Uruk), Uruk III period (thirty-first century BC.)]

Square clay tablet, with a single case of pictograms in an example of expert pictographic script Uruk III, showing the production of beer from barley or corn, and its placing within the brew-house, the brewery mark and other marks probably depicting numbers, plus two further non-pictographic symbols for ‘KU-SIM’ probably the personal name of the recorder (or just perhaps his title), reverse blank, a few hairline cracks, else in outstanding condition, 68 by 72 by 19mm.; within morocco-covered folding case

THIS “EXCEPTIONALLY FINE, PERFECT, ADMINISTRATIVE TABLET” IS NOT ONLY THE FINEST SUCH TABLET IN THE SCHØYEN COLLECTION; BUT IT ALSO HAS CLAIM TO BE THE EARLIEST KNOWN RECORD OF ANY PERSONAL NAME IN HISTORY

Provenance:

1. Most probably from the Inanna Temple archives, Uruk, and deposited there about fifty-two centuries ago. This archive is now known from 77 pictographic tablets, all apparently in the same hand, of which 25 tablets and 30 smaller fragments are in in the Freie Universität, Berlin, with a further four tablets in the British Museum and another four in the Louvre.

2. From the formidable antiquities collection of Hans Erlenmeyer (1900-1967), and his wife Marie-Louise Erlenmeyer (1912-1997), housed in Basel; this piece acquired in the 1950s. In 1981 Marie-Louise Erlenmeyer founded the Erlenmeyer Foundation to promote animal and species protection.

3. Sold on behalf of the foundation at Christie’s 13 December 1988, lot 48, to Quaritch, London.

4. Schøyen Collection, London and Oslo, their MS 1717, acquired from Quaritch in August 1993.

Text:

Sumer, nestled in the fertile land between the Tigris and the Euphrates, supported the growth of one of the world’s earliest great civilisations from about 5500 or 4000 BC., with the city of Uruk its largest centre. The people who moved to this region, perhaps from North Africa or India, drained the marshes there to produce farmland, and developed trade and industries. As a by-product of these social and economic developments they also pushed forward record keeping through proto-writing systems, such as the present example. Uruk was larger than any other city-state in the region, and at its height around 2900 BC. probably had 50,000-80,000 inhabitants, making it the largest urban site in the world at that time. The site dwindled after 2000 BC., but was not abandoned until the Islamic conquest of the seventh century AD.

Here the symbols show the viewer the entire industrial process of making beer: from an ear of barley or corn, to a brick-building with a chimney that might be the brewery itself, and finally the barley or corn within a jar signifying the beer. The dots and other impressions most probably indicate numbers, probably recording that the amounts of beer produced were vast, some 134,813 litres of barley to be delivered over 3 years (37 months). At the end of this are two non-pictographic symbols of the greatest importance (here in top left corner). They spell out the two sounds ‘KU’ and ‘SIM’, and are most probably the name of the government official responsible. As noted by Harari and publicised by National Geographic in 2015, this apparent signature lays claim to be the first personal name of any human in history, and as Kushim was most likely the scribe, this is the earliest person to employ writing who we can name. He is known from seventeen other tablets, and in some of those addressed as “Sanga” or temple administrator. None of those, however, appears to be recorded in private ownership, and this is probably the only chance to acquire any form of this fundamentally important record.

Published:

H.J. Nissen, P. Damerow and R.K. Englund, *Frühe Schrift und Techniken der Wissenschaftsverwaltung im alten Vorderen Orient*, Berlin, 1991, no. 4.29, pp. 20, 24 and 66-67.

H.J. Nissen, P. Damerow, and R.K. Englund, *Archaic Bookkeeping: early writing and techniques of economic administration in the Ancient Near East*, University of Chicago Press, 1993, pp. 36-37.

L. Alvegård, ‘Arkaisk babylonsk matematik: Talpjäser och lerbollar’, *Teknik & Naturvetenskap*, 2 (1994), pp. 38-40.

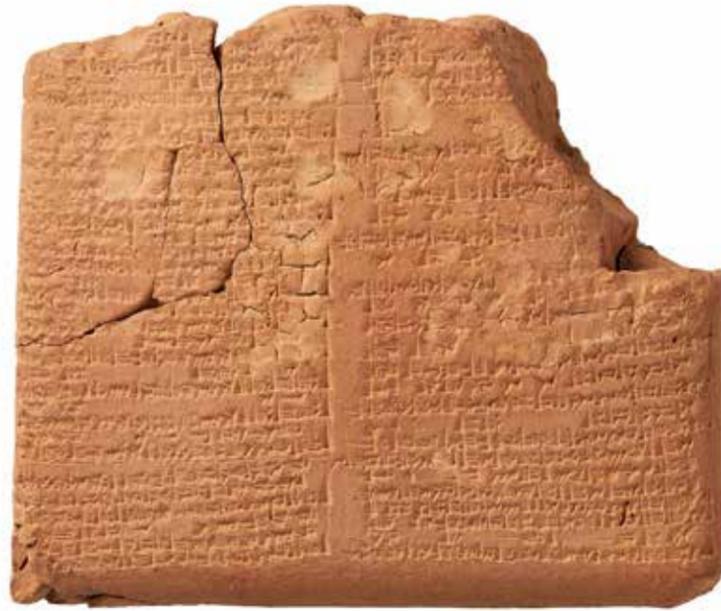
J. Curtis, ‘Early Mesopotamia and Iran: Contact and Conflict 3500-1600 BC’, in *Mesopotamia and Iran in the Parthian and Sasanian periods: rejection and revival, c. 238 BC - AD 642; Proceedings of a Seminar in Memory of Vladimir G. Lukonin*, eds. J. Curtis and V.G. Lukonin, British Museum Press, 2000, pp. 28, 64.

Y.N. Harari, *Sapiens: A Brief History of Humankind*, 2011/2014 (Hebrew/English editions), 2:7.

£70,000-90,000



Lot 3



Lot 4

4 †

Omens drawn from the behaviour of birds of prey, in particular falcons, especially in the presence of the king and his army, in Neo-Babylonian, in cuneiform script, inscribed clay tablet [Babylonia, seventh century BC.]

Lower half of a large clay tablet, with two columns of text on each side in a fine cuneiform script (30+34+33+28 lines), partly broken away at top of tablet, some cracking and chipping and some signs rubbed, overall in good and solid condition, 105 by 126 by 33mm.; in red morocco folding case

A LARGE AND FINE TABLET, AS WELL AS THE BEST PRESERVED SURVIVING WITNESS TO THIS TEXT

Provenance:

1. From the formidable antiquities collection of Hans Erlenmeyer (1900-1967), and his wife Marie-Louise Erlenmeyer (1912-1997), housed in Basel; this piece acquired in the 1950s. In 1981 Marie-Louise Erlenmeyer founded the Erlenmeyer Foundation to promote animal and species protection.

2. Sold on behalf of the foundation at Christie's 13 December 1988, lot 125, to Björn Löwendahl, Stockholm; thence to Sheila Markham, London, cat. 3 (1993), no. 15c.

3. Schøyen Collection, London and Oslo, their MS 1687, acquired June 1993.

Text:

Cuneiform was "the earliest true script in man's history" (Nissen et al., *Archaic Bookkeeping: early writing and techniques of economic administration in the Ancient Near East*, 1993, p. ix), made with impressions of a wedge-shaped reed on wet clay. It emerged in Sumer in the Uruk IV period (fourth millennium BC.) as a simplified form of pictograms used in accounting records, and was adapted for the writing down of numerous languages in the region across the next few millennia, probably influencing the development of Egyptian

hieroglyphs in its final form. The last traces of its use are in the second century AD., after which it died out until deciphered in the nineteenth century.

Omen texts make up the largest genre within the 'literary' parts of surviving Neo-Babylonian libraries. These were observations and predications concerning the stars, movement of birds, appearance of the liver of a sacrificial sheep and abnormal births, carefully organised across tens of numbered tablets. This is tablet no. 79 from the series named *Shumma Alu* ('If a town is situated on high ground'), and of the 91 omens that made up this tablet, the present witness is the best preserved surviving example, containing 63 omens (see George, 2013). Such omens here include: 15: "If a falcon sits on the ground, takes off and flies about in front of the king, and does not land again: the enemy will block your supply routes and defeat your army and camp through thirst"; and 56: "If a falcon enters the king's palace, lowers its beak in front of the king, flaps its wings and leaves: there will be a revolt in the palace and the king will put all his ministers to the sword".

Published:

E. Leichty and B. Kienast, 'Summa Abu LXXIX', in *Festschrift für Burckhart Kienast zu seinem 70. Geburtstag dargebracht von Freunden, Schülern, und Kollegen Alter Orient und Altes Testament*, ed. G. Selz, Ugarit Verlag, München 2003, pp. 259-284.
A.R. George, *Babylonian Divinatory Texts Chiefly in the Schøyen Collection*, Cornell University Studies in Assyriology and Sumerology, vol. 18, Manuscripts in the Schøyen Collection, Cuneiform texts VII, CDL Press, Bethesda, MD, 2013, no. 36, pp 262-272.

£12,000-18,000



Lot 5

5

Book of the Dead, written for the deceased Anchhap, son of Djedher and Shepsepedet, part of chapter 17, in Middle Egyptian in Hieratic script, decorated manuscript on section of linen mummy wrapping [Egypt (perhaps El-Lisht, south of Cairo), early Ptolemaic (probably fourth century BC.)]

Long and thin linen fragment, with single column of 17 lines in hieratic, a small hole and slight wear in places, overall in good condition, 170 by 620mm.; set in glass, and in fitted case

Provenance:

1. Produced for use in the burial of an Egyptian nobleman or official named Anchhap, who perhaps lived in the region around modern Cairo: the Bonhams catalogue of the sister fragments records their reported excavation at El-Lisht.

2. Almost certainly once owned and sold by the roguish Luxor antiquities dealer, Toudros Boulos (also Tawdros, Todrous and other variants: see M.L. Bierbrier, *Who Was Who in Egyptology*, 3rd ed., 1995, p. 417), a Copt who used his position as the Prussian and then German Consul in Luxor to sell antiquities to a wide range of European and American private clients and institutions, alongside a sideline in metalwork forgeries (produced through his training in early life as a silversmith). His son, Mohareb Toudrus took over the consulship and the family business after his father's death in 1898, until his own demise in 1937. Four other closely related sections from the same mummy wrappings are known: three now in the British Museum (EA 75197; with parts of chapters 15 and 17), and another in the American private collection of the late Victor Pafundi, Jr. (1949-2018; item reproduced in B. Briens, *Egyptian Mummies, Unraveling the Secrets of an Ancient Art*, 1996, fig. 12, and including a further part of chapter 17). Usually such inscribed mummy wrappings on linen measure only 1-2 m., and so the known sections here may well be almost the entirety of the original object. Those sections now in the British Museum were offered in Bonhams, 21 October 1999, lots 383 and 384, and acquired immediately after the sale by the British Museum Friends, where their link to "Zaki Todros" and his role as consul is recorded, this later corrected in the British Museum catalogue to Toudros Boulos. It is most likely that he owned all of them at one time, dividing them up and selling them to different European and American clients.

3. This fragment re-emerged on the modern market in the catalogue of Jacques Schulman, Amsterdam, his list 236 (1988), no. 6.

4. Schøyen Collection, London and Oslo, their MS 125, acquired from Schulman in July 1988.

Text:

These mummy wrappings are perhaps all that survive to record the life of Anchhap, who lived in the Ptolemaic period, in the generations after Alexander the Great's seizure of power over Egypt and installation of his general Ptolemy there as sub-ruler.

The practise of writing sections of the Book of Dead directly onto the linen wrappings of the deceased began during the 30th or Sebennytian dynasty (379-343 BC.) but only became common during the Ptolemaic period (305-30 BC.). It probably descends from the earliest history of the Book of the Dead, and the practise of wrapping the body in an inscribed and illustrated shroud. Linen as a media is not as forgiving as papyrus or parchment and the quality of such examples varies greatly. That here is in a fine hieratic script, suggesting an accomplished scribe. The text here is usually named the 'Coming Forth by Day Triumphant over All Enemies', and is one of the longest and most interesting individual compositions preserved within the Egyptian Book of the Dead. It sets out a long series of religious sayings narrated by the creator-god, within a structure of internal commentary and glossing questions followed by answers, in the form: "I am that great cat beside whom the *ished*-tree was split in Iunu on that night of active battle, and making the guard against the rebels on that day on which the enemies of the Lord of All were destroyed. What does it mean? That great cat beside whom the *ished*-tree was split in Iunu is Ra himself, called Cat when Sia said of him 'that is how he is, by what he has done' and his name became Cat".

Published:

Online as part of the *Das Altägyptische Totenbuchprojekt*, Bonn (but note wrongly recorded there as among the holdings in Oslo), and TM 114017.

£3,000-5,000

6 †

Homer, Iliad XI:1-5 (with Zeus sending Strife to the Achaean fleet, bearing a war-banner in her hands, at the break of dawn), in Greek, epic verse in dactylic hexameters, manuscript on papyrus [Egypt, second century AD.]

One rectangular papyrus fragment, with remains of a single column of six lines in an excellent Greek half uncial script, here written as prose but with diagonal dividing lines marking the ends of lines of verse or noting punctuation (as no other examples of such lines are known their intended function remains speculation: see literature cited below), single line in unidentified Greek cursive hand on reverse, 51 by 45mm.; set in glass, and within a folding cloth-covered case

AN IMPORTANT EARLY WITNESS TO ONE OF THE FUNDAMENTAL WORKS OF WESTERN LITERATURE, WITH THIS FRAGMENT BEING THE FIRST RECORDED WITNESS TO THIS PART OF THE TEXT, AND THE ONLY EXAMPLE ON PAPYRUS

Provenance:

1. Erik von Scherling, Leiden (1907-1956), son of the Swedish consul in Rotterdam, who worked for the bookseller Jacob Ginsberg in Leiden, learning Latin and Arabic while there, and then opened up a dealership there issuing regular bulletins and a sale-catalogue/gossipy journal named *Rotulus* from the 1930s until the 1950s; almost certainly acquired from his “Egyptian correspondent” in the early 1930s or directly by him in Egypt during his manuscript collecting trip to Cairo in 1934-35.
2. Maggs Bros., London (1964-1988), and among the clutter of material left by von Scherling on his sudden and untimely death in 1956, a small part of these offered for sale to various institutions and the remainder divided between Maggs and Laurence Witten of New Haven, CT, USA.
3. Sam Fogg, London, acquired from Maggs.
4. Schøyen collection, London and Oslo, their MS 112/80, acquired June 1988.

Text and script:

A fragment of the single-most influential literary text in the Western world, in a copy contemporary with Suetonius, Martial and Pliny the Younger. Homer’s account of the siege and fall of Troy is the foundation stone of European culture. The text is usually dated to c.850 BC., and consensus agrees that it was composed some decades before the Odyssey. It was extremely popular in antiquity, and remained so throughout the Greek speaking world in the early Middle Ages.

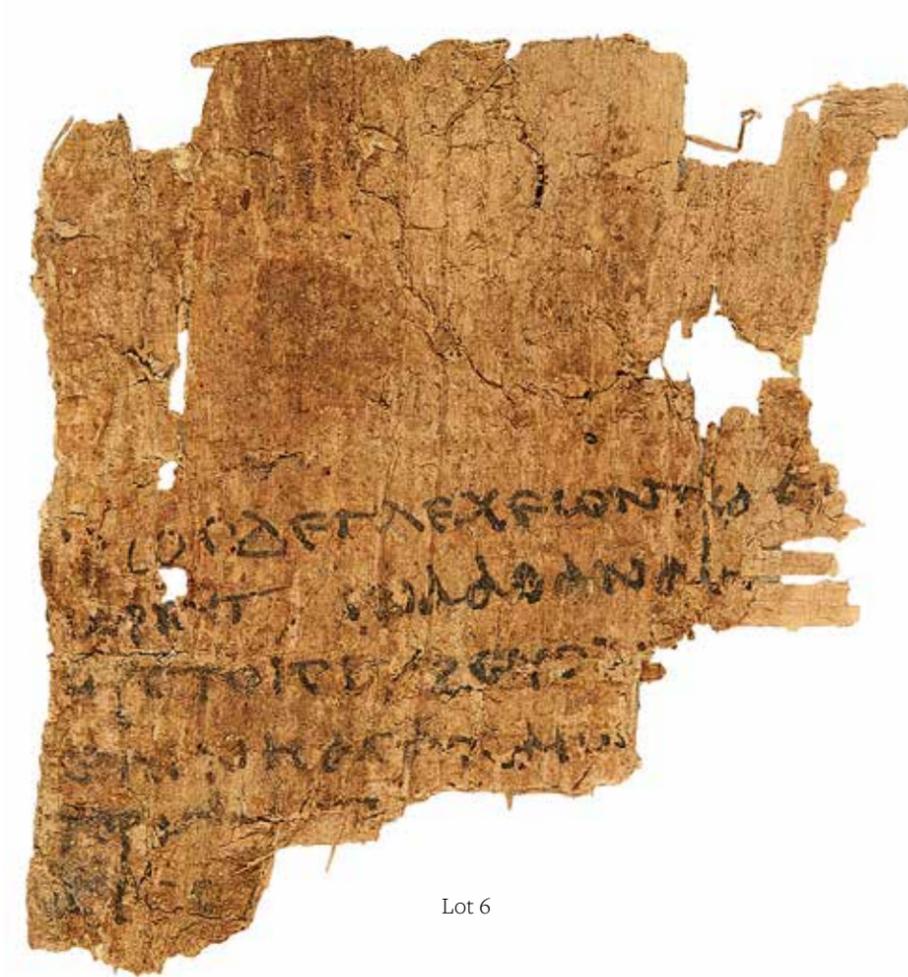
This is most probably the work of an inexperienced scribe practising their copying in a scribal school, but is still of great importance as it is the earliest recorded witness to this section of the Iliad.

As this fragment includes the first example of any form of uncials in this catalogue, a few words must be said here about this crucially important script. Around the second or third century AD. rustic capitals had evolved into large stately rounded capitals that St. Jerome named ‘uncials’. Among modern readers the script is most well-known for the baffling effect it produces in having no breaks between words. It had raw austere beauty, and signalled authority, and quickly became the script of fundamental texts, especially the Bible (see also examples of Coptic Uncial and Armenian Uncial used to copy the Bible, below in lots 11 and 16).

Published:

G. Ucciardello in R. Pintaudi, *Papyri Graecae Schøyen*, 2005, no. 2, pp. 5-6.

£12,000-18,000



Lot 6



“δ εγ λεχεω παρα”

7 †

Short quotations from Isocrates, *Ad Demonicum*, 9, and Menander, *Sententia*, in Attic Greek, in Greek cursive and capitals, manuscript on large polished wooden tablet doubtless produced as part of a scribal teaching exercise [Egypt, late fourth or early fifth century]

Rectangular wooden tablet, used lengthways, with single column of 5 long lines plus a single word on a sixth line in a clear and sloping Greek cursive on one side and a further 2 lines in large Greek capitals on the reverse, one hole at head of board in middle (perhaps for suspension), wood with slight scuffing in places and one small loss of a section at its foot (without affect to text), 140 by 138 by 10mm.; in blue cloth covered folding case

A REMARKABLY RARE EPHEMERAL WITNESS TO THE PRACTICAL TEACHING OF NOVICE SCRIBES IN GRAECO-ROMAN EGYPT, ON WOOD, A MATERIAL OF SUCH VALUE IN EGYPT THAT FEW SURVIVE

Provenance:

1. Prof. Dr. Pieter Johannes Sijpestein (1934-1996) of Baarn, near Amsterdam; his collection known as the Moen collection (his wife's maiden name), and almost certainly acquired by him in the European and American trade in the 1960s to early 1980s. Much of his collection passing after his death to the University of Austin, Texas, as well as Syracuse University, New York. This his inventory no. 78, and published in *Zeitschrift für Papyrologie und Epigraphik* in 1983 (see below).

2. Bonhams, 29 April 1991, lot 77, to Sam Fogg.

3. Schøyen Collection, London and Oslo, their MS 1359, acquired June 1991.

Text and script:

This is a 'wooden leaf tablet' employed in Antiquity as a writing master's template for scribal teaching in an important and wealthy scriptorium. Criboire comprehensively discusses their use from pharaonic Egypt onwards (pp. 65-72), and the value of the raw material – as Egypt produced little wood. Here we have the refined master-scribe's hand copying out the quotation from Isocrates (436-338 BC.; here "... and he exposed his spirit to dangers. Nor did he display an ill-timed craving for wealth, but he enjoyed the good things present like one who was going to die, yet cared for his property as if he was immortal"), the father of rhetorical Greek and founder of the Athenian academy in the Lyceum, on one side in cursive, for students to copy onto papyrus. The pierced hole at the top of the board allowed it to be strung together with other such templates, and handed around the class for copying time and time again. To this, a student has added on its reverse the extract from the Greek dramatist Menander (c. 342/41-c. 290 BC.) in slightly clumsy capitals with a few erasures, finishing this with his initials. The format of such teaching aids has remained relatively unchanged in the region from the Ancient World until the last century (see the 'cricket bat' shaped writing tablet produced in Morocco in the early twentieth century, offered as lot 46 in our 31 March Islamic sale this year [auction moved to 12 June]). As noted by Sijpestein and Agosti (the latter in Pintaudi, p. 38) the combination of Isocrates and Menander here is also found in a poem of Dioscorus of Aphrodito (d. sixth century) and their use together in teaching may well have been ingrained in Ptolemaic Egypt and the Byzantine world.

Sijpestein in 1983 dated this piece to the seventh century, and that date was followed by Criboire in her survey, but it has been recently and convincingly redated to "la fine del IV o addirittura l'inizio del V secolo" by G. Agosti (in Pintaudi, no. 11). This accords well with other surviving examples which appear to cluster in those centuries (see Criboire, nos. 83, 146 and 317, with slightly earlier examples in 292, 296 and 333).

Published:

P.J. Sijpestein, 'Isokrates, Ad Demonicum 9 und Ein Monostichon Menandri auf Einer Holztafel', *Zeitschrift für Papyrologie und Epigraphik* 52 (1983), pp. 291-92.

R. Criboire, *Writing, Teachers, and Students in Graeco-Roman Egypt*, 1996, no. 229.

R. Pintaudi, *Papyri Graecae Schøyen*, 2005, no. 11, pp. 37-40.

C. Pernigotti, *Menandri Sententiae*, 2008, p. 48 and no. 895.

P. Pruneti and M. Menchelli, *Corpus dei papyri filosofici*, 1.2.2, 2008, pp. 922-24.

L. Maurice, *The Teacher in Ancient Rome: The Magister and His World*, 2013, p. 102.

C. Pernigotti, *Corpus dei papiri filosofici*, 2.2, 2015, pp. 244-46.

The present artefact is Mertens-Pack 2736.2, and is published online as TM 61405 and LDAB 2549.

£10,000-15,000



Lot 7



8 †

Votive text appealing to Victoria Augusta, perhaps in the name of a Roman auxiliary stationed in England and named Aufilius or Aufidius, in Latin, in Roman Capitals punched with dots into thin gold plate [probably England (perhaps Roman fort of Lanchester/Longovicium, near Durham in northern England), third century AD. (perhaps c. 270)]

Thin gold plate, cut to ansate form (ie. shape of a square with a rhomboidal wing on each upright side, a shape designed for suspension), with the text “VICTORI/AE AVG/ AVF FIDI/ VS [for ‘filius’].../ D D.” punched into its surface in Roman Capitals using a series of dots, other dots added to ‘wings’ for decorative affect, three holes pierced along upper edge most probably for suspension, some traces of dents and slight damage to extremities, else excellent condition, 37 by 56mm.; in custom made glass case, within fitted blue-cloth covered case

A ROMANO-BRITISH INSCRIPTION ON THE RAREST AND MOST ALLURING OF WRITING MATERIALS TO SURVIVE FROM THE ANCIENT WORLD: GOLD

Provenance:

1. Probably created for a high-ranking Roman auxiliary perhaps named Aufilius or Aufidius (appeals to Victoria Augusta are most commonly found on items made for the Roman military or from military sites), who appears to have been stationed in Lanchester, near Durham (see below). Such inscriptions are highly formulaic, and so we can be certain that the opening line contains a dedication to Victoria Augusta, and the last line contains the standard formula “D[ono] D[edit]” (“gave this as a gift”). Following this the first part of the central two lines might convincingly be read as “AUF[ilius/idius] FILI/US ...” (with the ‘L’ in the second word mistruck as an apparent ‘D’) and the remaining word identifying his father too abbreviated or garbled to be extrapolated here.

2. Reportedly found as a stray find in vicinity of Lanchester, near Durham, in the 1940s. Lanchester (Roman *Longovicium*) was the site of a substantial Roman auxiliary fort on Dere Street (the Roman road connecting York to Hadrian’s Wall) in the province of Britannia Inferior. The site is mentioned in both the Ravenna Cosmography and the *Notitia Dignitatum*. An unusually large number of altars, dedication slabs and a milestone set on the adjacent sections of Dere Street allow us to conclude that the fort was built by the Twentieth Legion, probably around 150 AD. It seems to have been the subject of rebuilding in the middle of the third century and the fourth century. At the time this object was made, stone inscriptions identify the fort as manned by Celts from the Plateau de Langres in the Bourgogne region of Gaul, near Dijon, the *Cohors Primae Lingonum* (First Cohort of Lingones) and the *Cohors Primae Lingonum Gordiana equitata* (First Cohort of Lingones, Gordian’s own, part mounted), as well as a detachment of Suebians from Lusitania.

3. Lennox Gallery, London, in 1996, and sold then to the present owner.

4. Schøyen Collection, London and Oslo, their MS 2344.

Text:

While far from common, Roman metalwork objects with punched dot inscriptions are known from diverse objects, including a bronze dog or slave collar, with the inscription “Tene me ne fugio” (“Hold me, lest I flee), offered in Bonhams, 30 September 2014, lot 383, as well as small votive offerings such as the present piece. Close parallels for this item can be found in the holdings of the Ashmolean and York Museum (H4.1-2, from the Old Railway Station site, with a Greek inscription including the personal name Demetrius), but those are on more common metals such as bronze. The use of gold here suggests the wealth and influence of its original owner, and it was perhaps produced for attachment to a statue of a deity.

Published:

Y. Petrina, ‘Kanopos oder Menoutis? Zur Identifikation einer Ruinenstätte in der Bucht von Abuqir’, *KLIO* 90 (2008), p. 205.

£20,000-30,000



Lot 8

9

Record of testamentary charities by different testators, made to freeborn legitimate and illegitimate boys and girls in set proportions by an established charitable foundation, according to the Roman laws of Septimus Severus, in Latin, manuscript in transitional script between square and rustic Latin capitals, on bronze tablet [Mediterranean (perhaps Spain, Italy or southern France), dated to the fourth day before the kalends of November in the consulship of Claudius Pompeianus and Lollianus Avitus (ie. 29 October 209)]

Large bronze tablet with losses at edges and base, remains of inscription in single column of 13 lines of Roman capitals (each approximately 9mm. high, and these lines in three sections: the first recording the charitable gift, the second discussing the town council and recording the consulships, the third recording only the date), some surface scratches, else good condition, 222 by 142 by 5mm.; in fitted case

Provenance:

1. Produced for display in either a public place or a temple. Reported in 1994 as “said to be from Spain”, but, as Tomlin notes in a pers. comm. in 1997, one of the donors may be identifiable with a known early third-century official from Venafro in southern central Italy. Alternatively, the provenance of the item in the French trade opens the possibility that it may be from a site on the southern coastline of that country.

2. Quaritch, London, acquired by them from the French trade immediately before December 1994.

3. Schøyen Collection, London and Oslo, their MS 1976, acquired from Quaritch.

Text:

When complete this tablet was most probably a public record of charitable gifts by a number of donors, erected as a permanent public record by the town in which it was displayed. Suetonius records the use of such tablets in his note of Vespasian’s replacement of some 3000 tablets that had previously hung in the Capitoline Hill in Rome, but were destroyed during the fires at the end of Nero’s reign. Their inscription on bronze conveyed authority and permanence, and some national lawcodes, such as the Icilian Law hung in the Temple of Diana on the Aventine, and civic land registers such as those recorded at Orange in south-eastern France, were produced in that format to impart those qualities to their contents. The charitable acts recorded here must have been held in the same regard by the community that produced this grand record of them. The text of this record was reconstructed and published by Tomlin in 2000.

Published:

R.S.O. Tomlin, ‘An Early Third-Century Alimentary Foundation’, *Zeitschrift für Papyrologie und Epigraphik*, 129 (2000), pp. 287-292.

P. Brown, *Poverty and Leadership in the Later Roman Empire*, 2002, p. 115, no. 15.

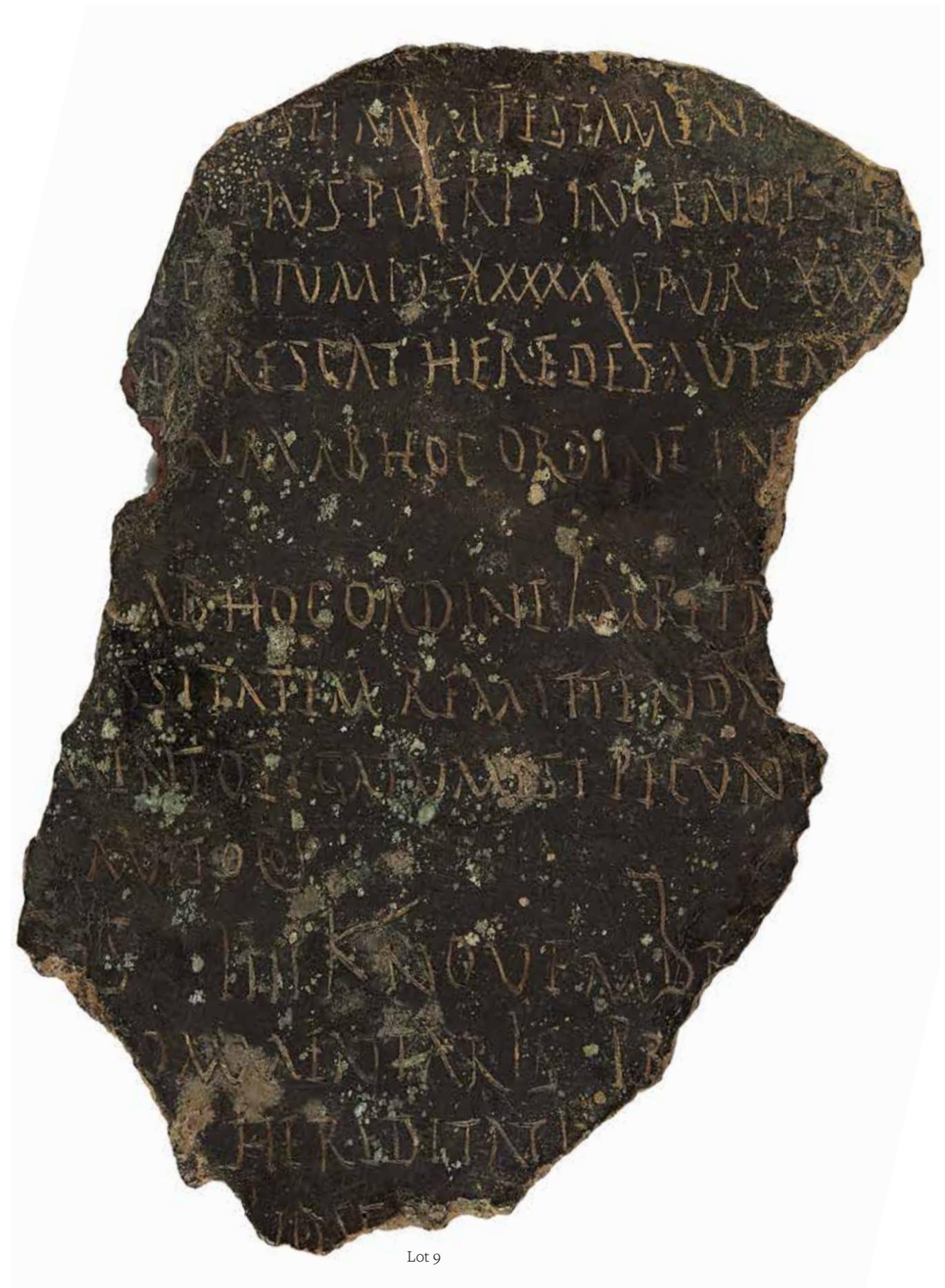
E.A. Hemelrijk, *Hidden Lives, Public Personae: Women and Civic Life in the Roman West*, 2015, p. 149.

C. Laes, *Children in the Roman Empire: Outsiders Within*, 2006, p. 280.

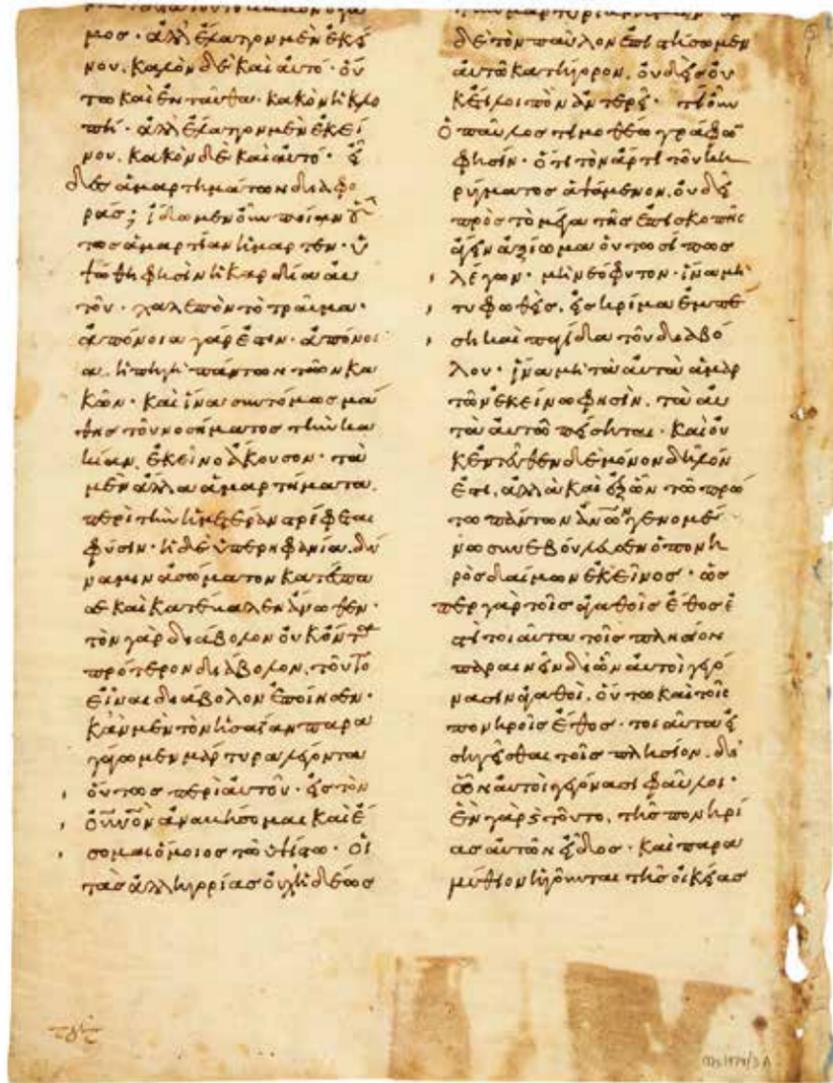
£7,000-9,000



“[RE]DIT]V EIVS PVERIS INGENVIS LE[GITVMIS]”



Lot 9



Lot 10

10 θ Two leaves with a homily discussing adultery and citing a patristic text, in Greek, decorated manuscript on parchment [Greece (perhaps Constantinople), eleventh century]

Two leaves, each with double column of 30 lines in a fine Greek minuscule, each leaf complete apart from trimmed at head with losses of uppermost line or so, stains from reuse in a later binding (that on second leaf with damage to two thirds of text), overall fair condition and on fine and heavy parchment, 320 by 240mm.; in cloth-covered binding

Provenance:

1. Written in Greece in the eleventh century, and by the seventeenth- or eighteenth-century in Italy and reused on bindings: inscriptions of “282” and “E” in Italian hand of that date.
2. Sotheby’s, 5 December 1994, lot 50 (part).
3. Schøyen Collection, London and Oslo, their MS 1979/3, acquired in Sotheby’s.

Text: From a large format homiliary. The script here is an excellent example of medieval Greek minuscule, which was developed as a book hand in the ninth and tenth centuries as a less formal and quicker to write form of uncials, with many ligatures. The hand here is close to that of 14 leaves of homilies by Gregory of Nazianus and John Chrysostom offered in Quaritch, cat. 1270, *Bookhands of the Middle Ages IV*, 2000, no. 59.

£3,000-5,000

11 † Psalter, in Sahidic dialect of Coptic, in Coptic Uncials, manuscript on parchment [Upper Egypt (probably the White Monastery, Sohag), first half of fifth century]

Single leaf with a stub from its sister leaf on the other half of the bifolium, with remains of a single column of 27 lines of elegant Coptic Uncials set on unusually long lines, text partly indented ‘per cola et commata’, losses to upper and outermost edges (with damage to a few lines of text at head), stains in places, set in modern conservation paper, 200 by 160mm.

Provenance:

1. Most probably produced for use in the White Monastery (or the Monastery of St. Shenouda), Deir el-Abiad, near Sohag, Egypt, a Coptic Orthodox monastery near the Upper Egyptian city of Sohag. It was founded by St. Pigol in 442, and grew substantially in importance after his nephew St. Shenouda the Archimandrite (d. 466) took over in 385. He was a gifted administrator and during his abbacy the monastery grew in size from 30 monks to 2200 monks and 1800 nuns. He was also a prolific writer, and launched a literacy campaign within the monastery, producing a large library and establishing the house as perhaps the most important in the Coptic Church. When the first European visitors reached the monastery, the library was housed in a room to the north of the central apse called the ‘Secret Chamber’, which could be entered only through a hidden passage. It seems likely that the first such visitor allowed into the library was J. Maspero, who arrived in 1883 and who documented his visit (as well as his acquisitions there) in 1897 (*Fragments de manuscrits Coptes-Thébains*, *Mémoires publiés par les membres de la mission archéologique française*, 6). Others followed, and so many leaves flooded out of the monastery that when Canon Oldfield visited in 1903 the ‘Secret Chamber’ was completely empty (W.E. Crum, ‘Inscriptions from Shenoute’s Monastery’, *Journal of Theological Studies*, 5, 1904). Some were no doubt legitimately bought from the monks, and the British Museum acquired a large collection through their agent Wallace Budge, and the BnF. obtained a vast hoard of 4000 leaves through Maspero and an antiquities dealer named Freney. However, records exist of more nefarious acquisition methods, including that of Charles Wilbour who came to the region in 1890 on a buying trip for the Brooklyn Museum, and reports that “Mr. Freney told us Abbé Amélineau tried to burgle the White Monastery ... after drugging the monks” (*Travels in Egypt*, 1936, p. 561). The modern scholars Tito Orlandi and Alin Suciuc have further suggested that some of the monastery’s codices were more systematically dispersed as part of the suppression of Christianity in the region.
2. Maurice Nahman (1868-1948), French collector-dealer, and Head Cashier at the Crédit Foncier d’Egypte in Cairo, who used this position to establish himself as the foremost antiquity dealer of Cairo in the 1920s and 1930s in his exquisite Arab-style home there. He was visited there by egyptologists and institutional collectors such as Howard
3. Re-emerging in Sotheby’s, 5 December 1995, lot 28.
4. Schøyen Collection, London and Oslo, their MS 114/25, acquired in Sotheby’s.



Lot 11

Carter and Lord Carnavon (presumably during their excavation of the tomb of Tutankhamun), as well as Hollywood actresses such as Ruth Selwyn and celebrities such as Henry E. Ringling of circus fame. A sale of part of his collection was held by Christie’s, London, on 2 March 1937. After his death his son kept the business going until 1953, and then the remaining stock was offered in Hotel Drouot, Paris, in 26-27 February and 5 June 1953, with the remainder apparently passing to Erik von Scherling.

Text and script: From an early Coptic Psalter, and containing Psalms 77:25-34 in the Sahidic dialect of Upper Egypt, translated in the third or even late second century (see E.A. Wallis Budge, *The Earliest Known Coptic Psalter*, 1898, and P. Nagel, ‘Der sahidische Psalter’, *Der Septuaginta-Psalter*, ed. Aejmelaes and Quast, 2000, pp.82-96).

The script here is a fine Coptic Uncial, derived from Greek Uncial, and showing its ultimate debt to Ancient epigraphic letterforms in its monumental and rounded majuscules and absence of spacing between words.

Published: Online as TM/LDAB 828617

£8,000-12,000

12 θ

Breviary, in Syriac, decorated manuscript on parchment [Near East (probably Syria), twelfth century]

Single leaf, with double column of 30 lines in Syriac estrangela book script, rubrics in red, major sections separated by decorative red and brown flowerheads torn at inner edge with only slight damage to text, stains at edges, 310 by 220mm.; in cloth-covered binding

Provenance:

1. Erik von Scherling (1907-1956) of Leiden, dealer (on him see lot 6 above); most probably acquired during his manuscript collecting trip to the Near East in 1935-1936.
2. Maggs Bros., London, and among the clutter of material left by von Scherling on his sudden and untimely death in 1956.
3. Sotheby's 18 June 1991, part of lot 67, sold to private UK collector, and thence to Sam Fogg, London.
4. Schøyen Collection, Oslo and London, their MS 1370/2, acquired from Fogg in June 1991.

Text:

Syriac has been a written language since the first century AD., and draws its letter forms from Aramaic. Estrangela is its oldest and most formal script, and the use of this here rather than the less formal and flowing Serta script (that used from the eighth century onwards) denotes the respect shown to the text and grandeur of the original parent codex. Parts of the New Testament were translated into Syriac in the second century, and are among the earliest known Biblical translations, and the whole Bible had been translated into Syriac as early as the fifth century.

£4,000-6,000



Lot 12

13 †
Hebrew Bible, Amos 5:7-11, manuscript on parchment [Oriental (Near East), tenth or eleventh century]

Single large square leaf, with three columns of 22 lines of large square script with nikkud, Masora magna above text and Masorah parva below text, small Masorah inserted between the columns, small stains and tears to edges, else excellent condition and on fine and heavy parchment, 395 by 350mm.

Provenance:

1. Most probably from the famous Cairo Genizah, the repository of the Jewish community located in the Ben Ezra Synagogue of Fustat (established in 882 AD.). This storehouse of obsolete books fell into disuse and was forgotten until renovations to the building in 1891 opened the hoard and released some leaves onto the antiquities market. The linguist Archibald Sayce was in Cairo in 1892, and records that the Genizah was being dispersed leaf-by-leaf to dealers and collectors. Sayce repeatedly attempted to acquire the entire collection for the Bodleian, but the negotiations fell through, and he left Cairo blaming the constant inebriation of the local officials for the failure of his attempt. Subsequently, a leaf from the long-lost Hebrew version of Ecclesiasticus found its way via the redoubtable twins and early Bible hunters, Agnes Lewis and Margaret Gibson, to the Cambridge scholar Solomon Schechter. He mounted a rescue mission and acquired the remaining 140,000 fragments for Cambridge University. The discovery captivated public imagination in Europe in a way comparable only to the opening of Tutankhamen's tomb in 1922. For half a century, until the discovery of the Dead Sea Scrolls, these were the oldest Hebrew manuscripts known.

2. Schøyen Collection, Oslo and London, their MS 1630: acquired from Quaritch, November 1992. A sister leaf with Amos 7:11-9:8 was sold in the Schøyen sale at Sotheby's on 10 July 2012, lot 12, for £42,000, and another in our rooms with parts of Zechariah and Malachi, 10 July 2018, lot 6 for £37,500.

Text:

This is a noble relic of one of the earliest surviving codices of the Hebrew Bible. Its text is set in three columns and it is nearly square, the oldest extant codex format, echoing early papyrus codices, and perhaps fixed in this format from the cutting up of Ancient scrolls and binding them together down one edge. The earliest surviving Hebrew biblical books date to the ninth or tenth century, such as the surviving parts of the Aleppo Codex (c. 920, now Jerusalem, Shrine of the Book), the Damascus Pentateuch (c. 1000; also Jerusalem, Hebrew University), the St. Petersburg Codex (dated 1008/09, now National Library of Russia, MS.B19a), British Library, Or. 4445 (Pentateuch only, tenth-century), and the near complete ninth- or tenth-century codex, ex D.S. Sassoon, sold in Sotheby's, 5 December 1989, lot 69, for £2,035,000. These are the fundamental witnesses to the format of the text as selected by the Masoretic scholar, Aaron Ben-Asher (d. c. 960), in Tiberias, modern Palestine. The resulting text was accepted by Maimonides as the most accurate, and remains in use today.

The late Professor Chimen Abramsky assigned the script of this leaf to the scribe of the tenth-century British Library, Or. 4445, and the lack of a eulogistic acronym for Aaron Ben-Asher in that manuscript has been taken as an indication that Ben-Asher was alive at the time it was written. Moreover, Kahle has suggested that Or. 4445 was the work of Ben-Asher himself in the early period of his work on the text (*The Cairo Genizah*, 1959, pp.117-18), placing the scribe of this leaf within the circle of Ben-Asher himself, at one of the formative stages of the Hebrew Bible.

£30,000-50,000



Lot 13



Lot 14

14
 Cuttings from a Hebrew Bible, with parts of Kings, Chronicles, and Isaiah, all with the commentary of Rashi and parts of the Haftoroth, manuscript in remarkably fine Azhkenazi script on parchment [Germany, twelfth or thirteenth century]

Four leaves and two fragments (making up three bifolia) from a codex, with single column of 25 lines of a fine and pointed square Hebrew book hand, glossed in tiny Hebrew cursive hand in elegant designs and shapes in the margins, recovered from a binding and hence with some damage, but overall good condition, each leaf 200 by 170mm.; set in glass within folding case

Provenance:

1. Quaritch cat. 1147, *Bookhands of the Middle Ages* V, 1991, no. 122.
2. Schøyen Collection, Oslo and London, their MS 1631, acquired from Quaritch in November 1992.



Lot 14

Text:

It is often noted that the Hebrew Bible, prohibited from decoration, pushes its copyists' efforts towards the heights of refinement of its script, but even among its peers the parent codex of these leaves was a thing of great precision and delicate beauty. The tiny script set within charming shapes in the margins is small enough to qualify as micrographic script, and one wonders if the miniaturisation of university scripts and the distribution of mass-produced glossed university texts throughout thirteenth-century Europe influenced the scribe here.

£7,000-9,000

15 θ

Substantial fragment from two closely related codices of the Hebrew Bible, with the short weekly readings from 2 Kings and the Major and Minor Prophets, in Hebrew, manuscript on parchment [Near East (most probably Egypt or Palestine), eleventh century, or just perhaps early twelfth century]

24 leaves, each with single column of approximately 13 lines in Hebrew square script, with nikkud, headings in larger version of same script or in calligraphic flourishes in margin, some more modern (probably early twentieth-century) pencil marks, scuffs and slight damage to edges of leaves, else good condition, first 4 leaves full size: 185 by 130mm., and remaining leaves with upper and lower margins slightly trimmed, thus: 170 by 130mm.; cloth-covered card binding (one gathering bound upside down)

A SUBSTANTIAL FRAGMENT OF A REMARKABLY EARLY HEBREW BIBLE WITH A PROVENANCE THAT DEFINITELY STRETCHES BACK TO THE CELEBRATED CAIRO GENIZAH; AND PERHAPS A HITHERTO UNRECOGNISED PART OF A SISTER CODEX TO THAT SOLD IN OUR ROOMS ON 6 JULY 2016

Provenance:

1. Most probably written for use by the Jewish community of Fustat, Cairo, in either the eleventh or early twelfth century. Owel David pronounced the bifolium once in the Sassoon collection as definitely from the Cairo Genizah and “not later than the 11th century” (*Descriptive Catalogue of the Hebrew and Samaritan Manuscripts in the Sassoon Library*, 1932, I, pp. 27-28; it had been acquired by Sassoon in Egypt in 1922).
2. Thereafter most probably entering the famous Cairo Genizah, the repository of the Jewish community located in the Ben Ezra Synagogue of Fustat (on this see lot 14), and among the leaves that spilled out onto the market after the discovery of the hoard at the end of the nineteenth century until Solomon Schechter secured the bulk of it for Cambridge University. The discovery captivated public imagination in Europe in a way comparable only to the opening of Tutankhamen’s tomb in 1922. For half a century, until the discovery of the Dead Sea Scrolls, these were the oldest Hebrew manuscripts known.
3. Schøyen Collection, Oslo and London, their MS 2083/1, acquired piece by piece in Sotheby’s, 5 December 1995, lot 27; 18 June 1996, lot 41; and again 2 December 1997, lot 86. A further bifolium with readings from the Psalms, and with its borders trimmed away, was in the 5th sale of the collection of David Solomon Sassoon (1880-1942) at Sotheby’s, 21 June 1994, lot 1 (part 9 of a composite bound manuscript [Sassoon MS 566], and now Schøyen MS 1858/9, and thus remaining with that sammelband).



Lot 15



Lot 15

Text:
 From a remarkably early and important Hebrew Biblical codex, used for ritual weekly readings. If this fragmentary codex dates to the eleventh century then it is among the very earliest witnesses to the Hebrew Bible. If instead it is of the twelfth century then it is a direct contemporary of Maimonides (born 1135 Spain, moved to Fustat in 1168, dying there in 1204), and certainly the codex was there when he was head of the Jewish community in Fustat, working on the *Mishneh Torah*. It seems very likely that he saw, and perhaps even used, these leaves.

Another fragment of 127 leaves from a contemporary Hebrew Bible also from Egypt, was sold in our rooms on 6 July 2016 (lot 45, realising £86,800). That was tentatively attributed to the Cairo Genizah and of near identical measurements to the present leaves. The hands of these two sections of small codices are distinct, but extremely close, and crucially the texts do not overlap. Moreover, at least two scribes were involved in the production of the present leaves. Thus, these leaves and those sold in 2016 may well be sections of a large series of volumes once used in Fustat, and divided up after the discovery of the Genizah there. If so, the present leaves are of great importance to the whole in securely locating them in the Cairo Genizah, and it should be noted that those sold in 2016 were of significant textual importance, containing a textual tradition otherwise known from only one Yemenite sixteenth-century codex.

The leaves here contain readings from: 2 Kings 5:18-20; Ezekiel 22:1-5; Hosea 2:5-15; Joshua 2:16-24; Judges 11:2-12; Micah 5:10-6:8; 1 Samuel 1:20-2:12; 3:19-20; 1 Kings 7:44-51; Isaiah 43:21; 43:27; 2 Kings 7:1-14; Zechariah 2:16-17; 3:1-10; 14:4-14; Joshua 2:14-24; Micah 5:11-14; 6:1-8; 1 Kings 18:46; 19:1-21; Jeremiah 1:1-19; 2:4-9; Isaiah 1:1-27; 1 Samuel 1:2-15; Jeremiah 2:4-19; 9:22; 30:4-22; and Isaiah 1:1.

£40,000-60,000

16
 Yačaxapatoum čark, an extremely early sermon collection, in Armenian, manuscript on parchment [Greater Armenia, twelfth century]

Six leaves, with double column of 21-23 lines in two sizes and styles of Armenian Uncial (*erkat'agir*: 'iron writing'), two areas of erasure, one leaf darkened and damaged at one corner, other darkened at outer edges, some cockling and a few losses there, else fair condition, 275 by 210mm.; in black-cloth covered case

Provenance:
 1. Bernard Rosenthal (1920-2017), of San Francisco, California.

2. Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 90.

3. Schøyen Collection, Oslo and London, their MS 726, acquired from Quaritch in March 1991.

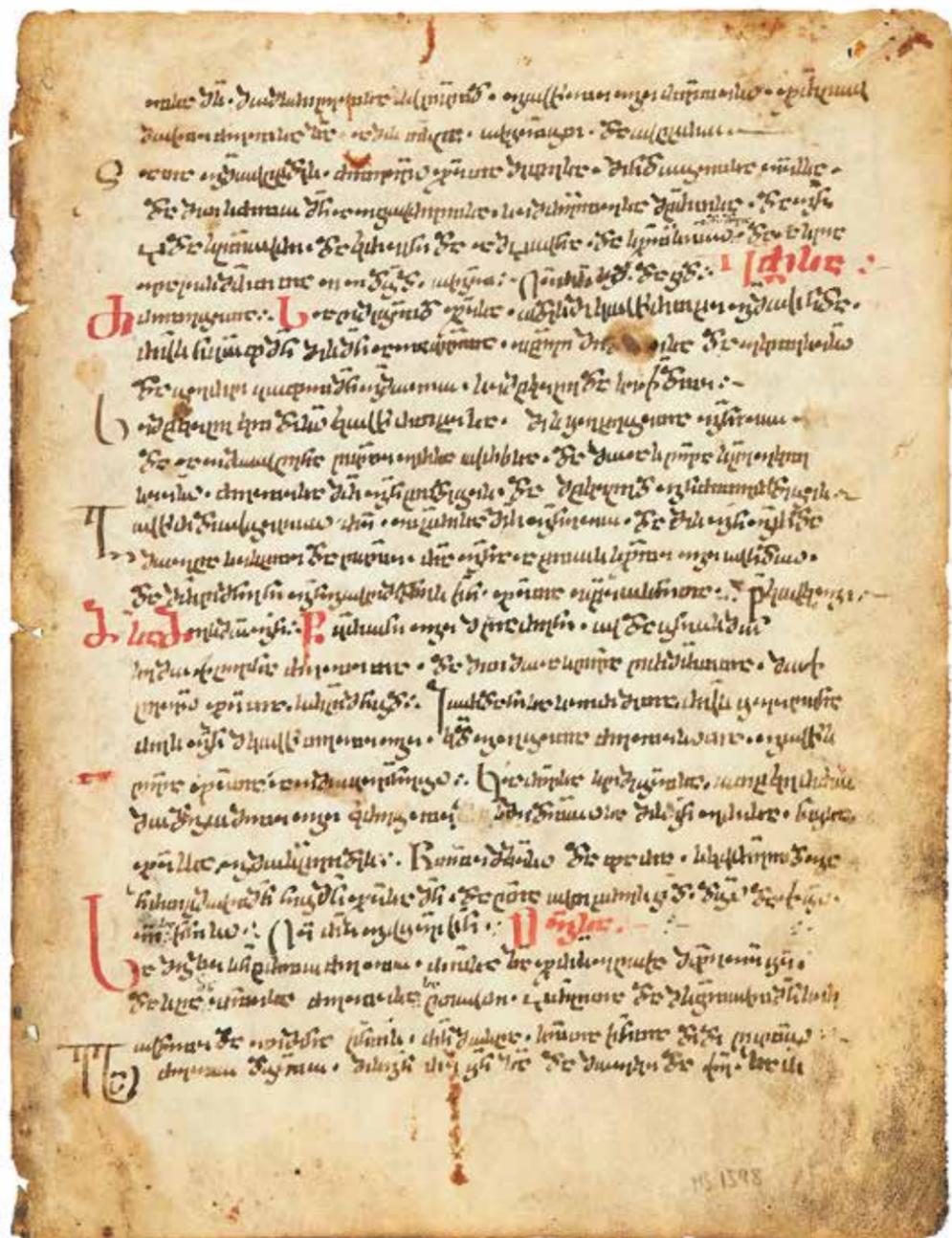
Text and script:
 Armenian is an important script for the history of Christianity. At the beginning of the fourth century Armenia became the first nation to adopt Christianity officially (reportedly under the leadership of a proposed author of the sermons here: see below), and the first text translated into the language in a written form was the Bible. The earliest writings are in the proud uncial forms found here, doubtless influenced as much by the Greek Uncials of the codices they translated from as much as from earlier Armenian inscriptions. However, in Armenian Uncial script, despite its laboriousness to write, remained in use far longer than in Byzantium or the medieval West, and was the only script used for the language until the mid-twelfth century.

These sermons have been traditionally ascribed to St. Gregory the Illuminator (c. 257-c. 331), who is identified as the figure who converted Armenia in 301 and was the first official head of the Armenian Apostolic Church, or alternatively the fifth-century saint, Mesrob. Moreover, modern scholarship has suggested yet another candidate in the fifth-century author Agat'angeghos. St. Gregory is the preferred candidate, and thus it should be noted that these sermons were perhaps composed at the dawn of Armenian Christianity, within three decades of the conversion of that people, and within a handful of years of the translation of the Bible into that language. The original collection comprised twenty-three sermons, and the present manuscript begins with part of the table of contents that opens ch. 14, followed by a third of the first sermon and approximately a half of the second.

£5,000-7,000



Lot 16



Lot 17

17 θ
 Canon of Odes 3-7,
 celebrating the appearance
 of the Cross in the sky over
 Mount Golgotha in the reign
 of Emperor Constantius,
 son of Constantine the
 Great, in Middle Georgian,
 in nuskuri script, manuscript
 on parchment [Georgia,
 thirteenth or fourteenth
 century]

Single leaf, with 28 lines in a
 formal nuskuri hand influenced
 by cursive letterforms, red rubrics,
 small initials in alternate red and
 black (set in margins), small spots
 and darkening to edges, else good
 condition, 200 by 150mm.; in
 cloth-covered card binding (with
 copy of report by Prof. Emeritus J.
 Neville Birdsall, dated 1992)

Provenance:
 Schøyen Collection, Oslo and
 London, their MS 1598, acquired
 from Sam Fogg, London, in July
 1992.

Text:
 Georgian is the principal
 surviving example of the South
 Caucasian language group,
 completely unrelated to the
 Indo-European languages of
 Europe. It has a rich heritage,
 and was first mentioned as
 a spoken language by the
 Roman grammarian Marcus
 Cornelius Fronto in the second
 century AD., who noted its
 incomprehensibility. The script

used to commit it to writing is derived from Greek. It was one of the earliest languages into which the Bible was translated, with the Gospels, the Epistles of Paul and the Psalms certainly existing in Old Georgian by the second half of the fifth century.

The vast majority of medieval manuscripts in Georgian are in libraries in Tbilisi and Kutaisi in Georgia itself, with a handful found in St. Petersburg and Moscow, the Greek patriarchate in Jerusalem, St. Catherine's on Mount Sinai, and Yerevan, Armenia.

£3,000-5,000

The Early Middle Ages and the Carolingian Renaissance

This section deals with two of the scripts local to individual regions of Europe that developed from Roman formal and cursive hands in the centuries after the fall of the Roman Empire, as well as the script-revolution that occurred on the coming to power of Charlemagne in the last decades of the eighth century, and his fostering of Christianity through education and a unified standard of books and learning. This required a new script, easily intelligible to all, and in Tours under his scholar Alcuin, Carolingian minuscule was born. From there, it rapidly swept across Europe, most probably carried by the Bible and other liturgical books (see lots 25-28), replacing nearly all other hands within a generation or so.

Here we open with a remarkable example of a so-called Dark Age or Early Middle Age 'local' script, a copy of Bede's homilies in an excellent Anglo-Saxon minuscule probably written in a French Continental centre in the first quarter of the ninth century (lot 18). Following this we include some five examples of Beneventan minuscule (lots 19-24), the house script of the Abbey of Montecassino and its dependent communities, one of the few scripts which stubbornly refused to be rooted out by Carolingian minuscule; these showing its development from the early Middle Ages through to the fourteenth century, and almost its last appearance.

Several examples of Carolingian minuscule follow, including a bifolium from a Pandect (lot 27), almost certainly copied from one of the Tours Bibles sent out on Charlemagne's instructions across Europe, cuttings from a bifolium of Bede's Commentary on Luke (lot 26), a hitherto unidentified fragment of a text of fundamental importance for the history of monasticism in the West (lot 25), a small codex including poetry attributed to Alcuin himself (lot 28), echoing Vergil and having the honour of being the first debate poem known from the medieval West. This small codex has a previously overlooked early ownership inscription, which it is hoped will significantly add to the history of the volume with fuller study. Examples of elegant initials follow, one probably from the Abbey of Bobbio in northern Italy and perhaps from a book recorded in their tenth-century library catalogue (lot 29).

Bede, Homilies, in Latin, cuttings from a manuscript in a fine Anglo-Saxon minuscule on parchment [most probably north-eastern France (perhaps Arras), first quarter of the ninth century]

Large fragment of a single leaf bisected laterally into two equal halves, remains of double column of 25 lines in a pointed Anglo-Saxon minuscule, with an open 'g' with a zig-zagging tail, an oversized 'e', uncial style 'd', an 'r' descending below the line and both pointed and 'oc' forms of 'a' (for the same features cf. the contemporary hands of Basel, UB F III 15a and Kassel, 20 Ms. theol. 25: reproduced in *Fuldische Handschriften aus Hessen*, 1994, nos. 19 and 29), containing parts of book 2, homily 7, of the text, areas partly painted blue-green and tooled with fillet on outside and traces of red staining inside (probably from reuse around in north-European binding around outer board edges of a later book), together 180 by 180mm.; set individually in glass and within fitted case

THESE ARE SUBSTANTIAL CUTTINGS FROM A COPY OF A WORK BY BEDE, THE FOREMOST ANGLO-SAXON AUTHOR, HERE IN ANGLO-SAXON MINUSCULE, COPIED ON THE CONTINENT IN A HOUSE UNDER ENGLISH INFLUENCE OR BY A VISITING ENGLISH SCRIBE

Provenance:

1. Written for use in a Continental scriptorium, perhaps by an English scribe, in the first quarter of the ninth century. In 1994 the script was identified by Prof. G. Schrimpf, Herrad Spilling and Wesley M. Stevens of the Theological Faculty of Fulda as from a centre in north-east France.
2. Private American collection, dispersed by Quaritch in 1993.
3. Schøyen Collection, London and Oslo, their MS 1654; acquired from Quaritch.

Text and scriptorium:

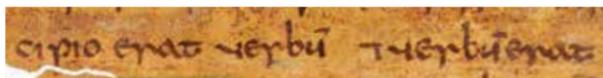
The use of Anglo-Saxon script in Continental Europe during the close of the Early Middle Ages is a testament to the influence of English missionaries there in the eighth century. At the close of the seventh century, Egberht of Ripon inherited the proselytising ambitions of the Irish and sent monks to convert Frisia, followed by the missions of SS. Wihtberht, Willibrord and Boniface, each of whom founded monasteries and established connections to early Anglo-Saxon England. Soon after the death of Bede in 735, his scriptorium in Wearmouth-Jarrow was supplying copies of crucial Christian texts to communities there, and annotations to the celebrated Moore Bede reveal that it was in France perhaps as early as the reign of Charlemagne. Bischoff studied the Continental houses producing Anglo-Saxon script, with the majority in German scriptoria and only a handful in France (B. Bischoff, *Mittelalterliche Studien*, III, 1981, pp. 5-38), but the influence of these Anglo-Saxon hands and scribes did not widely survive the script reforms of the early Carolingian era, and by the early ninth century the practise was kept on only in the larger German centres such as Lorsch, Echternach and St Gall, and “[f]rom 820 on, Fulda is the only stronghold of Anglo-Saxon script in Germany” (B. Bischoff, *Latin Palaeography*, 1990, p. 94). If the identification of the present cuttings as French in origin is correct, then these would be a remarkable witness to the survival of the script in at least one house in France in the early ninth century.

No surviving manuscript of the text definitively predates this witness to the text, and it is one of only nine recorded manuscripts of the ninth century. Of these, two are connected to Arras in north eastern France (Arras, Bibliothèque municipale, 739 [olim 333], & Boulogne-sur-mer, Bibliothèque municipale, 75 [83], both of the second quarter of the ninth century), with further French examples in nearby Cambrai (Bibliothèque municipale, 365), and much further afield near the German and Austrian borders in Lyons, Bibliothèque municipale, 473. This suggests that a house in the north eastern corner of France may have been behind the earliest distribution of the text there, and lends weight to the palaeographical suggestion that a scriptorium there was the origin of this fragment. The choice of text and script makes it likely that the scribe of our manuscript was working from an exemplar sent from England, and may himself have been a monk visiting from there.

Published:

K. Gugel, *Welche erhaltenen mittelalterlichen Handschriften dürfen der Bibliothek des Klosters Fulda zugerechnet werden? Teil II: Die Fragmente aus Handschriften*, Fuldaer Hochschulschriften 23a-b, Frankfurt, 1995-1996, pp. 51-52 (as “Fulda?” and based on description made before the work of Schrimpf, Spilling and Stevens).

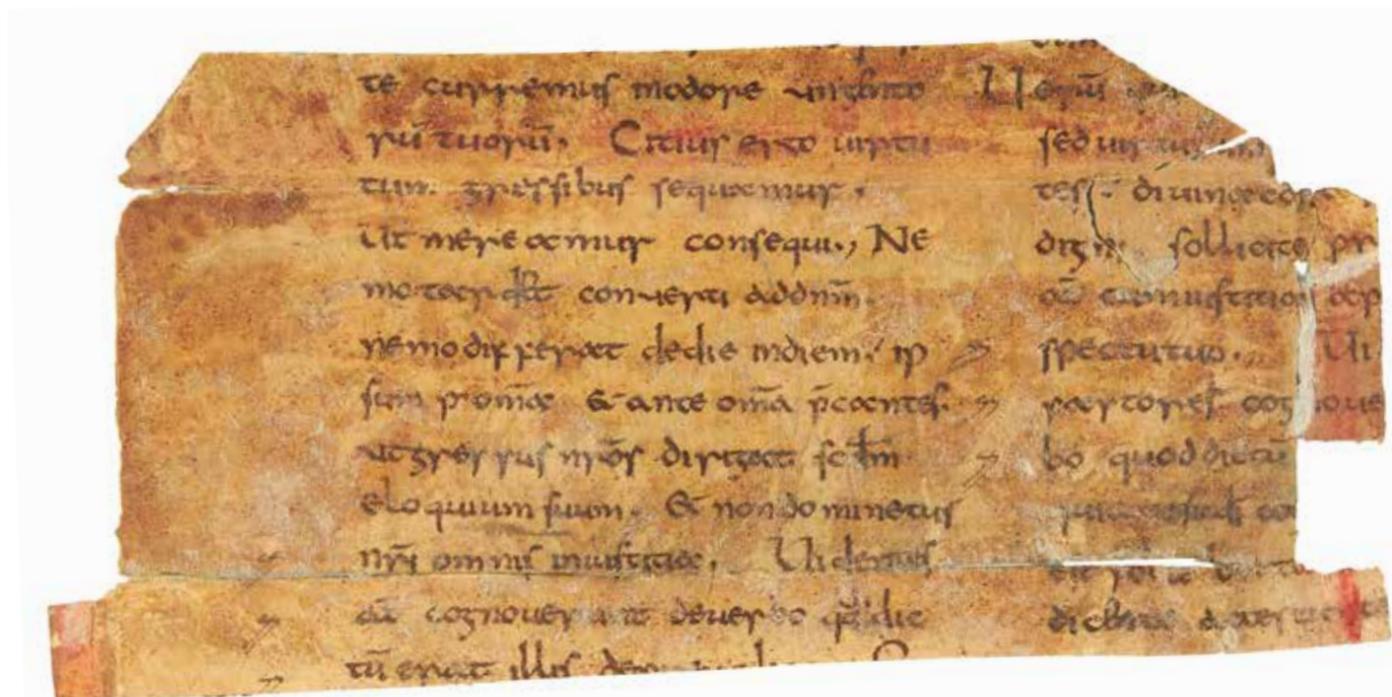
£20,000-30,000



“[In prin]cipio erat verbum et verbum erat”



Lot 18



19 0

Gregory the Great, *Moralia in Job*, in Latin, large cutting from a manuscript on parchment, surviving in situ on the binding of a printed copy of *Introductionis ad artem Rhetoricam, Libri II, ex Cicerone potissimum de propti et ad usum puerorum usum accommodati* (Perugia: Vincentius Columbarius, 1596) [Southern Italy (most probably Apulia), first half or mid-eleventh century]

Cutting from a leaf with double column of 29 lines in a rounded and proud Beneventan minuscule, initials in larger capitals in same pen, some holes and scuffs concomitant with reuse in binding (with some small affects to text on spine and one board), upper margin surviving with medieval book number 'L[iber]' and 'XXXI' (the text here is XXXI, 45:89-91) and notes on moral contents (both of these perhaps thirteenth century), one hole strengthened on inside with very small cutting of contemporary Italian manuscript, overall fair and presentable condition, in total 310 by 270mm.; in fitted case

Provenance:

1. Written for use in a southern Italian centre under the influence of Montecassino, most probably in Apulia, in the eleventh century, and still in active use there in the thirteenth century. At the close of the Middle Ages the parent volume had been set aside (perhaps due to the strange eccentricities of the script) and was cut up for reuse as binding material.

2. Schøyen Collection, London and Oslo, their MS 1587, acquired Maggs Bros., London, in June 1992.

Script:

Beneventan minuscule is perhaps the most well-known of the Early Middle Age 'local' scripts, and to some extent this is because it was not swept away like its peers by the Carolingian script reforms of the late eighth and ninth centuries. In fact, most examples postdate that event, and it thrived throughout the tenth, eleventh, twelfth and thirteenth centuries in Monte Cassino and other Italian centre southwards to Naples, Salerno and Bari and eastwards to Abruzzi and across the sea to Dalmatia. Although Lowe thought it ended in the thirteenth century (*The Beneventan Script*, 1914, p. 41), Brown has traced a handful of later fragments (one in lot 25 below), with its final use in Naples in the sixteenth century (in *Monastica. Scritti raccolti in memoria del XV centenario della nascita di S. Benedetto*, 1981).

It holds a particular place of honour in The Schøyen Collection due to the collector's long fascination with its swirling letterforms and broken penstrokes that give it an otherworldly appearance. He has bought almost every scrap, leaf and book that he has encountered in the last forty years, making the collection the largest private repository of examples of this script. It is to reflect the range of this material in the collection, that we offer five examples here, each reflecting a different aspect of the history of this enigmatic script.

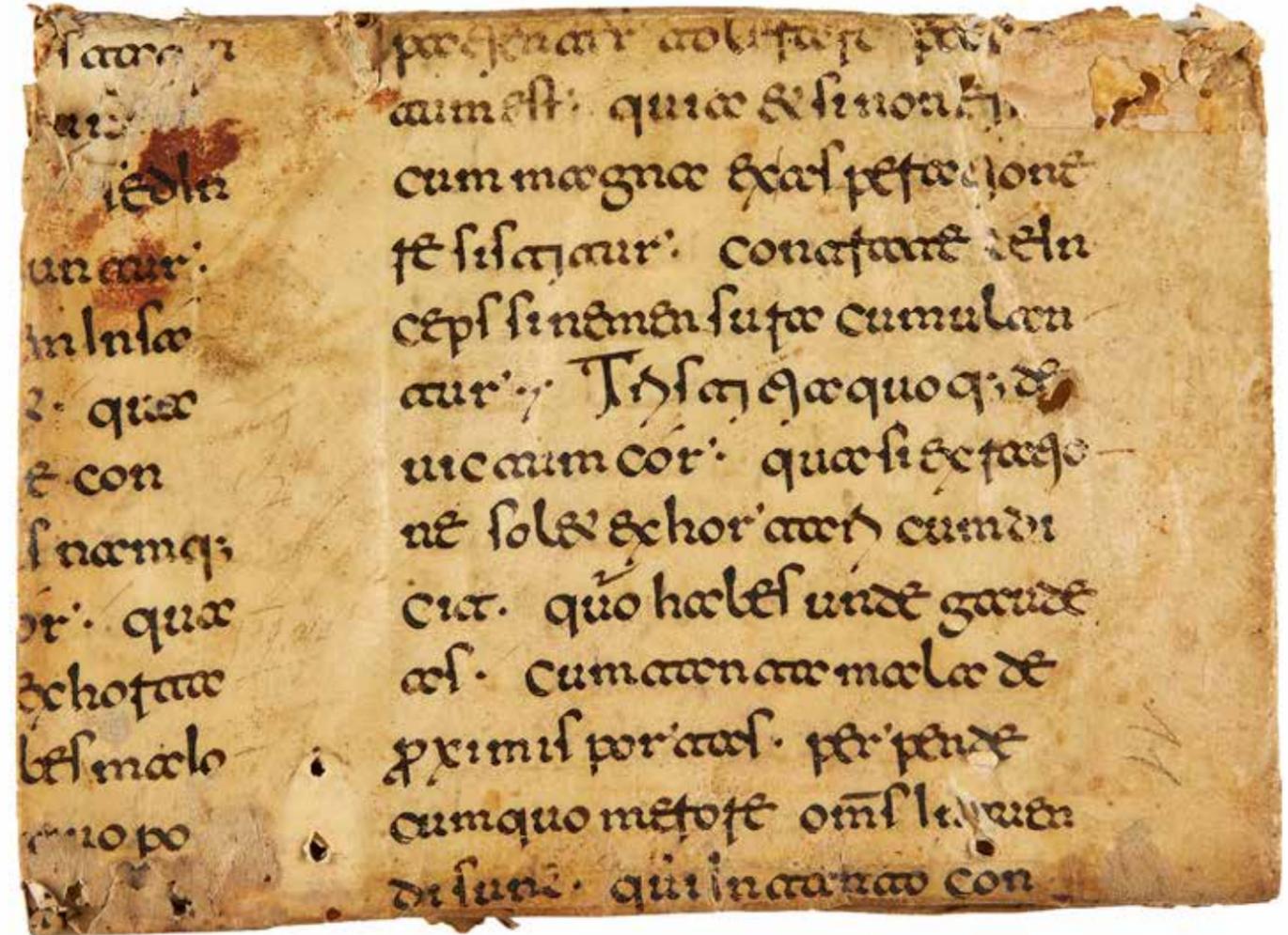
This leaf contains a fine and early example of the script, from the zenith of its maturity of palaeographical form.

Published:

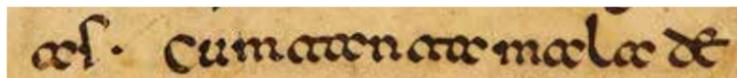
V. Brown, 'A Second New List of Beneventan Manuscripts (III)', *Mediaeval Studies*, 56 (1994), p. 317.

BMB. *Bibliografia dei manoscritti in scrittura beneventana*, 1994.

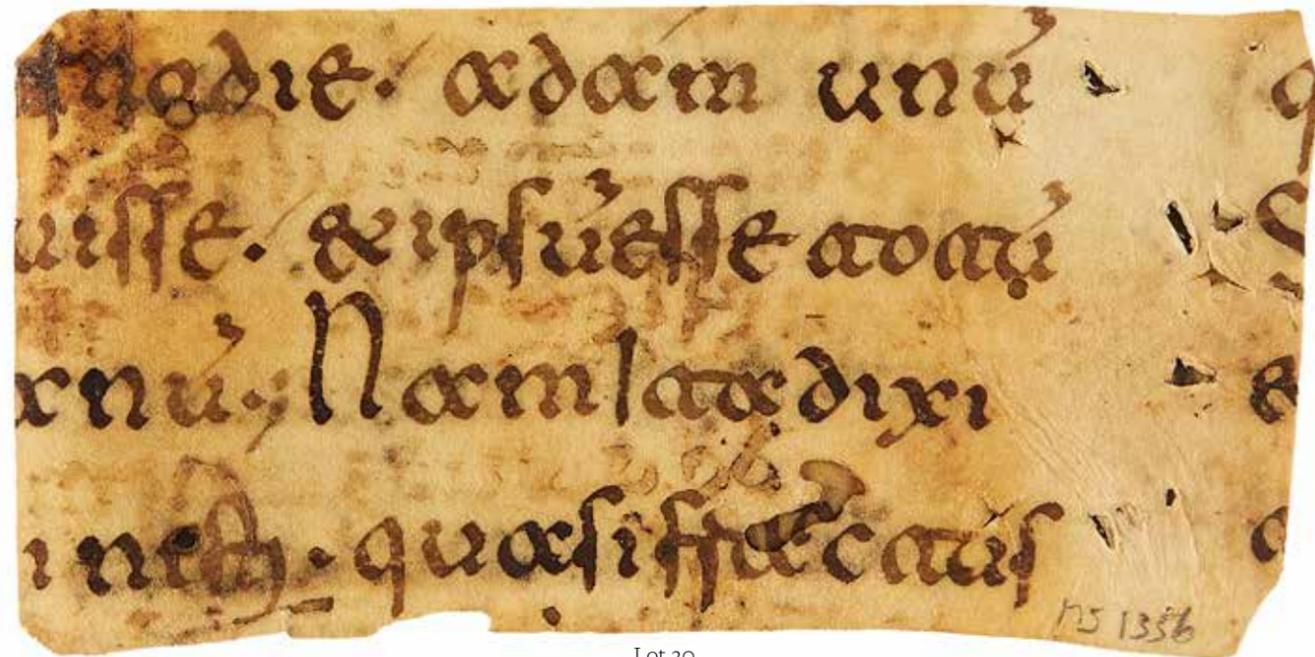
£3,000-5,000



Lot 19



"[gaude]as. Cum tanta mala de"



Lot 20

20 θ
Five small cuttings from Augustine, Tractatus in Johannem, 10:9-12, in Beneventan minuscule, in Latin, from a liturgical manuscript on parchment [Southern Italy, eleventh century]

Five rectangular cuttings, each with remains of double column of 5 lines of text in a fine Beneventan minuscule, recovered from reuse as spine supports of a later binding and with holes and damage to edges, overall in fair and presentable condition, each cutting approximately 40 by 80mm.; bound within individual sheets of paper in cloth-covered card binding

Provenance:

1. Written in southern Italy in a centre dependant on Montecassino in the eleventh century, and discarded and cut up for reuse in bindings at the close of the Middle Ages. They were evidently reused as spine supports on a series of volumes, which were later scattered widely; with other small cuttings from the same parent manuscript as Geneva, Comites Latentes, MS 224 (V. Brown, 'A Second New List of Beneventan Manuscripts (II)', *Mediaeval Studies*, 50, 1988, p. 599), and 272, and a private UK collection (Brown, 'A Second New List III', pp. 343 and 315).

2. Schøyen Collection, London and Oslo, their MS 1356, acquired in Sotheby's, 6 December 1993, part of lot 8, with a further fragment added later by gift.

Published:

V. Brown, 'A Second New List of Beneventan Manuscripts (III)', *Mediaeval Studies*, 56 (1994), p. 317.
BMB. *Bibliografia dei manoscritti in scrittura beneventana*, 1994.

£300-500



Lot 21

21 θ
Three small cuttings from a single leaf from a portable Collectarium with the Offices for St. Bartholomew and the Decollation of St. John the Baptist, in Beneventan minuscule, in Latin, from a liturgical manuscript on parchment [southern central Italy (perhaps Sulmona), c. 1200]

Three fragments, with remains of a single column of 15 and 6 lines in a good and angular Abruzzi type Beneventan minuscule (from a double column manuscript), capitals edged in red, small initials in graceful red penstrokes touched with bright yellow wash, remains of bottom half of one large initial 'A' in coloured acanthus leaves, infilled with red, yellow and blue, all recovered from reuse in bindings and hence scuffed and stained, with folds and small tears and holes, repaired at edges with modern paper, the larger two 135 by 68mm. the smaller piece 65 by 40mm.; in cloth-covered card binding

Provenance:

Schøyen Collection, London and Oslo, their MS 1780; acquired in Sotheby's, 6 December 1993, lot 11, and 21 June 1994, lot 5 (part).

Text:

The parent volume of these cuttings was probably a *Collectarium*, containing psalms, litanies, prayers and hymns, the precursor of the modern breviary. They are uncommon survivals from the Middle Ages, even in fragmentary form.

Published:

V. Brown, 'A Second New List of Beneventan Manuscripts (III)', *Mediaeval Studies*, 56 (1994), pp. 318.
BMB. *Bibliografia dei manoscritti in scrittura beneventana*, 1994.

£400-600

Leaf from a vast Passional, with a large and finely decorated animal initial, manuscript in Latin, written in Beneventan minuscule on parchment [Southern Italy (probably Abruzzo), c. 1100]

Single enormous leaf, with double columns of 37 lines of a fine and regular Beneventan minuscule (with parts of the readings for the lives of SS. Praxedes and Symphorosa and her seven sons, and the Passion of St. Apollinaris), capitals touched in bright red, red rubrics in same script, one line of ornamental capitals in elaborate penwork with baubles suspended in the bodies of the letters and in the space between the letters, these touched in red and yellow, small red foliage initial with biting beast masks (this partly obscured by cockling), one large initial on reverse in green, red, yellow and pale blue geometric compartments and a circle with interlace foot an animal mask, another larger initial on obverse formed of yellow and red bands densely entwined in geometric knot at foot, terminating in acanthus leaves and two beast heads with gaping maws, another teal green beast entwined with geometric interlace at foot and a pale blue beast within the initial itself twisted around and biting its own body, recovered from a binding and hence with folds, tiny holes, scuffs and cockling overall, notably scuffed and darkened on reverse with damage to text and initial there, overall fair and presentable condition, 560 by 370mm.; in cloth-covered card binding

Provenance:

1. Probably from a house dependent on Montecassino, perhaps in Abruzzo. Brown notes that the leaf was reused at the close of the Middle Ages as a wrapper on an account book: it has sixteenth-century scrawls on extremities of outer side: "Assoluzioni 1548 ..." and "1576", and reports the description of the owner from 1992 that this account book was from a Benedictine convent in Penne, Abruzzo.

2. Paolo Francesco d'Aloisio of Herisau, Switzerland.

2. Christie's, 2 June 1999, lot 21.

3. Schøyen Collection, London and Oslo, their MS 2785, acquired in Christie's.

Script and decoration:

The script here is a proud and confident example of Beneventan minuscule, from a parent manuscript of monumental proportions. However, what sets this leaf apart from most of its peers is the size of the codex and quality of the animal initial. It is larger than any other manuscript in Lowe's survey, with the single exception of Vatican Library, Vat. lat.4222 (p. 288). The initial stands alongside the finest decorated Beneventan manuscripts to survive, with the long and thin coloured bars of acanthus leaves inhabited with strange creatures coloured with pale washes distinctive to the mature style of manuscript production there (cf. Quaritch, *Bookhands of the Middle Ages: Beneventan Script*, 1990, nos. 8, a Missal from late eleventh-century Puglia, later Christie's, Schøyen sale, 10 July 2019, lot 421, with sister leaves recorded there and in G. Freuler, *The McCarthy Collection: Italian and Byzantine Miniatures*, 2018, no. 1).

Published:

V. Brown, 'A Second New List of Beneventan Manuscripts (III)', *Mediaeval Studies*, LVI, 1994, p. 313.

F. Bianchi & A. Magi Spinetti, *Bibliografia dei manoscritti in scrittura Beneventana*, 1995, III:28 & 187.

£10,000-15,000



Lot 22



Lot 23

23 θ
 Gregory the Great, Homily on Luke 13:6, in Latin, in Beneventan minuscule, decorated manuscript on parchment [Southern Italy (probably Montecassino), thirteenth century]

Single leaf, with remains of double column of 25 lines in a skilled Monte Cassino-type Beneventan minuscule, capitals touched in red, red rubrics and simple red initials, recovered from a binding and with large section from upper outer corner of leaf lost through old water damage, somewhat darkened overall, other folds and holes, irregularly trimmed at top and bottom, part of late sixteenth- or seventeenth-century paper label ("Giornale del card' Bernardo Salviati 1562") overlaid to spine, leather thong at edge remaining from reuse as binding, overall fair and presentable, 400 by 280mm.; in white cloth-covered card binding

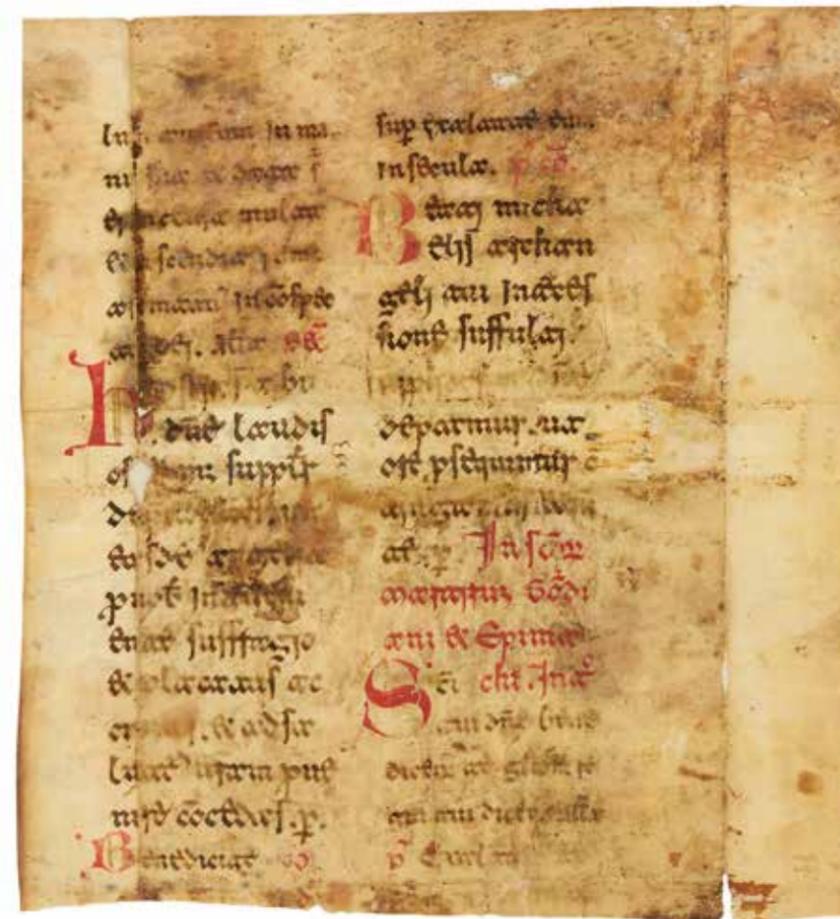
Provenance:

- Probably written for use in Montecassino itself, founded by St. Benedict of Nursia c. 529, and the site of the creation of both the Benedictine Order and Beneventan script.
- Cardinal Bernardo Salviati (1470/92-1568), son of Lucrezia de Medici, herself the daughter of Lorenzo de Medici. He was elevated to the cardinalate in 1561, and lived in Trastevere, Rome. This fragment was reused on the binding of a book of his, apparently his private manuscript journal, dated 1562.
- Bruce Ferrini, Akron, OH, and then Sam Fogg, cat. 16, *Text Manuscripts and Documents 2200BC to 1600AD*, 1995, no. 24.
- Schøyen Collection, London and Oslo, their MS 1919, acquired from Fogg.

Published:

V. Brown, 'A Second New List of Beneventan Manuscripts (IV)', *Mediaeval Studies*, 61 (1999), p. 366.
 BMB. *Bibliografia dei manoscritti in scrittura beneventana*, 1994.

£2,000-3,000



Lot 24

24 θ
 Leaf from a Missal, for the Sanctoral, with the Mass for the Feast of the Apparition of St. Michael (8 May) and for the Feasts of SS. Gordian and Epimachus, in notably late Beneventan minuscule, in Latin, from very large decorated manuscript on parchment [Southern Italy, fourteenth century]

Large fragment of a leaf, with double column with 19 lines of a large late Beneventan script, one line trimmed away at base, rubrics and initials in red, some capitals touched in yellow wash, reused as an account book wrapper with the date '1563' on what was the spine of that later volume, some folds, stains and spots, trimmed at foot, overall fair and presentable condition, each leaf 320 by 300mm.: in cloth covered card binding

Provenance:

- Quaritch cat. 1128, *Bookhands of the Middle Ages: Beneventan Script*, 1990, no. 25, bought en bloc with the entire catalogue by the present owner.
- Schøyen Collection, London and Oslo, their MS 70.

Script:

In this leaf we see Beneventan script in its final evolutionary phase. It is not quite the end of its use in Italy, but clear deviations from the earlier forms begin to make themselves known in some abbreviations (a horizontal line rising at its right-hand side for '-tur' instead of the local form in the shape of a '2' and the standard for 'eius' instead of the local 'ei' ligature with a tiny cross stroke, a feature Lowe noted as "a standing feature of Beneventan MSS from the end of the 9th to the beginning of the 14th century", for example), as well as the more Continental gothic initials.

Published:

V. Brown, 'A Second New List of Beneventan Manuscripts (II)', *Mediaeval Studies*, 50 (1988), p. 602, no. vii.
Répertoire des catalogues de manuscrits en écriture latine antérieurs à 1600, List no. 10, 1990, p. 8 no 42.
 BMB. *Bibliografia dei manoscritti in scrittura beneventana*, 1994.

£2,000-3,000

Athanasius of Alexandria, Life of St. Anthony the Great, in the Latin translation of Evagrius of Antioch, large cutting from a manuscript leaf on parchment [France, second half of the ninth century]

Cutting from the top half of a leaf, with remains of double columns of 20 lines in a fine and rounded Carolingian minuscule with et-ligature used integrally within words and a capital 'q' whose tail curves to the right presumably following Insular influence, remains of upper margin at head of cutting, some losses to edges of columns at sides and upper corners, recovered from a binding and hence darkened, scuffed and with damage, parchment slightly translucent in places, 150 by 240mm.; housed within Rendells' printed paper sleeve and within fitted cloth covered case

A HITHERTO UNIDENTIFIED EARLY-CAROLINGIAN WITNESS TO ONE OF THE FUNDAMENTAL TEXTS OF MEDIEVAL MONASTICISM

Provenance:

1. Written most probably for use in a monastery in Carolingian France in the second half of the ninth century; and later reused on the binding of a book.
2. Kenneth W. Rendell Gallery, cat. 146 (1979), no. 1.
3. Sotheby's, 17 December 1991, lot 2.
4. Schøyen Collection, London and Oslo, their MS 1541; acquired in Sotheby's.

Text and script:

With this lot we begin a short selection of manuscripts in Carolingian minuscule. It is fitting that this new script, so closely associated with the return of Christian study to Europe, should be used here for this work, which was of fundamental importance for the development of monasticism in Western Europe. It was composed in Greek by Athanasius of Alexandria (c. 296-373), himself one of the four great fathers of Eastern Christianity, while on his third exile from his episcopacy of Alexandria in the deserts of Upper Egypt. It is the most important source for the life of St. Anthony the Great (251-356), whose life is often thought of as the template for all future monastic callings. The work is thus both a study of a crucial figure for early Christianity, as well as a semi-autographical work of one of the earliest Church fathers to withdraw into a contemplative life in the wilderness. An early Latin translation prepared during the life of the author survives in a single manuscript, and this was superseded by that produced by Evagrius of Antioch in the aftermath of the author's death in 373. In this form it championed the spread of monasticism in the West, and was essential reading in every medieval monastic foundation. It was the subject of a new edition in the *Corpus Christianorum* series last year by P.H.E. Bertrand and Lois Gandt, and the present cutting contains parts of chapters 80-81 in that edition (chapters 50-51 in Migne, *Pat. Lat.* 73, cols. 162-3).

As Bertrand notes, approximately 400 manuscripts survive from the Middle Ages, but these are overwhelmingly from a boom of interest dating to the eleventh century and later when monastic foundations reached their peak in the Middle Ages. Only fourteen Carolingian witnesses survive, with only Bern, Burgerbibliothek 376 and Munich, Bayerische Staatsbibliothek, Clm 6393 (both of c. 800), certainly predating the present witness.

£4,000-6,000



Lot 25

Bede's commentary on Luke 8:4-12, with an unidentified commentary on 2 Corinthians 11:32-12:9, in Latin, manuscript on parchment [most probably Germany, third quarter of the ninth century]

Substantial parts of a large bifolium, cut through the middle horizontally to use on a later binding as board supports, with sections cut out of the two halves for the thongs at the spine, manuscript with remains of double column of 27 lines in a good rounded Carolingian minuscule with integral et-ligature within words, a notably long capital 'S' which sits with its midpoint on the baseline, and a distinctive 'r' with a long and undulating horizontal stroke, capitals in same pen, some offset, scuffs, splits and areas of discolouration, trimmed at base and outermost vertical edges with loss of a line or so or a few letters there, overall fair and presentable, overall 215 by 400mm.; set in glass in a large black fitted case, with copy of Quaritch cataloguing and letter from Prof. Bischoff concerning these fragments

Provenance:

1. In 1991 Prof. Bernhard Bischoff identified these fragments as from the third quarter of the ninth century, but could not identify the scriptorium from which they came. The hand is refined and the parent codex was certainly of some size, and so we might conclude it was a foundation of some importance.

2. Schøyen Collection, London and Oslo, their MS 1380, acquired from Quaritch, London, in June 1991.

Text:

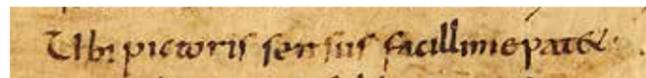
Despite its obvious losses due to reuse in a later binding, this is a large and handsome Carolingian fragment. The fact that both texts here offer readings for Sexagesima Sunday, strongly suggest that these fragments originate from a homiliary or similar service book arranged according to the church year.

Bede's commentary on Luke was commissioned by Bishop Acca of Hexham and composed between 706 and 716. While the twelfth-century book list of Whitby Abbey shows that copies once did exist in England, and a possible English fragment of c. 800 survives in Yale University, Beinecke Library, MS 441, like many of Bede's works the earliest extant witnesses are Continental: with twenty-three of the late eighth or ninth century (eight of those most probably German or Swiss in origin). With English missionary activity on the Continent in the eighth and ninth century (see also lot 18), the text was carried there, and following Alcuin's appointment to the head of the Carolingian intellectual revival it became a textual mainstay in Europe. A fine manuscript of it was produced at Tours in the first half of that century (now Oxford, Bodl. MS 218; interestingly Anglo-Saxon hands in that codex showing it travelled back to England soon after it was made), and fifty-four readings of the homiliary of Paul the Deacon, compiled within the Carolingian court itself, are drawn from Bede's commentaries on Luke and Mark.

£10,000-15,000



Lot 26



"Ubi pictoris sensus facillime patet"



Bifolium from a Bible, most probably a grand pandect, with Proverbs 30:23-31:31 and Ecclesiastes 1:1-7:20, in Latin, in early Carolingian minuscule, in close derivative of Tours script, manuscript on parchment [western France, second half of the ninth century]

Two conjoined leaves, each leaf with double column of 50 lines in Carolingian minuscule showing Tours influence with a 't' whose topline curves back towards the baseline when this character opens words, and a 'g' with a closed bowl and a lean towards the left, an ampersand used for 'et' integrally within words, somewhat cramped and provincial in execution with inelegant letterforms in which the scribe falls back onto cursive letterforms and the letters of "Verba" following its initial apparently forgotten and squeezed into space between words, simple brown initials set off in margins, versal numbers in Roman numerals in margins, important words such as "Aleph" and opening lines of major text sections in ornamental capitals, elegant 3-line initial in red, recovered from a binding and so with holes, tears to edges, folds and stains, legible on inside of bifolium, somewhat scuffed on outer side (but mostly legible), overall fair and presentable condition, each leaf 402 by 320mm.; in cloth-covered card binding, with letter of Prof. Bernard Bischoff concerning this fragment as well as Bernard Rosenthal's cataloguing

A BIFOLIUM FROM A GRAND CAROLINGIAN BIBLE, MOST PROBABLY COPYING A TOURS BIBLE IN A WEST FRANKISH SCRIPTORIUM

Provenance:

1. Most probably written in a provincial West Frankish centre under the influence of Tours and the Carolingian script reforms there (see below). The format of the leaves strongly suggests that our scribe was copying from a grand Tours Bible (see below), but his frequent lapses into cursive letterforms (see the 'e' in "operient" on fol. 1r, col. 2, line 42), suggest that they were more accustomed to writing charters rather than texts such as this. Discarded at the close of Middle Ages and this bifolium reused on the binding of a copy of Serlio's *Architettura*: inscription on outer side.
2. Lawrence Witten (1926-1995) of New Haven, CT, USA.
3. Bernard Rosenthal (1920-2017), San Francisco, CA, his I/247, purchased August 1981.
4. Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 6.
5. Schøyen Collection, London and Oslo, their MS 619, acquired from Quaritch in June 1990.

Text and script:

Following Charlemagne's coming to political power in the 780s in Germany, France and Italy, he turned his attention to the building of an intellectual bedrock on which Europe could refound a common culture as the rightful descendent of the Western Roman Empire. As early as 789, in his *Admontio Generalis*, he called for the protection of surviving manuscripts of the Bible and ordered that only trusted and mature scribes be allowed to copy them. Following this, he seems to have engaged a number of his court scholars to produce revised and cleaned up copies of the Bible. The copy produced by the grand scholar Alcuin (739-804, from 796 abbot of St. Martin's, Tours) had the advantage of being copied in an entirely new form of script: Carolingian minuscule, created for ease of reading. As Alcuin himself records in a letter to his eventual successor, Fridugisius, the final copy was to be delivered to Charlemagne himself on Christmas Day in 800, the same day as his imperial coronation in Rome (F.L. Ganshof, in *Bibliothèque d'Humanisme et Renaissance*, 9, 1947, pp. 7-20). These Bibles were then mass-copied in Tours (perhaps as many as several a year for at least half a century) and distributed as apparent imperial gifts across Europe, carrying with them the new script.

As studied by David Ganz, the classic Tours pandects were produced according to a rigid template, were consistently written on approximately 450 leaves, and have an overall leaf size of c. 480-375mm. with text in double column and with a solidly consistent 50-52 lines per column ('Mass Production of Early Medieval Manuscripts, The Carolingian Bible from Tours', in R. Gameson, ed., *The Early Medieval Bible, Its Production, Decoration and Use*, 1994, p. 61). Our bifolium is slightly smaller in format and was written by a provincial hand, but has the correct number of lines and a comparably grand layout to Tours examples. In 1990, Prof. Rosamund McKitterick deduced that this fragment was an "interesting example of the continuing response to the need for a correct text of the Bible", suggesting that its "relatively late date and the independent production may indicate ... that the dominance of Tours of the market was by this time waning" ('Carolingian Book Production', p. 31).

The second leaf here contains the famous reading of Ecclesiastes 3: "To every thing there is a season, and a time to every purpose under the heaven: A time to be born, and a time to die; a time to plant, and a time to pluck up that which is planted ...".

Published:

R. McKitterick, 'Carolingian Book Production: Some Problems', *The Library*, 6th series, XII (1990).

£20,000-30,000

Conflictus veris et hiemis, a verse in hexameters on the debate between Spring and Winter, attributed to Alcuin of York, with the translations and miracles of St. Lomer, with further additions of Carolingian music, in Latin, decorated manuscript on parchment [France (most probably Blois), c. 873 and tenth century]

Fourteen leaves (plus a nineteenth-century parchment endleaf at each end), all conserved in nineteenth century and many remounted on guards and thus uncollatable, wanting 2 leaves after fol. 4 and another 2 leaves after fol. 12 as well as an 8-leaf gathering (now Vatican, Reg. Lat. 479: see below), last 4 leaves smaller than others (measuring 245 by 167mm.), the verse added to original endleaf at front in double column of 41 and 20 lines in a small and legible Carolingian minuscule with an extended ct-ligature and the characters' names in margin, one descender in lowermost line extended to form an ornate penwork leaf with a bauble mounted in its stem, and main texts relating to St. Lomer in single column of 29-36 lines in two closely related precise and refined Carolingian minuscules, both with et-ligature used integrally within words (but variant forms of capital 'q'/'Q'), the second with an NT-ligature and an uncial 'N' used in main text, crucial names in capitals, some capitals touched in red and others infilled with yellow wash, text opening major sections in capitals touched with red, rubrics of elongated red capitals, small red initials, larger initials in penwork, some with baubles set within their bodies or coloured in green and red, one large initial in delicate blank parchment penwork touched in red and set within dark brown initials terminating in floral flourishes, seventeenth-century scholarly marginalia, endleaf at front reused from a sixteenth-century French choirbook with music on a 4-line red stave, some stains to areas of text, spots from old mould damage at head, margins trimmed often to edges of text, overall good and solid condition on heavy and good quality parchment, 300 by 190mm.; nineteenth-century French brown calf over pasteboards, gilt-tooled with arched frames with floral sprays at corners, with spine gilt with "De S. Launomaro - MS IXe S"

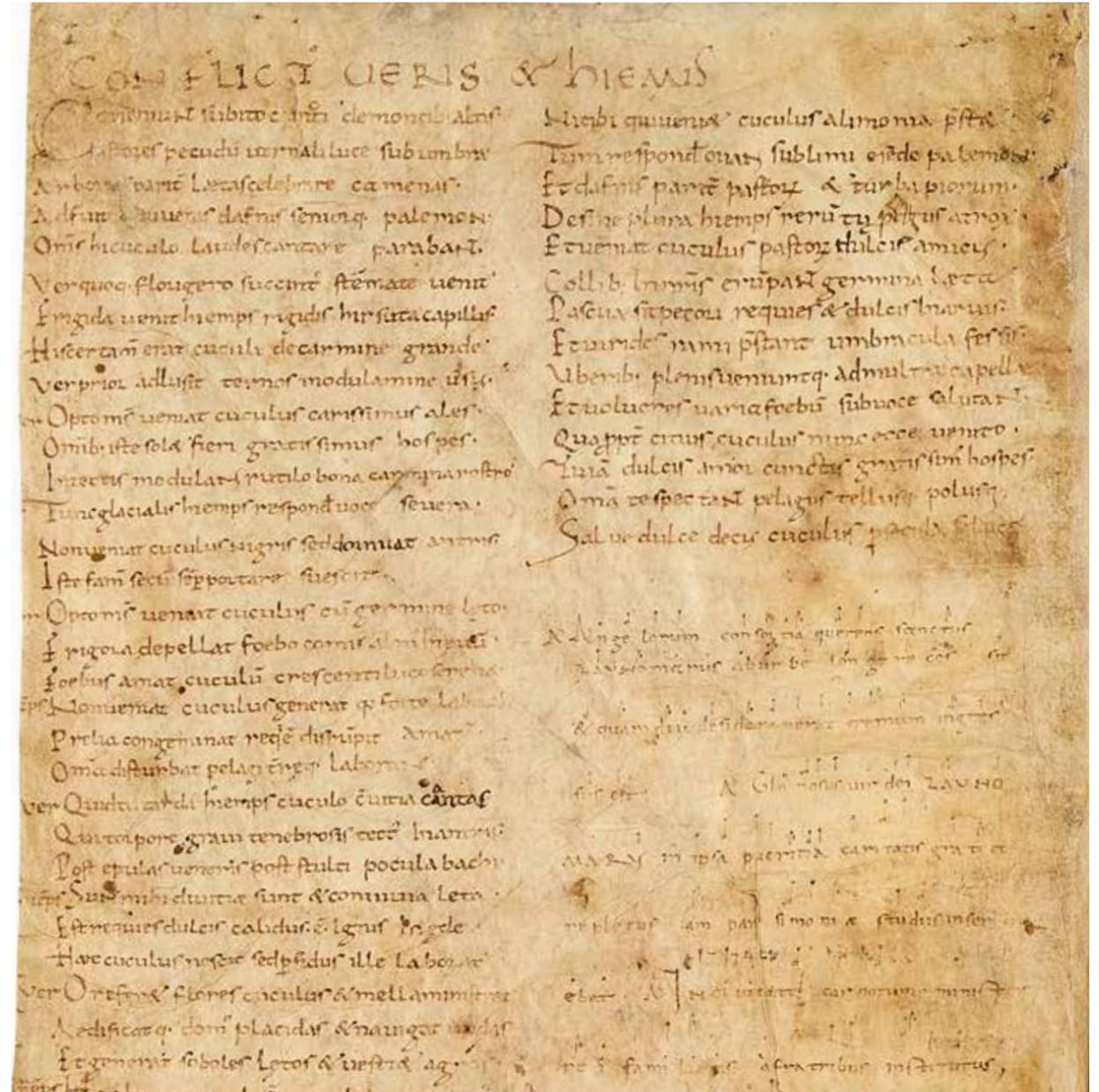
AN IMPORTANT CAROLINGIAN MONASTIC CODEX, CONTAINING A CELEBRATED VERSE ATTRIBUTED TO ALCUIN, THE LEADING INTELLECTUAL LIGHT OF THE CAROLINGIAN RENAISSANCE, AS WELL AS THE EARLIEST WITNESSES TO PROSE AND MUSICAL TEXTS RELATING TO THE MEROVINGIAN SAINT LOMER; THIS PROBABLY ONE OF THE LAST NINTH-CENTURY CODICES TO APPEAR ON THE MARKET

Provenance:

1. The main texts here on St. Lomer (also Laumer and Laudomarus) must have been written immediately after the translation of the saint's relics to a church in Blois in 874 (an event these leaves record), but before the foundation of the Benedictine abbey dedicated to the saint there in 924. Another eight leaves from the centre of this manuscript are the first part of a sammelband assembled in the seventeenth century in Italy (now Vatican, Reg. Lat. 479; A. Wilmart, *Codices reginenses latini*, 1937, pp. 651-2, with the whole manuscript reproduced online). Those contain the opening of the life of the saint, which ends abruptly and is completed by the two words at the top of fol. 10r here.

Crucially the opening of the text in the Vatican leaves refers to the saint as 'our patron'. In addition, there is a hitherto unnoticed contemporary or near-contemporary name added to the foot of the first of the present leaves, probably identifying "Raginoldus feldracanum" as an early user or perhaps donor of the codex. The second part of his name is hard to decipher, but a late medieval hand has added "Raginoldus feldra carutasis", suggesting *Carnutum/Carnotum* or Chartres as his town of origin (the monastery of Saint Martin au Val du Chartres was one of the temporary resting places of the relics and the community on their way to Blois: see N. Mars, *Histoire du royal monastère de Saint-Lomer de Blois*, 1646, p. 29). His name does not occur in the published research of Dom Mars, but there is an unpublished and mostly unstudied six-volume cartulary of the eighteenth century for the house in the Archives départementales de Loir-et-Cher, ms. 11 H. 128, and search for this name there may reveal much.

St. Lomer was born c. 530 at Neuville-la-Mare, north of Chartres, where he was ordained as a monk, before withdrawing into the forest of Perche where he founded the monastery of Corbion in 575, becoming its first abbot. He died in 593 while visiting Chartres and was buried near there, until monks from Corbion stole his relics a few years later to return him to his own community. Following a Viking attack on Corbion in 873/4 the community and their relics fled to Parigny near Avranches and then Le Mans before being offered sanctuary within the walled town of Blois. In the tenth century they moved outside the city walls to the church of St-Lubin, and then again in 1186 to the larger adjacent site they occupied for the remainder of the Middle Ages.

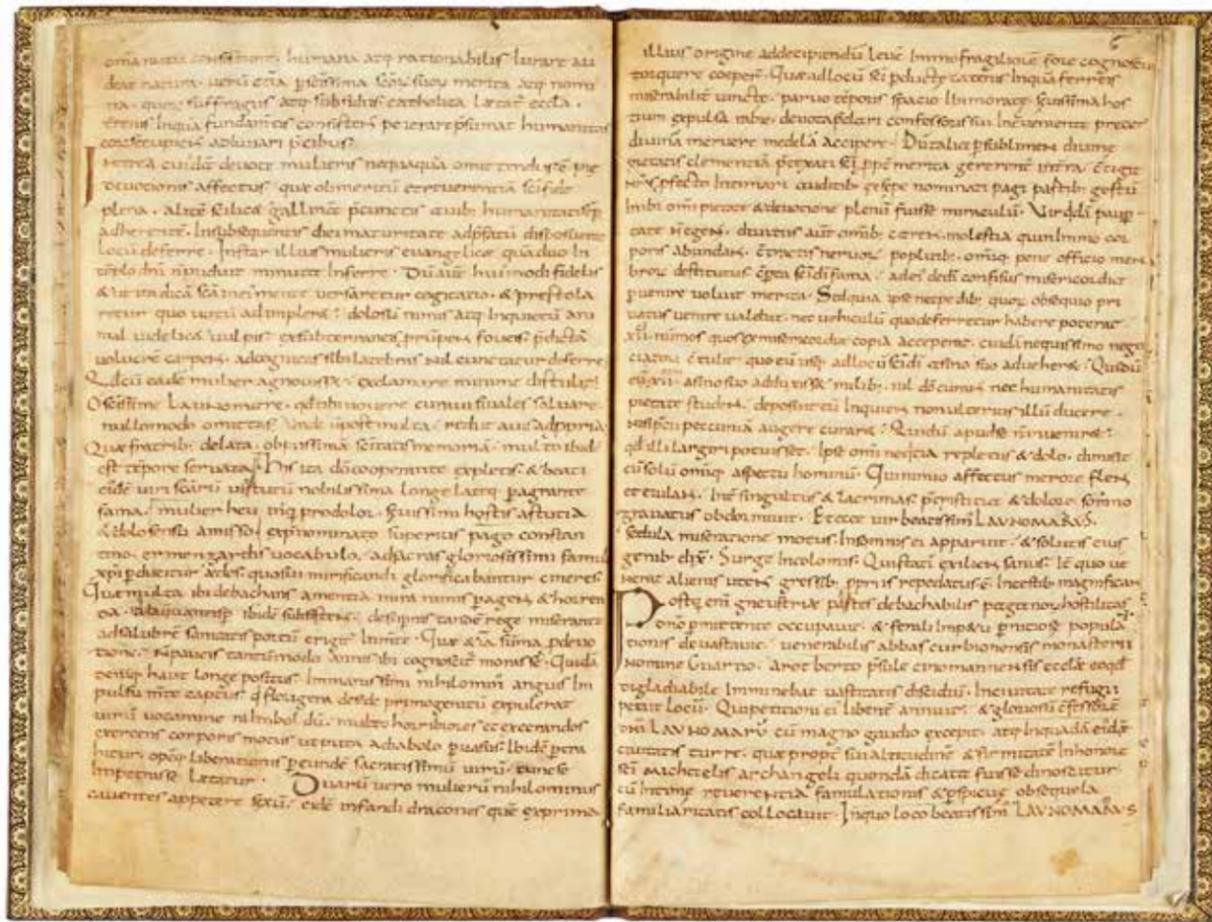


Lot 28 (detail)

2. Dom Noël Mars (1612-1702), the Benedictine monk and Maurist historian of Blois; with his marginal notes and signature, including one on fol. 10r referring to the *Acta Sanctorum ordinis S. Benedicti*, Paris, 1668, in which footnote 'a' on p. 338 evidently refers to this manuscript: "Hæc ex MS. Historia S. Launomari Monasterii Blesensis a nostro Natale Mars erudite composite didicimus". The central leaves of the manuscript may well have become detached by the seventeenth century (see below), and Dom Mars conducted much antiquarian research in the archive of St-Lomer in the last decades of that century, and this may explain this section of it ending up in his possession. In 1789 the revolutionary government of the region suppressed the abbey, and seized its church for the parish of St-Nicholas two years later. Its goods and library were dispersed at the same time, with the Vatican leaves then beginning their journey towards Rome. Delisle notes four manuscripts in the BnF. as well as another in the collection of Herzog August in Wolfenbüttel from this medieval library (*Le cabinet des manuscrits*, 1868, II, p. 406).

3. Louis de la Saussaye (1801-1878) of the Château de Troussay, near Blois, local historian, archaeologist, and numismatist, with a note of "un manuscrit du Xe siècle ... dant la bibliothèque de M. de la Saussaye" in the 1869 edition of Dom Mars' *Histoire du royal monastère de Saint-Lomer de Blois*, p. 66, n. 2 and 7, n. 2, doubtless referring to these leaves. His sale, 30 September 1887, lot 1148.

4. Schøyen Collection, London and Oslo, their MS 5577; acquired Sotheby's, 5 July 2016, lot 57.



Lot 28

Text:

Alcuin of York (c. 735-804) was the central intellectual figure of the Carolingian renaissance, and was educated in the renowned cathedral school at York under Archbishop Egbert (himself a pupil of Bede). By the 750s he was teaching in the school and came to the court of Charlemagne at the emperor's invitation, serving as 'master of the palace school' from 782, taking over the teaching of the emperor himself and his children, and becoming a guiding hand of the religious and intellectual revolution that was to follow. In 796, when entering his old age, he was appointed as the abbot of Marmoutier, Tours, and with characteristic energy spent his last years encouraging the creation and development of Carolingian minuscule and oversaw the early production of the grand Tours Bibles that pushed forward its acceptance throughout Western Europe. Einhard, the biographer of Charlemagne, called Alcuin, "the most learned man anywhere to be found". He was a prolific author, and the verse here is the *Conflictus veris et hiemis*, the 'Conflict of Spring and Winter', in which these two allegorical figures debate their various benefits and drawbacks for an audience of shepherds who seek the coming of the cuckoo and the ending of Winter. The verse has been attributed to him since the work of A. Riese, *Anthologia Latina*, I, 1870, pp. 145-48, and E. Dümmler, *Alcuini carmina*, 1881, pp. 270-72, and defended by J.I. McEnerney ('Alcuin, Carmina 58', *Mittellateinisches Jahrbuch*, 16, 1981, pp. 35-42), although some doubt has been cast due to its grammatical forms, and a student of Alcuin proposed instead (C. Castillo in *Cuardenos de Filologia Clasica*, 5, 1973, p. 61). The verse echoes Vergil, and is the very first debate poem in the Western European tradition (F. Zogg in *Vergilius*, 63, 2017, pp. 125-40). This is one of the very earliest witnesses to the text, with less than a dozen of the same age or older.

The online 'BHL manuscripts' database lists only two witnesses to the next texts here, the *Translations and Miracles of St Lomer*, and the later translation of 872 and the subsequent miracles (BHL 4737 and 4739), both of the thirteenth century. The first of these appears to have never been printed, and both are the earliest witnesses to their texts, and of fundamental importance to their future study.

Ninth-century codices now emerge on the market only every decade or so, and each time cause something of a sensation. Sir Thomas Phillipps' MS 4558 passed to Rosenbach in 1926, and thence to Edward Harkness (1874-1952), and then on to the New York Public Library. J. Pierpont Morgan was able to secure two, in 1902 (now Morgan Library & Museum, M. 191), and 1927 (M. 728), and the grandest bookseller of the twentieth century, H.P. Kraus, in a lifetime of searching, obtained and sold only three (see his *In Retrospect*, 1978, nos. 5-7). To these must be added the Gospels of St. Hubert, sold in Sotheby's, 26 November 1985, lot 93, and the Gospels of Queen Theutberga, last appearing in Christie's, 15 July 2015, lot 20. All of those were grand liturgical volumes, either Gospel Books, a Gospel Lectionary or a Sacramentary, with size and illumination far beyond that here. However, it is the small and personal nature of this book which contains its charm, in that it was put together by the members of a single community to preserve their unique liturgy, central to their way of life. It is unlikely many other codices such as this will appear on the market again.



Lot 28

The original form of the codex and the age of its additions:

The discolouration and surface damage to the recto of the initial leaf here suggests that it was the initial leaf of the original codex, and perhaps its limp parchment front binding, for some time. As now, this was followed by the *Translations and Miracles of St. Lomer* (fols. 2v-9r here, wanting two leaves after fol. 4), preceded by a prologue (fols. 2rv), and followed by a blank page (fol. 9v). Then there once followed the eight leaf gathering now in the Vatican with the *Vita* of the saint, which opens with a blank recto, and ends wanting the two words "... familiaritur credebat" that are at the head of our fol. 10r. The account of the translation of the saint to Parigny in 872 and his miracles follow, ending here on fol. 13v (wanting two leaves after fol. 12). This *libellus* was then most probably arranged in three gatherings of eight (with the last wanting a blank endleaf and a final leaf which served as the limp parchment binding). This codex seems always to have been a small one, collecting together the crucial texts and records of the saint in the period immediately before his translation to Blois in 874. Such hagiographic compilations are well known from the Middle Ages, and often associated with campaigns for the recognition of the sanctity of the saint or promotion of their cult.

To this a number of late Carolingian hands added the poem of Alcuin and music in early Metz (Messine) staffless neumes related to the worship of St. Lomer (chants: "Angelorum consortia quereris sanctus Lanomarus", "Gloriosus vir dei Lanomarus", "In civitate Camotum", and "Ecce homo qui toto corde dominum dilexit") to blank space on the inside of the first leaf as well as at the end of a text on fol. 9r. The dating of the hands here is not straightforward. Some features, such as the ct-ligature with an extended loop which appears in both Alcuin's verse and the music added to the same leaf are usually thought to indicate a late tenth century and more properly eleventh century date (for early examples see Munich, Bayerische Staatsbibl. Clm. 14485 from the last decades of the tenth century; reproduced in *Pracht und Pergament*, 2012, no. 29). However, other aspects such as the strong NT-ligature and the arch-backed 'a' found in the "laeta" of the sixth line of the second column of verse as well as the "sanctus" in the first line of the music, point towards an earlier date, and we should probably place these in the first half of the tenth century.

£60,000-80,000

29 θ

Pseudo-Marcellus, *Passio sanctorum Petri et Pauli*, an apocryphal text based on the Acts of St. Peter, in Latin, decorated manuscript on parchment [Italy (probably Bobbio), tenth century]

Single leaf, with single column of 27 lines in local variant of an angular Carolingian minuscule which leans to right and has noted lateral compression, with et-ligature used integrally within words, ligature for 'ri' formed from an 'r' with a final flick of the pen descending far below the line, the hand also preserving Insular-derived features in long 'r' and a flourished 'g', very faded red rubric at head of recto, one large acanthus-leaf initial in Insular-style penwork with pale orange-red wash, formed of elaborate scrolling leafy and petal designs, reused on a later binding of a later printed book and hence with torn edges, holes, scuffs and folds, trimmed at outer vertical edge with loss of a few letters there, much of text rubbed away on reverse with later inscription "Verrati | Contra | Luther", overall presentable condition, 290 by 200mm; in cloth-covered binding

A FINE TENTH-CENTURY WITNESS TO A RARE AND STRANGE EARLY MEDIEVAL TEXT; AND PROBABLY THE LAST SURVIVING RELIC OF A BOOK RECORDED IN THE LIBRARY OF BOBBIO

Provenance:

1. Probably produced for use in the celebrated Benedictine Abbey of SS. Peter and Paul, Bobbio, in Emilia-Romagna, Italy. The abbey was founded by St. Columban in 614, and by the tenth century housed one of the finest libraries in the West. While the form of the initial and other Insular influences in script here can be found in pre-Carolingian books produced in Irish foundations throughout Europe (see St. Gall, MS 51: J. Duft and P. Meyer, *Irish Miniatures in the Abbey Library of St. Gall*, 1954, pl. IX), the present leaf is north Italian, and in 1993 Prof. Rosamund McKitterick noted the parallels between this initial and those in tenth-century books produced at Bobbio (see for example: Milan, Bibl. Ambrosiana, E. 20 inf., a Homiliary of the tenth century: A.L. Gabriel, *The Decorated Initials of the IXth-Xth Century Manuscripts from Bobbio in the Ambrosiana Library, Milano*, 1982, pp. 180-1). The text is an unusual one to find in a volume on its own, and we can be certain that Bobbio did indeed have a copy as it was recorded in their tenth-century library catalogue as "libros de passione apostolorum Petri & Pauli I" (G. Becker, *Catalogi Bibliothecarum Antiqui*, 1885, p. 69, no. 319; note, this is the only apparent copy of this work in the whole of Becker's survey). It may well have been of particular interest to the community at Bobbio as their house was dedicated to these two saints. Thus, that may well be a contemporary record of the parent manuscript of the present leaf. Bobbio was suppressed during the Secularisation during the period of French occupation, and its books and chattels scattered.

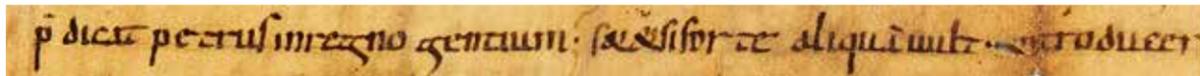
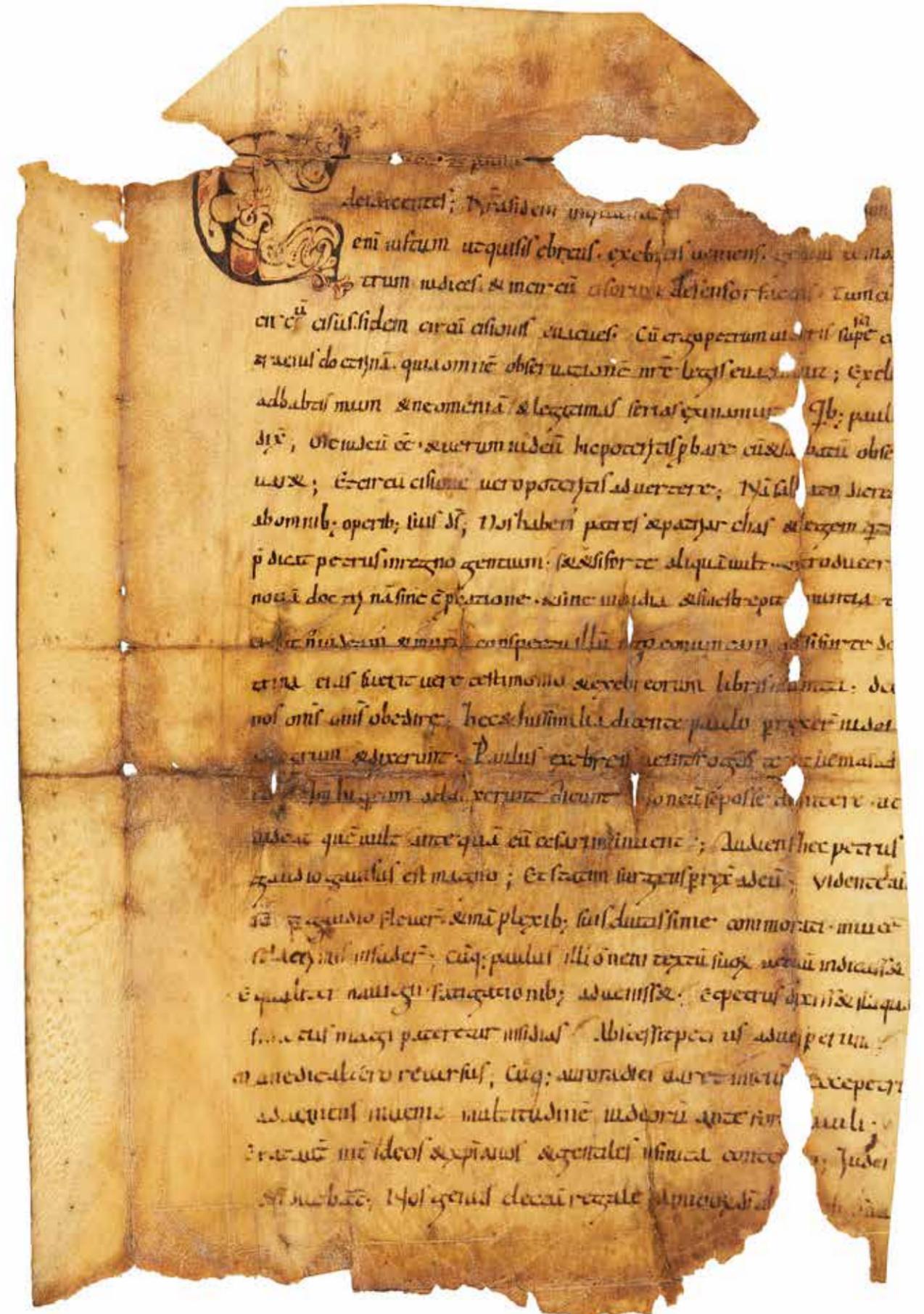
2. Sotheby's, 23 June 1993, lot 3, sold for £6900.

3. Schøyen Collection, London and Oslo, their MS 1679, acquired in Sotheby's.

Text:

This is a strange late fifth- or early sixth-century narrative, apparently intended to project Paul into the events of the Acts of St. Peter, in which it describes his journey from the island of Gaudomeleta to Rome and erroneously states that Peter was Paul's brother. It claims to have been written in part by one Marcellus; intended to be the namesake disciple of Simon Magus, whose confrontation with Peter is recorded in Acts 8:9-24. It was known to Jacobus de Voragine, and widely disseminated in the West in the Middle Ages, appearing in two Anglo-Saxon translations (Ælfric's *Passio Apostolorum Petri et Pauli* and Blickling homily no. 15, *Spel Be Petrus & Paulus*).

£15,000-20,000



"p[re]dicat Petrus in regno gentium. Set [sic] et si forte aliquam uult introducer[e]"

Lot 29



Lot 30

30 θ
 Lectionary leaf, with readings from Luke 10:17-24 and John 15:12-16, in Latin, decorated manuscript on parchment [probably Italy, tenth century]

Single complete leaf, with double column of 20 lines in a late Carolingian minuscule including an et-ligature used sporadically integrally within words, a tongued 'e', and pronounced angular wedging to ends of ascenders, text opening with simple capitals, red rubric (mostly oxidised to silver), one large 8-line initial 'I' (opening "In illo tempore dixit Iehus discipulis suis...", introducing John 15:12) in red penwork (mostly oxidised) enclosing panels of simple ropework panels on striking black ink grounds, terminating in a scroll of acanthus leaf with red dots at head and a twist of foliage at foot, reused in a book binding in seventeenth century and with concomitant damage and scrawls in Italian of that date including the date "1660", darkened and stained on reverse (but legible), overall fair and presentable condition, 310 by 230mm.; in cloth-covered binding

Provenance:

1. Bernard Rosenthal (1920-2017), of San Francisco, California, his I/188, probably acquired in 1965.

2. Quaritch cat. 1088, *Bookhands of the Middle Ages III*, 1988, no. 34.

3. Schøyen Collection, London and Oslo, their MS 97, acquired from Quaritch in June 1988.

Text and script:

Both the large and rounded script here and the initial owe much to earlier Carolingian models. The initial in particular is a continuation of simple initials of the early Carolingian period which used black grounds for visually striking affect. Examples occurred throughout the Carolingian world, with comparisons to that here in a Tours Bible (now St. Gall, Stiftsbibl. MS 75: reproduced in W. Cahn, *Romanesque Bible Illumination*, 1982, p. 43, fig. 20), an Evangeliary-Homiliary made c. 800 in Murbach (Bayerische Staatsbibl. Clm. 14379: *Pracht auf Pergament*, 2012, no. 7), and a Gospel Book made in the region of Paris in the first decades of the ninth century (BnF., latin 11959: *Trésors carolingiens*, 2007, no. 30). Cahn theorises that such initials at Tours were ultimately derived from Insular models, perhaps influenced by Alcuin's own manuscript library carried from York to Tours.

£3,000-5,000

The Romanesque

Frequently the period after the year 1000 is referred to as 'late Carolingian' or 'late Caroline', and much about the basic forms of script can be traced to the Carolingian renaissance, albeit developing into rounder and more monumental forms. However, the script of the eleventh century it is also sufficiently distinct to warrant separate treatment, rather than viewing it as merely as an annex to an earlier phase of intense activity (on this see also A. Derolez, *The Palaeography of Gothic Manuscript Books*, 2003, pp. 56-7). It sits alongside a period of art history and architectural history called the Romanesque, and shares many characteristics of art of the period. Moreover, the eleventh century in particular has a dazzling variety of palaeographical forms and conventions, and many still awaiting serious study. It was a century of great change in palaeography, and numerous developments on a local level. Thus we commonly deal with transitional forms, which manage to look forwards as well as backwards, and need to be understood within their local contexts.

At the very end of this Romanesque period, in the twelfth century, we see the first signs of the approaching Gothic script, with hands in the north of Europe becoming more narrow and elongated in the bodies of the letters, and in the south more angular, with penstrokes that are clubbed and the lines of script compressed laterally with numerous abbreviations. By the mid-twelfth century it is clear something new and visually impressive had developed in formal bookhands, and by the last decades of the century the lateral compression of lines had led to several sets of letters developing 'bitings' or fusions of parts of their bodies (again on this see Derolez, p. 58, and E. Kwakkel, 'Biting, Kissing and the Treatment of Feet: The Transitional Script of the Long Twelfth Century', in *Turning Over a New Leaf: Change and Development in the Medieval Manuscript*, 2012). This period sees a clarity and elegance to script and white-vine initials alike that raises the writing and layout of such pages to an artform in itself.

In this section, we offer examples from France, Germany and the Low Countries for both the eleventh and twelfth centuries, as well as a small cutting in the hand of the accomplished 'Scribe B' of the abbacy of Ralph Gubium (1146-1151) of St. Alban's, England (lot 39). The last is of a sublime refinement, and perhaps the most impressive example of English script of this period to appear on the market in decades. The parent volume most probably survived the Middle Ages in the library of St. Alban's, and thus may have well been there when the historian Matthew Paris worked there in the thirteenth century. Two further English fragments of the twelfth century or c. 1200 follow (lots 40 and 41), the second one with Vergil's Georgics, still surviving in situ in a sixteenth-century Oxford binding by Dominique Pinart. These are followed by an important medical leaf, the *De Medicinis Simplicibus* of Matthaeus Platearius (lot 42), and three examples of varying styles of Italian white vine or foliate painted initials (lots 43-45). The section closes with one of the rarest items in The Schøyen Collection, a series of leaves evidently taken from books left behind by Crusaders and their Greek and Armenian coinhabitants when they fled Jerusalem in 1187 during the siege of Salah-ad-Din, and then reused by the Muslim invaders as covers for an Arabic copy of the Kitab Alif Laila, the Book of One Thousand and One Nights (lot 46). These leaves were last for sale in 1993, and since then nothing like them has appeared on the market.

Fragments of an otherwise unrecorded Early Medieval Penitential collection, evidently including an early draft of Burchard of Worms' *Corrector sive Medicus*, or an earlier source used by him, in Latin, decorated manuscript on parchment [probably north eastern France or Low Countries, first decades of the eleventh century]

Two large cuttings from the bottom halves of leaves, with a further cutting of the bottom half of a single column and three smaller fragments, with remains of double column of approximately 20 lines of two sizes of a fine and rounded Carolingian minuscule showing the earliest signs of Romanesque developments, with an occasional *et*-ligature used integrally within words and a consistently strong *st*-ligature, capitals touched in red, bright and almost iridescent red rubrics, simple red initials set off in margins (including a 'q' whose tail curves to the left), commentary in margins set within delicate shapes of connected squares, a circle (only partly surviving) and a keyhole-like structure, reused in a later binding, with losses to tops of bifolia, stains and small holes, small patches of offset from other small cuttings from same parent manuscript, and reverses of leaves somewhat scuffed and illegible in places, small pieces of tape used to repair splits, the largest pieces 230 by 140mm.; all mounted in modern conservation paper and bound in cloth covered binding

AN IMPORTANT EARLY WITNESS TO AN APPARENTLY OTHERWISE LOST PENITENTIAL, MUCH DESERVING OF FUTURE STUDY

Provenance:

1. Written probably in north eastern France or the adjacent Low Countries, and cut up and reused on a binding of a printed book there at the close of the Middle Ages.
2. Re-emerging in a private American collection, that partly dispersed by Quaritch, London, in 1993.
3. Schøyen Collection, London and Oslo, their MS 1768, acquired from Quaritch in December 1993.

Text:

The fragments here correspond closely, but not perfectly, to the nineteenth book of the *Decretum* of Burchard of Worms (c. 950-1025), also known as the *Corrector* or *Medicus*. His *Decretum* was an early attempt to collect together existing Canon Law, and its nineteenth and twentieth books are most probably free-standing texts that were added to the original collection by Burchard. It is not clear if the *Corrector* was a composition of his, or that of another earlier anonymous writer. It reworks the penitential subject matter and the format of the *Libri de synodalibus causis et disciplinis ecclesiasticis* of Regino of Prüm (d. 915), and part of this has drawn significant scholarly attention as advice is given to stamping out paganism, witchcraft, the worship of supernatural spirits and unorthodox sexual practises. The only editions are the *editio princeps* of 1548, and that in Migne *Patrologia Latina*, 140, and it should be noted that more text in those falls between the leaves of the bifolia here than could be accommodated in a normal gathering. That said both editions have received criticism (G. Fransen, 'Le Décret de Burchard de Worms. Valeur du texte de l'édition', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kanonistisch e Abteilung*, 63, 1977), and a future study of manuscripts may show variants explaining this.

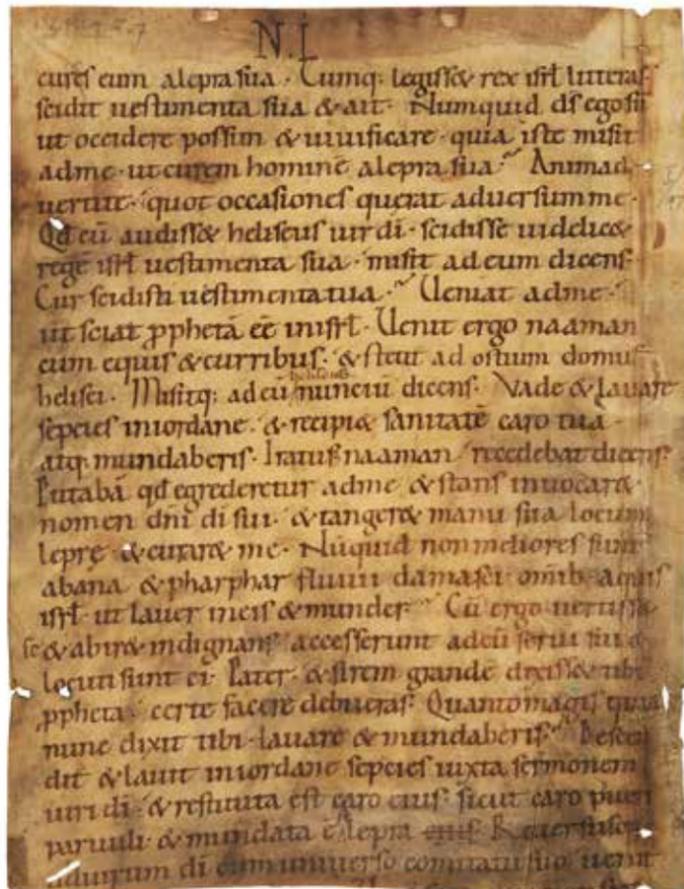
Here the two bifolia are the outermost leaves from two adjacent gatherings, with their undamaged faces originally the outermost sides of those bifolia. The text of the second leaf of the first bifolium opens with 4 lines unrecorded in the current editions of Burchard's work, with an explicit that states this was an epistle of some form. It continues with the *capitula* list of the work, with the first two here as in Burchard's edited work, but then another nine which do correspond. It should be noted that the incipit of these *capitula* calls this "Libri Primi", yet it is book XIX in the edited text, and there are only about eleven *capitula* here, while there are 101 in the printed edition. The last 7 lines of the reverse of this leaf contain the opening of ch. 10f of Burchard's text (from "Ebdomoda priori ante ...quam caput [jeju]nii", PL 140, col. 949). The first leaf of this bifolium opens with short extracts from penitential materials, one of which is found in Burchard's text (PL 140, col. 1007, ch. 122, that from the "Penitencia Romano"), but then the text moves to ch. 29 of Burchard's text ("Diversitas culparum ...", this text reworked from Augustine and hence the rubric here and in the editions of Burchard's work noting that author, see PL 140, col. 985). This chapter then carries on without break in the text to the end of this page and onto the second leaf of the following bifolium, filling the undamaged page of that leaf and completing the chapter in the initial line on its damaged side. On the damaged side the text can be read using UV light, and it jumps over ch. 30 to continue with ch. 31 (opening "Mensurum autem temporis ..."), which fills the rest of that page. The initial leaf of the second bifolium and the third and final leaf with a single column of text then contain a series of extracts from other earlier penitential materials, similar to the additions found at the end of a number of manuscripts of Burchard's work (see for comparison, the *editio princeps* and British Library, MS Addit. 11,440, following fol. 36r: digitised and available online), but not easily identifiable among those. It has been proposed that the *Corrector* was composed c. 1008 (L. Kery, *Canonical Collections of the Early Middle Ages (ca. 400-1140): A Bibliographical Guide to the Manuscripts and Literature*, 1999, pp. 133-35), about the same period in which this manuscript was copied. Here we have enough of chs. 1 and 29 of Burchard's text to show that a substantial part of that work was in the parent manuscript, and there are indications that the *capitula* and short extracts incorporated in the work appeared in form in this parent manuscript unlike that of the *editio princeps* or the *Patrologia Latina* edition. This may well have been an early variant of the work perhaps an early draft by Burchard himself, or if Burchard merely adapted it from another now anonymous source, the sole witness to this older lost work.



Lot 31

Close comparisons for the hand here, albeit in a slightly more developed form, can be found in a historical and cosmological miscellany made in Paris in the mid-eleventh century, now BnF. ms. lat. 12117 (reproduced in *Pen and Parchment*, 2009, no. 20), a Gospel book, made in western France in the mid-eleventh century, now Stockholm, Nationalmuseum B 1927 (C. Nordenfalk, *Bokmålningar*, 1979, no. 3).

£3,000-5,000



Lot 32

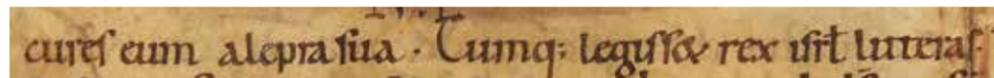
32 θ Leaf from a Missal, from the Temporal, with Masses for the 3rd Sunday in Lent and the Monday following, in Latin, manuscript on parchment [Low Countries or perhaps Germany, early to mid-eleventh century]

Single leaf, with single column of 26 lines in two sizes of a tall and rounded Romanesque bookhand, with a strong st-ligature and occasional et-ligature used integrally within words, one- and 2-line initials in red, reused in a later binding and hence with wear and trimming to edges of text, one side particularly worn, overall presentable condition, 270 by 210mm.; in cloth-covered binding

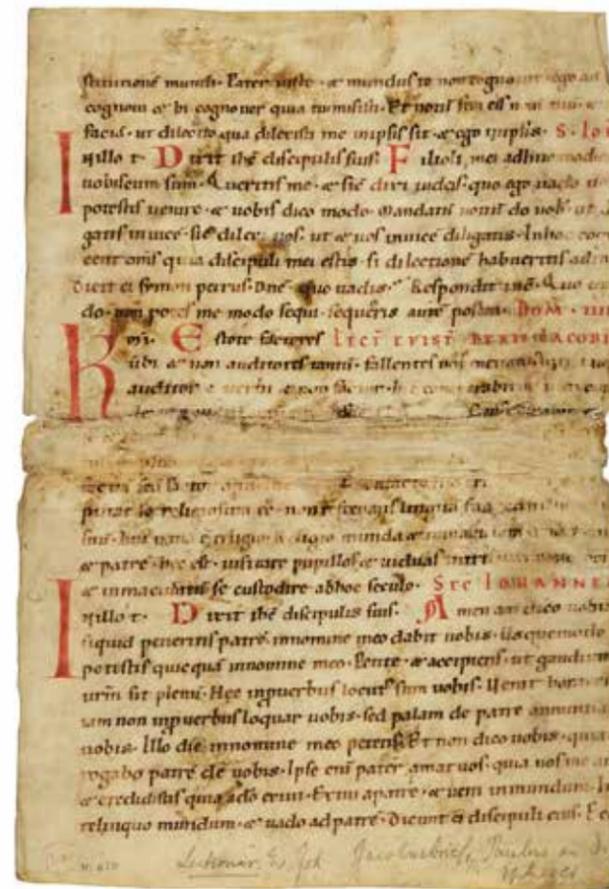
- Provenance:
1. Bernard Rosenthal (1920-2017), of San Francisco, California, his I/97, acquired from Maggs Bros., London, in 1960.
 2. Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 28.
 3. Schøyen Collection, London and Oslo, their MS 629, acquired June 1990.

Script: The appealingly large letters of this script are thoroughly Romanesque, but include a few of the last remnants of certain distinctively Carolingian features, such as the et-ligature used integrally within words, a feature usually eliminated by the eleventh century (but note very late examples from Germanic centres in an Egbert of Liège, *Fecunda ratis*, made in Liège c. 1050: reproduced *Glaube und Wissen im Mittelalter*, 1998, no. 71; and a Gospel book from Regensburg c. 1030-50: reproduced in *Regensburger Buchmalerei*, 1987, no. 20, pl. 100; E.A. Lowe, *The Beneventan Script*, 1914, pp. 143-44, comments in passing on the same phenomenon, recording there a single late eleventh-century example in Vatican, lat. 3741).

£1,000-2,000



"cures eum a lepra sua. Cumque legisset rex israel litteras"



Lot 33

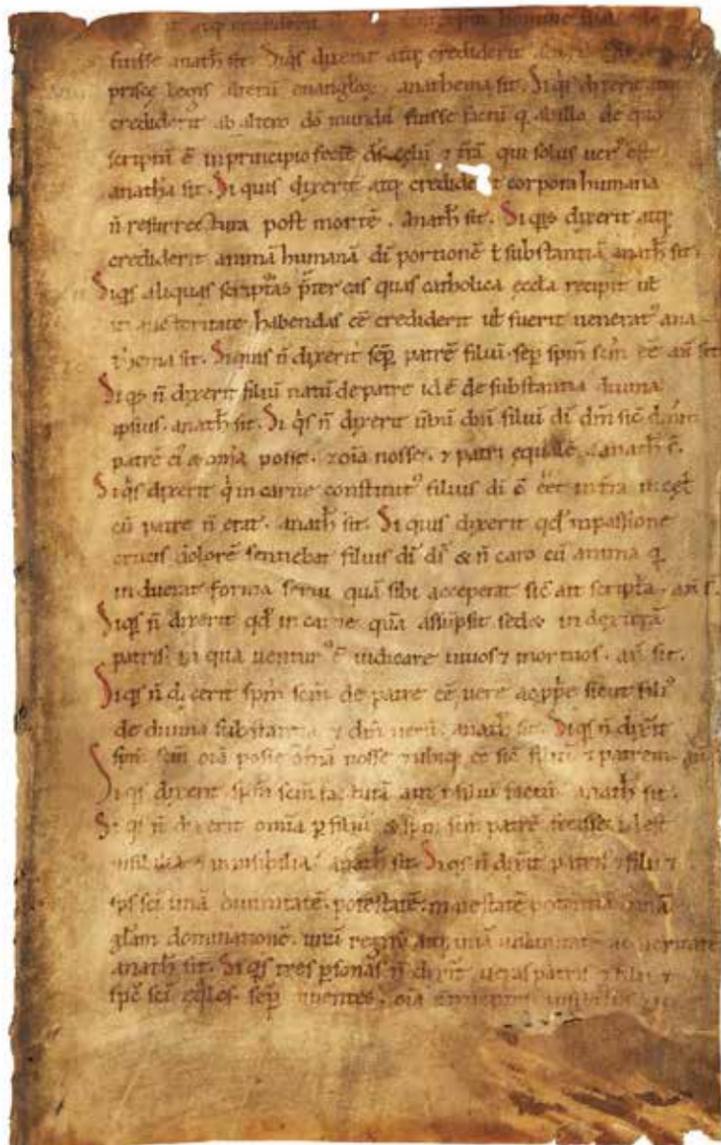
33 θ Leaf from a Lectionary containing Gospel and Epistle readings for the fifth Sunday after the Octave of Easter, Rogation Monday, and the Vigil of Ascension, in Latin, decorated manuscript on parchment [southern Germany, eleventh century (probably first half)]

Single leaf, with single column of 30 lines in a neat and clear Romanesque bookhand, with both tall and rounded 's' at end of words and a tall capital 'Q' with a point at its apex, small capitals often following earlier letterforms, red rubrics in appealing ornamental capitals, one- and 4-line simple red initials (some with baubles mounted in their bodies), reused on a binding at close of Middle Ages and hence with one edge trimmed, a few lines rubbed, the whole leaf cut through horizontally and stitched back together, overall fair and presentable, 290 by 200mm.; in cloth-covered binding

- Provenance:
1. In German-speaking trade in early twentieth century: pencil inscription describing text at foot of recto.
 2. Mark Lansburgh (1925-2013) of Santa Barbara, California, the department store magnate, art historian and manuscript leaf collector; sold in 1963.
 3. Bernard Rosenthal (1920-2017), of San Francisco, California, his I/165.
 4. Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 27.
 5. Schøyen Collection, London and Oslo, their MS 628, acquired from Quaritch in June 1990.

Script: The angularity of this script and initials here, pointed at their apexes, are distinctively Germanic and Romanesque (cf. a fragment of an eleventh-century Bible from Fulda, now Marburg, StA, Hr. 6 fasc 15a: reproduced in *Fuldische Handschriften aus Hessen*, 1994, no. 54; and a Boethius, *De Consolatione Philosophiae* from Salzburg from the first half of the eleventh century, now Munich, Staatsbibl. Clm 15825: reproduced *Pracht auf Pergament*, 2012, no. 28).

£2,000-3,000



Lot 35

35 0
 Leaf from an Augustine, *Sermones*, 233:2-3 and 242:1, in Latin, decorated manuscript on parchment [Low Countries, second half of eleventh century]

Near complete single leaf, with single column of 29-30 lines in a good Continental Romanesque bookhand, with pronounced fishtailing to ascenders, strong st- and ct-ligatures (including elongated examples), capitals touched in deep red, rubrics in same, one simple red initial, recovered from reuse as a pastedown in a later book and hence with scuffs, small holes, stains from reuse in a binding, overall fair condition, 270 by 190mm.; in cloth-covered card binding

Provenance:

1. Bernard Rosenthal (1920-2017), of San Francisco, California.
2. Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 85.
3. Schøyen Collection, London and Oslo, their MS 642, acquired from Quaritch in June 1990.

£400-600

36 0

Leaf from a copy of Paul the Deacon's Homiliary, with extracts from Leo the Great, tractate 82:4-5, and Pseudo-Maximus, sermon 68, in Latin, decorated manuscript on parchment [Germany, early eleventh century]

Single leaf, with double column of 28 lines of a notably rounded and elegant Romanesque bookhand, with tongued 'e' with a notably high cross-bar and thus small compartment, a strong st-ligature, and a capital 'C' with an extra loop at its head so it resembles a reversed '3', remains of four loops from descenders of medieval folio no. at head (otherwise trimmed away), rubrics in large ornamental capitals, Responses, Antiphons and Psalm indications added by contemporary hand in thin and slightly shaky pen in margin, one 4-line initial 'G' in red bars terminating in floral buds, reused in a later binding and hence folded and trimmed at edges, overall good condition, 330 by 256mm.; in cloth-covered binding,

Provenance:

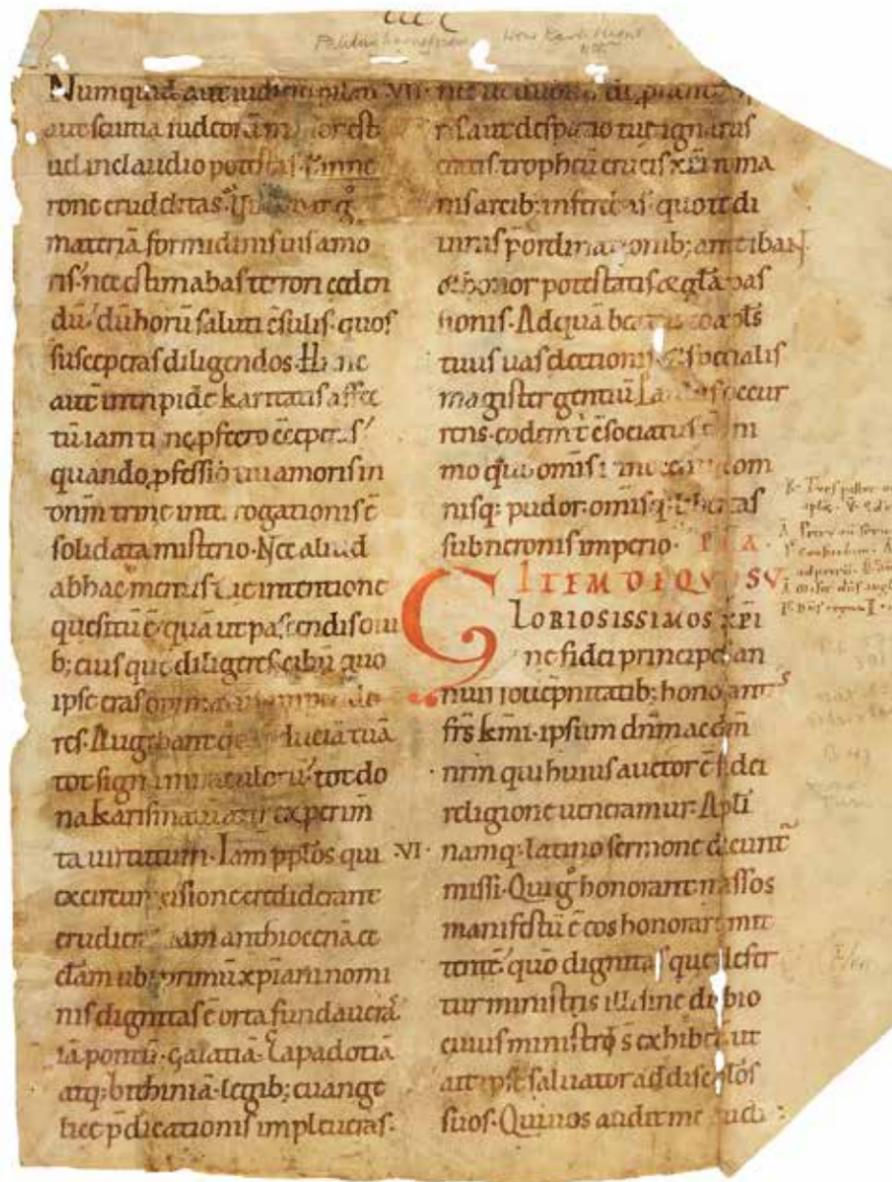
1. Erik von Scherling (1907-1956), of Leiden, dealer (see lot 6): with two parts of foolscap envelopes, one stamped at corner with his name and address, these with copious pencil notes on contents in apparent hand of von Scherling, and with similar pencil notes in margin of reverse of leaf. Passing after his sudden and untimely death to Maggs Bros., London, along with a large part of his stock.
2. Bernard Rosenthal (1920-2017), of San Francisco, California, his I/141, acquired in 1964 (with copy of report by Prof. Marvin Colker on the leaf, written for Rosenthal).
3. Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 81.
4. Schøyen Collection, London and Oslo, their MS.632, acquired from Quaritch in June 1990.

Text and script:

This homiliary was composed in the 780s at the behest of Charlemagne by Paul Warnefrid, better known as Paul the Deacon (c. 720-probably 799), a monk of Monte Cassino, as part of the drawing up of improved Biblical and liturgical books during the early Carolingian period. It remained one of the fundamental homiletic collections throughout the Middle Ages.

The script here is a fine example of a formal Germanic Romanesque hand, displaying the elegance and raw beauty common to that script. See for other examples, the fragment of a Bible produced in Fulda in the second half of the tenth century (reproduced *Fuldische Handschriften aus Hessen*, 1994, no. 44), a Glossed Psalter written in 993-996 in Cologne (*Glaube und Wissen im Mittelalter*, 1998, no. 40) and a Gospel book from Regensburg c. 1030-50 (*Regensburger Buchmalerei*, 1987, no. 20, pl. 100).

£2,000-3,000



Lot 36



Lot 37

37 θ
 Bifolium from a Vita Sancti Stephani, including an abridgement of Evodius, *Miracula Facta Uzali*, in Latin, decorated manuscript on parchment [Germany (perhaps Rhineland), c. 1100]

Bifolium (consecutive leaves and hence innermost leaves of a gathering), each leaf with single column of 30 lines of a rounded proto-gothic minuscule, with slightly tremulous aspect, an ampersand whose loops sit high above the baseline and trailing undulating penstrokes at beginning of some capitula, one large initial 'V' in red, reused in binding and hence slightly trimmed at foot of both leaves (text wanting at beginning and end), overall good condition with marginal prickings for ruling present, 220 by 170mm.; in cloth-covered binding

- Provenance:
1. Dr. Helmuth Wallach (1901-1989), of Munich and New York, the eminent antiquarian bookseller and art dealer.
 2. Bernard Rosenthal (1920-2017), of San Francisco, California, his I/211, acquired in 1970.
 3. Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 87.
 4. Schøyen Collection, London and Oslo, their MS 633, acquired June 1990.

Text and script:
 While many of the letterforms here echo those of late Carolingian manuscripts, the script compares most closely to those of the late eleventh or early twelfth centuries (cf. the Augustine, Commentary on Genesis, of the first half of the twelfth century, now Cologne, Dom Hs. 61: reproduced *Glaube und Wissen im Mittelalter*, 1998, no. 27, especially the form of the ampersand).

£2,000-3,000

38 θ
 Two leaves with Isidore of Seville, *Etymologiarum sive originum*, book 20, with readings on wine, and Pubilius Syrus, *Sententiae*, in Latin, decorated manuscript on parchment [Northern France (most probably Cercamp, Amiens), third quarter of the twelfth century]

Bifolium, each leaf with double column of 44 lines of a small and precise proto-gothic bookhand, written above topline and without biting curves, faded red rubrics, one-line initials of capitula for next book on second leaf in alternate pale green and red, large pale and green initials with foliate penwork decoration, reused on a binding in late medieval period and with folds across middle of leaves, corners of blank margins clipped away and slight damage through heat exposure to upper outer corner of first leaf, else good condition, each leaf 395 by 285mm.; in cloth-covered card binding

Provenance:

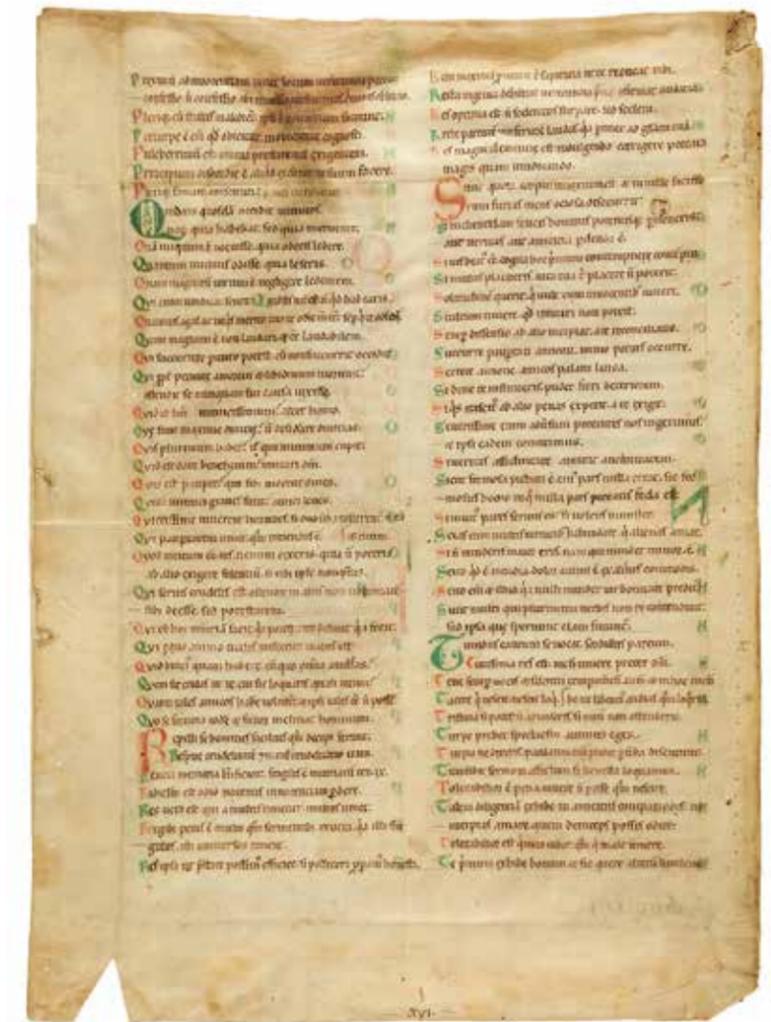
1. Most probably written for use in the Cistercian Abbey of Cercamp, diocese of Amiens, founded 1141 with monks from Pontigny, ransacked in 1415 during Agincourt, but re-established before being forcibly converted to stables and a military hospital in the 1630s during the Thirty Years' War, then seized for military use again in 1710 by the troops of Field Marshal d'Harcourt. At the Secularisation there was little left to suppress. By the nineteenth century the buildings were in use as a wool factory, and later became the residence of the Barons de Fourment. This bifolium certainly reused there at the end of the Middle Ages, and with a sixteenth or early seventeenth-century ex libris of the house, upside down at the foot of the rectos of both leaves: "Abbey de Cercamp", most probably from reuse there around a set of accounts. No other manuscript or fragment of one from this medieval library can be traced by us.

2. André Simon (1877-1970), wine merchant, gourmet and one of the most important twentieth-century authors on wine, who voraciously collected books on the same subject.
3. Sotheby's 6 December 1993, lot 5.
4. Schøyen Collection, London and Oslo, their MS 1777, acquired in Sotheby's.

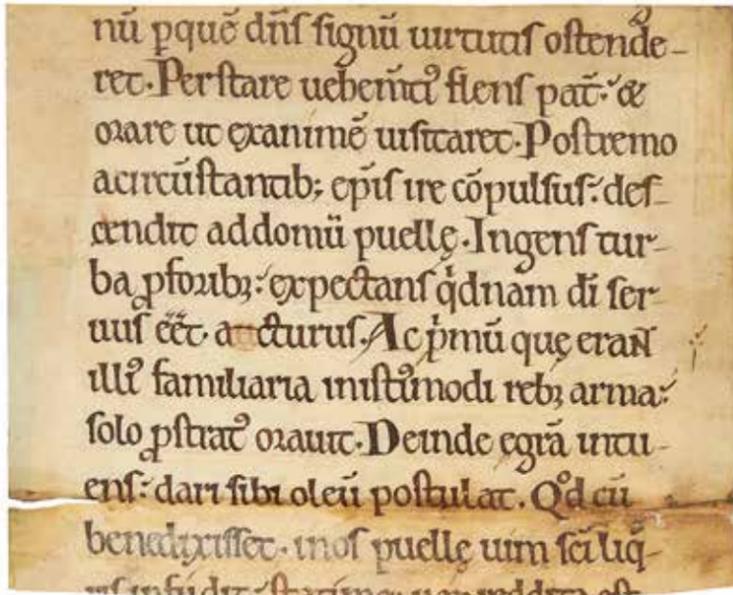
Text and script:
 This bifolium is from an elegant monastic copy of the most important encyclopedia produced by the Middle Ages. Isidore of Seville (c. 560-636) was part of the intellectual renaissance in the seventh-century Visigothic court, and was notably close to King Sigebert (c. 565-620/1), to whom the first version of this work was dedicated. It has been suggested that he composed it as a form of *summa* for his recently-civilised barbarian masters, but it quickly found other more conventional readers in mainland Europe and became the most widely consulted scientific reference work of the Middle Ages. It survives today in nearly a thousand manuscripts (Barney et al., *Etymologies of Isidore of Seville*, 2006, p.24), and by the year 800 copies of it could be found in almost all the cultural centres of Europe. The leaves here contain discussions of food, oils and greases, beverages (prominently including wine) and vessels for food.

The second leaf contains the entries from 'M' to 'T' of the *Sententiae* of Pubilius Syrus (fl. 85-43 BC.), a Syrian slave freed by his Roman master due to his talent as an author and playwright. All that now remains of his work is this text: a series of moral maxims in iambic and trochaic verse arranged in alphabetical order. He was admired greatly by Seneca the Younger, quoted by Shakespeare (*Much Ado About Nothing*, sc. 1: "if she did not hate him deadly, she would love him dearly"), and his work is the origin of the expression "a rolling stone gathers no moss".

£4,000-6,000



Lot 38



Lot 39

39 0
Small cutting from Sulpicius Severus, Life of St. Martin of Tours, in Latin, manuscript on parchment [England (St Albans Abbey, Hertfordshire), mid-twelfth century]

Rectangular cutting, with remains of single column of 12 lines of Anglo-Caroline minuscule by 'scribe B' of the St. Albans' scriptorium during the abbacy of Ralph Gubiun (1146-1151), one large initial 'I' in blue on reverse, recovered from reuse as an endleaf in a sixteenth-century printed book (8°), slight darkening to edges through contact with leather of binding, one small split along old fold, else good and presentable condition and on strong and heavy parchment, 90 by 120mm.; in cloth-covered binding

A FINE EXAMPLE OF ENGLISH TWELFTH-CENTURY MONASTIC SCRIPT, WRITTEN BY A HAND SECURELY IDENTIFIED AS THE HEAD SCRIBE OF ST ALBANS ABBEY

Provenance:

1. The parent manuscript of this cutting was written by Scribe 'B', probably the head of the scriptorium of the Benedictine Abbey of St. Albans, in the mid-twelfth century, and the book presumably remained in use there until the close of the Middle Ages. The site of the monastery was Roman in origin, and an Anglo-Saxon church stood there by the time of Bede. A double-monastery was founded there in 793 by Offa of Mercia. Apart from some decades in the tenth century when it was abandoned after a Viking attack, it grew steadily to rank as one of the wealthiest English religious sites of the Middle Ages. Its scriptorium in the twelfth century produced such glorious examples of the book arts as the St Albans Psalter, and a century after the present manuscript was written was the place in which the famous medieval chronicler Matthew Paris worked. It is perhaps humbling to think that he may well have held and read the parent codex of this fragment. The abbey was dwindling by 1521, and was surrendered on 2 December 1539 and its abbot and inmates pensioned before the valuables of the abbey were looted. The sixteenth-century printed volume in which this fragment (and its sister fragment now in Keio University library, Tokyo) survived presumably left the abbey's holdings then and passed into private hands and the English booktrade.

2. Dr. George Salt (1903-2003), entomologist and fellow of King's College, Cambridge, his MS 8.

3. Sotheby's, 17 December 1991, lot 8 (part).

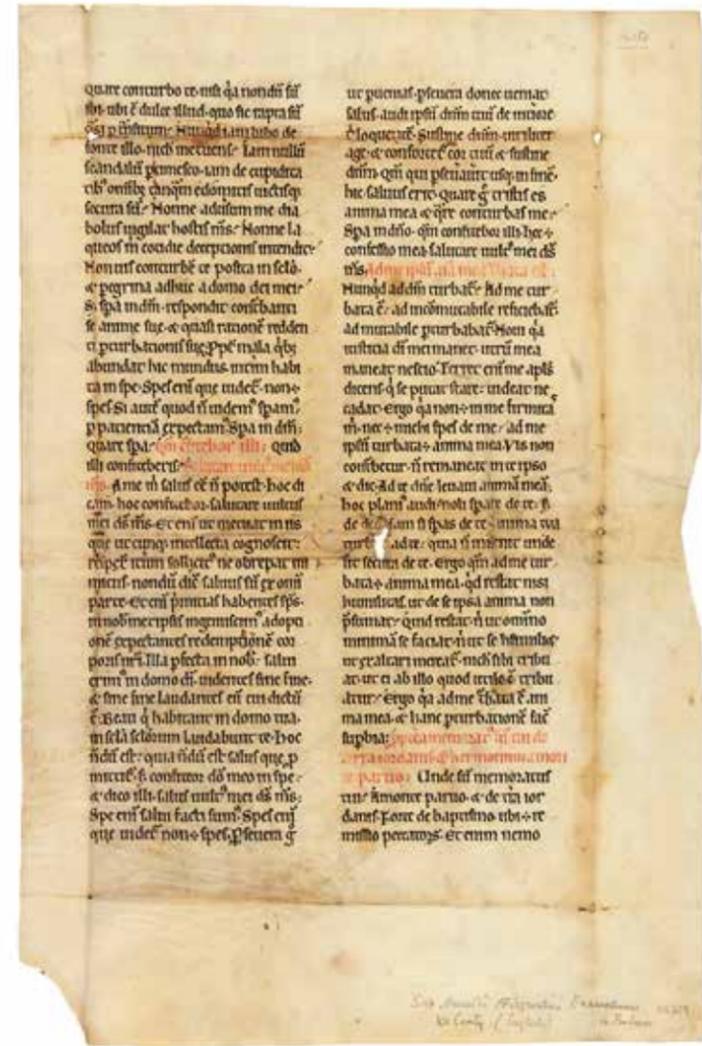
4. Schøyen Collection, London and Oslo, their MS 1554, acquired in the Sotheby's sale.

Scribe:
Scribe 'B' of the abbacy of Ralph Gubiun (1146-1151) is "distinguished by the elegance and flamboyance of his hand, which is highly disciplined and with very distinctive flourishes" (R.M. Thomson, *Manuscripts from St Albans Abbey, 1066-1235*, 1985, I, p. 29). He copied all of Cambridge, Emmanuel College, MS 244; Pembroke College, MS 180; and St. Petersburg, Q.v.I, 62; as well as parts of Cambridge, Trinity College, B.2.19 and B.5.1; British Library, Egerton, MS 3721 and Royal MS 2.A.x; Bodleian, Laud MS misc. 370; and the rubrics in British Library, Royal MS 19,590. He also copied a St. Alban's charter, datable to between 1151 and 1154. His role was often that of the master of the scriptorium, taking charge over crucial texts such as charters, and copying rubrics as well as extensively correcting texts. He appears to have been the chief scribe of the scriptorium around the midpoint of the century.

The cutting here contains part of chs. 13 and 16 of the text.

Published:
J. Griffiths, 'Manuscripts in the Schøyen Collection Copied or Owned in the British Isles before 1700', in *English Manuscript Studies 1100-1700*, vol. 5, eds. P. Beal and J. Griffiths, British Library, London, 1995, pp. 36-42.
C. de Hamel, 'The Life of Saint Martin', in *Papyri Graecae Schøyen (PSchøyen II): essays and texts in honour of Martin Schøyen*, ed. R. Pintaudi, Papyrologica Florentina 40, Edizioni Gonnelli, Firenze, 2010, pp. 117-122.

£3,000-5,000



Lot 40

40 0
Leaf from Augustine, Enarrationes in Psalmos, for Psalm 41:6-8, in Latin, from large manuscript on parchment [England, mid-twelfth century]

Complete single leaf, with double column of 39 lines in a formal and angular proto-gothic bookhand, with pronounced wedges to ascenders and a residual ct-ligature, pale red rubrics, English pencil notes on text in lower margin of recto, recovered from a binding and so darkened on verso, and small scuffs, folds and holes, overall good and presentable condition with wide and clean margins, and on heavy parchment, 390 by 260mm.; in cloth-covered binding

Provenance:
1. Alan G. Thomas (1911-1992), London bookseller.

2. Leeds' Public Library; de-accessioned and sold by auction at Phillips, 28 February 1990, lot 54.

3. Schøyen Collection, London and Oslo, their MS 659, acquired from Sam Fogg, London, in June 1990.

Text and script:
The *Enarrationes in Psalmos* is the longest of Augustine's major works; measuring twice the length of his more well-known *De Civitate Dei*. It was composed between 392 and 418 as a long series of sermons and perhaps copied down initially by secretaries as Augustine actively preached.

The script here is a fine example of an English proto-gothic bookhand from the period of the shift between the final phase of the Romanesque and the beginning of the early Gothic.

£2,000-3,000

41 θ

Vergil, Georgics III:259-458 and IV:393-564, in Latin didactic hexameter verse, leaves from a decorated manuscript on parchment in situ in an Oxford binding by Dominique Pinart [England, c. 1200]

Remains of two bifolia, trimmed at edges with losses to one column on each, each leaf with single column of 48 lines in an early gothic book script, with initials set apart in margin as common for verse, simple red initials with baubles and pen flicks added to their bodies, one dark pastel green initial, contemporary running titles, some contemporary marginalia, modern pencil marks giving textual notes, some staining, scuffing and small holes, else in good condition, each leaf 190 by 100mm.; in situ in binding of a copy of a printed book: William Thomas, The historie of Italie, London: Thomas Berthelet, 1549, binding of blindtooled calf, using rollstamps identified as nos. XII and XVIII in S. Gibson, Early Oxford Bindings, 1903 (see also Ker, Pastedowns in Oxford Bindings, 1955, pp. 210-11), suggesting a binding date of c. 1581 or before, sewn on 3 thongs, by Dominique Pinart, a French immigrant and the principal Oxford binder of this period, skilfully rebacked; with a letter from Neil R. Ker to a "Mr Edwards" dated 21 March 1964, noting that he had "not found Virgil before in Oxford bindings, save in one insignificant late manuscript"

Provenance:

1. Most probably written and decorated for English scholarly use around the turn of the thirteenth century, probably in Oxford. Later discarded and reused there for binding material at the close of the Middle Ages.
2. Various English owners, with ex libris marks from "Peter ...son" in a sixteenth-century hand on the back pastedown, and another partly erased name dated 1676 on the front pastedown.
3. William Charles de Meuron, 7th Earl Fitzwilliam (1872-1943): his armorial bookplate on front pastedown; his library sold in the Wentworth Woodhouse sale at Sotheby's, 27 April 1948, doubtless including this volume.
4. Quaritch cat. 664 (1949), no. 289.
5. Hodgson, 19 March 1964, lot 254, to "Mr. Edwards", an apparent bookseller.
6. Quaritch, London, November 1991.
7. Schøyen Collection, London and Oslo, their MS 1395, acquired from Quaritch.

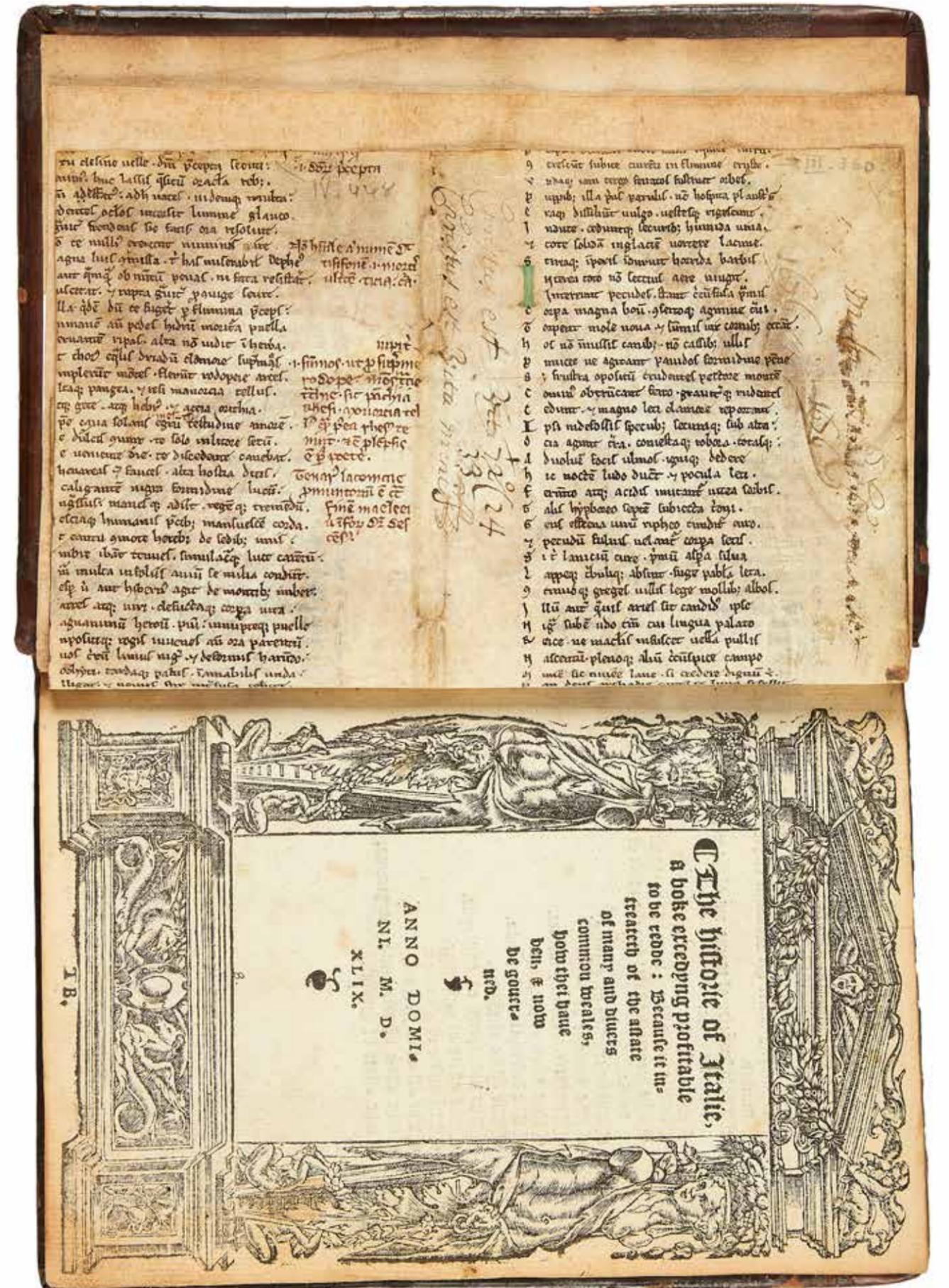
Text:

The celebrated Roman poet, Vergil (70-19 BC.), wrote the *Georgics* c. 29 BC. for Maecenas, the ally and political agent of Octavian, to whom it was reportedly read after his return from defeating Anthony and Cleopatra in 31 BC. The text surveys the field of agriculture, namely raising crops and trees, livestock and horses and beekeeping, set within the context of farming as a noble and senatorial pursuit in Roman society. It enjoyed great popularity and had enormous literary impact from its composition onwards, surviving in numerous fifth- and sixth-century manuscripts as well as an explosion of Carolingian witnesses, these demonstrating serious study and careful correction of the text in eighth- and ninth-century France.

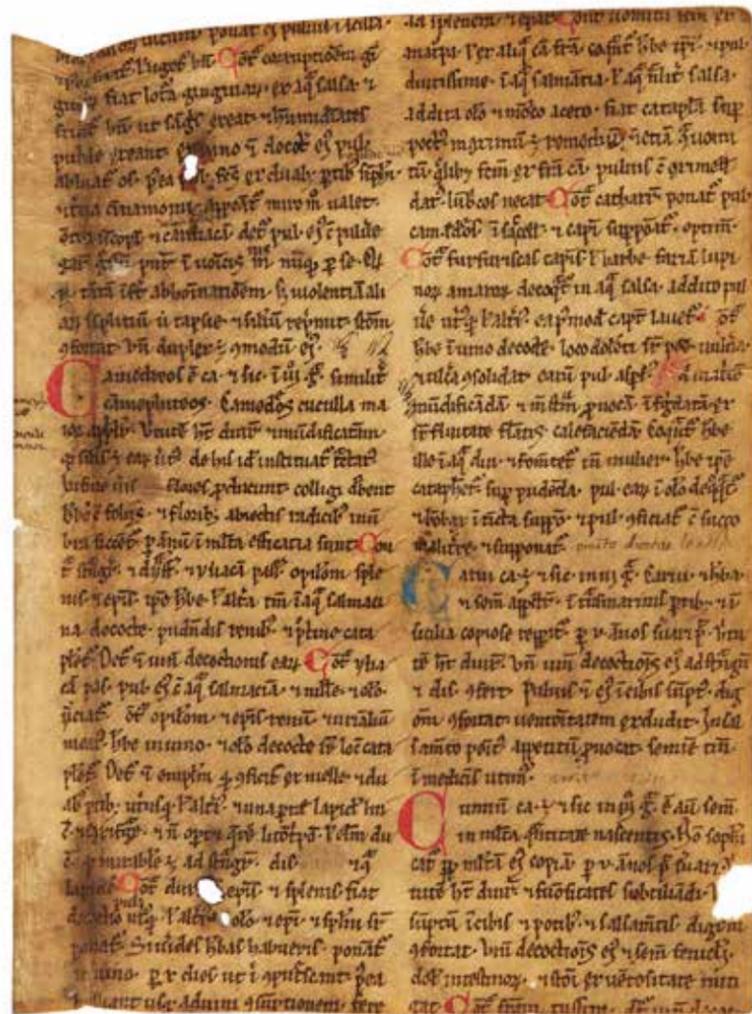
£5,000-7,000

c opa magna bouū . gleratoq; agmine cūb .

"corpora magna boum, confertoque agmine cerui"



Lot 41



Lot 42

42 0

Matthaeus Platearius, *De Medicinis Simplicibus*, a medieval herbal, in Latin, manuscript on parchment [England or France, second half of the twelfth century]

Single leaf, with double column of 35 lines in an angular and prickly gothic textualis libraria bookhand, one- or 2-line simple red or blue initials, some small marginalia and manucula marks, recovered from a binding and hence trimmed at head and foot, stains, small holes, overall fair and presentable condition, 210 by 160mm.; in cloth-covered binding

AN EXTREMELY EARLY WITNESS TO AN IMPORTANT MEDICAL TEXT, COMPOSED IN THE SALERNO MEDICAL SCHOOL ONLY DECADES BEFORE THIS MANUSCRIPT WAS COPIED, AND ATTESTING TO ITS RAPID SPREAD THROUGHOUT EUROPE

Provenance:

1. Bernard Rosenthal (1920-2017), San Francisco, California.
2. Quaritch cat. 1088, *Bookhands of the Middle Ages III*, 1988, no. 80.
3. Schøyen Collection, London and Oslo, their MS 703, acquired November 1990.

Text:

This text was fundamental to the medieval study of herbs and their medicinal applications. It was composed in the celebrated medical school of Salerno about 1150 by one of the foremost physicians of the school. “Copies were circulated throughout Europe, where its value was instantly recognized and where it shaped the literature of botany and pharmacy for the next 300 years” (F.J. Anderson, *Illustrated History of the Herbals*, 1977). Copies were so sought after that it appears that early manuscripts of the text were used to pieces by the centres that had them, and they are of enormous rarity, with none definitively predating this witness. Apart from this leaf, the oldest recorded extant manuscript is that of the library of the New York Botanical Garden, their MS A, dating to c. 1190; while that of Wrocław University Library, MS M1302 (the *Codex Salernitanus*) dating to c. 1180, was destroyed during the Second World War.

The text here is that of chs. 17-23, describing: “Camodreos”, used for vomiting, catarrh and scurvy; “Carui” (caraway) for flatulence; “Cuminum” (cumin) for coughs; “Cicuta” (hemlock) for gout, spleen complaints, redness of the eyes and scrofula; and “Ciperus” (cyperos, a kind of rush).

£2,000-3,000



Lot 43

43 0

Leaf from an Atlantic Bible with a large white vine initial, text from Job 1:1-4; 1:7-3:2 with prologue of St. Jerome, in Latin, decorated manuscript on parchment [Italy (Tuscany), first half of the twelfth century]

Large cutting from lower part of a once vast leaf, with a large initial ‘V’ (“Vir erat in terra ...”, the opening of Job) in pale red and blank parchment band, intertwined with and enclosing a swirling mass of thin acanthus leaf sprays on pale pastel blue, red, dark green, beige/yellow, brown and perhaps once silver grounds (the latter now oxidised and crystalline with areas of metallic sheen), red and black tall ornamental capitals opening text, remains of double column of 25 lines in a bold proto-gothic bookhand, showing many earlier features such as a ct- and NT-ligature and a ‘r’ that descends below the baseline, torn at edges, some spots and stains, darkened on reverse, but overall a good initial in bright condition, 300 by 230mm.; in cloth-covered card binding, with Bernard Rosenthal’s cataloguing

Provenance:

1. Erwin Rosenthal (1889-1981), of Berkeley, California, art historian and antiquarian bookseller; personal gift to his son Bernard Rosenthal (1920-2017) in 1956, “to encourage me in the formation of this collection”.
2. Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 12.
3. Schøyen Collection, London and Oslo, their MS 668, acquired from Quaritch in June 1990.

Decoration:

The initial here, with its thin white vine branches that cross the body of the initial in several places, compares closely to other Tuscan examples, such as those in a Passional, probably made in the second quarter of the twelfth century in San Gimignano (now San Gimignano, Bibl. Comunale, cod.1: K. Berg, *Studies in Tuscan Twelfth Century Illumination*, 1968, fig. 66), another Passional, made in the second quarter of the twelfth century in Florence (Florence, Laurenziana, Mugel. 13: Berg, fig. 74) and a copy of Augustine’s commentary on the Gospels, made in Siena in the first half of the twelfth century (Siena, Bibl. Comunale, F.I.2: Berg, fig. 461). However, none of those employ silver alongside their pastel palettes. Silver is notoriously difficult to use in book arts, but had enjoyed some popularity in the Carolingian centuries, and appears in occasional grand Romanesque volumes (cf. the Genesis page of the Bible of St. Mary de Parc which has silver beast masks at its corners and silver interlace around the main initial: reproduced in W. Cahn, *Romanesque Bible Illumination*, 1982, fig. 90).

£3,000-5,000



Lot 44 (detail)

44 0
Sermons on the Annunciation of the Virgin attributed to Augustine, with a large decorated initial, manuscript in Latin on parchment [Italy, mid-twelfth century]

Single leaf, with a large initial 'S' (opening "Scientes fratres dilectissimi...") in vivid blue bands fishtailed at each terminal, enclosing a blue sprig of foliage with green, red and white tendrils and a large white stylised flower, all set on pale yellow ground in imitation of gold, first line of text in ornamental capitals, single red rubric, double column of 47 lines in a professional early gothic bookhand, without biting curves, catchwords sloping down at lower corner (partly trimmed away), recovered from a binding and hence with numerous later penwork additions of devotional material, spots, stains, a few small holes and a large fold horizontally across midpoint, overall in fair and presentable condition, 430 by 300mm.; in cloth-covered card binding, with Bernard Rosenthal's cataloguing

Provenance:

1. Aldo Olschki (1893-1963), of Florence, publisher and antiquarian bookseller, son of the grand bookseller Leo Olschki (1861-1940).
2. Bernard Rosenthal (1920-2017), of San Francisco, California, his I/75, acquired 1959.
3. Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 91.
4. Schøyen Collection, London and Oslo, their MS 656, acquired from Quaritch in June 1990.

Text and decoration:

The text here was based on Augustine's sermon 369, and in the Middle Ages was attributed to him as well as Ildefonsus, Jerome and Maximus of Turin. It is most probably the work of an anonymous early medieval author (see R. Grégoire, *Homéliaires liturgiques médiévaux*, 1980, p. 179, no. 66).

The fleshy acanthus leaves of the initial here, painted in broad brushstrokes in a vivid palette, and using a yellow wash ground to imitate burnished gold, are of interest. They look northwards to Bible decoration in France (cf. the Bible of St. Mary de Parc: reproduced in W. Cahn, *Romanesque Bible Illumination*, 1982, fig. 90) and forwards to Italian decoration of the thirteenth century, rather than to the white-vine initials that dominated Italian book arts of the twelfth century.

£2,500-3,500

45 0

Vast white vine initial on a leaf from an Atlantic Bible, with 2 Samuel 1:1-12 and capitula, in Latin, manuscript on parchment [Italy (probably Tuscany), first half of the twelfth century]

Single vast leaf, with a single initial 'F' (opening "Factum est autem..."; opening 2 Samuel) over half the page in height, formed of panels of interlacing geometric ropework and shapes in blank parchment and colours, each panel edged in yellow, terminals with interlace knotwork, one spray of acanthus leaves at foot, the body of the initial enclosing a spray of white vine foliage ending in wavy-edged trilobed leaves and flowerbuds on red, blue, burgundy and dark green grounds, tall and thin ornamental red capitals opening Biblical text, smaller version of same opening major text breaks, red rubrics and capitula numbers, text in double columns of 50 lines of two sizes of a stately and measured Romanesque hand with numerous earlier letterforms evident in its capitals, somewhat darkened in places with a few scuffs and some sixteenth- or seventeenth-century scrawls in middle gutter between columns on front, stitch holes across middle, reverse scuffed and illegible with scrawls of numbers, short phrases and a drawing of a human head, overall fair and presentable condition, 460 by 320mm.; in cloth-covered card binding

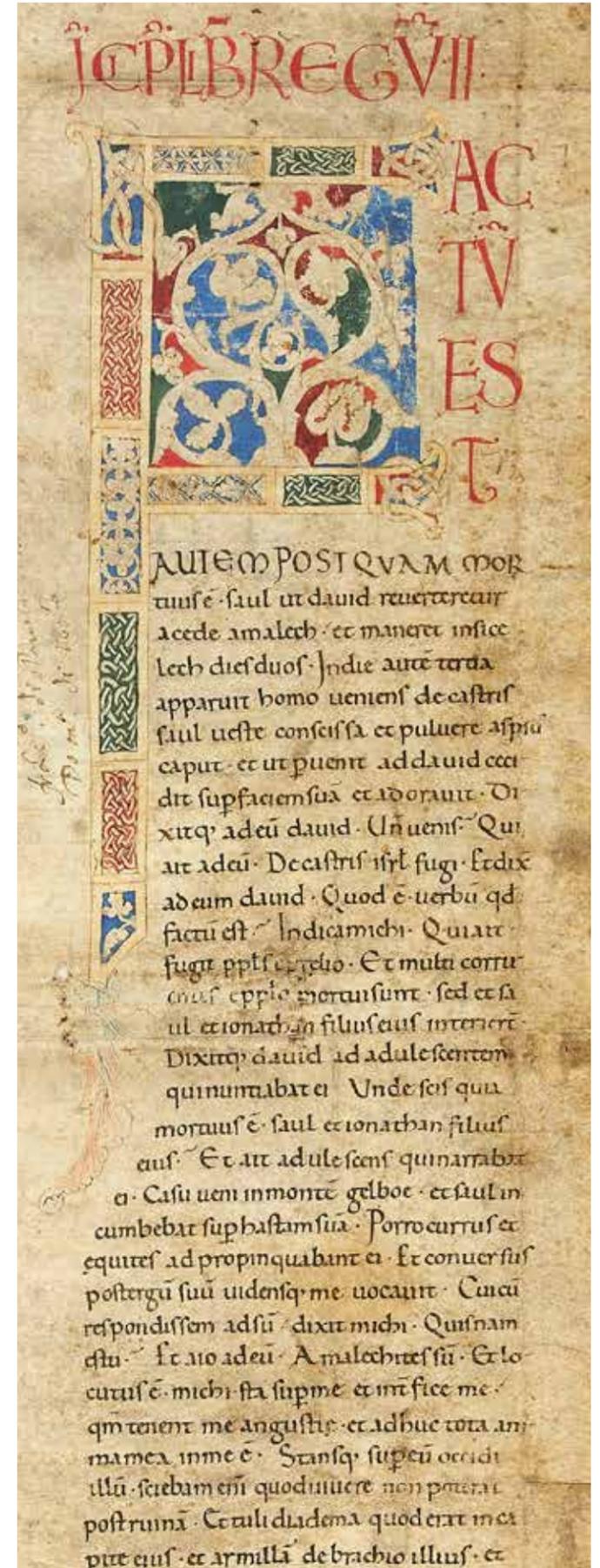
Provenance:

1. Phillips, 14 November 1991, lot 236, to Sam Fogg, London;
2. Schøyen Collection, London and Oslo, their MS 1394, acquired from Fogg.

Text and script:

The Atlantic Bible was a crucial stage in the development of the medieval layout of the text. At the end of the eleventh century and the opening of the twelfth, ecclesiastical book producers sought to reshape the format of the Bible, emulating the grand size and regularity of the Carolingian Tours Bibles. The resulting vast codices were named Atlantic Bibles due to their size – after Atlas the titan. Their elegant script and glorious initials also took their inspiration from the models of Tours Bibles. That here, like other similar examples with fluttering leaves and flowerbuds from contemporary Pistoia (Rome, Bibl. Casanatense, cod. 721: K. Berg, *Studies in Tuscan Twelfth Century Illumination*, 1968, no. 136) and Siena (Siena, Bibl. Comunale, cod. G.I.3, G.I.4 and F.I.9: *ibid.* nos. 168 and 162, and Montalcino, Museo Comunale: *ibid.* no. 110) takes its form and design components from initials such as those in the Second Bible of Charles the Bald (BnF., lat. 2: reproduced in W. Cahn, *Romanesque Bible Illumination*, 1982, fig. 34), and Tours Bibles such as that represented in the fragments now Vienna ÖNB., ser. Nov. 3641 and in the Stadsbibliothek of Trier (reproduced in F. Mütterich, 'Die touronische Bibel von St. Maximin in Trier', in *Studies in Carolingian Manuscript Illumination*, 2004, figs. 4 and 12).

£7,000-9,000



Lot 45

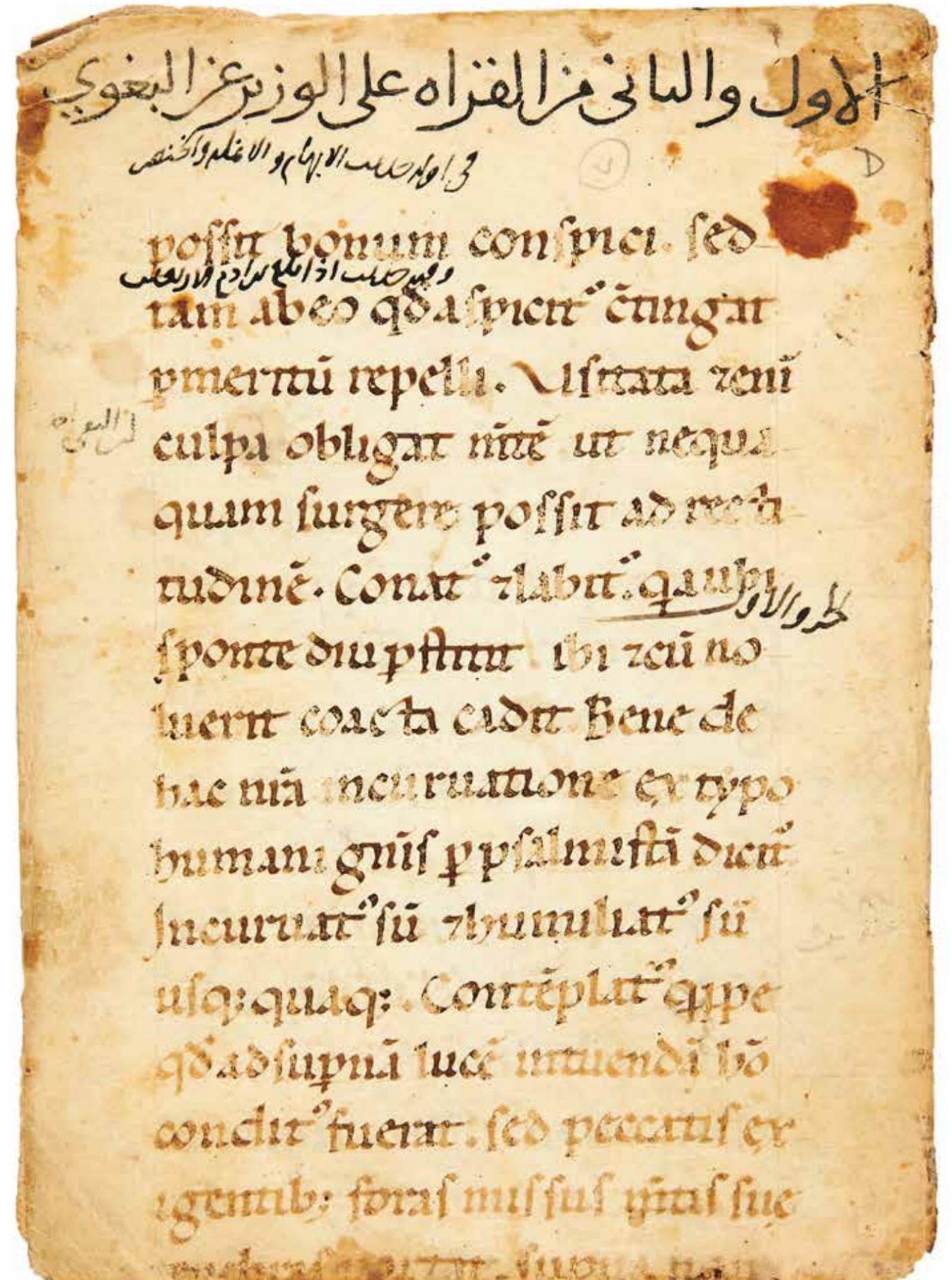
Kitab Alif Laila, the Book of One Thousand and One Nights, in Arabic, short quotations added to twelve cuttings recovered from Christian manuscripts, including various Bibles in Latin and a leaf from a copy of the Decretals, a *Menaion* and *Oktoechos* or *Parakletike* in Greek, an orthodox prayerbook and a Bible in Armenian, and a few originally blank pieces of parchment most probably from similar Christian books, manuscripts on parchment [France, Italy, perhaps England, Armenia, and Byzantium, ninth to twelfth century, with additions from the Holy Land in the late twelfth or early thirteenth century]

Thirteen cuttings: (a) Matthew 11:16-19 and 12:5-25, in Latin, double column of 13 lines in a Romanesque book script, red and blue initials, northern France, mid-twelfth century, with addition of 6 lines in Arabic naskh (*Thousand and One Nights*); (b) Canon Law, Decretals, similar to but not identifiable as Ivo of Chartres, in Latin, single column of 13 lines in a good Romanesque bookhand, annotations in margins, headings in capitals (some touched in red), six 2-line initials, Normandy or England, first half of the twelfth century, with addition of 2 lines of Arabic naskh (“The 27th ... the two faces ... the guardian”); (c) Malachi 1:4-10; 1:14-2:20, in Latin, single column of 32 lines in a rounded bookhand, Italy, first half of the twelfth century, with addition of 6 lines in Arabic naskh (“The tenth sitting of the literal ...”); (d) Homiliary, including part of St. Gregory: *Homiliae in Evangelia*, Lib. II, Hom. 31, and reading from Matthew 9:9, single column of 16 lines in good Romanesque bookhand, perhaps Italy or Latin Kingdom of Jerusalem, second half of the twelfth century, with addition of 5 lines in Arabic naskh (the first and second reading according to the Wazir from the Baghari); (e) *Zamagirk*, part of the Armenian Orthodox Prayerbook, with readings from John and Matthew, double column of 10 lines in a sloping Armenian Uncial (*erkat’agir*), Armenia, twelfth century, with addition of 4 lines in Arabic naskh (“The fifth part of the twistings/turnings[?]”); (f) two fragments of Psalms, with the Name ‘Elijah’ in Armenian, double column of 16 lines in an Armenian Uncial (*erkat’agir*), Armenia, twelfth century, with additions of 2 lines of Arabic naskh (from *The Book of the 40 Extracts*, and *Book of Manliness/Chivalry*) on a paper label pasted on; (g) *Menaion*, part of the Office of the Apostle Bartholomew, for August 25, in Greek, double column of 30 lines in Greek minuscule, Byzantium, tenth century, with addition of 15 lines of Arabic naskh in upper and side borders (part of *Thousand and One Nights* and a charitable donation); (h) *Oktoechos* or *Parakletike*, liturgical book of the Byzantine Church, single column of 22 lines in a sloping Greek half uncial (the so-called ‘mixed script’), Byzantium, ninth century, with addition of 3 lines of Arabic naskh (parts of *Thousand and One Nights*); plus four further cuttings from blank sections of parchment (but most probably also from Christian books), with (1) 4 lines of Arabic naskh (“The first part of the skilled-one and ... given to his children”), (2) 7 lines of Arabic naskh (section of the ninth part of the *Service of Poetry*, with a charitable donation), (3) 3 lines of Arabic naskh (*Thousand and One Nights*), (4) 2 lines of Arabic naskh (*Thousand and One Nights*); almost all approximately 150 by 170mm., some with tears and losses to edges, only one with substantial losses to edges (item a)

THIS CLUTCH OF FRAGMENTS IS OF BREATHTAKING IMPORTANCE AS WITNESSES TO THE FALL OF JERUSALEM; AND THEY ARE MOST PROBABLY ALL THAT REMAINS OF A SERIES OF CODICES LEFT ABANDONED IN THE CITY BY FLEEING CHRISTIANS WHEN IT FELL TO THE FORCES OF SALAH AD-DIN IN 1187, AND THEN REUSED BY THE MUSLIM CONQUERORS AS WRAPPERS FOR THEIR OWN BOOKS

Provenance:

1. Almost certainly from a library in the Holy City of Jerusalem, probably that of the Holy Sepulchre itself, the epicentre of Christendom and Christian devotion. The Crusades and the fall of Jerusalem were of the greatest importance to the history of the Middle Ages and the mind of medieval man. The call to arms to take back the Holy City gripped the population of medieval Europe and drew many thousands of them to strange lands beyond the boundaries of Europe. In addition, the eventual fall of that city to the Muslim invader in 1187 was a crippling lowpoint which inspired political and religious upheaval throughout Europe. Originally these leaves were part of a range of Christian liturgical and legal books from Western Europe, Byzantium and Armenia, dating from the ninth to the mid-twelfth century. Then they were cut up and reused as wrappers on a lengthy Arabic manuscript of *One Thousand and One Nights*, writing sideways along their blank spaces in handsome unvocalised *naskh* of not later than the thirteenth century, along with later Arabic names including an apparent reference to the Damascus historian Ali ibn Asakir (d. 1176). No other site apart from the Crusader kingdom of Jerusalem, and probably the Church of the Holy Sepulchre itself, could allow for this mix of scripts. It is of importance that the earliest fragments here are Greek (identified and published by Aiuto in 2006 and 2008). The arrival of the Western Crusaders in 1099 pushed out the Greek liturgy from the Holy Land in favour of a Latin liturgy based on the Rule of St. Augustine. However, Greek observance did continue in the Kingdom of Jerusalem (see D. Galadza, ‘Greek liturgy in crusader Jerusalem: witnesses of liturgical life at the Holy Sepulchre and St Sabas Lavra’, *Journal of Medieval History*, 43, 2017). Under Western rule, Jerusalem was the cosmopolitan Christian capital of the East, principally French and Genoese, although the wife of Baldwin II, its ruler, was Armenian. It fell to the forces of Salah ad-Din in October 1187, when the last French nobleman in the city, Balian of Ibelin, negotiated a surrender and peaceful passage to the sea for its occupants. Immediately after the surrender of the city, amid widespread looting, Salah ad-Din ordered the closing of the Church of the Holy Sepulchre, ultimately deciding not to destroy it, but handing it back to the Greek authorities. Other surviving books from Jerusalem, or fragments of them, testify to the carrying of valuable codices from the city by refugees (see British Library, Egerton MS 1139; Cambridge, Fitzwilliam, McClean MS 49; BnF, mss. lat. 9396 and 12056; and Vatican, cod. Vat.Lat.5974), but it should be noted that those were grand and opulent books. What we have here are more probably the last relics of the mundane books of the religious services of the city, abandoned by fleeing Christians, and picked up by some part of the Muslim conquerors and reused for their valuable parchment.



Lot 46

2. These entering Arabic hands in the late twelfth century, perhaps passing then to a member of Salah ad-Din's Syrian forces, where they were reused as wrappers around a copy of *Kitab Alif Laila*, the Book of One Thousand and One Nights. When sold last in 1993, these cuttings were reported as thought to have survived in Damascus, and this accords with the fact that in 1187 Salah ad-Din's forces were equally composed of Egyptians and Syrians, as well as the reading of the name of Ali ibn Asakir among the additions.

3. Sotheby's, 6 December 1993, lot 3.

4. Schøyen Collection, London and Oslo, their MS 1776, acquired in the Sotheby's sale.

Text and script:

It is an astounding thought that these handful of leaves were almost certainly in Jerusalem when the city fell to the Muslim invaders in 1187, and were left behind by the panicked inhabitants as they fled the city with only what they could carry. As if that were not enough, they were then repurposed by their new owners as wrappers for short stories from and are among the earliest witnesses to that text. Quite simply nothing like these leaves has ever been recorded anywhere else, and it is nearly inconceivable that an archive like this will ever again appear on the market.

In apparent reflection of the predominantly French and Genoese population of Jerusalem under the Crusaders, the majority of Western scripts here are French or Italian, with a single example that could be Norman or just possibly English. The parent volumes were most probably carried by individual members of the clergy to Jerusalem. However, it remains tantalisingly possible that some of these were written by Western scribes in the Holy City itself.

These fragments are also of some importance for Greek and Arabic palaeography and text studies. As D'Aiuto demonstrates, item (h) here, containing a ninth-century Greek *Oktoechos* or *Parakletike* is amongst the oldest witnesses to this text, with a main text in the form of an acrostic hymn – a type otherwise known from ancient Georgian translations of Greek hymns of the Office, and most probably bearing witness to a fourth- or fifth-century liturgical practise in Jerusalem, which continued to the ninth century at least and perhaps the twelfth. The script used here is also of extreme rarity, a 'mixed script' of majuscules with minuscule letters interspersed. It appears to have been used elsewhere only in the eighth to the tenth century, on Mount Sinai, in Palestine and in a small number of other areas connected to Syria and Palestine. Less than twenty other examples are recorded.

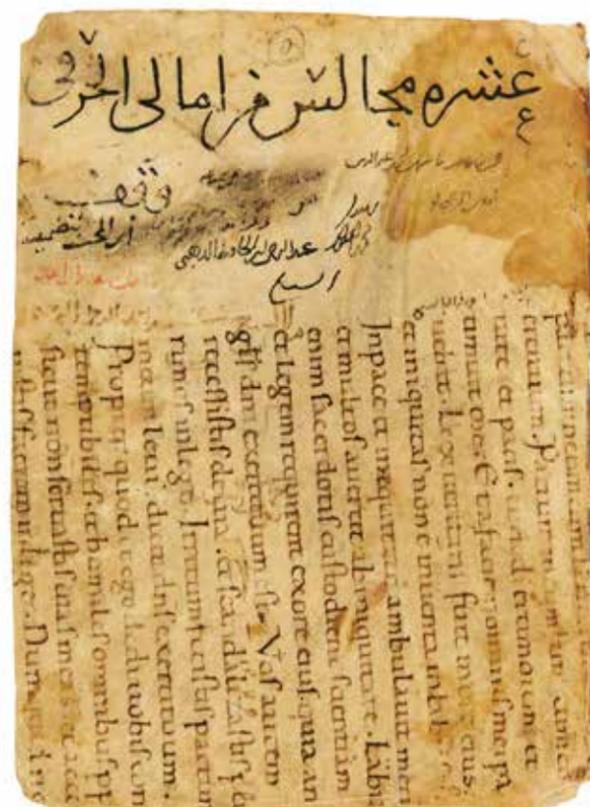
Finally, the quotations from the *Kitab Alif Laila*, the Book of One Thousand and One Nights, the quintessential Middle Eastern romance, are among the earliest manuscript witnesses to that text. The earliest recorded is a ninth-century fragment (N. Abbott, 'A Ninth-Century Fragment of the "Thousand Nights", New Light on the Early History of the Arabian Nights', *Journal of Near Eastern Studies*, 1949), and some part of the text was commented on in the tenth century by Mas'ūdī, who notes a work full of untrue stories translated from Persian, Sanskrit, and Greek, including the "book entitled *Hazār afsāna*, or the thousand tales". Complete codices are known only from only the fourteenth century onwards.

Published:

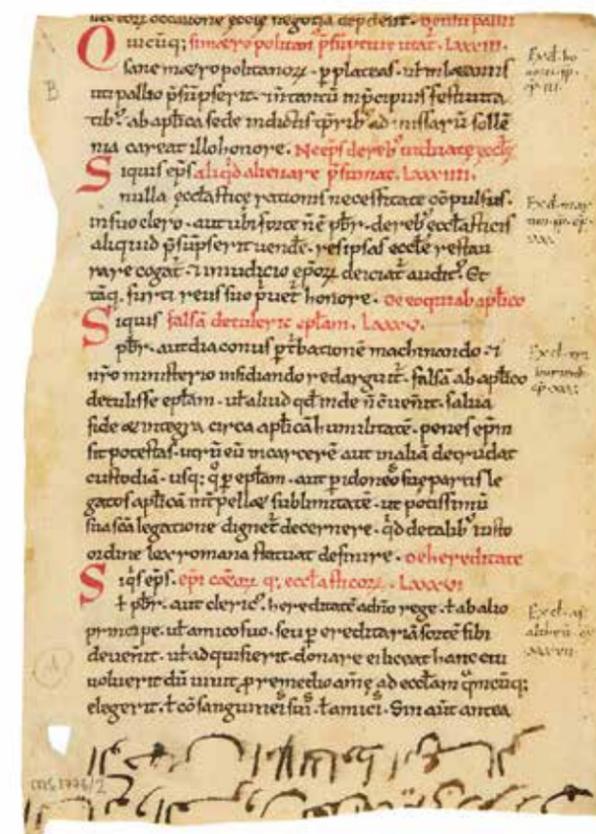
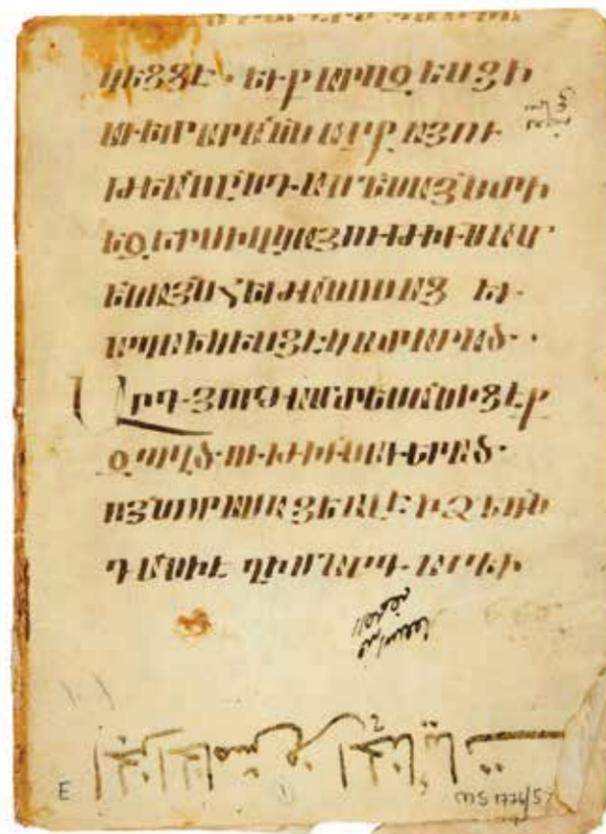
F. D'Aiuto, 'Per la storia dei libri liturgico-icografici Bizantini: Un Progetto di catalogazione dei manoscritti più antichi', *Bollettino della badia Greca di Grottaferrata*, terza serie, 3 (2006), pp. 53-66.

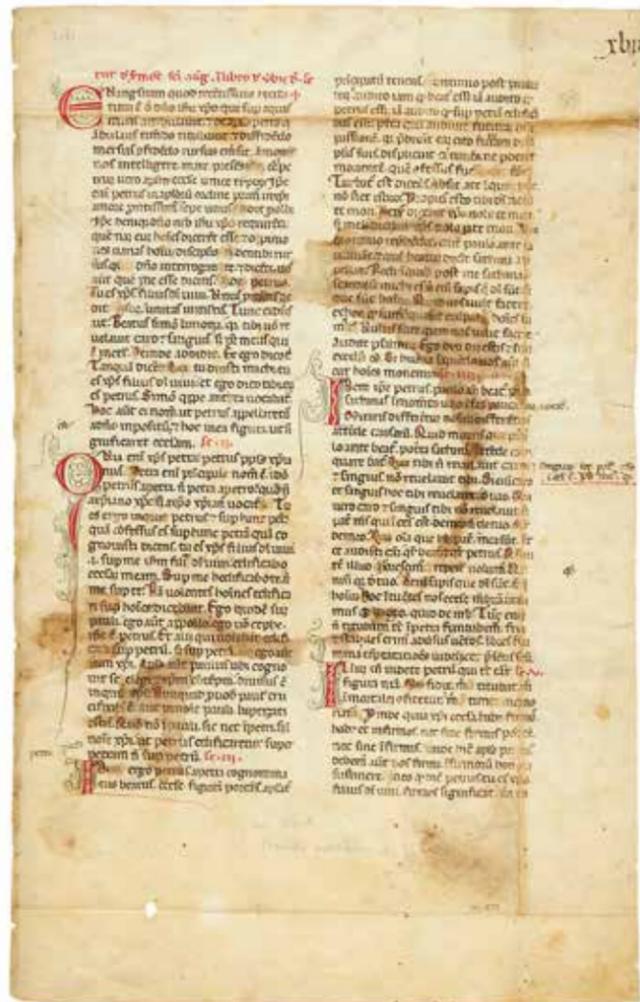
F. D'Aiuto, 'Un antico inno per la resurrezione', *Rivista di studi bizantini e neoellenici*, n.s. 45 (2008), p. 28.

£25,000-35,000



Lot 46





Lot 47

47 0

Leaf from a collection of Homilies on St. Peter and the Ascension by SS. Augustine and Jerome, in Latin, leaf from a monumentally large lectern manuscript on parchment [northern Italy (perhaps the Veneto), c. 1200]

Single leaf, with single column of 49 lines in a notably rounded and squat gothic bookhand which appears Italian on first inspection, capitals touched with red penstrokes, red rubrics, initials in split red bars or with geometric designs left within their bodies in blank parchment with foliate penwork additions in dark green, small marginalia underlined in looping red penwork, later medieval folio no. “xliii” in upper outer corner, reused on a binding and with folds, small scuffs and one large circular stain from an overflowing container of some dark liquid being placed on the centre of the leaf, overall fair and presentable condition, a few modern pencil notes (some in French), 530 by 330mm.; in cloth-covered card binding

Provenance:

1. Kraus list 189 (1958), no. 211.

2. Sotheby’s 21 June 1994, lot 4 (part).

3. Schøyen Collection, London and Oslo, their MS 1854, acquired at Sotheby’s.

Text and script:

The script and decoration here present a number of puzzling questions on first inspection. The initials, with their cascading bunches of penwork surround, find close parallels in examples from the Low Countries and adjacent northern France, while the script has strong influences from rounded and squat Italian hands, while remaining distinct from them. Thus, in 1994 it was catalogued as Italian, with the tentative suggestion that instead it might be from neighbouring southern France or northern Spain instead.

In fact, such features are found in Gothic manuscripts from Venice and the Veneto (cf. the *Statuti e leggi di venezia*, of c. 1250, sold in Semenzato, 25 April 2003, lot 28, and a Romance collection including the *Chanson de Roland* of late thirteenth-century Venetian origin, now in the Biblioteca Nazionale Marciana, fr. V.7), perhaps locating this leaf to that region. Manuscript leaves from the Veneto of this great age are extremely rare to the market.

£1,500-2,000

The High Gothic

The trends that were seen in the proto-Gothic increased greatly during the thirteenth century, producing distinctly angular and decorative script forms and innovative features of layout and design that by the the beginning of that century could be identified as Gothic in northern Europe, and during the early thirteenth century in southern Europe. The script forms *Textualis*, *Quadrata* and *Rotunda*, here given their medieval names as used by scribes while advertising their skills, came into distinct existence. Here the Glossed Bible came into its own with an elaborate planned layout foregrounding visual beauty of each individual page (see lot 49), and under different pressures books and their script both miniaturised to make the most of resources when producing vast numbers of text books for the booming universities and their students in the first mass production of books in Western history (lots 49 and 51), as well as grew larger and more impressive for public reading in ecclesiastical communities and centres (lot 52). Here we also include less polished scripts, predominantly of the fourteenth century, but with fascinating features such as a scribal colophon expressing relief that the volume was finished, and asking for a drink and a fair wage (lot 53), or the opening leaf of a copy of Guillelmus Durandus, *Repertorium juris canonici*, which was written in Italy but decorated in England, testifying to the wide travels of an early owner, perhaps during his education and subsequent employment (lot 56).



Lot 48

48 θ
Leaf from a Glossed Bible, with Hosea 8:12-9:6, in Latin, from a decorated manuscript on parchment [Northern France (doubtless Paris), second half of thirteenth century]

Single leaf, with single column of 25 lines of a professional early gothic bookhand (*textualis prescissa*), interlinear and marginal gloss in smaller version of same, the marginal gloss set in blocks around the main text up to 50 lines in length, capitals in tall and elegant double penstrokes, red rubrics, paragraph marks in alternate red or blue, running titles and versal initials in alternate red or blue capitals, small textual corrections on verso in drypoint gloss, slight water damage to upper outer corner of leaf with some shrinkage of parchment there, else good condition on fine and yellow parchment, 330 by 230mm.; in cloth covered binding.

Provenance:

1. From an excellent Glossed Bible made in Paris c. 1220. Other leaves from the same parent manuscript have appeared in Quaritch, cat. 1270, no. 14 and in the American trade.

2. Schøyen Collection, London and Oslo, their MS 1374, acquired from Quaritch, cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 16.

Text and script:

The complex format of the layout here, with the main text written on alternate lines, and with the gloss interacting fluidly with the irregular shaped blocks of main text, to maximise the space of the page, has been associated by C. de Hamel with Parisian Bible production after the 1160s (*Glossed Books of the Bible and the Origins of the Paris Booktrade*, 1984, pp. 24-7).

£800-1200



Lot 49 (detail)

49 θ
Josias censuring the altar in Jerusalem for the Passover, in a historiated initial on a leaf from the Villeneuve-lès-Avignon Bible, with Nehemiah and beginning of Ezra II, in Latin, illuminated manuscript on parchment [France (probably Paris), second half of thirteenth century]

Single leaf, with double column of 56 lines in tiny gothic bookhand (*littera textualis* or 'pearl script'), headings in red, capitals touched in yellow wash, running titles and chapter numbers in alternated red or blue capitals, three 2-line initials in red or blue will full length penwork in both colours, one large historiated initial 'E' (opening "Et fecit Iosias pascha ...", 3 Esdras 1), with Josias censuring the altar in Jerusalem for the Passover, in style of 'Vie de Saint Denis' workshop, this fol. 166 of original codex, some marginal notes, overall excellent condition, 210 by 150mm; in cloth-covered binding

Provenance:

1. From a Bible once in the medieval library of the Carthusian Abbey of Villeneuve-lès-Avignon, founded in 1356 by Pope Innocent VI who gave the abbey 57 manuscripts. The parent manuscript of this leaf was at least a century old when acquired by the abbey, but its distinctive *punctus flexus* punctuation suggests that it came to them from another Carthusian house (see N.R. Ker, *Medieval Manuscripts in British Libraries*, 1969, I, p. xii, n. 2).

2. Transferred in 1812 to the Hôtel de Ville in Villeneuve, and sold by the municipality in 1853 to the Montpellier bookseller Félix Seguin, his cat. for 1854, no. 3.

3. Subsequently broken up in London c. 1961 probably by Louis Bondy, and dispersed through the Folio Society and Maggs (see Maggs, *Bulletin* 2, 1962, no. 13, for the leaves with the ownership inscription of Villeneuve-lès-Avignon; for other leaves see M.M. Manion, V.F. Vines and C. de Hamel, *Medieval & Renaissance Manuscripts in New Zealand Collections*, 1989, no. 68, pp. 89-90).

4. Alan G. Thomas (1911-1992), London bookseller: with his price code.

5. Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 19.

6. Schøyen Collection, London and Oslo, their MS 654; acquired in June 1990.

Decoration:

The historiated initial here is in the style of the 'Vie de Saint-Denis' atelier, on which see R. Branner, *Manuscript Painting in Paris during the Reign of Saint Louis*, 1977, pp. 87-93.

£1,500-2,000



Lot 50

50 θ

Leaf from a commentary on Matthew 2:11-18, in Latin, from a large decorated manuscript on parchment [England, c. 1200]

Single leaf, with double column of 45 lines in a handsome English gothic bookhand (textualis libraria), capitals touched in red and sometimes with leafy vine-stem terminals, one small red initial, marginalia including diagrams for the words “fuga” and “Moratus”, recovered from a binding and with staining to margins on recto, some tears to edges of leaves and small holes, overall in fair and presentable condition, 345 by 245mm.; in cloth-covered binding and with report by Prof. Marvin Colker

Provenance:

1. The presence of *punctus flexus* punctuation indicates an origin in a Cistercian community, somewhere in England at the end of the twelfth century and the opening of the thirteenth.
2. Sotheby’s, 12 November 1987, lot 12.
3. Bernard Rosenthal (1920-2017), San Francisco, California, I/266 (1987).
4. Quaritch cat. 1088, *Bookhands of the Middle Ages III*, 1988, no. 65.
5. Schøyen Collection, London and Oslo, their MS 107, acquired June 1988.

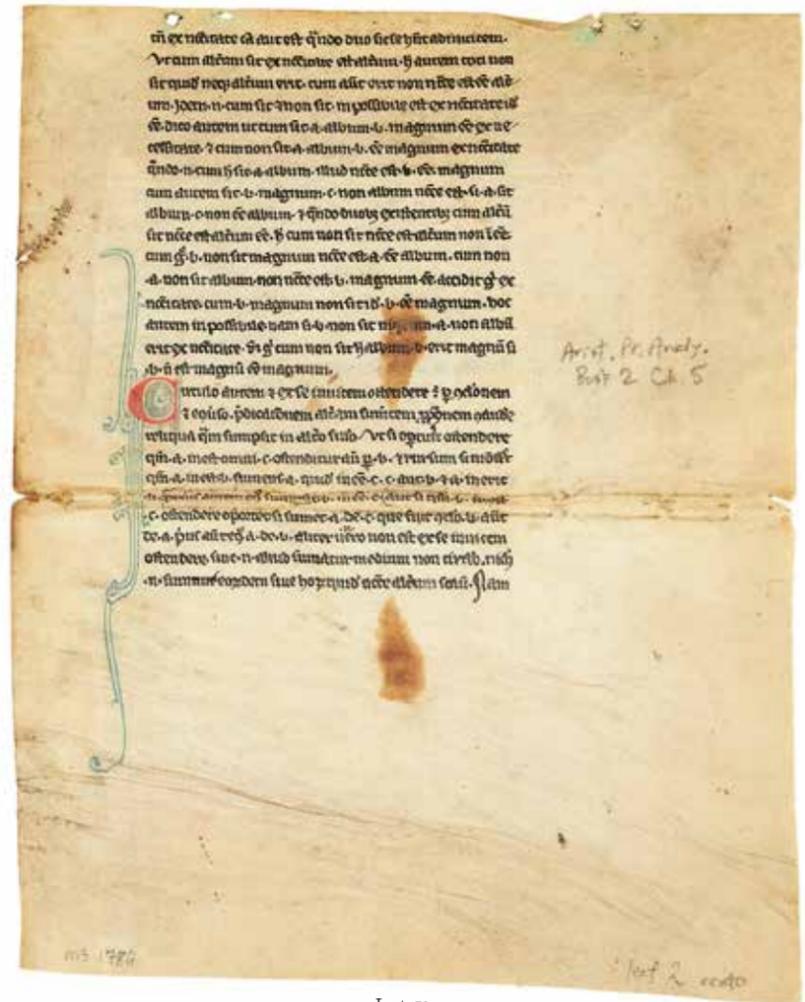
Text:

This text is a compilation of other commentaries, including those of Anselm of Laon (1050-1117) and the *Historia Scholastica* of Peter Comestor (1100-78; signalled with the marginal note in red “Hyst. ca. xi”), the latter citing Chrysostom on the assertion that a new star had appeared for an entire year before the birth of Jesus. Here the scribe has annotated this statement with a marginal addition: “Hec sententia minus est usitata”, indicating that this idea is not usually held.

Published:

H.R. Woudhuysen, ‘Manuscripts at Auction: January 1988 to December 1988’, in *English Manuscript Studies 1100-1700*, vol. 2, eds. P. Beal and J. Griffiths, Blackwell, Oxford, 1990, pp. 311, 315-317.
J. Griffiths, ‘Manuscripts in the Schøyen Collection Copied or Owned in the British Isles before 1700’, in *English Manuscript Studies 1100-1700*, vol. 5, eds. P. Beal and J. Griffiths, British Library, London, 1995, pp. 36-42.

£3,000-5,000



Lot 51

51 θ

Aristotle, *Priora Analytica*, 1:32, 2:5, in Latin translation of Boethius, manuscript on parchment [France or England, thirteenth century]

Two leaves, trimmed at top, with remains of single column of 26 lines in tiny early gothic bookhand (textualis prescissa), paragraph mark in red, one 2-line red initial with elaborate blue penwork, recovered from a binding and hence both folded, and with stains and later scrawls, else good condition, 170 by 140mm.; in cloth-covered binding

Provenance:

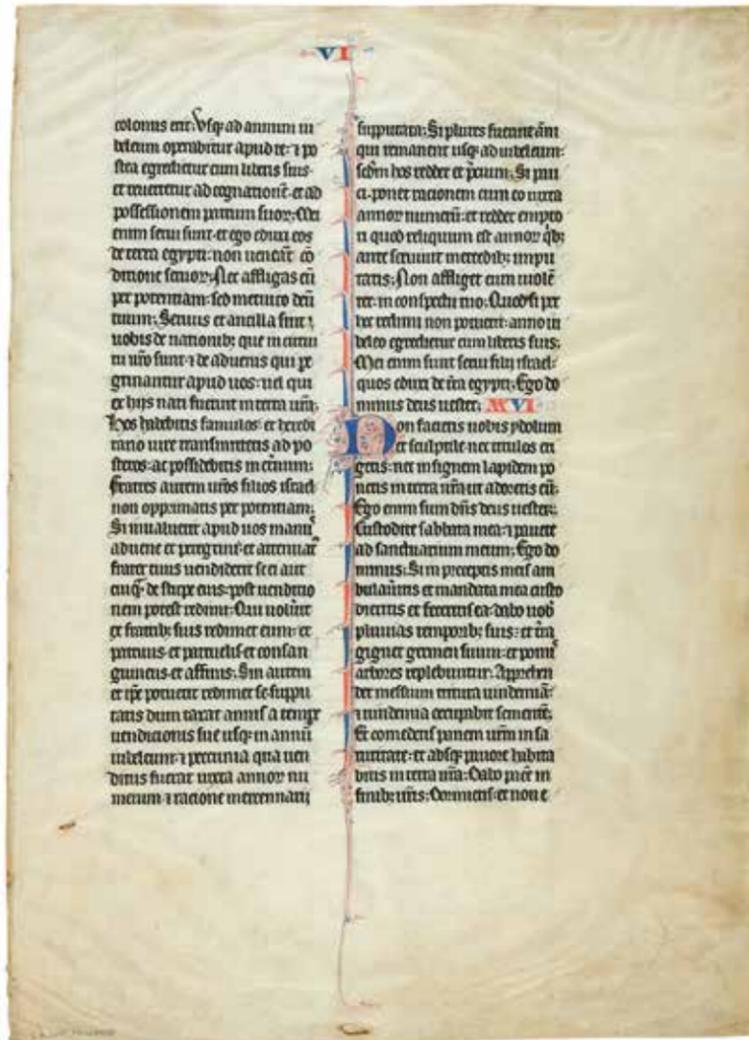
1. Private American collection, partly dispersed by Quaritch, London, in 1993.
2. Schøyen Collection, London and Oslo, their MS 1786, acquired from Quaritch.

Text:

The works of Aristotle (384-322 BC.) were described by Cicero as “a river of gold”, but were almost entirely lost to the West at the fall of the Roman Empire. Following the Crusades in the twelfth and thirteenth centuries they were rediscovered in their original Greek and in Arabic translations, and Latin translations swept through the European universities, creating a sea-change in the study of philosophy and the sciences. The *Priora Analytica* was one of the few exceptions to this, and was available in translation by Boethius from the sixth century onwards, but there is no evidence that it was much used until the later renaissance of interest in Aristotle’s works. The text discusses deductive reasoning, and is the earliest known text to discuss logic.

The leaves here have ample margins, underscoring their intended use in an academic setting.

£2,000-3,000



Lot 52

2. Erik von Scherling (1907-1956) of Leiden (see lot 6); who owned a part of the broken volume I (from Leviticus 3 to Judges 24) in 1954 (offered *Rotulus VII*, no. 2474, illustrated as frontispiece there).

3. Broken by the Folio Society between 1963 and 1965 and widely dispersed, with leaves appearing in their cats. 13 (1963), no.130, 16 (1963), no. 128, 23 (1964), no. 26, 27 (1965), nos. 125a+b, 33 (1965), no. 111; as well as Sotheby's, 25 April 1983, lot 84. A single leaf is also New Zealand, Dunedin Public Library, Reed Collection, frag. 11 (M.M. Manion, V.F. Vines and C. de Hamel, *Medieval and Renaissance Manuscripts in New Zealand Collections*, no. 74, and our catalogue for 4 December 2018, lot 16 for updates to provenance), and others have since appeared in our rooms, 4 December 2018, lot 16.

4a. The first leaf here passed to the palaeographer, E.A. Lowe, where it hung framed in his study at the Institute for Advanced Study in Princeton, from there it passed to Bernard Rosenthal (1920-2017), of San Francisco, California, his I/22, acquired in 1972; and from there to Quaritch cat. 1088, *Bookhands of the Middle Ages III*, 1988, no. 71, from whence it was acquired for the Schøyen Collection as MS 82.

4b. The second leaf re-emerged in Swann Galleries, New York, Auction 1525, 22 March 1990, lot 123, and was also acquired for the Schøyen Collection and reunited with MS 82.

Script:
A fine example of the grand decorative script of the thirteenth century primarily used for *de luxe* Biblical and liturgical codices, showing the angularity and lateral compression of letter forms common to the Gothic, but with a wide range of decorative flourishes included for decorative effect.

£2,000-3,000

52 θ
Two leaves from a monumental Lectern Bible, with Leviticus 25:40-26:26 and Deuteronomy 12:31-14:19, in Latin, from a vast decorated manuscript on parchment [southern Flanders (perhaps Tournai), c. 1275]

Two leaves (text not continuous), with double column of 33 lines in a large, formal gothic book script of highest grade (*littera gothica textualis formata*), initials in red and blue with penwork flourishes the entire height of the text and margins, slight cockling and discolouration at edges and corners, slight flaking from ink of a few letters on one page, else in good and bright condition, 510 by 37mm.; in cloth-covered binding

Provenance:
1. From volume one of a grand four volume Bible, probably from the medieval library of St. Martin's, Tournai, with volumes II and III probably Brussels, Bibliothèque royale, MS II.2523, and volume IV may be Los Angeles, J. Paul Getty Museum, MS Ludwig I.9. The presence of *punctus flexus* punctuation might be taken to indicate production for Cistercian use, and the parent volume of these leaves was owned by one "Frater Stephanus Blanchet" in the sixteenth century (see the leaf with his ex libris in Quaritch cat. 1036, *Bookhands of the Middle Ages*, 1984, no. 75). The Brussels volumes once belonged to Sir Thomas Phillipps, who bought them in the 1820s among the residue of the library of St. Martin's, Tournai, noting that before he could obtain it, volume I had been sold and "destroyed by a Bookseller at Brussels".

53 θ
Commentaries on Luke 24:15-24 by various writers including Bede, Theophilus, Gregory the Great, Augustine and John Chrysostom, with a rhyming scribal colophon expressing relief at having finished and asking for a drink and a fair wage, in Latin, decorated manuscript on parchment [France or Low Countries, late thirteenth or early fourteenth century]

Two leaves, with single or double column of main Gospel text in up to 23 lines of a professional and squat early gothic bookhand (*textualis libraria*), with pronounced lateral compression, commentary set in sister columns of 45 lines in same hand but smaller, accompanying a column of main text, capitals touched in red and some with ornate flourishes to their extending penstrokes, running titles at head of pages in alternate red or blue capitals, red rubrics, the scribal colophon marked with a well executed manicule mark, slight darkening at edges, one small erased and corrected section, last leaf cut down slightly smaller than first, last leaf once folded and two small holes on blank reverse (perhaps marks from bosses once on binding of original manuscript), else outstanding condition, 330 by 240mm.; in cloth-covered binding

Provenance:
1. Written in either France or the adjacent Low Countries in the late thirteenth or early fourteenth century by the scribe who wrote the elaborate colophon on the last leaf here (see below).
2. Charlie Stocker, Cambridge (d. 1978).
3. Dr. George Salt (1903-2003), entomologist and fellow of King's College, Cambridge.
4. Sotheby's, 17 December 1991, lot 7 (part).
5. Schøyen Collection, London and Oslo, their MS 1546, acquired from Sotheby's.

Text:
The most striking feature here of these charming leaves is the scribal colophon declaring the parent codex finished, and asking for a drink and payment:

"Explicit hic totum pro xpo da mihi potum
Donum sit gratum largi cordis quae paratum [with end from previous line after paraph]
Mercedem quaero meriti vexamine vero"

It opens with a common scribal statement, that the whole has been completed and a request for a drink, but from the second line onwards the scribe here is clearly composing, with occasional errors in his Latin. Here he develops his theme, asking that this gift of a book be appreciated. His last line comes to the point, requesting payment for those who are burdened and truly deserving (i.e. him).

While individual voices of medieval scribes such as this one are among the most fascinating and enthralling additions to medieval books, they survive in relatively small numbers. Moreover, these numbers dwindle even further when one looks for compositions by the actual scribe involved, rather than stock phrases repeated again and again by multiple scribes.

£5,000-7,000



Lot 53 (for detail of colophon see end of catalogue)



Lot 54

Collections, Cm. 1.4, a Plutarch printed in Strassburg in 1473-75; all with identical inscriptions in the same hand. Paulus de Muntzdail held a doctorate in Canon Law and before moving to Trier to become a Carthusian, he served as the provost of the Church of Saint Mary in Flanheim, and the rector of the parish church in Kreuznach near Mainz. He died in 1487.

2. Carthusian Monastery of St. Alban, Trier (founded 1335, surviving until 1673, when it was suppressed during warfare with the French, and the community moved to Merzlich, then known as Konz-Karthus, before suppression during the Secularisation, after which its goods and chattles were sold in 1805).
3. Jacques Rosenthal (1854-1937), passing after his sudden death to Hans Koch, who took over the business.
4. Bernard Rosenthal (1920-2017), San Francisco, California, his I/124, acquired in 1960.
5. Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 106.
6. Schøyen Collection, London and Oslo, their MS 724, acquired from Quaritch in March 1991.

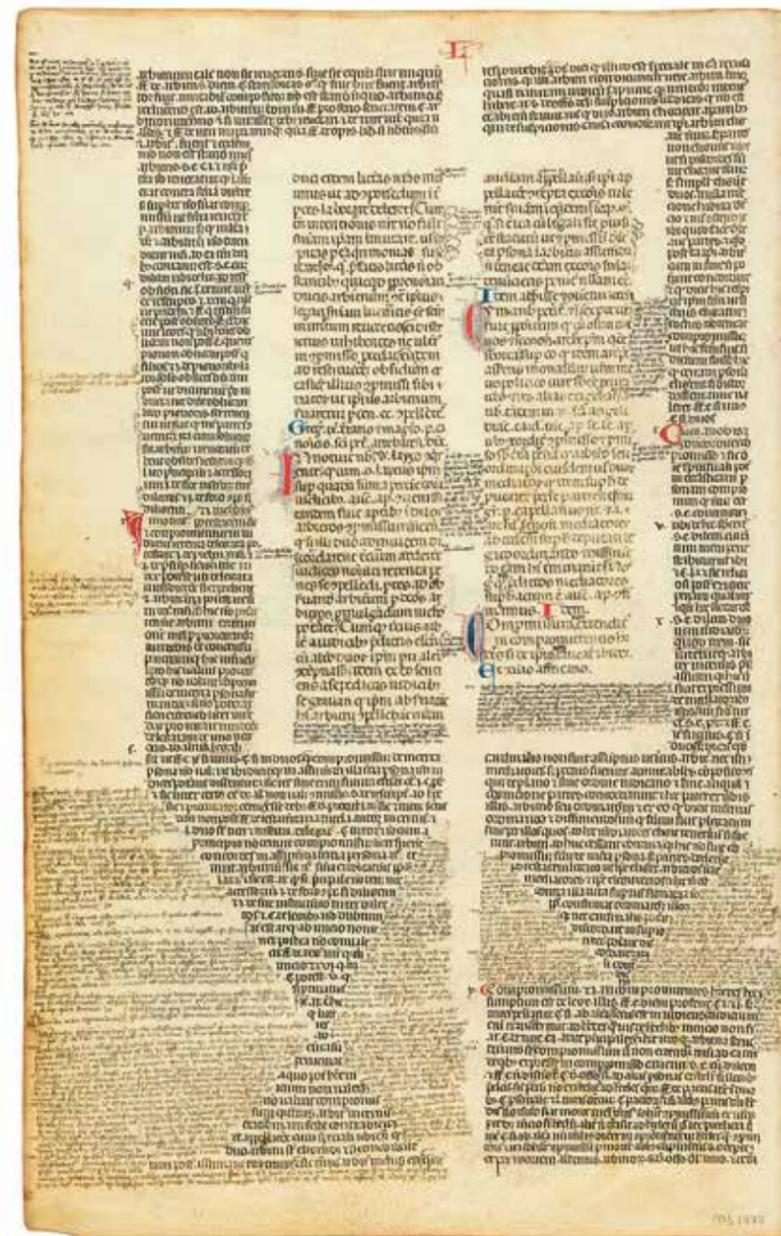
Text:
The leaves here contain parts of Pope Boniface VIII's bulls of 7 April 1295; 8 April 1295 nullifying certain exceptions privileges granted by Pope Nicholas IV; 8 April 1295 nullifying privileges granted by the popes, Celestine and Honorius IV; followed by a short legal commentary.

£700-900

54 θ
Leaf from a collection of Bulls of Pope Boniface VIII, in Latin, from a large manuscript on parchment [northern France (probably Paris), c. 1300]

Bifolium, each leaf with double column of 55 lines in a fluent and rapidly written gothic bookhand (textualis currens), typical of Parisian academic books, some small marginalia, spaces left for rubrics, section of parchment lost from blank margin at foot of first leaf, recovered from the binding of a printed copy of Panormitanus, Lectura super V libris Decretalium, Basel: Bernard Richel, 1480-1481, some scuffing and water damage to second leaf causing illegibility in places there, overall fair condition, 380 by 270mm.; in cloth-covered binding

Provenance:
1. Written in Paris c. 1300, and by the closing decades of the fifteenth century discarded and reused as binding material in Trier. While in its new home at the front of an incunable, a five-line inscription was added to the foot of the first leaf, recording that Brother Paulus de Muntzdail, when still a novice of St. Alban outside the walls of Trier, presented a printed copy of Panormitanus, *Lectura super V libris Decretalium* (and the manuscript leaves reused in its binding) as well as other books to his monastic house, and arranged in the presence of a notary that none of his books should be lent outside his monastery except with special permission, on a temporary basis, and with the restriction of a written warranty. Other books from this gift survive in Yale, Rare Book 36 00-0080, a Bernardo Bottoni, *Casus longi super quinque libros decretalium*, Basel: Michel Wenssler, c. 1473; University of Glasgow, Hunterian Special Collections, Be.2 19, a Lactantius printed in Venice in 1479; and Hunterian Special



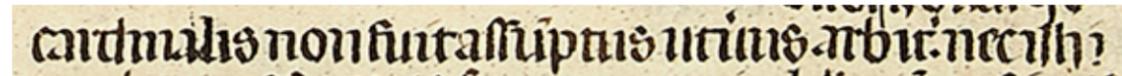
Lot 55

55 θ
Leaf from a copy of the Decretals, in Latin, from a large manuscript on parchment [Italy, fourteenth century]

Single vast leaf, with main text in double columns of 38 lines of rounded gothic bookhand (Italian rotunda or littera bononiensis), with encircling marginal gloss in approximately 100 smaller lines of same, the gloss at the foot of the recto arranged into interlocking triangle shapes, other near-contemporary marginalia filling up originally blank spaces, running titles in blue or red initials at head of pages ('L. I'), one-line initials in red or blue, tall and slender initials in red or blue with contrasting penwork, some script on recto flaked away, but text still legible, small spots, else good and presentable condition, 450 by 290mm.; in cloth-covered card binding

Provenance:
Schøyen Collection, London and Oslo, their MS 1977, acquired Quaritch, London, December 1994.

£600-800



"cardinalis non fuit assumptus ut uerus arbitur. Nec illi"



Lot 56

56 0

Opening leaf of Guillelmus Durandus, *Repertorium juris canonici* (*Breviarium aureum*), a collection of citations from canonists on controversial questions, in Latin, decorated manuscript on parchment [Italy and then England, fourteenth century]

Single leaf (the opening leaf of the main text), with double column of 75 lines of an apparently Italian rounded university bookhand (*textura semi-rotunda*), some glosses (including many on verso that may be English in origin), single red rubric opening text, 2- to 3-line initials in red with blue penwork, one large variegated initial in red and blue intersecting panels with blue penwork, borders around edges of columns in repeating red and blue leaf-shapes with long whip-like penwork tendrils, some scuffing, slight discolouration and a few small holes, overall in good and presentable condition, 390 by 260mm.; in cloth-covered binding

Provenance:

1. Most probably written in Italy or by an Italian scribe, in the second half of the fourteenth century, and then left undecorated, with the initials and distinctive border decorations being added a few decades later in England. The smaller of the glossing scripts may be an anglicana hand, also added in England during the volume's use there. This movement of the parent codex strongly suggests that it was produced for a law student or master, who trained in one of the popular legal universities in Italy, probably Bologna, before travelling to take up a position in England, perhaps at Oxford.

2. Philip Bliss (1787-1857), registrar of the University of Oxford and principal of St. Mary Hall, Oxford; this leaf from an album of leaves and fragments assembled by him from Oxford bindings and elsewhere, the album sold at Sotheby's, 21 August 1858, lot 100/119.

3. Sir Thomas Phillipps (1792-1872), the single greatest manuscript collector to have ever lived, who assembled a collection of some 60,000 manuscripts in a single lifetime, this part of his MS 15,659, passing after his death to his heirs and ultimately the Robinson brothers, whose bookdealership was based in the rooms in Pall Mall we now occupy; the album sold by them at Sotheby's, 24 April 1911, lot 390/391; with a pencil note on text and author in Phillipps' hand at head of recto.

4. E.H. Dring (1863-1928), the first managing director of Quaritch, passing in turn to his son E.M. Dring (1906-1990), himself manager of Quaritch from 1960; sold after his death to Quaritch, and then this leaf their cat. 1056, *Bookhands of the Middle Ages II*, 1985, no. 36.

5. Private American collector, returning to Quaritch in 1991.

6. Schøyen Collection, London and Oslo, their MS 1396, acquired from Quaritch.

Text and script:

Guillelmus Durandus (c. 1230-1296) was a French canonist and liturgical writer, who also served as bishop of Mende, in France. He studied Canon Law at Bologna, and later taught the same at Modena, before serving Pope Clement IV and his successor Gregory X in Rome. Pope Martin IV elevated him to vicar spiritual in 1281, and despite his election to the bishopric of Mende he was compelled to stay another decade in Italy, only leaving in 1291.

This leaf is an excellent witness to the strange portmanteau marriages of script and decoration that sometimes occur in university texts of the thirteenth and fourteenth centuries. As the universities grew and acquired reputations for the teaching of individual subjects so students travelled further and further afield for their education. Italy, and in particular Bologna, was notably strong in the teaching of law, and the script here is rounded and squat indicating an origin there. The border decoration and initials, however, point clearly at English book decoration, and were presumably added there.

£800-1,200

57 0

Hercules Oetaeus (a play on the death of Hercules on Mount Oeta), 688-710, 714-735, 953-974, 979-1000, in Latin, large cutting from a decorated manuscript on parchment [Italy (probably northern), second half of fourteenth century or c. 1400]

Cutting from a bifolium, with one near complete leaf (only trimmed at foot with loss of 4 lines there) and the other leaf trimmed away at foot and along vertical edge (with loss of half the text column there), each leaf with single column of 25 lines in Italian gothic bookhand (Italian rotunda), capitals set off in margin as common with layout of verse, extensive marginal and interlinear gloss in a tiny humanistic bookhand, paragraph marks in red or blue, red rubric, one simple blue initial, recovered from a binding and hence with tears and small holes, reverse soiled and scrawled on (but legible there), overall fair and presentable condition, 200 by 180mm.; in cloth-covered card binding

Provenance:

1. Probably copied in northern Italy in the second half of the fourteenth century or the turn of the fifteenth century, perhaps for a scholarly reader, who added numerous interlinear additions to the text in a humanist hand.

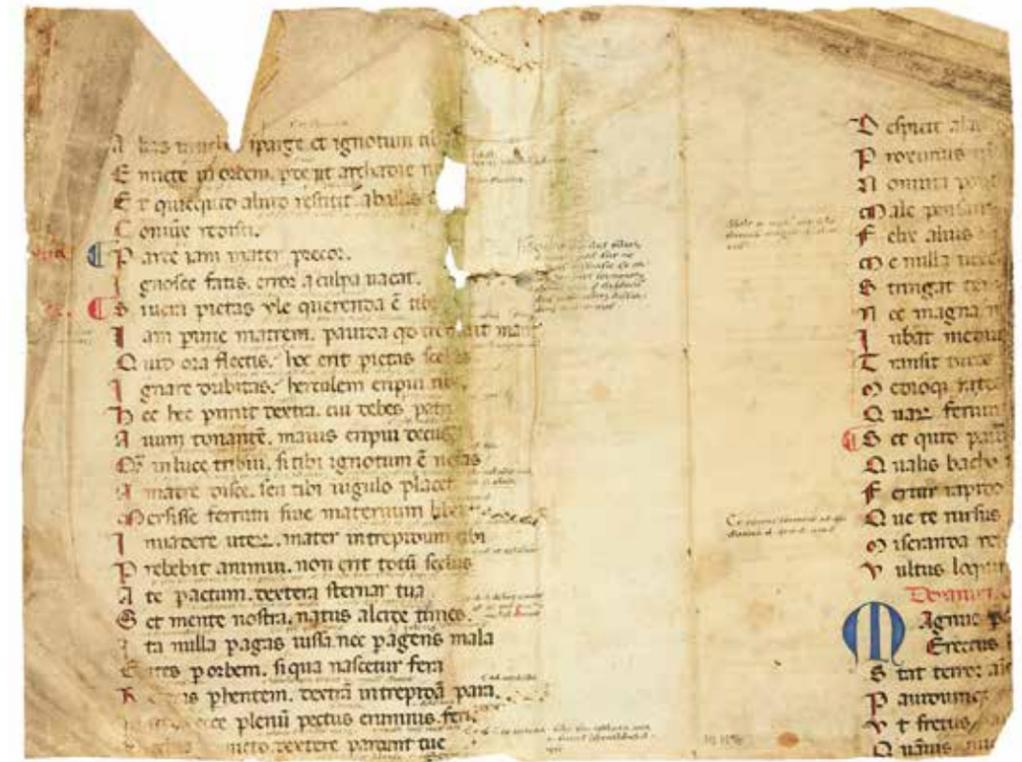
2. Later discarded and cut up for reuse on bindings, the present cutting ending up as a binding of a book owned in the first half of the seventeenth century by one Pietro della Valle: his ex libris on reverse ("libro per il sig' Pietro della Valle"). This is most probably the important Italian cultural figure of the same name, who was a member of the Accademia degli Umoristi, as well as a composer and musicologist. In 1614 he left Italy to travel to Constantinople (where he spent a year learning Turkish and Arabic), and then throughout the Holy Land and Middle East (in Baghdad he married a famously beautiful Syriac Christian woman, Sitti Maani Gioerida, as well as supplying some of the earliest descriptions of Ancient Babylon and bringing inscribed bricks from Nineveh and Ur back to Europe – among the very first examples of cuneiform known to the West). In 1618 he campaigned alongside Shah Abbas in northern Persia, before setting sail for India and North Africa, only returning to Rome in 1624, when he was appointed to the private staff of Pope Urban VIII. He died in 1652.

3. Schøyen Collection, London and Oslo, their MS 1596, acquired Quaritch, London, in July 1992.

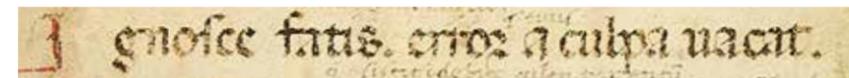
Text:

This work survived the late Antique and Medieval worlds among the plays of Seneca the younger (c. 4 BC:-65 AD.; more properly Lucius Annaeus Seneca), the Roman statesman, philosopher and dramatist, but is more probably the work of another associated Ancient writer who used numerous phrases and quotations from Seneca's other plays. There are notable differences in style and the work is twice the length of any of Seneca's other works (and in fact is the longest play from antiquity). Interestingly, this witness shows signs of scholarly comparison of manuscripts of the work, following in its main text the 'A' branch of the work (that descending from a twelfth-century French manuscript), but swapping one of its lines for the alternate reading of an 'E' branch (line 959 of the original work; this redaction deriving from the earliest complete manuscript of the work: Florence, Laur. MS 37.13, an eleventh-century Italian codex).

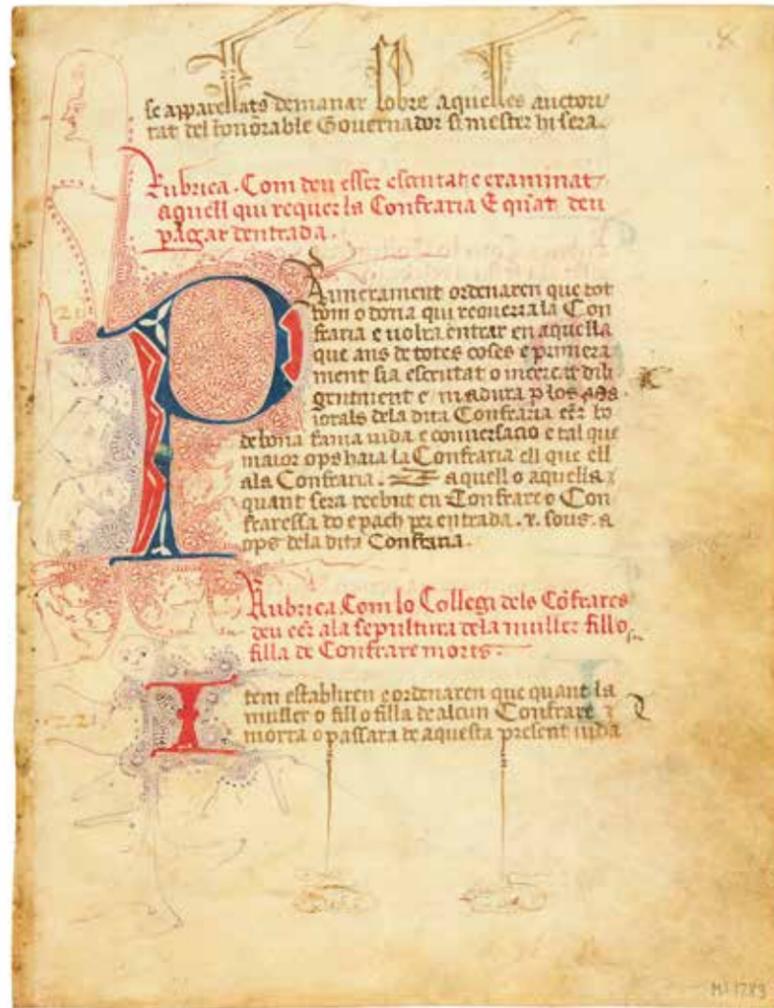
£2,000-3,000



Lot 57



"ignosce fatis; error a culpa uacat"



Lot 59

59 θ
 Statutes of the Confraternity of the Archangel Michael, Valencia, in Spanish, leaf from a decorated calligraphic manuscript on parchment [Spain (Valencia), c. 1400]

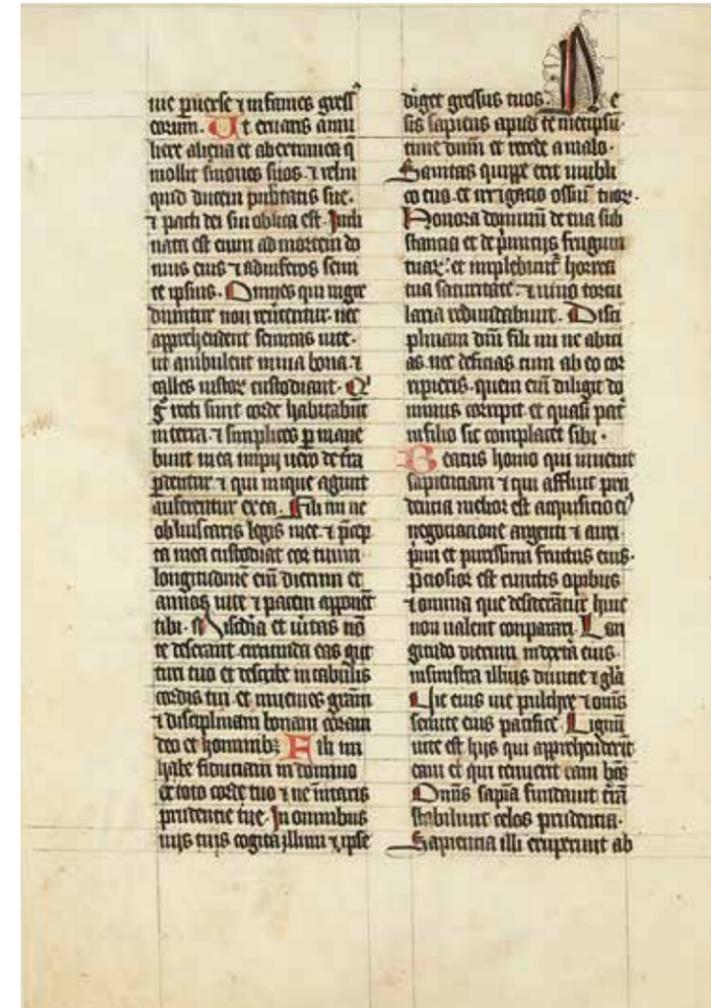
Single leaf, with single column of up to 24 lines in a good calligraphic Iberian rotunda bookhand, quite rounded and squat with many hairline decorative penstrokes added to letters, rubrics in same in red, elaborate ornamental penwork cadels to ascenders and descenders of letters in uppermost and lowermost lines, three small initials in red or red and blue encased within elaborate penwork densely filling the space with foliate designs, and with whiplike penwork tendril extensions, one very large initial 'P' (opening "Paunerament ordenaren que ..."), in variegated red and blue surrounded by penwork as before, this penwork enclosing two human faces, and that at foot enclosing a hare chased by a red-tongued dog, catchword at foot of verso surrounded by scrollwork showing this was the last leaf of a quire, eighteenth- or nineteenth-century folio no. '8' at outer head of recto, small smudges and spots, else in excellent condition, 243 by 185mm.; in cloth-covered card binding

Provenance:

1. Confraternity of the Archangel Michael, Valencia, and doubtless produced there for one of its members.
2. Bruce Ferrini, Akron, Ohio, March 1991, another leaf from this parent manuscript with miniatures of the Crucifixion and symbols of the evangelists appearing as his cat. 1 (1987), no. 3 (now in a private US collection).
3. Schøyen Collection, London and Oslo, their MS 1283, acquired from Ferrini.

Script:
 The script here is an excellent example of the florid and calligraphic rotunda employed in late medieval Spain for vernacular texts.

£600-800



Lot 60

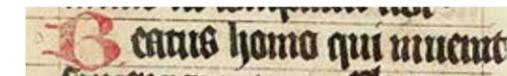
60 θ
 Missal, in Latin, decorated manuscript on parchment [Germany, fifteenth century]

Bifolium, each leaf with double column of 32 lines in a large format late gothic liturgical bookhand (littera textualis formata), with pronounced angularity and lateral compression, red rubrics, capitals touched in red, small initials in red, initials in topline embellished with calligraphic penstrokes (some including human faces), in excellent condition with wide and clean margins, each leaf 460 by 320mm.; in cloth-covered card binding

Provenance:

Schøyen Collection, London and Oslo, their MS 655, acquired from Quaritch cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 71, in June 1990.

£400-600



"Beatus homo qui invenit"



61 θ Lot 61
Prologue to Job, in Latin, leaf from an illuminated Bible manuscript on parchment [Austria or southern Germany, second half of fifteenth century]

Single complete leaf, with double column of 44 lines in a rounded and angular late gothic bookhand (textualis formata), capitals touched in yellow, red rubrics, running titles in tall calligraphic red script at head of each column, two large initials in dark green or blue, with foliate scrollwork picked out in their bodies, the larger enclosing liquid gold foliage with coloured flowers on burgundy ground, both on burnished and pounced gold grounds enclosed with coloured frames which sprout sprigs of acanthus leaves and gold bezants, a small '2' in lower outer corner of recto, one small original flaw to parchment (without losses to text), some small spots, else excellent condition, 380 by 270mm.; in cloth-covered binding

Provenance:
 Schøyen Collection, London and Oslo, their MS 599; acquired from Quaritch cat. 1088, *Bookhands of the Middle Ages III*, 1988, no. 75, in December 1989.

Decoration:
 The larger of the initials here with its scrollwork design, and infill of liquid-gold single-hairline foliage set within an internal gold border, is notably close to a leaf from an Austrian Bible, probably produced in Vienna in the second quarter to the middle of the fifteenth century (Lilly Library, Bloomington, Indiana, Ricketts MS 17: reproduced in C. de Hamel, *Gilding the Lilly*, 2010, no. 65).

£1,000-1,500



62 θ
Leaf from a large Bohemian Bible, with Zechariah 1:1-4:3 with end of the prologue of St. Jerome, in Latin, illuminated manuscript on parchment [Bohemia (probably Prague), c. 1430]

Single leaf, with double column of 45 lines in a good late gothic bookhand (textualis formata), in spiky forms peculiar to Bohemia), red rubrics, red running titles in angular script, 2-line initials in red or blue, one large initial 'I' (opening "In mense octavo ...", *Zacharias 1*) in dark blue with scalloping white penwork, enclosed within burnished gold panel, the gold pounced and highlighted with yellow paintstrokes and set within a pale green frame, coloured acanthus leaf sprouts (with notably angular leaves) emerging from initial into inner upright border, enclosing gold fruit and a large bezant at head and foot, the foliage enclosing but not obscuring a small textual correction in the upper border, a catchword at foot of verso showing this was once the last leaf of a quire, a tiny near-contemporary '22' in central gutter, slight cockling visible on reverse, outer edges of leaves perhaps once folded from last framing, small spots, else excellent condition, 370 by 270mm.; in cloth-covered card binding

Provenance:
 1. Sotheby's 12 December 1966, lot 153, bought as a single leaf by Folio Fine Art, then their cat. 44 (1967), no. 229.
 2. Sotheby's 8 July 1974, lot 7.
 3. Kenneth W. Rendell Gallery, cat. 146 (1979), no. 137.
 4. Sotheby's 18 June 1991, lot 29.
 5. Schøyen Collection, London and Oslo, their MS 1362, acquired in Sotheby's.

Script:
 The arched and angular semi-cursive script along with the highly stylised prickly leaves and pounced gold are all hallmarks of Bohemian book production in the fifteenth century. Compare the contemporary Martinice Bible (Prague, Knihovna Akademie, 1 TB 3; reproduced by B. Drake Boehm and J. Fajt, *Prague, the Crown of Bohemia*, 2006, no. 135), a manuscript associated with newly emergent Hussitism, and of equally large dimensions. Like that one the parent manuscript of this leaf was probably produced for a wealthy scholarly patron.

£1,500-2,000



Lot 63

Text: As the Renaissance began to re-examine the works of pagan Rome, Christian theologians stumbled onto the thorny problem of the finding of apparent wisdom in accord with their own values in pre-Christian texts. They moved to solve this by producing guides or commentaries to these texts to offer the medieval reader a Christian context for these pagan works. The present text is a commentary on a lengthy collection of two-line proverbs, composed by its otherwise unknown author in the third or fourth century AD., identified by J.C. Scalinger (1484-1558) as Dionysius Cato from a now lost manuscript (and to be clearly distinguished from Cato the Elder, d. 149 BC.). Its text mainly advocates common morality and the individual's responsibility to educate themselves, and was of great popularity during the Middle Ages. The two most popular commentaries in the fifteenth century were those of Philip of Bergamo and Robert of Euremodio, both authors of the last decades of the fourteenth century, and condemned by Erasmus in his edition of Cato's work in 1514.

£1,000-1,500

63 θ
Commentary on Cato, Distichs I:19-20, in Latin, manuscript on paper [Italy, second half of the fifteenth century]

Single leaf, with single column of 61-63 lines in an Italian semitextualis libraria strongly influenced by cursive and secretarial letterforms, 3 lines of text from Cato's Distichs ("Exiguum munus cum dat tibi pauper amicus accipito placate, pleneque laudare memento") in larger more angular and formal script, manucula marks pointing out significant readings, traces of running titles at head of leaf in thin penwork (these partly trimmed), paragraph marks in red or blue, single red initial touched in purple penwork, chainlines but no watermark, good condition, 380 by 250mm; in cloth-covered binding

Provenance: 1. Philip Bliss (1787-1857; on whom see lot 56 above); this leaf from an album of leaves and fragments assembled by him from Oxford bindings and elsewhere, the album sold at Sotheby's, 21 August 1858, lot 100/119.

2. Sir Thomas Phillipps (1792-1872), the single greatest manuscript collector to have ever lived; this his MS 15,659, passing after his death to his heirs and ultimately the Robinson brothers; the album sold by them at Sotheby's, 24 April 1911, lot 390/391.

3. E.H. Dring (1863-1928), of Quaritch, passing in turn to his son E.M. Dring (1906-1990); sold after his death to Quaritch, and then this leaf their cat. 1147, *Bookhands of the Middle Ages V*, 1991, no. 118;

4. Schøyen Collection, London and Oslo, their MS 1379, acquired from Quaritch in June 1991.

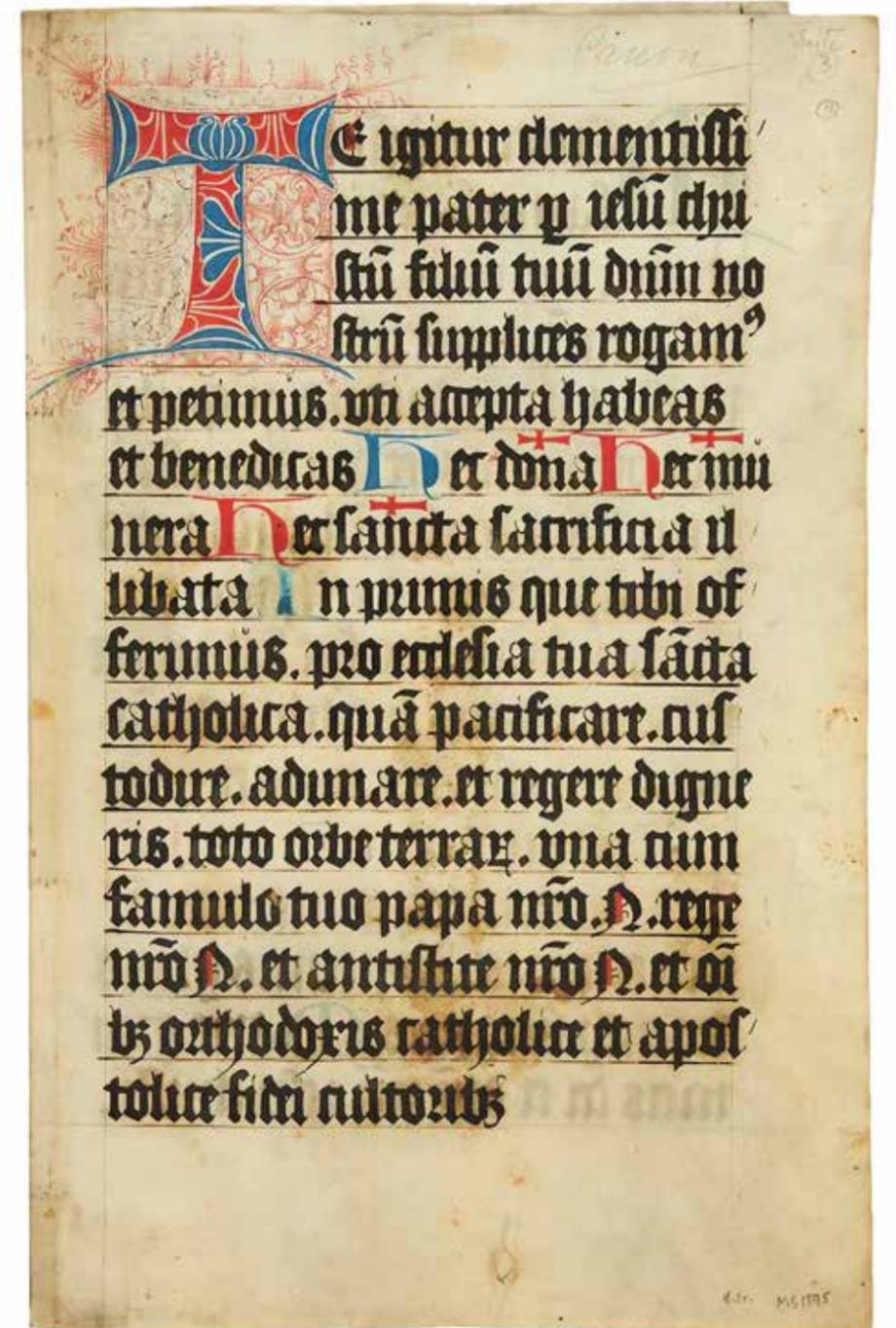
64 θ
Bifolium from a Missal, opening of the Canon of the Mass, in Latin, decorated manuscript on parchment [Germany, late fifteenth or early sixteenth century]

Two large leaves, with single column of 16 lines in the most formal late gothic bookhand (textualis formata or textus quadratus), red rubrics, capitals touched in red, three 2-line initials in red or blue, one large initial 'T' (opening "Te igitur ...") in scalloped red and blue sections in blue and red with outlines left in blank parchment, this encased in ornate red, blue and pale purple penwork picking out foliage, two small natural flaws in last leaf, upright margin of second leaf trimmed away, else excellent condition, 320 by 220mm.; in cloth-covered card binding

Provenance: Schøyen Collection, London and Oslo, their MS 1595, acquired Quaritch, London, in July 1992.

Script: The hand here represents the last and most formal phase of late medieval bookhands, with angular and bold letters, finished with decorative wedges added at their heads and feet and hairline decorative strokes to the extremities of the letters, all executed in a grand format. These same features would provide the models for the type of the earliest printed books.

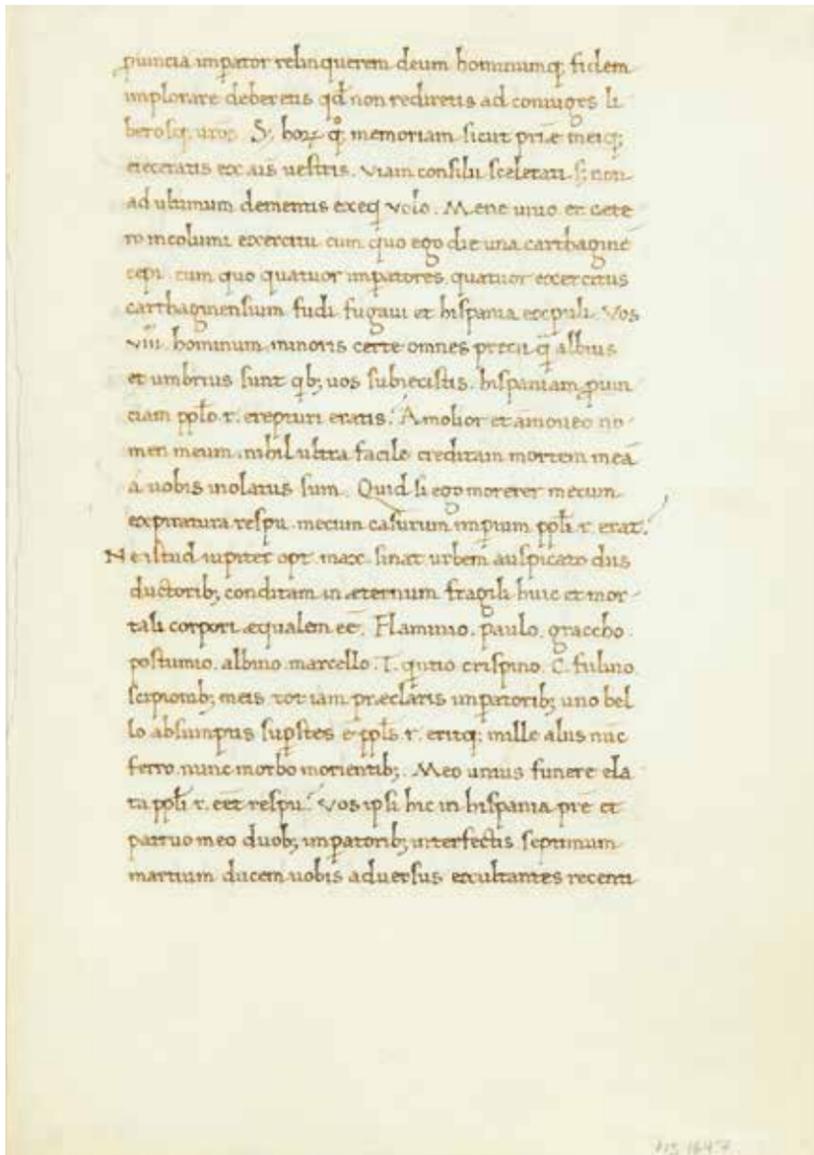
£500-700



Lot 64



"[omni]bus orthodoxis catholice et apos[tolice]"



Lot 65

65 0

Livy, *Ab Urbe Condita Libri* (on the history of Rome), from a handsome humanist manuscript, in Latin, manuscript on parchment [Italy (probably Naples), c. 1450-60]

Single leaf, with single column of 24 lines of the fine and appealing humanist script of Giacomo Curlo, capitals set off in margins, outstandingly fresh condition on fine ivory-sheen parchment with wide and clean margins, 223 by 159mm., in cloth-covered card binding

Provenance:

1. Attributed by A.C. de la Mare in 2000 to the hand of the early and important humanist scribe Giacomo Curlo ('A Livy Copied by Giacomo Curlo Dismembered by Otto Ege', in L.L. Brownrigg and M.M. Smith, *Interpreting and Collecting Fragments of Medieval Books*, 2000). The scribe is recorded working for Cosimo de Medici in October 1423, and by 1425 he may have worked also in the papal curia. By 1428, he seems to have been in Milan and Venice, and later moved on to Naples, where in 1446 he was appointed chancellor and contributed greatly to the royal library there, which was growing under the influence of King Alfonso II The Aragonese royal library once had two copies of Livy, listed as M153 and 154 in their inventory (S. López-Ríos, 'A New Inventory', *Journal of the Warburg and Courtauld Institutes* 65, 2002), one of which may have been the parent manuscript of this leaf.

2. The parent manuscript was obtained by the self-proclaimed biblioclast Otto Ege (1888-1951), at Sotheby's on 24 January 1950, lot 461, and gradually dismembered and dispersed (see S. Gwara, *Otto Ege's Manuscripts*, 2013, HL 39 and 52, with lists of recorded leaves). The remnant of 240 leaves (lacking over 170

leaves) then re-appeared at Sotheby's, 11 December 1984, lot 51, and was acquired by the Bodleian (with further leaves acquired by them in Sotheby's, 26 November 1985, lot 81, and Quaritch, cat. 1936, 1984, no. 5, and another presented to them by the University of North Carolina).

3. Schøyen Collection, London and Oslo, their MS 1647, acquired from Sandra Hindman, Chicago, in December 1992.

Text:

Livy (or Titus Livy) turned his talents from oratory and philosophy to history in his middle age, and his work was in as high demand in his own time as in the Renaissance. Pliny the Younger reports that a devotee travelled from Cadiz to Rome just to meet him, and authors as diverse as Cassiodorus and Orosius emulated his style, while he was accorded high praise by Dante and Macchiavelli. His works were set aside during the Middle Ages in favour of Christian authors, but the fifteenth century saw a humanist 'land grab' for the last remaining manuscripts of them, with the poet Beccadelli famously selling a country home to fund the purchase of a manuscript copied by the great text-hunter Poggio Braccolini. Both Petrarch and Pope Nicholas V committed their energies to searching out the last copies.

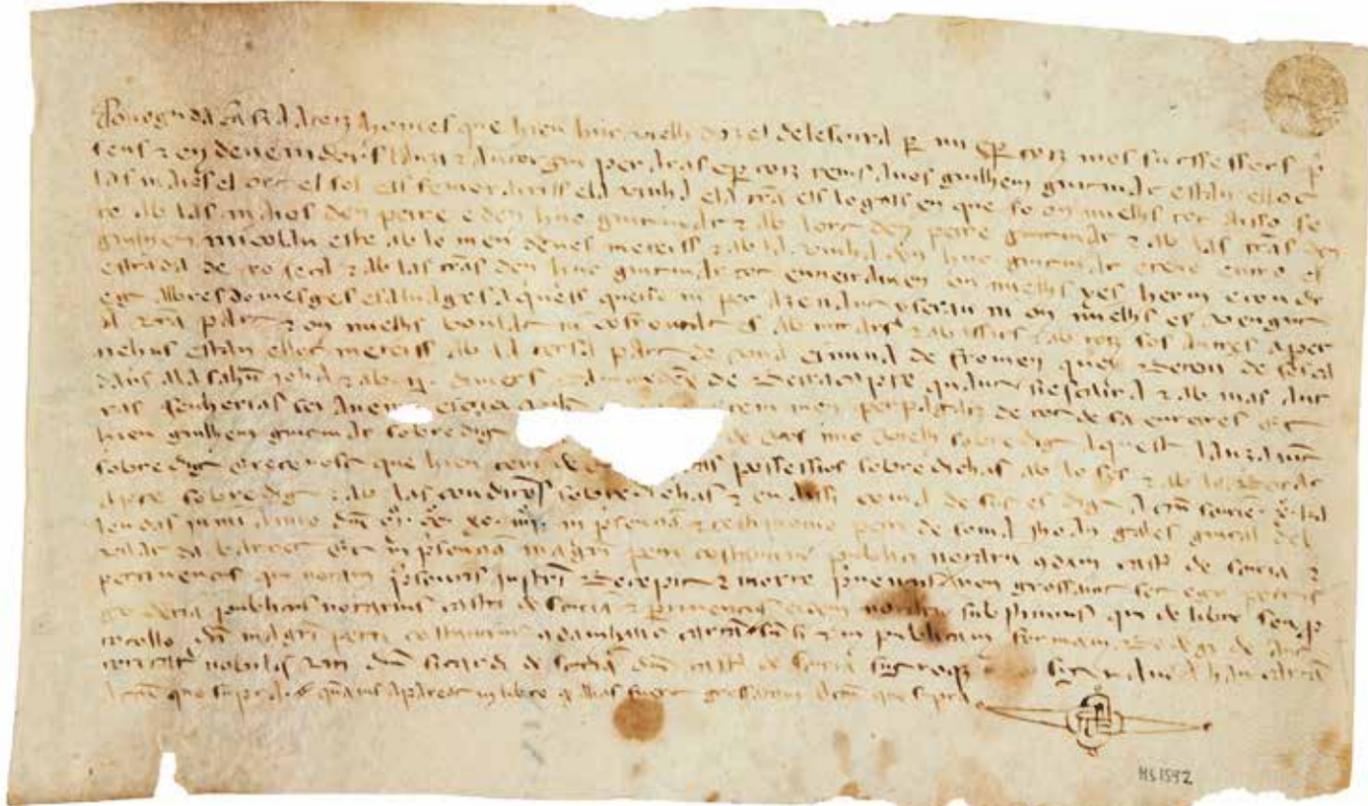
£500-700



"martium ducem nobis aduersus exultantes recenti"

Charters and secretarial hands

Just as the Ancient World had divided its scripts into the two camps of formal bookhands and informal everyday scripts, so did the Middle Ages. The informal hands were characterised by being more cursive and fluidly or hurriedly written with numerous ligatures. Throughout the period surveyed above from the late Roman Empire onwards more mundane scripts existed where the focus was on speed of accurate notation rather than beauty. Such scripts are represented here by these charters and archives of them, which also allow us to include English, Welsh, Scottish and Irish examples side by side, and take us up to the eighteenth century and the (almost) modern world. Here are charters in rare languages and dialects, as well as entire archives of houses and families kept together by antiquarian-interested collectors and members of the trade such as the Drings of Quaritch. There have been few chances since the Reformation to acquire medieval or later archives such as these intact, especially those in a substantially unstudied state, and here there are four of the Middle Ages, with a further four of the sixteenth century (these predominantly Scottish), as well as the archive of a Sheriff of Pembroke in Wales in the seventeenth century and an eighteenth-century royal charter issued for an Irish nobleman.



Lot 66

66
Record of the cession by Huc Viel to Guilhem Guirande of certain estates and vineyards and their profits, in Provençal, manuscript document on parchment [Provence, dated 1294]

Single-sheet, with 21 long lines in a round and scrolling secretarial hand, penwork knot at foot in place of a notarial symbol, small circular mark in upper right hand corner (perhaps glue from old collection label), some signs of folds and small losses at lower edge and 2 small holes in centre (the larger affecting 3 lines of text), archival endorsements in seventeenth- or eighteenth-century hand on reverse, overall fair and presentable condition, 180 by 300mm.; in fitted burgundy cloth-covered case

Provenance:
Schøyen Collection, London and Oslo, their MS 1592; acquired from Quaritch, London, in July 1992.

Text:
Early manuscripts in any form of Old French are rare before the late thirteenth century, and many of the early witnesses are charters (see those in our rooms, 8 July 2015, lot 29 and 9 December 2015, lot 92). However, examples of any version of the Old Provençal language, the earliest recorded form of the Occitano-Romance languages and thus the language of the troubadours, are far rarer. This charter is a precisely dated and located witness to this language.

£700-900



Lot 67

67
Agreement between Jacques Praillon, abbot of St. Vincent of Metz, with Bertignon Paillas, for the abbey to receive all rents and rights from the latter in the town of Domangeville and the neighbourhood of the Abbey of St. Vincent, manuscript document in French on parchment [France (Metz), dated February 1294, but in fact sixteenth century]

Single sheet document, 12 long lines in secretarial script, endorsements at foot, folds and slight discolouration, seventeenth- or eighteenth-century endorsements on reverse, else in good condition, 150 by 340mm.; in fitted red-cloth covered case

Provenance:
1. Most probably written in the sixteenth century for the archive of the Abbey of St. Vincent in Metz (see below). The house was founded in the tenth century, and forcibly closed at the time of the French Revolution when the thirteenth-century abbey church became the local parish church and its goods and archives scattered.

2. Sir Thomas Phillipps (1792-1872), but unnumbered like many charters and fragments from this collection: his smudged pencil description on reverse; most probably bought while on the Continent in the 1820s, and perhaps acquired alongside part of the manuscripts of Gerard Meermann (1722-1771) from the Jesuit Collège de Clermont in 1824, as several known codices from that provenance can now be shown to have been once in the medieval library of St. Vincent; sold after Phillipps' death by his heirs to the Robinson Bros. of 16-17 Pall Mall.

3. Passing as part of the unsold residue of that collection to H.P. Kraus of New York in 1978: his sale description included.

4. Schøyen Collection, London and Oslo, their MS 1003, acquired from Kraus in March 1991.

Script:
Here the script is of the greatest importance, as this charter is clearly dated 1294 ("Lan de grace nostre Signor M.CC. quatre vins et quatorze ans"), yet the script cannot be before the sixteenth century. The presence of the signatures of the parties involved in apparently different hands, suggests this was not a fair copy of an older original charter that had become damaged. The document is perhaps a forgery, created in the abbey in the sixteenth century to support their claim to these rents and rights in a legal dispute.

£200-300



Lot 68

68

The archive of the Honour of Eye, including a Letters Patent of Richard II, confirming the gift of his queen, Anne of Bohemia, of the manor and honour of Eye to Sir Michael de la Pole, dated 1383; de la Pole's subsequent deed granting part of the same to John Bacon, again dated 1383; and an early sixteenth-century secular cartulary of the entire estate-portfolio; all in Latin, French and Middle English, manuscripts on paper and parchment [England (Honour of Eye, Suffolk), fourteenth and sixteenth century]

Three items: (a) large charter on parchment, containing a Letters Patent of King Richard II confirming his queen's grant of the manor and Honour of Eye to Sir Michael de la Pole, 22 long lines in a formal English secretarial hand, space left for opening initial, endorsed in English in a sixteenth-century script, in outstanding condition, the Great Seal of England in green wax, showing the king enthroned and a knight on horseback, dated 7 December 1383, 245 by 390mm., in large green cloth-covered case; (b) Deed of Confirmation of Sir Michael de la Pole of the Grant of the Manor and Honour of Eye to John Bacon, on parchment, 20 long lines in English secretarial hand, traces of red wax seal on green and purple plaited silk cords, slight flaking from ink but without affect to legibility, folds, else excellent condition, dated the Friday following the Feast of the Epiphany, "7 Richard II" (ie. 1383), 170+33 by 380mm.; (c) secular cartulary of the Honour of Eye then in the ownership of Robert Buller, on 27 leaves of paper, single column of 40 lines in a calligraphic English secretarial hand, larger script for keywords and headings, with additions by Robert Buller, watermark a glove with a 'CR' around the wrist and surmounted by a five petalled flower, inkstamp of East Suffolk records office (from temporary loan there) at foot of first leaf, bumping to edges of some leaves and small spots, else excellent condition, dated 1507-1525 with additions of 1562, 320 by 220mm., in limp vellum wrapper made from a bifolium recovered from a fifteenth-century manuscript Missal, Use of Sarum, each leaf of wrapping with double column of 33 lines, 320 by 220mm., with sixteenth-century inscription on front: "A Boke of deedes of londes in Eye"

Provenance:

1. Various medieval and post-medieval owners of the Honour of Eye, Suffolk, England, including Sir Michael de la Pole (d. 1415), 2nd Earl Suffolk and 2nd Lord de la Pole. This was a feudal barony in a typically Norman form, a series of manors and estates spread across England but centred on the town and castle of Eye, usually granted to a baron by the English king for provision for knights and their military service to the crown. The term 'honour' was given to the largest of these estate arrangements – usually involving supplies for more than twenty knights and their followings. That at Eye was one of the largest baronial estates in England after 1066, with combined holdings in eight counties; and was assessed in Domesday Book as the second largest landholding in Suffolk. It was seized by the Crown in 1370, and granted to Richard II's queen, Anne of Bohemia, in 1382. The present charter confirms the grant in turn by Anne to Sir Michael de la Pole, on the understanding that he, in turn, grants the land to John Bacon, the king's secretary.

2. Schøyen Collection, London and Oslo, their MS 1784; acquired from Quaritch, London, in December 1993.

Text:

The most interesting document here is the secular cartulary, which includes eighty-eight records of the men who held the various estates of the honour of Eye in the opening years of the sixteenth century. Within these, the last ten items form another smaller secular cartulary, being the lands owned then by Robert Buller.

£10,000-15,000



Lot 68



Lot 69

69

The rental roll archive for Taunton Priory, an Augustinian foundation, for the years 1299 to 1441, in Latin with names of estates in Middle English, manuscripts on parchment [England (Taunton), late thirteenth to mid-fifteenth century]

Nine rolls: (i) Rental accounts for the year 1299, in Latin, specifying annual rents due from properties in Somerset owned by the Priory, with lists organised by the names of the stewards of the manor, entries in good English secretarial hand, on 5 membranes, 2400 by 240mm.; (ii) another such roll for the year 1309, in Latin with Middle English placenames, entries in another English secretarial hand, on 4 membranes, 2180 by 220mm.; (iii) another such roll for the year 1313, with the final entry dated 20 July 1313, in Latin with Middle English placenames, entries in another English secretarial hand, on 4 membranes, 1520 by 220mm.; (iv) another such roll for the years 1316 and 1317, in Latin with Middle English placenames, entries in another English secretarial hand, on 5 membranes, 2070 by 230mm.; (v) another such roll for the year 1322 and 1323, in Latin with Middle English placenames, entries in another English secretarial hand, on 4 membranes, 2400 by 240mm.; (vi) another such roll for the year 1330, in Latin with Middle English placenames, entries in another English secretarial hand, on 6 membranes, 3330 by 220mm.; (vii) another such roll for the year 1422, dated Feast of St Michael the Archangel (ie. 29 September), "1 Henry VI" (ie. 1422), in Latin with Middle English placenames, entries in another English secretarial hand, confirmed on the dorse at the head with the name of the prior, "Thomas Uffculiup" (Vffenlup), on 10 membranes, 5280 by 270mm.; (viii) another such roll for the year 1439, dated Feast of St Michael the Archangel (ie. 29 September), "18 Henry VI" (ie. 1439), in Latin with Middle English placenames, entries in another English secretarial hand, confirmed on the dorse at the head with the name of the prior, "Thomas Uffculiup" (Vffenlup) on "27 Henry VI" (ie. 1448/9), on 8 membranes, 5520 by 260mm.; (ix) another such roll for the year 1441, dated Feast of St Michael the Archangel (ie. 29 September), "20 Henry VI" (ie. 1441), in Latin with Middle English placenames, entries in another English secretarial hand, confirmed on the dorse at the head under the name of the prior, "Thomas Uffculiup" (Vffenlup) on "29 Henry VI" (ie. 1450/51), on 8 membranes, 5850 by 250mm.; all with some tears to edges with occasional losses there, cockling, spots and stains, but overall in fair and presentable condition



Lot 69

Provenance:

1. Written for Taunton Priory, an Augustinian Priory dedicated to SS. Peter and Paul, Taunton, Somerset, and retained throughout the Middle Ages in their archive there. The house was founded c. 1115 by William Giffard, bishop of Winchester and Lord Chancellor, absorbing an earlier foundation which dated back to late Anglo-Saxon times (the community later remembering their own foundation before 1016). It grew to be a large house through royal and noble patronage, with 26 canons in 1339, though it suffered under the Black Death. The prior was granted the right to use the ring, pastoral staff and other insignia of the rank of bishop (besides the mitre) in 1499. It yielded to Henry VIII's commissioners on 12 February 1539, and was dissolved. Leland visited in 1540 and 1542. These records presumably entered local lay ownership at that time, along with crucial estates once owned by the community, and appear to have descended to a Somerset lawyer's archive until their sale in 1991.
2. Sotheby's, 17 December 1991, lot 41 (but there erroneously called "Court Rolls").
3. Schøyen Collection, London and Oslo, their MS 1562, acquired in Sotheby's.

Text:

The destruction and sweeping away of this large English medieval house is almost entirely complete. Only one book from their library is known to survive (a late twelfth-century Bible, once owned by R.J.A. Arundell, Wardour Castle, his sale at Sotheby's, 24 November 1947, lot 63, now Morgan Library and Museum, New York), and their buildings were almost entirely demolished in the decades following the Dissolution – so that now only a late medieval barn stands (and presently holds the Somerset Cricket Museum). No cartulary is known and only a handful of charters mention the house, usually from other archives. In fact, this small bundle of parchment rolls contains virtually all the facts that we can know from the community, written down by themselves, and surviving together by some fluke of chance. They are unstudied and unpublished, and in much the same state as they were on the dissolution of the house half a millennia ago.

£8,000-12,000



Lot 70

70
 Eight English estate documents, including seven rental rolls for various estates in Somerset dated 1666, and an extract from the will of Penelope Sydenham, spinster of Crediton, Devon, dated 1769, all in Early Modern English, manuscripts on parchment or paper [Southwestern England, seventeenth and eighteenth century]

Eight documents, comprising: (i) seven closely related rental rolls on parchment, containing the rentals of the manor of Chilton Dornor for the 6 months from Michaelmas 1666, as well as those of Sydenham Kiteford, Brympton Alvington and Sutton Bingham for the same time period, three of these with two copies present, all written by a single English secretarial hand, old waterstaining in places with some ink flaking and damage to edges of parchment, the smallest 260 by 170mm. and the largest 470 by 180mm.; (ii) extract from the will of Penelope Sydenham, with bequests to her family, her servants, a capital sum to be invested by the minister and churchwardens of Thelbridge for distribution of income to support the teaching of reading in the parish, the support of the school at Dulverton, and other bequests to the poor in the parishes of Chumleigh and Witheridge, on 6 sheets of paper and with 30 lines in a late English secretarial hand, attested at London on 3 February 1769, 310 by 200mm.

Provenance:
 1. Sotheby's 17 December 1991, part of lot 41, alongside the Taunton related items in the previous lot.
 2. Schøyen Collection, London and Oslo, their MS 1563/2, acquired in Sotheby's.

£1,500-2,500

71
 Rental roll for Hackness in North Yorkshire for the years 1622-1639, in Early Modern English, manuscript on parchment [Northern England (Hackness), mid-seventeenth century]

Single large rental roll on 3 membranes of parchment, listing the rents received from properties in and around Hackness, with columns marked up with amounts of money and years (marked with 'o' to show account settled), and noting a James Shore acting as owner or a steward for the owner, written in a late English secretarial hand, some damage to edges in places and fading in parts, else good condition, dated 29 September 1639 and with the opening line "The turffgraft is to be payd yearly upon Michell day", 2060 by 240mm.

Provenance:
 1. Written at Hackness in the years 1622-1639, and thereafter becoming separated from the main archive of the manor at a later date (see below).
 2. Sotheby's 17 December 1991, part of lot 41, alongside the items in the previous two lots, evidently from a lawyer's archive.
 3. Schøyen Collection, London and Oslo, their MS 1563/3, acquired in Sotheby's.

Text:
 The Manor of Hackness, in the parish of Scarborough, was recorded by Bede as early as the eighth century as the site of a double monastery, and the church there still has fragments of a cross of that date or a century later inscribed with a prayer to St. Æthelburh. In the later Middle Ages and Early Modern period it was a wealthy rural estate, and was the home of Lady Margaret Hoby, whose diary of 1599-1605 is the earliest known such work written by a woman. Early records are scarce for the region, but North Yorkshire Records Office do hold rentals for the estate for the periods 1605-22 (ZF/4/1/1 mic 1432) and 1650-51 (ZF/4/1/2 mic 1432), and the present manuscript is most probably from the same original archive.

£1,000-1,500



Lot 71



Lot 72

72

The Darley Abbey Archive, a vast collection of 85 documents from the Augustinian Abbey of St. Mary, Darley, Derbyshire, all in Latin with some Middle English placenames, single sheet manuscripts on parchment [England (Darley, Derbyshire), 1160s to late fourteenth century]

85 single sheet documents (including a list of debts and the will of William Marshall of Derby dated 1265, a record of alms given to a newly founded hospital of St. Helen in Derby by William de Voleta, from the early thirteenth century, and a terrier of the lands of the Abbey of Darley in Normanton by Derby, dated 1348 and 1386), in a variety of English secretarial hands, many with wax seals in wide variety of floral, animal and letter styles (seals of the abbey as well as the grantors or addressees), overall all in fair and presentable condition and affixed to individual paper surrounds with descriptions, these kept in three large nineteenth- or early-twentieth-century archival boxes; detailed listing of individual charters included with lot

Provenance:

1. Augustinian Abbey of St. Mary, Darley, Derbyshire: founded initially in 1154 by Robert de Ferrers, 2nd Earl of Derby through a donation to St. Helen's Priory, but delayed until c. 1160 when Hugh, the rural dean of Derby donated suitable land at 'Little Darley' for the site of the actual monastery. It was a daughter house to St. Helen's Priory. It fared well and grew to be the largest and wealthiest abbey in Derbyshire, was valued at £72, 19sh. and 3 and a half d. in 1291. However, in the first half of the fourteenth century, due either to failed harvests and mortality of cattle or more scandalously the wanton selling off of its assets by the abbot, the abbey slipped into financial ruin. It was surrendered for dissolution on 22 October 1538, and the abbey and its buildings sold to one "Mr. Robt. Sacheverell, gent.". they were subsequently almost completely demolished (with only the Abbey Inn, a local public house and a single local residence having any claim to be a standing part of the monastery). The archive along with the abbey's other goods and chattles entered private hands at the same time.

2. E.H. Dring (1863-1928; see also lot 56 above), acquired around 1910 or 1920; and passing by descent to his son E.M. Dring (1906-1990), sold after his death to Quaritch.

3. Schøyen Collection, London and Oslo, their MS 1604; acquired from Quaritch, London in August 1992.

Text:

The early decline of this influential monastic house, so that it dwindled into insignificance almost a century before the Reformation, ensures that little survives of it. Only three books from its large library are now known (Bodleian, Auct. D infra 2.8; Laud gr.28; and e Museo 222; all twelfth or thirteenth century: N.R. Ker; *Medieval Libraries of Great Britain*, 1941, p. 34), and while a thirteenth-century medieval cartulary does survive and has been edited (British Library, Cotton MS Titus, C IX, wanting its opening leaves, augmented by a few additional charters in a transcript of a slim 22 page record of a late fourteenth-century cartulary in the hands of the master of Emanuel College, Cambridge, in 1780; R.R. Darlington, *The Cartulary of Darley Abbey*, Highgate, Kendal, 1945), that does not include some sixty-six of the charters in the present archive. These remain unstudied and unpublished and promise much for the future history of the abbey through its heyday and long into its slow collapse throughout the fourteenth century. The survival of this archive intact in private ownership is a remarkable event, due in some part to the collecting habits and interest of the Drings, and this may well be the last English monastic archive of this large size to appear on the open market.

£12,000-18,000



Lot 72





Lot 73



Lot 73

73

The Bosworth archive, a collection of charters and documents issued for estates in or around modern Market Bosworth, Leicestershire, in Latin with Middle English placenames, singlesheet manuscripts on parchment [England (Bosworth, Leicestershire), 1320s-1370s]

Twenty-one charters, comprising: (1) Quitclaim of Thomas de Harecourt, knight, to Ralph Hurlman and Alice, his wife, 11 long lines in an English secretarial hand, 150 by 350mm., dated: Wednesday after the Feast of Epiphany, “43 Edward III” (ie. January 1370); (2) Charter of Audemis/Dudemis de Brackele Confirming the Tenure of a Property in Bosworth for Peter de Coton and Margaret, his wife, 8 long lines, 60 by 210mm., dated: Monday before the Feast of St. Benedict, “10 Edward III” (ie. March 1336); (3) Charter of Ralph le Warde of Bosworth in confirmation of a transfer of a house there to Ralph Hoppe and Richard de Bosworth, 11 long lines, 80 by 240mm., dated June 1356; (4) Sale by William Prat of Bosworth to Simon le Hoppere of land in Bosworth, 9 long lines, round red wax seal with St. Christopher with staff and Christ Child on shoulder (diam 19mm.), the charter 80 by 230mm., dated 1349-1350; (5) Sale by William de Harcourt, lord of the manor of Bosworth, to Nicholas de Schepey and Mathilda, his wife, of property in Osbaston, 8 long lines, 80 by 280mm., dated 1349-1350; (6) Sale by Peter, son of Margery de Coton of Bosworth, to Uwayne de Brackele, of property in Bosworth, 9 long lines, 90 by 220mm., dated 1335-1336; (7) Indenture between John, son of Henry le Warde of Bosworth, and Thomas “super le hull de Whelnsberg” concerning land in Bosworth, 11 long lines, 90 by 230mm., dated 1329-1330; (8) Charter of Richard of Schepey to Robert of Wytton, priest, and John Kneyht of Bosworth concerning property in Bosworth, 11 long lines, 90 by 210mm., dated 1363-1364; (9) Charter of Thomas “super le Hul” of “Whekusberwe” to Simon of Bosworth, concerning a property in Bosworth, 11 long lines, round red wax seal, with pelican (diam. 16mm.), the charter 110 by 220mm., dated 1334-1335; (10) Charter of Margery, widow of Peter of Uton/Coton, to John Levere the younger, concerning property in Bosworth, 10 long lines, with part of oval red wax seal (24 by 20mm.), the charter 60 by 240mm., dated 1376-1377; (11) Charter of William of Bosworth of Meysham to Ralph Hurlman of Bosworth, concerning a property in Bosworth, 9 long lines, round red wax seal, with tree or flower design (diam. 22mm.), 100 by 280mm., dated 1375-1376; (12) Charter of Richard Cok of Kniteleye to Alice Billing of Bosworth and John Lerson, concerning a property in Bosworth, 14 long lines, 100 by 250mm., dated 29 September 1324; (13) Charter of Ralph Hurlman of Soton to Thomas Godesson, Chaplain, and others of Bosworth, concerning lands and goods left as a gift of alms, 18 long lines, 150 by 220mm., dated 1369-1370; (14) Charter of Johanna, wife of William Prat of Bosworth, to Ralph Hurlman for sale of land in Bosworth, 15 long lines, with 2 round red-brown wax seals: first with initial ‘H’ (presumably for Hurlman, diam. 11mm.), second with ears of corn (diam. 15mm.), 120 by 300mm., dated 1376-1377; (15) Charter of Thomas Harecourt, son of William Harecourt, to Alan of Sotton and Thomas Godeson, chaplain, concerning land in Bosworth, 9 long lines, with part of round red wax seal (diam. 25mm.), 100 by 220mm., dated 1370-1371; (16) Charter of John de Morton and John de Elnehale of Bosworth to John, son of Felicie de Elnehale, Concerning the Sale of a Property in Bosworth, 15 long lines, with part of oval white wax seal (20 by 25mm.), 130 by 200mm., dated 1358-1359; (17) Charter of Richard, Son of Robert of Darleton of Bosworth, to Ralph Hurlman of Coton, concerning the rental of property in Darleton, 12 long lines, 110 by 280mm., dated 22 January 1369; (18) Charter of Cecilia, daughter of William Prat of Bosworth, to Ralph Hurlman of Bosworth, regarding property in Bosworth, 13 long lines, 110 by 260mm., dated 1374-1375; (19) Charter of Andrew Sherman of Eton to Thomas Godesson, chaplain, for a grant of alms from property in Bosworth, 7 long lines, with round white wax seal with armorial shield (diam. 23mm.), 100 by 210mm., dated 1368-1369; (20) Charter of Robert le Baxter of Bosworth to Reginald le Chanburleyn and Johanna, his wife, concerning property in Bosworth, 12 long lines, seal tag cut from another document, 140 by 250mm., dated 1361-1362; (21) Charter of William Patrick of Bosworth to John, son of William Parker, concerning the lease of land in Bosworth formerly leased by John’s mother, 11 long lines, with part of round white wax seal (diam. 24mm.), 90 by 200mm., dated 1346-1347; some holes, folds, scuffs, else overall in good condition, all affixed to individual paper surrounds with descriptions, these kept in a large nineteenth- or early-twentieth-century archival box



Lot 73

Provenance:

1. E.H. Dring (1863-1928; see also lot 56 above), acquired around 1910 or 1920; and passing by descent to his son E.M. Dring (1906-1990), sold after his death to Quaritch.
2. Schøyen Collection, London and Oslo, their MS 1605; acquired from Quaritch, London in August 1992.

Text:

This archive stems from an English fourteenth-century family, probably the Harcourts, or just perhaps the Hurlmans or Prats, who appear through marriage and shrewd business to have built up a substantial property empire within Leicestershire and adjoining counties during the Middle Ages. The Harcourt family held substantial estates from the earl of Leicester, from the arrival of Errand de Harcourt in the twelfth century. In the following century they established and maintained close contacts with the English royal court, and in 1373 the Thomas Harcourt (d. 1417) who issued items (1) and (15) here, married a descendent of King Henry II. The family remained in positions of power until the sixteenth century.

£3,000-5,000

74

Copy of the Letters Patent of the Dissolution of the Priory of St. Peter and St. Ethelreda at Ely of 8 November 1539, with confirmation of appointment of Robert Steward as the dean of the new cathedral, and listing the former prior and monks, properties held by the priory, with further Letters Patent of the establishment of Ely Cathedral and its history, in Latin, manuscript roll on parchment [England (Ely), 1574/5]

Roll, formed of 16 paper sheets (each numbered with contemporary Arabic numeral at head) and one parchment membrane (this the outermost roll and reusing a sixteenth-century copy of a royal indenture in Tudor English from Queen Elizabeth I to Henry Doylie allowing him to examine offences against the statute "for the killing of rookes crows and choughes daylie" dated 24 September 1574, the arms of the last prior [and first dean] of Ely, Robert Steward, painted on the reverse of this wrapper), the document of the main roll opening in the name of Henry VIII, and dated 10 September 1541 in an addition at its head, text in a fine English secretarial hand (signed by a clerk, "Ashton") with opening lines and significant words in larger version of same, marginalia in the left-hand border picking out estate names and similar, some underlining of same in main text in purple/burgundy on first sheet or so, watermark of a jug with "I B" on its body, losses of a few characters at right-hand side of column, with modern repairs there, the outermost parchment membrane with tears and losses at extremities, overall in good and legible condition, 6000 by 280mm.; the whole within another wrapper of thicker paper with inscription of seventeenth century (again with losses at edges repaired), and within a burgundy fitted case

THIS IS AN IMPORTANT COPY OF THE DOCUMENT OF THE DISSOLUTION OF THE PRIORY OF ST. PETER AND ST. ETHELREDA AT ELY, MOST PROBABLY MADE FOR ITS LAST PRIOR AND FIRST DEAN OF ELY CATHEDRAL, THE NOTORIOUS ROBERT STEWARD, WHO WORKED WITH THE ROYAL FORCES TO FACILITATE THE DISSOLUTION OF THE MONASTERIES IN ELY AND ELSEWHERE

Provenance:

1. Robert Steward (alias Welles: his origin place as opposed to his patronym), the prior of the Priory of St. Peter and St. Ethelreda (founded in the seventh century and one of the wealthiest and most influential English medieval houses), at the time of the Reformation, made guardian of its valuables immediately after its surrender to the king's commissioners and subsequently the first dean of Ely Cathedral: his arms with contemporary inscription of his name and these offices prominently on outer side of wrapper. Like the contemporary Vicar of Bray, Steward seems to have placed greater store on his office than any religious principles he had, and readily complied with the Dissolution as well as the return of Catholicism under Mary Tudor, and died in 1557 and was buried on the south side of the presbytery. This roll may then have entered the archives of the cathedral itself or remained in private hands.

2. Re-emerging at Christie's, 20 June 1990, lot 38.

3. Schøyen Collection, London and Oslo, their MS 682, acquired in Christie's.

£7,000-9,000

75

A small Welsh archive, most probably owned by Alban Stepneth, sheriff of Pembroke and Member of Parliament, and heirs, and including a royal Letter Patent of Queen Elizabeth I, single sheet manuscripts in Tudor English, on parchment [Wales (Pembroke and Haverfordwest) and England, mid- to second half of sixteenth century, 1601 and 1666]

Seven documents, comprising: (a) Sale by "John ap Harre ap Hoell of Argoed" in the lordship of "Monhuntydale", Flint, and Agnes his wife, to "Res ap Edwardes ap Pell", of property at "Yelow", 38 long lines in secretarial hand, dated 19 November 1543, 250 by 290mm.; (b) Bond of Morgan Johns of Castle Malgwyn, Pembroke, to Alban Stepneth of Prendergast, Pembroke, with a condition referring to the sale by Johns of his part of the manor of Prendergast, to Stepneth and his wife Margaret, 23 long lines, dated 12 June 1568, 155 by 320mm.; (c) Grant by Thomas Woodford of Castle Piggyn, Carmarthen, and his wife Elizabeth to Alban Stepneth of Prendergast, Pembroke, of a meadow in Prendergast next to the "friar's garden", and near the mill of "Hauford", along with other estates, 31 long lines, dated 18 August 1579, 220 by 330mm.; (d) Quitclaim by Hugh Cradocke of Haverfordwest, Pembroke, "calceolarius" (shoemaker), son and heir of the late David Cradocke and his late wife Helen Murrow, to Alban Stepneth of Prendergast, of all right over a messuage or half burgage in "le marktett Streete" in Haverfordwest, 20 long lines, dated 8 December 1582, 210 by 310mm.; (e) Letters Patent of Elizabeth I, referring to a previous grant by letters patent (7 December 1579) to Alban Stepneth of the rectory and church of St. Martin, Haverfordwest and its possessions in Pembroke and Haverfordwest, formerly in the tenure of the late Thomas Catharne, and tithes for 21 years from 29 September 1579; and granting to Philip(?), Thomas and Dorothy Stepneth, sons and daughter of Alban Stepneth, the same rectory and church and possessions for their three lives in that order, for an annual rent of £5 and other payments specified; examined by Thomas Hanbury and signed by William Bromley, 44 long lines, dated 1 July 1595, 400 by 540mm.; (f) Deed to lend the uses of a fine from Edmond Harries of "Freistroke", Pembroke, and his wife Margaret, to Alban Stepneth of Prendergast, of a house or half burgage, formerly the house of Elizabeth Morrowe, widow, afterwards purchased by Alban Stepneth, in the "marktett streete" in Haverfordwest, 26 long lines, dated 24 June 1601, 220 by 280mm.; (g) Transfer by Thomas Stepney of Sandyhaven, Pembroke, of a lease of the capital messuage and lands at St. Ishmaels, Pembroke, called Sandyhaven, at an annual rent, leased then to Stepney for his life and one subsequent year, to Richard Phillipps of Loveston, Pembroke, 52 long lines, dated 24 July 1666, 420 by 480mm.; all with cockling, small smudges and faded areas, overall in fair and presentable condition

Provenance:

1. Most probably the archive of Alban Stepneth (also Stepney; d.1611), of Prendergast. His family came from Hertfordshire and rose to financial prominence through profiting from the dissolution of St. Alban's Abbey, before he moved to Carmathenshire in 1561. He was closely associated with the bishop of St. Asaph and used this position to build a large property empire in West Wales and run for public office. He served as sheriff, member for parliament and lastly governor of the town of Haverfordwest during the Civil War, in which conflict he was one of the few Pembrokeshire noblemen who remained loyal to the king. In later life he was embroiled in scandal and brought repeatedly to court. He died in 1611, and his heirs remained influential in Welsh politics until the eighteenth century. His line went extinct in 1825, at which point these records presumably left the hands of his heirs.

2. Schøyen Collection, London and Oslo, their MS 1907, acquired from the late Dr. Jeremy Griffiths (1955-1997), in July 1994.

Text:

Welsh manuscripts are of significant rarity on the market. The last sold in our rooms was a late sixteenth-century genealogical scroll showing the descent of the Watkins family of West Glamorgan (6 December 2017, lot 44, for December 2017, lot 44, for £3600 hammer to the National Library of Wales).

£700-900



Lot 75



Lot 74



Lot 76

76

Two Catholic documents from Reformation Scotland, leasing lands at Quhithil from the estate of the Dean of the College and Royal Chapel at Restalrig, Edinburgh, to avoid permanent confiscation at the Dissolution, issued by Cardinal Laurentius, Bishop of Prevestin, and confirmed by Johannes Dingwall, Papal Protonotary, in Latin, single sheet documents on parchment [Italy (Bologna) and Scotland (College of the Holy Trinity, Edinburgh), dated 9 January 1530 and 28 April 1530 respectively]

Two large and impressive documents: (i) the Authority of Cardinal Laurentius, Bishop of Prevestin, allowing the Dean of the College and Royal Chapel at Restalrig, Edinburgh, to lease out lands at "Quhitehil", 29 long lines in a rounded Italian secretarial, calligraphic initials in uppermost line, some folds, cord tags but no seal, else excellent condition, 290+40 by 450mm.; (ii) Gargantuan charter of Johannes Dingwall, Papal Protonotary, and Willielmus Gibson, Dean of the Royal Chapel at Restalrig, Edinburgh, in Confirmation of the Charter of Cardinal Laurentius, Bishop of Prevestin, Concerning the Leasing of Lands at Quhithil, witnessed by William Preston, rector of Beltoun, Adam Franthe, Walter Turnbull, Henricus Mow, William Meldrum, Notary and William Preston, 94 long lines in the fine Scottish secretarial hand of the Papal notary Willelmus Stevinsoun of the diocese of St. Andrews (the text including the full text of the other earlier document in this lot, thereby repeating and endorsing it), flourished opening initial, red wax seal (diam. 40mm., in metal skippet, of Johannes Dingwall, Papal protonotary, with his arms surmounted by cardinal's hat, and the inscription: "magistri johannis dingwall prothonotarii"), another seal wanting 670+23 by 650mm.; together in red folding fitted case with two levels

Provenance:

1. College and Royal Chapel at Restalrig, Edinburgh, founded 1487 on the estate of the parish church of Restalrig, that founded by King James II of Scotland. The building was described by Pope Innocent VIII himself as "a sumptuous new work", and was apparently a high vaulted chapel with no central pillar, lit by large traceried windows. Papal fears of the destruction of this powerful symbol of Catholic sympathising Scotland were not misplaced, and by 1552 the prebendary houses on the site had been burned down, with the chapel itself declared by the Reformed General Assembly in 1560 "a monument to idolatrie" and ordered "raysit and utterlei castin downe and destroyed" (I. Cowan and D. Easson, *Medieval Religious Houses: Scotland*, 1976, pp. 224-25). The destruction process was so complete that now only the lowest level of the aisle and some small walls have survived. What stands today is a restoration of 1906.
2. Dr. Jeremy Griffiths (1955-1997) of Oxford.
3. Schøyen Collection, London and Oslo, their MS 1689, acquired from Dr. Griffiths in July 1993.

Text and script:

These two complimentary documents offer a fascinating insight into the Catholic Church's preparations on the eve of the Scottish Reformation, openly seeking to enmesh important estates at Quhithil in a complex lease to a lay sympathiser in order to isolate them from the coming depredations and seizures. As Restalrig was both a monastery and the Royal Chapel of Scotland it presumably would face such losses first, demanding the attentions here of a cardinal based in Bologna and local Catholic officials.

The script of the second document is of interest as it is by a named scribe (Papal notary Willelmus Stevinsoun of the diocese of St. Andrews) and is in the type of secretarial hand commonly used for Scottish literary manuscripts at the close of the Middle Ages, such as the copies of the *Scotichronicon* and the Haye and Sinclair witnesses to the Canterbury Tales (M.B. Parkes, *English Cursive Bookhands*, 1969, pl. 13.ii). Among scribes working in this period in Scotland, unlike those of its southern neighbour England, there was no clear division between bookhands and secretarial hands when dealing with literary manuscripts, and notaries were often employed on copying non-diplomatic texts, carrying across their usual scripts with them (see R.J. Lyall, 'Books and Book Owners in Fifteenth-Century Scotland', in J. Griffiths and D. Pearsall, *Book Production and Publishing in Britain, 1375-1475*, 1989, pp. 242-43).

£2,500-3,500



Lot 77

77

James VI, king of Scotland, royal confirmation charter, reproducing the entire charter issued at Kilwinning, 24 June 1558, by the commendator and chapter of the Abbey of Kilwinning, granting lands in Ayrshire to John Gemmill, in Latin, single sheet manuscript on parchment [Scotland (Kilwinning, North Ayrshire), dated 24 April 1585]

Five associated copies and translations of the same document, the most important: (a) the royal confirmation charter in favour of the Abbey of Kilwinning, with 42 long lines in a secretarial hand, crucial words in larger version of same, with elaborate penwork flourishes to ascenders in the top line, one large penwork initial, seal tags but without seal, eighteenth- and nineteenth-century endorsements on reverse, some discolouration to surface and folds, else in fair and legible condition, 235+30 by 540mm.; plus four copies of the same text made between 1787 and early nineteenth century: (i) one in Latin, on a single paper bifolium, (ii) a translation into English dated 1787, on three paper bifolia, (iii) a more modern copy of the previous, on 2 paper bifolia, (iv) the copy of the document in Latin with English translation as used to register it at the Council and Session Office in Edinburgh, initialled "W.B." and dated 11 April 1810

Provenance:

1. John Gemmill, son of Thomas Gemmill of "Auckinmaid" (nearby Auchenmade, now surviving only as a farm name), this most probably his copy issued by the Benedictine Abbey of Kilwinning, Ayrshire in 1585. The house was founded in the twelfth century by either Hugh de Morville, constable of Scotland, or Richard de Morville, one of the murderers of St. Thomas Becket, and belonged to the rare Tironensian Order, created by St. Bernard of Ponthieu (d. 1117), from the Abbey

of Tiron, to the west of Chartres, as a reform movement within the Benedictine Order. It grew quickly under noble and royal patronage and throughout the Middle Ages was one of the most opulent and flourishing Scottish monastic houses. Its last abbot was a firm supporter of Mary Tudor, and hence was murdered in Edinburgh in 1571, with the abbey suppressed soon after.

2. By around 1800, the property and this growing collection of documents recording its ownership, had passed to John Smith of "Swinridgemuir" (Swindridgemuir, which was owned by John Smith in the last decades of the eighteenth century after his return from the American War of Independence, and until his death in 1838): his endorsement in tiny script of the original charter. By 1810 it had changed hands again, and William Patrick endorses the copy of that date.

3. Jeremy Griffiths, Oxford, acquired from a private owner in April 1995.

4. Schøyen Collection, London and Oslo, their MS 2001; acquired from Griffiths.

Text:

These charters are probably all that remains of the archive and library of this large and influential Scottish medieval monastery. A cartulary of the house survived until 1608 when it was seen by antiquary Timothy Pont, but is now lost and probably destroyed, and no extant codices or fragments of them are recorded from its library.

£2,000-3,000



Lot 78

78
Two documents from the archive of Dunfermline Abbey relating to its dissolution, in Latin, single sheet manuscripts on parchment [Scotland (Dunfermline Abbey, Fife), dated 10 December 1557 and 20 January 1566 respectively]

Two charters: (i) Deed of George Dury, commendator, and the chapter of Dunfermline Abbey, granting to Archibald Preston of Valleyfield, half the lands of Newton, 23 long lines in Scottish secretarial hand, flourished initial, with the seal of the chapter of the abbey (75mm., showing the celebration of the mass under three arches; three-quarters remaining, losses to left-hand side), some folds, else excellent condition, 235+20 by 375mm.; (ii) Deed of Robert Pitcairne, commendator, and the chapter of Dunfermline Abbey, granting to James Edmonston lands in Edmonston, 79 long lines in a Scottish secretarial hand, flourished initial, with the seal of the abbey (diam. 75mm.; about a third missing, what remains in two pieces), some small smudges and spots, 510+22 by 265mm.; both in red-cloth folding cases

Provenance:

1. Benedictine Abbey of the Holy Trinity and St. Margaret of Dunfermline, Fife, Scotland, founded in 1128 by King David I of Scotland probably with monks from Christ Church, Canterbury. It is the resting place of St. Margaret of Scotland and is one of that nation's most important cultural sites, housing more of its royal and noble

dead than any other site with the exception of Iona. It was closed and looted in March 1560 during the Scottish Reformation.

2. Kennedy family, Ayrshire, Scotland.
3. Dr. Jeremy Griffiths (1955-1997) of Oxford.
4. Schøyen Collection, London and Oslo, their MS 1594, acquired from Griffiths in July 1992.

Text:

The Scottish monastic communities viewed the English dissolution of the monasteries with great alarm. In order to protect their interests, they began to dispose of their landholdings to local landowners, usually members of influential and powerful families, with the understanding that such lands were to be returned to the monasteries at a later date. George Dury (1496-1561) served as post-Reformation commendator of Dunfermline and archdeacon of St. Andrews, and was beatified in 1563. He was succeeded by Robert Pitcairne (c. 1520-1584), who also became the secretary of State for Scotland in 1570, and was one of the council of twelve men chosen to govern the country in the name of the young King James VI.

£2,000-3,000

79

Two Orcadian documents issued by Adam Bothwell, bishop of Orkney, in Latin, manuscripts on parchment [Scotland (Kirkwall, Orkney), dated 1565 and 1567]

Two single sheet diplomas: (i) Instruction by Adam Bothwell, Bishop of Orkney and Shetland, to the Provost and Canons of the Cathedral of St. Magnus, Orkney, to install Master Francis Bothwell in the chaplaincy of St. Lawrence (vacated by the death of John Maxwell), 15 long lines in a cursive secretary documentary script, episcopal seal in red wax of Adam Bothwell (diam. 6 cm, with St. Magnus within the arches of the cathedral; near perfect condition), document with folds and scuffs, else good condition, dated 3 April 1565, 180 by 450mm.; (b) Grant of Land by Adam Bothwell, Bishop of Orkney and Shetland, 41 long lines in a cursive secretary documentary script, episcopal seal in red wax of Adam Bothwell (as before; small losses to upper rim, else near-complete), document with folds and scuffs, else good condition, dated 1567, 290 by 310mm.; mounted together in fitted red case

Provenance:

1. Archive of the Bishop of Orkney, in the cathedral of St. Magnus, Kirkwall, the most northerly cathedral in the United Kingdom built in the twelfth century when the Orkneys were under the control of a Norse earl and the overlordship of the king of Norway. Orkney was annexed by the Scottish Crown in 1458, and thus passing in 1603 into a union with England. Adam Bothwell (c. 1527-1593) served as its bishop since 1559, and held office during the Scottish Reformation. He also held high office as a member of the Privy Council of Scotland. He is buried at Holyrood.

2. June O'Donnell (d. 1979) of Guilford, who also owned the Calendar of the Hungerford Hours (having purchased that from Alan Thomas in 1970, now British Library, Addit. MS 61887);
3. Alan Thomas (1911-1992), London bookseller; acquired from June O'Donnell's estate; then the Alan G. Thomas sale at Sotheby's, 21 June 1993, lot 11 (part 18);
4. Schøyen Collection, London and Oslo, their MS 1676.

Text:

Scottish manuscripts are of enormous rarity, and those of the northern islands even more so. Only one manuscript from their medieval library is known to us: a late thirteenth-century copy of Pope Innocent III, *De miseria condiciones humanae*, now Uppsala University Library, MS C 233. Charters are equally rare, and there is little remaining in the cathedral archive before the seventeenth century.

£3,000-5,000



Lot 79



Lot 80

80

George I, king of England, Royal Letters Patent under the Great Seal for a grant of arms to George St. George, Conferring on him the barony of Hatley in Ireland, in English, decorated manuscript charter on parchment [England, dated 26 April 1715]

Large single sheet charter on two rolls of parchment (one rolled inside the other), with 26 and 30 long lines in a fine and calligraphic script, ruled on thick red lines, the first line in large gold letters with ornamental cadels and opening with a large initial in same enclosing a skilfully painted portrait of King George I, full border of coloured coats-of-arms and golden acanthus leaves on first leaf, with the Great Seal of England in brown wax (diam. 150mm.) attached by plaited silver cords (these fraying but intact), each parchment leaf 600 by 75mm.; in contemporary wooden fitted case with large circular compartment for seal, lined with coloured paper and covered in tooled leather, by "Charles Tennant, at the sign of the Royal Trunk at the corner of Wine Tavern street and Merchants-Quay, Dublin": his printed label inside, leather here aged and dusty, with scuffs and losses of sections and wood and leather at extremities

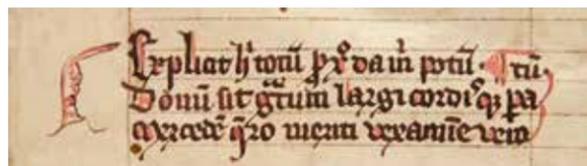
Provenance:

Schøyen Collection, London and Oslo, their MS 1381, acquired Christie's, 26 June 1991, lot 342.

Text and script:

A notably large and proud example of Early Modern script and decoration used to display the original owner's power and influence.

£1,000-2,000



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9. **BIDDING.** Bidders will be required to register before the sale commences and lots will be invoiced to the name and address on the sale registration form. Bidders are required to provide a government issued identity document and a proof of address. Please enquire in advance about our arrangements for telephone bidding.

10. **COMMISSION BIDDING.** Commission bids may be left with the auctioneers indicating the maximum amount to be bid excluding buyers' premium. Dreweatts will add these bids to the auctioneers' sale book and they will be executed as cheaply as possible having regard to the reserve (if any) and competing bids. If two buyers submit identical commission bids the auctioneers may prefer the first bid received. Please enquire in advance about our arrangements for the leaving of commission bids by telephone or fax. Dreweatts does not accept liability for failing to execute commission bids, or for any errors or omissions.

11. **METHODS OF PAYMENT.** Payment will be accepted, if you are a successful bidder, by debit card issued in the name of the Buyer by a UK bank and registered to a UK billing address; by all major UK issued credit cards issued in the name of the Buyer and registered to a UK billing address with the exception of American Express and Diners Club; by bank transfer direct into our bank account, Bank Details: NatWest, 30 Market Place, Newbury, Berkshire RG14 5AG. Account Name: Dreweatts 1759 Ltd. A/C: 62412949, Sort Code: 60-15-07, BIC: NWBKGB2L, IBAN: GB21NWBK60150762412949; or in cash up to £8,000 (subject to relevant money laundering regulations). The name of the bank account holder should match the name of the buyer. Payment may also be made by sterling personal cheques drawn on a UK bank account and made payable to 'Dreweatts 1759 Ltd', but Dreweatts regrets that purchases paid for by this method cannot be collected until your cheque has cleared. First time buyers who are not present at the saleroom are requested to pay by bank transfer.

12. **COLLECTION AND STORAGE.** Please note what the Conditions of Sale state about collection and storage. It is important that goods are paid for and collected promptly. Any delay may involve the buyer in paying storage charges.

13. **λ DROIT DE SUITE ROYALTY CHARGES.** From 1st January 2012 all UK art market professionals (which includes but is not limited to; auctioneers, dealers, galleries, agents and other intermediaries) are required to collect a royalty payment for all works of art that have been produced by qualifying artists each time a work is re-sold during the artist's lifetime and for a period up to 70 years following the artists death. This payment is only calculated on qualifying works of art which are sold for a hammer price more than the UK sterling equivalent of EURO 1,000 – the UK sterling equivalent will fluctuate in line with prevailing exchange rates. It is entirely the responsibility of the buyer to acquaint himself with the precise EURO to UK Sterling exchange rate on the day of the sale in this regard, and the auctioneer accepts no responsibility whatsoever if the qualifying rate is different to the rate indicated. All items in this catalogue that are marked with λ are potentially qualifying items, and the royalty charge will be applied if the hammer price achieved is more than the UK sterling equivalent of EURO 1,000. The royalty charge will be added to all relevant buyers' invoices, and must be paid before items can be cleared. All royalty charges are passed on to the Design and Artists Copyright Society ('DACS'), no handling costs or additional fees with respect to these charges will be retained by the auctioneers. The royalty charge that will be applied to qualifying items which achieve a hammer price of more than the UK sterling equivalent of EURO 1,000, but less than the UK sterling equivalent of EURO 50,000 is 4%. For qualifying items that sell for more than the UK sterling equivalent of EURO 50,000 a sliding scale of royalty charges will apply – for a complete list of the royalty charges and threshold levels, please see www.dacs.org.uk. There is no VAT payable on this royalty charge.

Terms of Consignment for Sellers in Public Auctions

The sale of goods at our public auctions and a seller's relationship with us are governed by our Auction Terms and Conditions including these Terms of Consignment for Sellers in Public Auctions and our Conditions of Sale for Public Auctions. Any particular auction and/or any particular lot in an auction may be subject to different or additional terms which will be published in our auction catalogue or separately announced prior to the auction. All auctions and sales of wines and spirits, jewellery, watches and clocks are subject to the special terms set out in the relevant Notices in relation to those items published in our auction catalogue and, in the event of any conflict or inconsistency, those special terms prevail over any other terms in our Auction Terms and Conditions. Please note that our Auction Terms and Conditions including these Terms of Consignment for Sellers in Public Auctions and our Conditions of Sale for Public Auctions relate to auctions held in our salerooms and we have separate terms and conditions for our online auctions.

If you, or another person acting on your behalf, provide goods to us to sell on your behalf at one of our auctions this signifies that you agree to and will comply with our Auction Terms and Conditions including these Terms of Consignment for Sellers in Public Auctions and our Conditions of Sale for Public Auctions.

1. **INTERPRETATION.** In these Terms the words 'you', 'yours', etc. refer to the Seller and if the consignment of goods to us is made by an agent or otherwise on the Seller's behalf we assume that the Seller has authorised the consignment and that the consignor has the Seller's authority to contract. All obligations that apply to the Seller under these Terms of Consignment for Sellers in Public Auctions shall apply to the owner of the goods and their agent jointly and separately. Similarly the words 'we', 'us', etc. refer to the Auctioneers.

2. **WARRANTY.** The Seller warrants that possession in the lots can be transferred to the Buyer with good and marketable title, free from any third party right and encumbrances, claims or potential claims. The Seller has provided all information concerning the item's ownership, condition and provenance, attribution, authenticity, import or export history and of any concerns expressed by third parties concerning the same.

3. **ALL COMMISSIONS** and fees are subject to VAT at the prevailing rate.

4. **COMMISSION** is charged to sellers and all selling terms are available from our salerooms.

5. **REMOVAL COSTS.** Items for sale must be consigned to the saleroom by any stated deadline and at your expense. We may be able to assist you with this process but any liability incurred to a carrier for haulage charges is solely your responsibility.

6. LOSS AND DAMAGE OF GOODS

(a) Loss and Damage Warranty - Dreweatts is not authorised by the FCA to provide insurance to its clients, and does not do so. However Dreweatts for its own protection assumes liability for property consigned to it at the lower pre-sale estimate until the hammer falls. To justify accepting liability, Dreweatts makes a charge of 15% of the hammer price plus VAT, subject to a minimum charge of £1,50, or if unsold 15% of our lower estimate. The liability assumed by Dreweatts shall be limited to the lower pre-sale estimate or the hammer price if the lot is sold. Dreweatts is not liable for damage to gilded picture frames, plaster picture frames or picture frame glass; if the Lot is or becomes dangerous, we may dispose of it without notice to you in advance in any manner we see fit and will be under no liability for doing so.

(b) If the owner of the goods consigned instructs us in writing not to take such action, the goods then remain entirely at the owner's risk unless and until the property in them passes to the Buyer or they are collected by or on behalf of the owner, and clause 6 (a) is inapplicable.

7. **ILLUSTRATIONS AND PHOTOGRAPHS.** The cost of any illustrations or photographs is borne by you. The copyright in respect of such illustrations and photographs shall be the property of us, the auctioneers, as is the text of the catalogue.

8. **MINIMUM BIDS AND OUR DISCRETION.** Goods will normally be offered subject to a reserve agreed between us before the sale in accordance with clause 9. We may sell Lots below the reserve provided we account to you for the same sale proceeds as you would have received had the reserve been the hammer price. If you specifically give us a "discretion" we may accept a bid of up to 10% below the formal reserve.

9. RESERVES

(a) You are entitled to place prior to the auction a reserve on any lot consigned, being the minimum hammer price at which that lot may be sold. Reserves must be reasonable and we may decline to offer goods which in our opinion would be subject to an unreasonably high reserve (in which case goods carry the storage and loss and damage warranty charges stipulated in these Terms of Consignment).

(b) A reserve once set cannot be changed except with our consent.

(c) Where a reserve has been set which we consider unreasonably high, an unsold charge will be payable in the event that the lots fails to sell, being the agreed selling terms calculated on the reserve, LDW at 15% and any photographic charges.

(d) Where a reserve has been placed only we may bid on your behalf and only up to the reserve (if any) and you may in no circumstances bid personally.

(e) Reserves are not usually accepted for lots expected to realise below £100.

10. **ELECTRICAL ITEMS.** These are subject to detailed statutory safety controls. Where such items are accepted for sale you accept responsibility for the cost of testing by external contractors. Goods not certified as safe by an electrician (unless antiques) will not be accepted for sale. They must be removed at your expense on your being notified. We reserve the right to dispose of unsafe goods as refuse, at your expense.

11. **SOFT FURNISHINGS.** The sale of soft furnishings is strictly regulated by statute law in the interests of fire safety. Goods found to infringe safety regulations will not be offered and must be removed at your expense. We reserve the right to dispose of unsafe goods as refuse, at your expense. The rights of disposal referred to in clause 10 and 11 are subject to the provisions of The Torts (Interference with Goods) Act 1977.

12. **DESCRIPTION.** Please assist us with accurate information as to the provenance, lawful import etc. of goods where this is relevant. There is strict liability for the accuracy of descriptions under modern consumer legislation and in some circumstances responsibility lies with sellers if inaccuracies occur. We will assume that you have approved the catalogue description of your lots and that your lots match those descriptions unless informed to the contrary. Where we are obliged to return the price to the buyer when the lot is a deliberate forgery under Condition 15 of the Conditions of Sale and we have accounted to you for the proceeds of sale you agree to reimburse us the sale proceeds and in any event within 7 days of our written notice to do so.

13. **UNSOLD.** If an item is unsold it may at our discretion be re-offered at a future sale. Where in our opinion an item is unsaleable you must collect such items from the saleroom promptly on being so informed. Otherwise, storage charges may be incurred. We reserve the right to charge for storage in these circumstances at a reasonable daily rate.

14. **WITHDRAWN AND BOUGHT IN ITEMS.** These are liable to incur a charge of 15% commission, 15 % Loss and Damage Warranty and any other costs incurred including but not limited to illustration and restoration fees all of these charges being subject to VAT on being bought in or withdrawn after being catalogued.

15. **CONDITIONS OF SALE.** You agree that all goods will be sold on our Conditions of Sale for Public Auctions. In particular you undertake that you have the right to sell the goods either as owner or agent for the owner with good and marketable title and free and clear of any third party rights or claims. You undertake to compensate us and any buyer or third party for all losses liabilities, costs and expenses suffered or incurred arising out of or in connection with any breach of this undertaking. We will also, at our discretion, and as far as practicable, confirm that an item consigned for sale does not appear on the Art Loss register, which is administered by an independent third party.

16. DUE DILIGENCE CHECKS AND ANTI-MONEY LAUNDERING PROCEDURES

Under the money laundering regulations in force we are required to carry out relevant due diligence checks. This includes verifying the identity of all customers we transact with as well as any beneficial owners on behalf of whom they may transact. Vendors who are unable to or refuse to supply required identification documents and proof of address will not be able to consign to Dreweatts auctions. Copies of customer due diligence checks will be stored for as long as it is necessary to satisfy legal requirements in an appropriate storage facility, which for the avoidance of doubt may include storage solely in electronic form.

17. AUTHORITY TO DEDUCT COMMISSION AND EXPENSES AND RETAIN PREMIUM AND INTEREST

(a) You authorise us to deduct commission at the stated rate and all expenses incurred for your account from the hammer price and consent to our right to retain beneficially the premium paid by the buyer in accordance with our Conditions of Sale for Public Auctions and any interest earned on the sale proceeds until the date of settlement.

(b) In case of lots unsold at auction you authorise us at our discretion to reoffer such lots and negotiate a sale within seven days of the auction date, in which case the same charges will be payable as if such lots had been sold at auction and so far as appropriate these Terms apply.

18. **WAREHOUSING.** We disclaim all liability for goods delivered to our saleroom without sufficient sale instructions and reserve the right to make minimum warehousing charge of £10 per lot per day. Unsold lots are subject to the same charges if you do not remove them within a reasonable time of notification. If not removed within three weeks we reserve the right to sell them and defray charges from any net proceeds of sale or at your expense to consign them to the local authority for disposal.

19. **SETTLEMENT.** After sale settlement of the net sum due to you normally takes place within 28 days of the sale (by crossed cheque to the seller) unless the buyer has not paid for the goods. In this case no settlement will then be made but we will take your instructions in the light of our Conditions of Sale for Public Auctions. You authorise any sums owed by you to us on other transactions to be deducted from the sale proceeds. You must note the liability to reimburse the proceeds of sale to us as under the circumstances provided for in Condition 12 above. You should therefore bear this potential liability in mind before parting with the proceeds of sale until the expiry of 28 days from the date of sale.

Conditions of Sale for Public Auctions

Dreweatts carries on business with bidders, buyers and all those present in the auction room prior to or in connection with a sale by auction at our salerooms on our Auction Terms and Conditions or Public Auctions including these Conditions of Sale for Public Auctions and all bidders, buyers and others participating in a public auction accept that these terms apply to the exclusion of any terms and conditions contained in any of those person's own documents even if the same purport to provide that that person's own or some other terms prevail. Any particular public auction and/or any particular lot in an auction may be subject to different or additional terms which will be published in our online auction catalogue. Please note that our Auction Terms and Conditions including these Conditions of Sale for Public Auctions relate to auctions held in one of our salerooms and we have separate terms and conditions for our online auctions.

1. DEFINITIONS

In these Conditions:

(a) "auctioneer" means the firm of Dreweatts or its authorised auctioneer, as appropriate;

(b) "deliberate forgery" means an imitation made with the intention of deceiving as to authorship, origin, date, age, period, culture or source but which is unequivocally described in the catalogue as being the work of a particular creator and which at the date of the sale had a value materially less than it would have had if it had been in accordance with the description;

(c) "hammer price" means the level of bidding reached (at or above any reserve) when the auctioneer brings down the hammer;

(d) "terms of consignment" means the stipulated terms and rates of commission on which Dreweatts accepts instructions from sellers or their agents;

(e) "total amount due" means the hammer price in respect of the lot sold together with any premium, Value Added Tax chargeable and any additional charges payable by a defaulting buyer under these Conditions;

(f) "sale proceeds" means the net amount due to the seller, being the hammer price of the lot sold less commission at the stated rate, Value Added Tax chargeable and any other amounts due to us by the seller in whatever capacity and however arising;

(g) "You", "Your", etc. refer to the buyer as identified in Condition 2.

(h) The singular includes the plural and vice versa as appropriate.

2. BIDDING PROCEDURES AND THE BUYER

(a) Bidders are required to register their particulars before bidding by completing a sale registration form and to satisfy any security arrangements before entering the auction room to view or bid;

(b) Under the money laundering regulations in force we are required to verify the identity of all customers we transact with as well as any beneficiaries on behalf of whom they may transact. Customers who are unable to or refuse to supply required identification documents and proof of address will not be able to bid in Dreweatts auctions. Copies of customer due diligence checks will be stored for as long as it is necessary to satisfy legal requirements in an appropriate storage facility which for the avoidance of doubt may include storage solely in electronic form;

(c) the maker of the highest bid accepted by the auctioneer conducting the sale shall be the buyer at the hammer price and any dispute about a bid shall be settled at the auctioneer's absolute discretion by reoffering the Lot during the course of the auction or otherwise. The auctioneer shall act reasonably in exercising this discretion.

(d) Bidders shall be deemed to act as principals;

(e) Our right to bid on behalf of the seller is expressly reserved up to the amount of any reserve and the right to refuse any bid is also reserved.

3. **INCREMENTS.** Bidding increments shall be at the auctioneer's sole discretion.

4. **THE PURCHASE PRICE.** The buyer shall pay the purchase price together with a premium thereon of 30% which shall include VAT on the premium at the rate imposed by law. The buyer will also be liable for any royalties payable under Droit de Suite as set out under Information for Buyers.

5. **VALUE ADDED TAX.** Value Added Tax on the hammer price is imposed by law on all items affixed with a dagger (†) or double dagger (‡). Value Added Tax is charged at the appropriate rate prevailing by law at the date of sale and is payable by buyers of relevant Lots. (Please refer to "Information for Buyers" for a brief explanation of the VAT position).

6. PAYMENT

(a) Immediately a Lot is sold you will:

(i) give to us, if requested, proof of identity, and

(ii) pay to us the total amount due or in such other way as is agreed by us.

(b) Any payments by you to us may be applied by us towards any sums owing from you to us on any account whatever without regard to any directions of you or your agent, whether expressed or implied.

(c) In order to comply with money laundering regulations we reserve the right to require proof of source of funds and/ or confirmation of the nature and source of wealth for all receipts of monies from clients directly or from third parties for payments on behalf of clients.

7. TITLE AND COLLECTION OF PURCHASES

(a) The ownership of any Lots purchased shall not pass to you until you have made payment in full to us of the total amount due.

(b) You shall at your own risk and expense take away any lots that you have purchased and paid for not later than 3 working days following the day of the auction or upon the clearance of any cheque used for payment after which you shall be responsible for any removal, storage and insurance charges.

(c) No purchase can be claimed or removed until it has been paid for.

8. REMEDIES FOR NON-PAYMENT OR FAILURE TO COLLECT PURCHASES

(a) If any Lot is not paid for in full and taken away in accordance with these Conditions or if there is any other breach of these Conditions, we, as agent for the seller and on our own behalf, shall at our absolute discretion and without prejudice to any other rights we may have, be entitled to exercise one or more of the following rights and remedies:

(i) to proceed against you for damages for breach of contract;

(ii) to rescind the sale of that Lot and/or any other Lots sold by us to you;

(iii) to resell the Lot (by auction or private treaty) in which case you shall be responsible for any resulting deficiency in the total amount due (after crediting any part payment and adding any resale costs). Any surplus so arising shall belong to the seller;

(iv) to remove, store and insure the Lot at your expense and, in the case of storage, either at our premises or elsewhere;

(v) to charge interest at a rate not exceeding 15% per month on the total amount due to the extent it remains unpaid for more than 3 working days after the sale;

(vi) to retain that or any other Lot sold to you until you pay the total amount due;

(vii) to reject or ignore bids from you or your agent at future auctions or to impose conditions before any such bids shall be accepted;

(viii) to apply any proceeds of sale of other Lots due or in future becoming due to you towards the settlement of the total amount due and to exercise a lien (that is a right to retain possession of) any of your property in our possession for any purpose until the debt due is satisfied.

(b) We shall, as agent for the seller and on our own behalf pursue these rights and remedies only so far as is reasonable to make appropriate recovery in respect of breach of these conditions.

9. **THIRD PARTY LIABILITY.** All bidders, buyers and other members of the public on our premises are there at their own risk and must note the lay-out of the accommodation and security arrangements. Accordingly neither the auctioneer nor our employees or agents shall incur liability for death or personal injury or for the safety of the property of persons visiting prior to or at a sale (except in each case as may be required by law by reason of our negligence)

10. **COMMISSION BIDS.** Whilst prospective buyers are strongly advised to attend the auction and are always responsible for any decision to bid for a particular Lot and shall be assumed to have carefully inspected and satisfied themselves as to its condition, we will if so instructed clearly and in writing execute bids on their behalf. Neither the auctioneer nor our employees or agents shall be responsible for any failure to do so.

Where two or more commission bids at the same level are recorded we reserve the right in our absolute discretion to prefer the first bid so made.

11. **WARRANTY OF TITLE AND AVAILABILITY.** The seller warrants to the auctioneer and you that the seller is the true owner of the property consigned or is properly authorised by the true owner to consign for sale and is able to transfer good and marketable title to the property free from any third party claims.

Save as expressly set out above, all other warranties, conditions

or other terms which might have effect between the Seller and you, or us and you, or be implied or incorporated by statute, common law or otherwise are excluded to the fullest extent permitted by law.

12. **AGENCY.** The auctioneer normally acts as agent only and disclaims any responsibility for default by sellers or buyers.

13. **TERMS OF SALE.** The seller acknowledges that Lots are sold subject to the stipulations of these Conditions in their entirety and on the Terms of Consignment for Public Auctions as notified to the consignor at the time of the entry of the Lot.

14. DESCRIPTIONS AND CONDITION

(a) Whilst we seek to describe lots accurately, it may be impractical for us to carry out exhaustive due diligence on each lot. Prospective buyers are given ample opportunities to view and inspect before any sale and they (and any independent experts on their behalf) must satisfy themselves as to the accuracy of any description applied to a lot. Prospective buyers also bid on the understanding that, inevitably, representations or statements by us as to authorship, genuineness, origin, date, age, provenance, condition or estimated selling price involve matters of opinion. We undertake that any such opinion shall be honestly and reasonably held and accept liability for opinions given negligently or fraudulently. Subject to the foregoing neither we the auctioneer nor our employees or agents nor the seller accept liability for the correctness of such opinions and all conditions and warranties, whether relating to description, condition or quality of lots, express, implied or statutory, are hereby excluded. Dreweatts is not liable for damage to gilded picture frames, plaster picture frames or picture frame glass; if the Lot is or becomes dangerous, we may dispose of it without notice to you in advance in any manner we see fit and will be under no liability for doing so. This Condition is subject to the next following Condition concerning deliberate forgeries and applies save as provided for in paragraph 6 "information to buyers".

(b) Private treaty sales made under these Conditions are deemed to be sales by auction for purposes of consumer legislation.

15. **FORGERIES.** Notwithstanding the preceding Condition, any Lot which proves to be a deliberate forgery (as defined) may be returned to us by you within 21 days of the auction provided it is in the same condition as when bought, and is accompanied by particulars identifying it from the relevant catalogue description and a written statement of defects. If we are satisfied from the evidence presented that the Lot is a deliberate forgery we shall refund the money paid by you for the Lot including any buyer's premium provided that (1) if the catalogue description reflected the accepted view of scholars and experts as at the date of sale or

(2) you personally are not able to transfer a good and marketable title to us, you shall have no rights under this condition.

The right of return provided by this Condition is additional to any right or remedy provided by law or by these Conditions of Sale.

16. **PRIVACY NOTICE.** We will hold and process any personal data in relation to you in accordance with our current privacy policy, a copy of which is available on our website www.dreweatts.com/privacy-policy/.

GENERAL

17. We shall have the right at our discretion, to refuse admission to our premises or attendance at our auctions by any person.

18. (a) Any right to compensation for losses liabilities and expenses incurred in respect of and as a result of any breach of these Conditions and any exclusions provided by them shall be available to the seller and/or the auctioneer as appropriate.

(b) Such rights and exclusions shall extend to and be deemed to be for the benefit of employees and agents of the seller and/or the auctioneer who may themselves enforce them.

19. Any notice to any buyer, seller, bidder or viewer may be given by first class mail, email or Swiftmail in which case it shall be deemed to have been received by the addressee 48 hours after posting.

20. Special terms may be used in catalogue descriptions of particular classes of items in which case the descriptions must be interpreted in accordance with any glossary appearing at the commencement of the catalogue.

21. Any indulgence extended to bidders, buyers or sellers by us notwithstanding the strict terms of these Conditions or of the Terms of Consignment shall affect the position at the relevant time only and in respect of that particular concession only; in all other respects these Conditions shall be construed as having full force and effect.

22. These Conditions shall be governed by and construed in accordance with English law and the parties irrevocably submit to the exclusive jurisdiction of the English courts.

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