

BLOOMSBURY

AUCTIONS

THE HISTORY OF WESTERN SCRIPT: A FURTHER  
SELECTION FROM THE SCHØYEN COLLECTION

TUESDAY 7 DECEMBER 2021

parochia de Egliford  
valit clare p annu  
monasterium de Dunstable  
valit clare p annu  
monasterium de Waborn  
valit clare p annu  
monasterium sci Augustini Bristoll  
valit clare p annu  
monasterium de Linton  
valit clare p annu  
parochia de Thurgaston  
valit clare p annu  
monasterium de Welbeck  
valit clare p annu  
parochia de Northesop  
valit clare p annu  
monasterium sci petri de Ely  
valit clare p annu  
monasterium de Thorney  
valit clare p annu  
monasterium eccle cathedralis wigorn  
valit clare p annu  
parochia maioris malberny  
valit clare p annu  
monasterium de Evesham  
valit clare p annu  
monasterium de Pffore  
valit clare p annu

Villa  
Bristoll  
Com nott

Com  
Cantabrig

Com  
Wigorn

Com  
Caston  
Sux  
Com  
lan  
Com  
Sussex

Com  
Dorset

Com  
Cornub

monasterium de Ramsey  
valit clare p annu  
parochia de Emmenton  
valit clare p annu  
monasterium Alboz monachoz de Wallia  
valit clare p annu  
Abbia de Battell  
valit clare p annu  
Abbia de Swigge  
valit clare p annu  
parochia de Lincob  
valit clare p annu  
monasterium de Abbotysbery  
valit clare p annu  
monasterium de middilton  
valit clare p annu  
monasterium de Cerne  
valit clare p annu  
monasterium de Tarrant  
valit clare p annu  
monasterium de Gaston  
valit clare p annu  
monasterium de Gurbarn  
valit clare p annu  
parochia de Badmyn  
valit clare p annu

Com  
Sussex

unitate sp̄s sc̄i pom̄ia sc̄ta sc̄torū . a c̄n .  
**L**ec̄ sc̄i euangl̄ii sc̄om̄ ioh̄m  
N PRINCIPIO ERAT UERBUM . ET  
uerbū erat apud d̄m . et d̄s erat uerbū .  
Et reliqua . **O** m̄ē uen̄ Bede p̄bri de e  
uiatē porale m̄ l  
mediatoris d̄i et homi  
nū ih̄u xp̄i natiuitatē  
que hodierna die fa  
cta est . sc̄orū uerbis eu  
angelistarū mathe  
uidelicet et luce . manifestata  
cognouimus . libet etiā de uerbi idem  
diuinitatis eius eternitatē in qua patri  
manet sēp equalis . beati ioh̄is euangl̄i ste  
dicta scrutari . qui singularis priuilegio  
meruit castitatis . ut ceteris altius diu  
nitatis ipsius caperet simul et pateface  
ret archanū . Neq: enī frustra in cena

## BLOOMSBURY AUCTIONS

## THE HISTORY OF WESTERN SCRIPT: A FURTHER SELECTION FROM THE SCHØYEN COLLECTION

TUESDAY 7 DECEMBER 2021 | 2PM

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AUCTION NO. 14418

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Front Cover: lot 2  
Inside front cover: lot 54  
Opposite: lot 23  
Back Cover: lot 9

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## Introduction

One could be forgiven, when looking at the website of the Schøyen Collection or surveying the catalogues of the sales in Sotheby's on 10 July 2012, Christie's on 10 July 2019 and in our rooms on 8 July 2020, of thinking of that collection as mainly composed of grand and now nearly-unobtainable examples of script and text, but nothing could be further from the truth. Over the last five and a half decades, Martin Schøyen has delighted in seeking out all and every manuscript that caught his fascination, and has devoted the same attention to each of them equally. Like Sir Thomas Phillipps before him, and innumerable other collectors, his is a consuming passion for every example of script from glittering medieval codices to the lowliest scrap of a single leaf.

This selection of items, in this fourth substantial sale from his collection, is taken almost entirely from his London library, and affords us the opportunity to showcase another sixty of the less well-known, but similarly fascinating, examples of script. In fact, only one item here (lot 2) does not come from the parts of the collection stored in London, and that was originally intended to be part of our 2020 sale, but was delayed due to important forthcoming publications on its revised age and the identity of its text. These have now appeared, and so it takes pride of place here, on the front cover of this sale catalogue.

We do not intend to repeat the introductory discussions of the phases of script as laid out in our previous catalogue, and we refer our reader to those and their detailed and informative forerunners in the Sotheby's sale of 2012. However, we are pleased to add a new section here, on 'The late Middle Ages: humanism, the emulation of earlier script and medieval forgery', with examples of scribal hands copying other earlier ones for both innocent and nefarious motives. Following the models of those earlier sales, and in keeping with Martin's wish to inspire interest in palaeography and supply freely available materials for its teaching, this catalogue continues with the tradition of reproducing photographs of lines of key scripts with transcriptions.

As the great medieval encyclopedist, Isidore of Seville, noted in the late sixth or early seventh century: "Litterae autem sunt indices rerum, signa verborum, quibus tanta vis est, ut nobis dicta absentium sine voce loquantur" ('Letters are signs of things, symbols of words, whose power is so great that without a voice they speak to us the words of the absent'). We invite the reader to 'listen' to the examples of script herein, for here are the last echoes of the voices of Aristotle, Augustine of Hippo, Maximus of Turin, Bede, Smaragdus of Saint-Mihiel, the fourteenth-century philosophers Johannes de Lana and Alexander Bonini de Alexandria, as well as the foremost poet of the Italian language, and perhaps the entire Middle Ages, Dante Alighieri.

## I The Ancient World

I naure utramuis / ociose ut dormias.  
**CLT.** Quid ago nunc **CLT** tu ne quid boni est **CLT** <sup>sire</sup> dic modo.  
V erum **SI** age modo / hodie sero / ac ne quicquid uoles.  
**CLT.** Datur fruare dum licet / nam nescias  
Eius sit potestas post hac an unquam tibi.  
**CLT.** Sive inquam **SI** perge porro tamen istud ago.  
**CLT.** V erum hercle istuc est / sive sive inquam heus sive  
**SI.** Concaluit quid uis / **CLT** redi redi **SI** ad sum dic quid est  
I am hoc quoque negabis tibi placere **CLT** imo sive.  
E t me & meum amorem & famam permitto tibi.  
T u es iudex nequid accusandus si uide.  
**SI.** Ridiculum est te istuc admonere me clitipho.  
Quasi istuc minor mea res agatur quam tua  
H ic siquid forte aduersi nobis euenerit.  
T ibi erunt parata uerba / huic homini uerbera  
Q ua propter hec res ne utique neglectum est mihi  
S ed istunc exora / ut suam esse assumet **CLT** scilicet  
F adurum me esse / in eam res iam rediit in locum  
V t sit necesse **CLT** merito te te amo clinia.  
V erum illa nequid titubet **SI** perdocta est probe.  
**CLT.** A t hoc demiror qui tam facile potueris  
P ersuadere illi / que solet quos spernere.  
**SI.** I ntempore ad eam ueni quod rerum omnium est  
P rimum nam miserum quendam offendi ibi militem  
E ius noctem orantem / hec arte tractabat uirum  
V t illius animum cupidum inopia incenderet.  
E ademque ut esset apud te ob hoc quam gratissima.  
S ed heus tu uide sis nequid imprudens tuas.  
P arem nouisti ad has res quam sit perspicax.  
E go te autem noui quam esse soleas impotens / abstrine

1

**The name of Princess Nubhetepti-khered**, sheet of gold foil with hieroglyphs, once adorning a funerary object in a tomb in the royal necropolis of Dahshur [Egypt, thirteenth dynasty (1794-1645 BC.)]

*One partial gold foil strip, with a single column of formal hieroglyphs bearing the princess' name, these embossed into gold with stylus-like instrument, some old folds and small tears, partly laid down on dark brown paper, else excellent condition, 138 by 77mm., set in a modern glass frame within a fitted book-shaped case*

Provenance:

1. From the tomb of Princess Nubhetepti-khered, to the north of the pyramid of Pharaoh Amenemhet II in the royal necropolis of Dahshur, Upper Egypt. The necropolis of Dahshur in the desert to the south west of Cairo contains some of the oldest and best preserved pyramids from Ancient Egypt as well as numerous graves of royal women from the twelfth and thirteenth dynasties, now renowned for the splendour of their jewellery and ornament. The princess here, Nubhetepti-khered, is known only from her richly decorated tomb, and was probably the daughter of King Hor (reigned c. 1777-1775 BC.), who was buried next to her with very similar funerary ornaments. As the 'khered' element of her name means 'child', it is possible that her mother was called Nubhetepti, and conveniently one or two women of that name with the title Great Royal Wife are recorded on scarabs. Alternately, W. Grajetzki has taken the 'khered' element of her name to mean something like 'the younger', and thus sees her as the younger of two royal women of the same name, perhaps the wife and daughter of King Hor, respectively (*Tomb Treasures of the Late Middle Kingdom: the archaeology of female burials*, 2014, pp. 80-81). This gold foil was probably discovered during de Morgan's excavations in the funerary complex at Dahshur in 1894 (*Fouilles a Dahchour, Mars-Juin 1894*, 1895, pp. 107-115). The excavation accounts of Nubhetepti-khered's tomb record that her sarcophagus was decorated with gold foil strips measuring some 75mm. wide, just as here, and bearing spells and other short texts with the name of the princess. Further larger gold foil panels were used to decorate her anthropoid inner coffin and canopic chest. The same excavation accounts also note that the sarcophagus was much decayed, and the gold detached from it, so only part of the gold decoration could be saved (these recorded by de Morgan and later Pierre Lacau in the *Catalogue Général* of the Egyptian Museum in Cairo [CG 28104; Lacau 1905-1906, pp. 81-2] with these then rearranged by Grajetzki, 'The burial of the 'king's daughter' Nubhetepti-khered', in *Ancient Egyptian Coffins*, 2018, p. 232, and see pp. 239-240; but omitting the nine small inscribed fragments in the Cairo Museum, and eight small sections with the name of the princess, as recorded by Lacau).

2. Gustave Jéquier (1868-1946), Swiss Egyptologist who worked with both Gaston Maspero and Jacques de Morgan, and was the epigrapher of de Morgan's excavations in 1894 and 1895; by descent from him to his heirs, their sale in Christie's, 12 December 1989, lot 126. Other works from his collection were again sold by his descendants in Christie's, New York, 4 June 2008, lots 1-33.

3. Schøyen Collection, London and Oslo, their MS. 604.

Text:

Of all the media that human populations have used for writing, none is as alluring as gold. Its intrinsic value sets texts written on it apart from their peers, and its reflective qualities and lustre speak volumes about the importance and significance of their commissioners and owners. To the Egyptians it was a heavenly and indestructible metal linked to the sun god Ra. It had been used to ornament royal and high noble objects since 3000 BC. at least in Egypt, with Upper Egypt supplied by numerous gold mines in Nubia and the eastern deserts (now in modern Sudan; indeed the name Nubia comes from *nbw*, the Egyptian word for gold) and through trade with the Kushites to the south. Thus here, we begin this survey of western script, with hieroglyphs (*mdju netjer*, or 'words of the gods' in Ancient Egyptian), symbols that were believed to be divine in themselves, and setting out the name of a semi-divine royal, on the most sacred substance in Ancient Egypt.

£30,000-50,000



Lot 1

2 †

An Orphic poem, inscription in iambic trimeters by one Agestratos, dedicating his traveller's staff to Apollo, most probably in Doric Greek, reverse-impressed into gold foil [probably southern Greece, or just perhaps adjacent Crete, Rhodes or a few cities on the coast of Asia Minor, c. fourth century AD.]

*Thin gold lamella with rounded corners, with 6 lines of Greek capitals impressed into reverse, some in deliberately archaising forms, margins around all sides indicating the whole text is preserved, tiny double-lines present recording its production through an impressed or 'printed' method (see Brekle), with letters to one side more marked than other from being impressed when the original blank foil was on a slightly uneven surface, apparently never rolled up or folded (but probably affixed to a wooden staff, which then decomposed), some cracks and splits to edges, one large crack from top and bottom (but not meeting in middle and in stable condition), overall fine condition, 28 by 90 by 1mm.*

Provenance:

1. Most probably produced for the Agestratos addressed by the inscription, for attachment to his own traveller's staff. He may have been a wandering poet himself, and the use of gold for its production suggests his grand status. The name is commonly attested throughout the Greek speaking region.
2. Miss Edith Horsley of London, amateur Cuneiform specialist and sometime volunteer member of the British Museum's department of the Middle East who sensationally discovered a missing piece of the earliest Babylonian World Map among the museum's fragment collection in 1995. The present item acquired by her in 1965 alongside other antiquities, presumably by descent (many of these sold at several stages by Pars Antiques). This item almost certainly studied while in her collection by the late Dominic Montserrat.
3. Thence to Pars Antiques, London, in 2000, and one year later to the present owner.
4. Schøyen Collection, London and Oslo, their MS 5236.



Lot 2



τὴν δὲ Φοῖβε Ἄπολλον

## I The Early Middle Ages and the Carolingian Renaissance

Text:

Some examples of script are so astonishingly rare that they appear to be unique and without comparable items for context, and these wait the recognition of some crucial piece of evidence by a scholar before we can securely place and date them. This gold foil is just such an item. Immediately before 2000, Dominic Monserrat identified it as a sixth-century BC. *ephesia grammata* (a mass produced form of popular magic amulet) invoking the god Phoebus Apollo. However, only in the last year or so has its inscription been recognised by G. Rocca and D.G. Muscianisi as a dedication of a traveller's staff to Apollo by one Agestratos, in a form closely paralleled by another inscription by one Leontianos in a rock-cut sanctuary to Apollo in Pisidia (modern Karabavli). The other inscription was thankfully recorded in 1888 by Sitlington Sterret (1851-1914), as it was damaged at some later point and its entire first half is now unreadable. Other than textual, there is no direct relationship between the two inscriptions, and graphical variations in the present example indicate that it had a lost record on papyrus as its exemplar.

The inscription reads in translation: "To you, O Phoebus Apollo, who are the master of this road, who always delight your heart with wayfarers' libations, I, Agestratos, a musical ship [= soul], dedicate my staff. So you, O blessed one, receive joyfully the prop of my hand and the support of my knees, my traveller's staff. This offering, which supports (my) hand through the paths, now free, will take a breath from its previous labours beside you, O Phoebus" (following Rocca and Muscianisi).

One aspect that the most recent study does not discuss is the fact that this is not an inscription in the purest sense, but was impressed or 'printed' from a reverse-mould into the soft surface of the gold lamella (see Brekle, 2010). This production process is known elsewhere in early Greek and Byzantine material from protective amulets, such as that with a third-century inscription in Greek to ward off leprosy now in the Getty Museum (their 80.AM.53), and earlier examples with generic Orphic or Bacchic inscriptions have been found in Greek tombs (the so-called *Totenpässe*). However, the method of production with the present artefact would appear to be at odds with the quality of the material here and the specific nature of its inscription. Moulds of any type are usually made to mass-produce goods, and comparison with inscriptions on contemporary Greek coins might suggest that the craftsmen who produced this went as far as producing a bronze die as if they were minting coins. However, the fact that the dedicatee is named here would render the resulting stamped lamella useless to anyone other than Agestratos himself (or a namesake). Much remains to be understood here, but perhaps the quality of the script produced by this method or a tradition of producing amuletic lamella in this format fixed the method of production here.

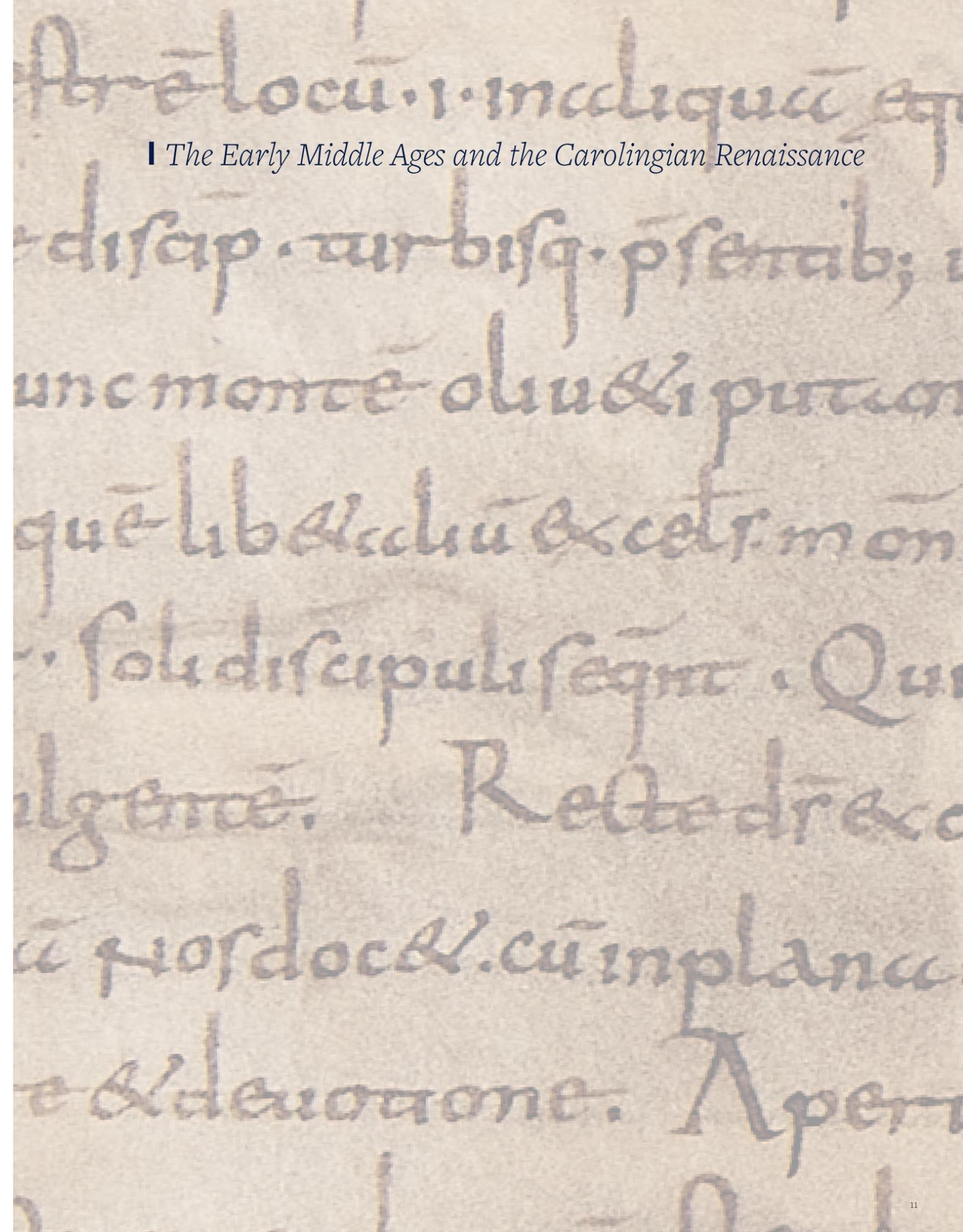
Published:

H.E. Brekle, *Analyse der Herstellungstechnik der Inschrift auf einem Goldamulett in der Schøyen Collection* (London/Oslo), Technischer Bericht, 2010 (online e-publication), there reproducing D. Monserrat's earlier report.

G. Rocca, 'Una lamina aurea dalla collezione Schøyen (MS 5236)', *Alessandria* 8 (2015), pp. 125-136.

G. Rocca and D.G. Muscianisi, 'La lamina aurea Schøyen MS 5236', *Zeitschrift für Papyrologie und Epigraphik* 217 (2021), pp. 1-16.

£20,000-30,000



Leaf from the Old Gelasian Sacramentary, containing a record of the earliest Merovingian and northern European forms of the liturgy, in Latin, decorated manuscript on parchment [Germany or Switzerland (most probably San Gallen), late ninth century]

Large fragment of a single leaf, with 31 lines of a probably German Carolingian minuscule, with a distinctly low and squat et-ligature, an 'm' suggesting Insular influence, few abbreviations, some opening words in hand imitative of uncials, red rubrics (now oxidised in places), one 2-line initial 'H', recovered from reuse in a binding and hence with margins trimmed, but without loss of any lines of text at foot, only small losses to small sections of text at upper and lower inner corners, folds and stains, these obscuring much of text on reverse, but readings here awaiting lifting with UV light and careful reading, overall fair and legible condition, 243 by 140mm.; in cloth-covered card binding

THIS UNASSUMING LOOKING LEAF IS AN IMPORTANT AND HITHERTO UNRECOGNISED WITNESS TO A LOST MANUSCRIPT OF THE OLD GELASIAN SACRAMENTARY, THE MEROVINGIAN LITURGICAL RITE THAT PRECEDED THE CAROLINGIAN ONE, AND KNOWN ONLY FROM A TINY HANDFUL OF MANUSCRIPT WITNESSES; MOREOVER, NO OTHER COPY HAS COME TO THE MARKET BEFORE, AND NONE IS LIKELY TO EVER EMERGE ON THE MARKET AGAIN

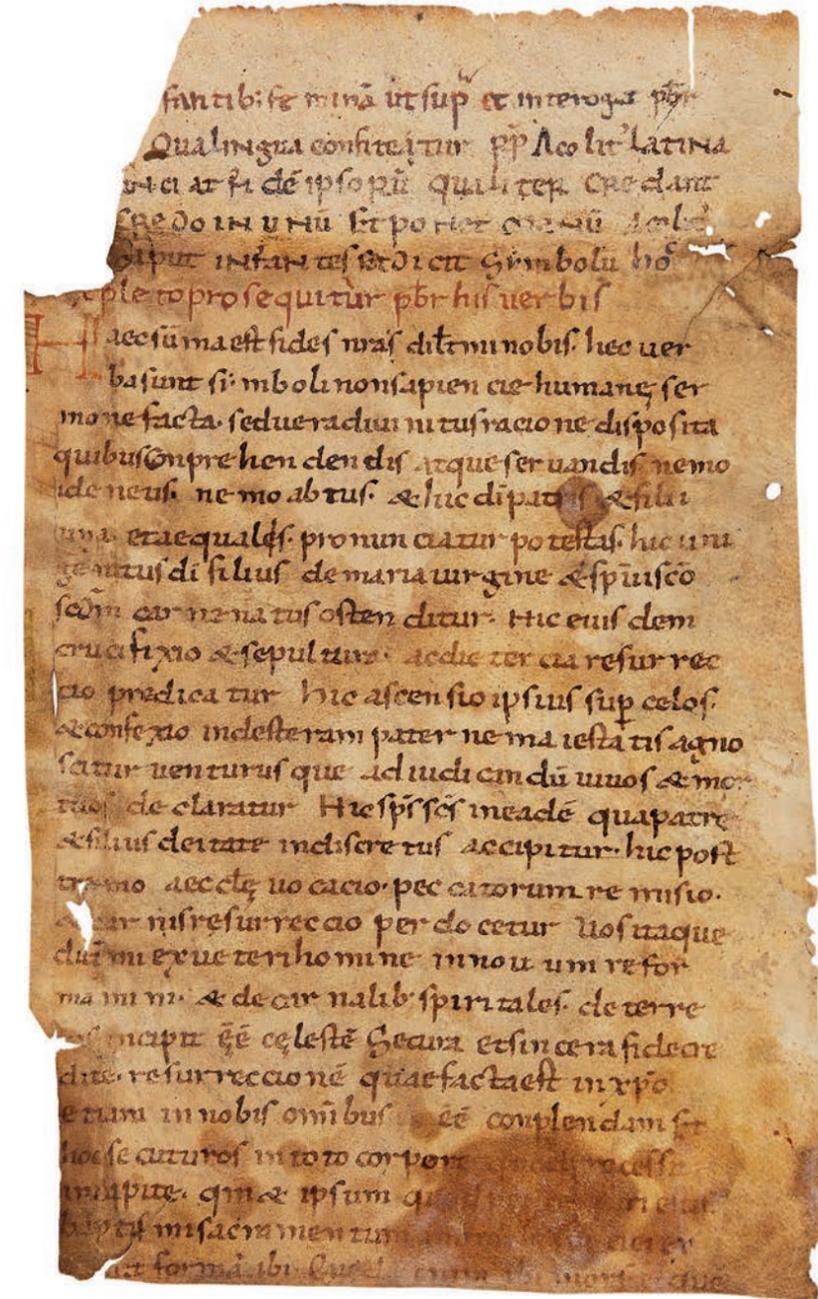
Provenance:

1. Most probably produced within the scriptorium of San Gallen, or a house directly connected to that monastery, and sharing close affinities with two other copies of the text reportedly produced there in the late ninth or tenth century (see below). Then dismembered and reused at the close of the Middle Ages on a bookbinding.
2. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/195'.
3. Quaritch of London, acquired 1989; their cat. 1147, *Bookhands of the Middle Ages*, V (1991), no. 77, described there as a "Carolingian commentary on the Creed" following a description by Marvin Colker.
4. Schøyen Collection of London and Oslo, their MS. 664.

Text:

In its simplest form, the Sacramentary served as the principal collection of Biblical and liturgical texts spoken by the priest during services, and was replaced by other compilations such as the Missal during the course of the twelfth century. However, it had not always existed in an immutable form, and records survive of an attempt to produce a liturgical compilation to serve the same function in an incomplete collection of missal booklets of the fifth or sixth century now known as the Leonine or 'Verona' Sacramentary (now Verona Cathedral, MS. 85). Some centuries later, it was reported that another attempt had been made by Pope Gelasius I (d. 496), and this led to the erroneous naming of the present text. It is now thought to date to either the seventh century or earliest decades of the eighth century, and contains a hybrid Gallican-Roman text inherited from Merovingian worship, and practised in some form throughout Gaul, Spain, Britain and Ireland, and perhaps also northern Italy, with the alternative Roman rite holding sway in only Rome and southern Italy. As a functioning liturgy it did not survive the Carolingian renaissance, and after Pope Hadrian I presented a copy of the liturgy approved by Pope Gregory the Great to Charlemagne in 785, that 'Gregorian' version was disseminated quickly throughout the empire, driving out its predecessor.

Due to its early replacement and demise, it survives as a coherent text in only three codices, plus, to the best of our knowledge, three early fragments of only a few leaves surviving from other lost copies of the whole text, a single witness containing readings from it, and the readings of a final lost manuscript recorded in a publication of 1777. These witnesses are: (i) Vatican, MS. Reginensis 316 (once owned by Queen Christina of Sweden, and carried by her to Rome at the end of her life) + Paris, BnF., latin 7193, fols. 41-56, the prime witness, produced in Merovingian Gaul in the mid-eighth century and forming the basis of all editions (see H.A. Wilson, *The Gelasian Sacramentary: Liber Sacramentorum Romanae Ecclesiae*, 1894, and L.C. Mohlberg, *Liber sacramentorum Romanae aeclesiae ordinis anni circuli*, 1960); (ii) Rheinau, MS. 30 (now in Zürich, Kantonsbibliothek), including a Sacramentary of c. 800 with Gelasian readings with later revisions; and (iii) San Gallen, MS. 348, a tenth-century Sacramentary with Gelasian readings with later revisions. The early fragments are: (iv) British Library, Additional MS. 37518, fols. 116-117, the so-called 'Baumstark fragment', an eighth-century binding fragment of English origin or produced in an Insular Continental centre (see A. Baumstark, 'Ein altgelasiansiches Sakramentarbruchstück insularer Herkunft', *Jahrbuch für Liturgiewissenschaft*, 7, 1927, pp. 130-136); (v) BnF. lat. 10837, fols. 42-43, the so-called 'Bannister fragment', an English witness of the eighth century (see H.M. Bannister, 'Liturgical Fragments: A. Anglo-Saxon Sacramentaries', in *Journal of Theological Studies*, 9, 1908, pp. 406-411); and (vi) four eighth-century leaves in Cologne City archives, of English origin or produced in an Insular Continental centre (see H.M. Bannister, 'Fragments of an Anglo-Saxon Sacramentary', *Journal of Theological Studies*, 12, 1911, pp. 451-454). To these must be added (vii) a liturgical index in Reims, Bibliothèque municipale, MS. 8 (C.42), with extracted readings, and (viii) a lost manuscript recorded by Dom Martin Gerbert, abbot of St. Blaise in the Black Forest, in his attempted edition of 1777. Gerbert used the Rheinau and San Gallen manuscripts noted above, as well as a manuscript he identifies as "Sangalliensis olim nunc Turicensis" ("of San Gallen, but now of Zürich"), and of the tenth century, and having parallel versions of the Gelasian, Gregorian and Ambrosian rites (on this manuscript see Wilson, pp. xx-xxi). It seems to have been based on the San Gallen manuscript but with



Lot 3

readings improved for sense. Despite a nineteenth-century identification of this last witness as Zurich C. 389, that manuscript does not contain a Sacramentary, and modern scholarship has failed to trace the lost witness.

The leaf here shows strong textual affinity to the San Gallen manuscripts, with the strongest to the lost manuscript, but while it has many apparent scribal errors it does not share all the reported corruptions of that lost witness. Most probably, it was produced within the same Carolingian milieu, which appears to have had an antiquarian interest in earlier liturgical practices. The text here contains part of I:35 of the text, opening with a variant rubric reported only by Gerbert for his lost witness ("[Et dum hoc cantat, semper manum super caput infantibus tenet: hoc finito iterum accipiens alter acolytus ex ipsis in]fantibus feminam ut [sic] supra, et interrogat presbyter ...") followed by a paragraph truncated down to a few short lines and apparently in a different order to that found in the Vatican manuscript, before the rubric "[Hoc e]xpleto prosequitur [sic] presbyter his verbis" is followed by the text opening "Haec summa est ...", with much of that section underneath the discolouration on the reverse.

£7,000-9,000

Two cuttings from a bifolium of Smaragdus of St-Mihiel, *Liber comitis*, including his quotation of Bede, *De octo quaestionibus*, quaestio II, with one of the earliest references to English illuminated manuscript ownership, in Latin, manuscript on parchment [Germany or perhaps France, 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, trimmed at foot with loss of about 6 lines there, text showing that this once the innermost bifolium from a gathering, wanting probably a single line where bifolium was sliced through horizontally, cuttings now 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 (especially to reverse, obscuring some areas of text there), splits and areas of discolouration, overall fair and presentable condition, in total 215 by 400mm.; set in glass on both sides, and in a large black fitted case

Provenance:

1. Quaritch of London; with a postcard dated 29 May 1991 from Bernard Bischoff, with his opinions on the cuttings, enclosed.
2. Schøyen Collection, London and Oslo, their MS 1380, acquired from Quaritch in June 1991.

Text:

These cuttings contain Smaragdus of St-Mihiel's commentary on Corinthians 11, citing John Chrysostom and Ambrose (recto first leaf to verso first leaf, col. 1 and first half of col. 2), but with the text truncated at its end (compare the first half of col. 2 of fol. 1v here with that in *Patrologia Latina* 102, cols. 104-105), followed by Smaragdus' extensive quotation of Bede, *De octo quaestionibus*, quaestio II (verso first leaf, second half of col. 2 through to first half of col. 1 on recto of second leaf, this again truncated at end), and ending with Bede's commentary on Luke VIII (remaining recto and verso of second leaf).

The *De octo quaestionibus* is by far the rarest here and deserves some individual attention. The initial publication of this text by Johann Herwagen in 1563 (reprinted from there by Migne, *Patrologia Latina*, 93 in 1862, and there called the *Aliquot quaestionem liber*) served to confuse rather than elucidate its authorship, as Herwagen used a manuscript which had interpolated non-Bede material at its end. This led to the publication of the text by Migne among the 'dubia et spuria' and similarly among the uncertain works of Bede by M.W.L. Laistner and H.H. King in their *Handlist of Bede Manuscripts* (1943). Moreover, J.A. Giles went so far as to exclude it from his edition of Bede's work in 1843-1844. However, the Carolingians certainly knew of the text in a form usually described as 'eight questions' (it is cited by Smaragdus of St-Mihiel, Claudius of Turin, Hrabanus Maurus and Haimo of Auxerre, and in 852, Lupus of Ferrières sent a request to Abbot Alsig of York requesting a number of works, including 'questions by your Bede on both Testaments'), and strong academic defences of Bede's authorship of some part of this material were made by Paul Lehmann in 1919 ('Wert und Echtheit einer Beda abgespröchenen Schrift', in *Sitzungsberichte der Phil.-Phil. Und der Hist. Klasse der bayer. Akad. Der Wissenschaften*, Abhandlung 4) and again in 1999 and 2008 (M. Gorman, 'Bede's VIII Quaestiones and Carolingian Scholarship', *Revue Bénédictine*, 109, 1999, pp. 32-74; and E. Knibbs, 'The Manuscript Evidence for the De Octo Quaestionibus Ascribed to Bede', *Traditio*, 63, 2008, pp. 129-183). An initial core of eight 'questions' are now firmly thought to be of the eighth century, with four of these confidently ascribed to Bede (including the *quaestio* cited here).



Lot 4

These cuttings here did not, however, come from a manuscript of that text in its unadulterated form, but from a copy of Smaragdus' *Liber Comitis*, which quotes *quaestio* II of Bede's text. That *quaestio* is famous for its record, in its explanation of II Corinthians 11:24, of an illuminated manuscript brought from Rome by the most reverend and most learned Cuthwine, bishop of the East Angles (probably fl. mid-eighth century; here "reverentissimus ac doctissimus vir Chudo [in error for 'Cuduinus', which seems to have confused our scribe, leading to the erasure following] orientalium anglorum antistes", 5<sup>th</sup> to 3<sup>rd</sup> lines from end of col. 2 on fol. 1v). The brief description given by Bede of the miniatures of that volume allows the tentative conclusion that the illuminated manuscript brought back from Rome was a copy of Arator, *De actibus apostolorum*. However, Cuthwine may have owned more than one such manuscript. An illustrated copy of Sedulius' *Carmen Paschale* survives in the Plantin-Moretus Museum in Antwerp, their M 17.4. It dates to the ninth century, but its scribe copied in ornamental capitals an apparent ex libris from its earlier exemplar on fol. 68v: "Finit fines fines Cuðuuiini" (noted by L. Traube in 1902; see also J.J.G. Alexander, *Insular Manuscripts: 6th to the 9th Century*, 1978, p. 83; and M. Lapidge, *The Anglo-Saxon Library*, 2006, pp. 26-27). This is not the sole record of its kind (Bede also records Benedict Biscop's bringing of an illustrated Apocalypse to Monkwearmouth-Jarrow from Rome in the seventh century), but it does stand among the very earliest such accounts, and its author was most probably an eye-witness to Cuthwine's manuscript. In addition, as no manuscript of the complete text of Bede's *De octo quaestionibus* or Smaragdus' *Liber Comitis* has ever come to the market, and no other commentator on Bede's text quotes the relevant passage about Cuthwine, this is most probably the only chance to ever acquire this important early bibliophilic record in manuscript.

£7,000-9,000

Large cutting from a bifolium of a commentary on Matthew, drawing material from lost parts of Frigulus' commentary on the same, in a mixed Carolingian-Insular minuscule, in Latin, manuscript on parchment [northern France, mid-ninth century]

Cutting from the bottom half of a bifolium (trimmed at upper and both vertical edges), each leaf with parts of a single column of 25 lines of a rounded Carolingian minuscule with Insular letterforms and abbreviations (see below), discussing Matthew 4:18-5:37, capitals larger in same ink, one natural flaw in parchment, a few wormholes and stains to reverse from leather from reuse in a later binding, overall in good condition on fine and supple parchment, total size: 150 by 330mm.; in cloth-covered card binding

AN IMPORTANT FRAGMENT CONTAINING A WITNESS TO THE LOST SECTIONS OF THE EIGHTH-CENTURY THEOLOGIAN FRIGULUS; HERE IN A HAND BLENDING ELEMENTS OF INSULAR SCRIPT WITH CAROLINGIAN MINUSCULE

Provenance:

- 1. Copied in a French scriptorium in the mid-ninth century, either by a scribe who came from Ireland or England, or in a Continental house founded by missionaries from that region. The early medieval missionaries responsible for these foundations focussed their attention on Germany, and any such centres in France were few and now obscure.
- 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 119.
- 3. Sir Thomas Phillipps (1792-1872), the single greatest manuscript collector to have ever lived; the Bliss album his MS. 15,659, and passing to his heirs after his death, and thence to the Robinson brothers of 16-17 Pall Mall, sold in Sotheby's, 24 April 1911, lot 390, to "Quaritch" (in fact E.H. Dring).
- 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.

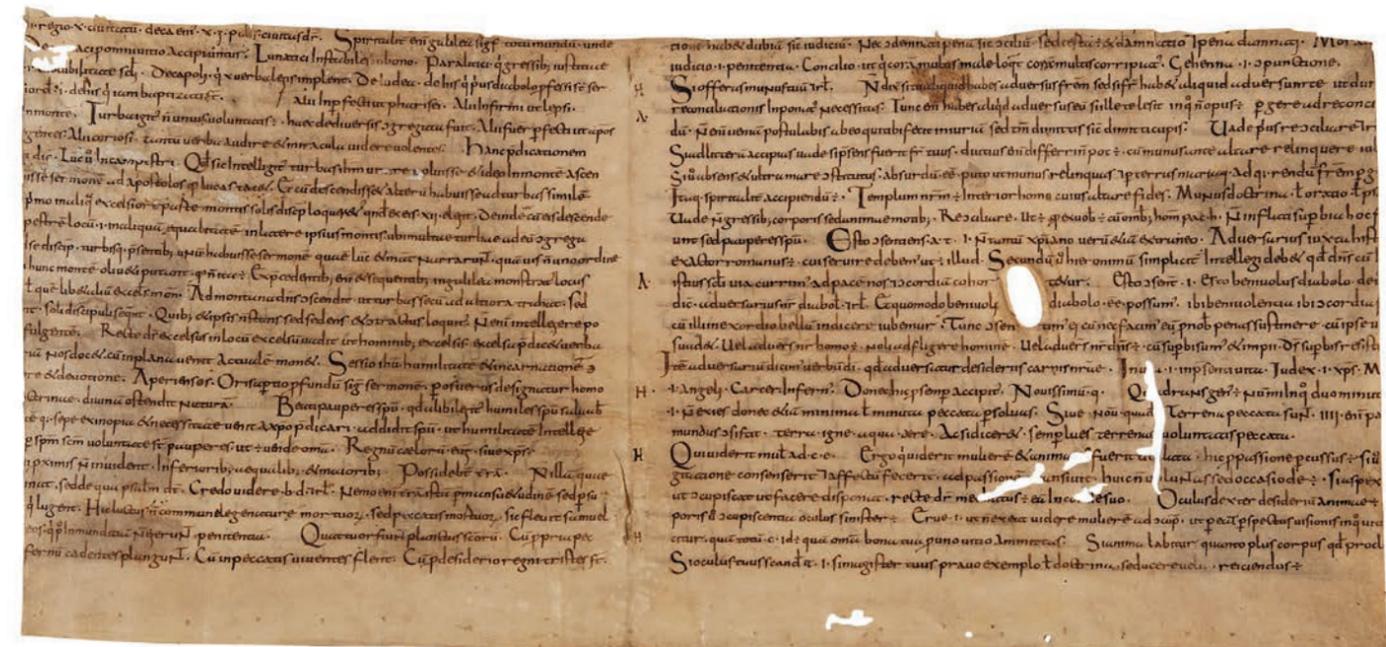
5. Quaritch of London, acquired alongside the vast Dring fragment and charter collection in 1983; this then Quaritch, cat. 1036, *Bookhands of the Middle Ages* (1984), no. 78.

6. Bruce Ferrini (1950-2010), manuscript-dealer of Akron, Ohio; his cat. 2 (1989), no. 2. The second bifolia of the Quaritch catalogue sold by Ferrini to The International Christian University, Tokyo.

7. Schøyen Collection of London and Oslo, their MS. 110.

Text:  
The text here, as well as that of the sister-leaves now in Tokyo, was edited by Löfstedt in 1997, and that publication allowed Forte in 2004 to detect the close connections between Frigulus' commentary on Matthew and the text here. Frigulus' commentary survives in part only as quotations in later authors' works, and a single ninth-century Italian manuscript in Quedlinberg Gymnasium, Qu. Cod. 127 (*Die Handschriften der ehemaligen Stifts-und Gymnasialbibliothek Quedlinburg in Halle*, 1982, pp. 218-220; the text of that edited by Forte in *Corpus Christianorum*, 2018). Forte concluded that the present leaves and those in Tokyo are the last surviving part of a set of *recensiones* of Frigulus' commentary on the Gospel of Matthew, and fill sections of the text that are missing from the Quedlinberg manuscript (about a third of its original leaves are wanting). Thus, these are the last remaining record of this lost text.

Little is known of Frigulus. In the early ninth century, Smaragdus of St-Mihiel listed him as one of his sources in his *Liber Comitis* (see lot 4), and from that it has been surmised that he most probably lived and wrote in the late eighth century, most probably during the first flush of the Carolingian renaissance. Bischoff thought him Irish due to the links between his work and Insular texts ('Wendepunkte in der Geschichte der lateinischen Exegese im Frühmittelalter', *Sacris Erudiri*, 6, 1954, pp. 189-279), but recently this has been questioned due to lack of concrete evidence (M.M. Gorman, 'Frigulus: Hiberno-Latin author or Pseudo-Irish phantom?', *Revue d'Histoire Ecclésiastique*, 100 (2005), pp. 425-456).



Lot 5

Script:

The hand here is a rare early form of Carolingian minuscule, retaining traces of Insular influence. Despite conforming to Carolingian script norms, the scribe occasionally lapses into Insular forms (note some of his open 'a's, and the form of his 'g' particularly in his ligatures) as well as using characteristically Insular abbreviations for "est", "con" and "enim". Bischoff studied the Continental houses producing Insular script, noting that the majority were German scriptoria and only a tiny handful were in France (B. Bischoff, *Mittelalterliche Studien*, III, 1981, pp. 5-38). This impression has been confirmed by a recent project based at the University of Leicester, which surveyed surviving examples of Insular script. However, such practices outside of the larger centres of Germany do not appear to have survived the script reforms of the early Carolingian era, and by the early ninth century Insular script appears to have been kept on only in the scriptoria of 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). French examples are of the utmost rarity (but note a fragment of Bede's Homilies in our last Schøyen sale, 8 July 2020, lot 18).

The presence of these paleographical influences might suggest that our scribe came from Ireland or England, or at least his house had been founded by missionaries from that region. It may not be a coincidence that this text was available to scribes working within an Insular environment and with probable ties to Ireland and England, and these leaves may yet have thir part to play in the debates about Frigulus' origin.

Published:

B. Löfstedt, 'Fragmente eines Matthäus-Kommentars', *Sacris Erudiri*, 32 (1997), pp. 141-161.

A.J. Forte, 'Bengt Löfstedt's Fragmente eines Matthäus-Kommentars: Reflections and Addenda', *Sacris Erudiri*, 42 (2003), pp. 327-368.

A.J. Forte, *Friguli Commentarius in evangelium secundum Matthaeum*, 2018.

£15,000-20,000

**Smaragdus of St-Mihiel, Commentary on the Rule of St. Benedict**, in Latin, in Visigothic minuscule, decorated manuscript on parchment [northern Spain (perhaps Silos), first half of the tenth century]

*Near-complete leaf, with remains of two columns of 29 lines (with parts of ch. III:6-10 of text, with occasional scribal errors, apparently involving eye-skip as well as textual misunderstandings), with margins at head and foot and thus no lines lost there from trimming, written in brown ink in a fine and early Visigothic minuscule, rubrics in alternate lines of burgundy-red and normal brown pen, two large initials with penwork compartments infilled with burgundy wash, one initial terminating in a spiky foliate tip, some natural flaws in parchment (these written around by the original scribe), a few erasures, offset in places from another leaf of same, some scrawled numbers on one side from reuse as later binding material, slightly scuffed, a few wormholes, and trimmed on one side (removing outer half of one column), 274 by 150mm.; in cloth-covered card binding*

THIS IS AN EXTREMELY EARLY AND IMPORTANT WITNESS TO A KEY CAROLINGIAN TEXT, PRODUCED MOST PROBABLY THROUGH IMPERIAL PRESSURE TO REUNITE WESTERN MONASTICISM BEHIND A CORRECT AND CORRECTLY INTERPRETED COPY OF THE BENEDICTINE RULE; AND IN ADDITION, IT IS IN THE EARLIEST AND MOST VISUALLY APPEALING EXAMPLE OF VISIGOTHIC MINUSCULE TO COME TO THE MARKET IN DECADES

Provenance:

1. Written and decorated in the first half of the tenth century in Visigothic Spain, perhaps in Silos in Burgos province in northeastern Castile and Léon. A bifolium from the prologue of the same parent volume is Beinecke Library, MS. 447, with inscriptions suggesting that the parent volume was cut up in 1612, and reused as binding material then (B. Shailor, *Catalogue of Medieval and Renaissance Manuscripts*, 1987, II, p. 398). This is consistent with the seventeenth-century scrawled columns of numbers added to one side of the present leaf after its reuse as a binding.
2. Bernard Rosenthal (1920-2017), of San Francisco, California; his 'I/162', acquired in October 1963. With Bernard Bischoff's typed letter to Rosenthal about this fragment, dated 10 May 1964, and an undated note by Rosenthal erroneously claiming it is not from the same parent manuscript as the Lansburgh fragment (now Beinecke, MS. 447).
3. Quaritch of London, their cat. 1088, *Bookhands of the Middle Ages*, III (1988), no. 12, and with a copy of their cataloguing and correspondence about the fragment enclosed.
4. Schøyen Collection of London and Oslo; their MS. 73, acquired directly from Quaritch.

Text:

Smaragdus (fl. 809-26) was a Benedictine monk and scholar, and one of the handful of authors who helped shape the earliest phases of the Carolingian renaissance. Very little information survives about him. He was once thought to be Irish, but this was questioned by Bernhard Bischoff ('Muridac doctissimus plebis, ein irischer Grammatiker des IX. Jahrhunderts', *Celtica*, 5, 1960, pp. 40-44). Other scholars followed, noting Smaragdus' use of Visigothic examples in his writing on patronyms (L. Holtz, '(Nouveaux) prolégomènes à l'édition du Liber in partibus Donati de Smaragde de Saint-Mihiel', *Bulletin de la Société nationale des antiquaires de France*, 1983, pp. 157-170), and his knowledge of obscure Spanish texts such as the *Sententiae* of Taio of Saragossa (F. Rädle, *Studien zu Smaragd*, 1974, pp. 75-77). It now seems certain that Smaragdus came from Visigothic Spain, and may have held office as the abbot of Silos. He perhaps fled northwards into the Carolingian Empire ahead of the Islamic advance through Spain in the late eighth century. He appears first in the historical record in the first decade of the ninth century as master of the school of Castillio, a monastery dedicated to St. Michael ('Mihiel') in the diocese of Verdun in southern France.

This is one of the earliest witnesses to the oldest known commentary on the Rule of St. Benedict, allowing us to come into contact with the textual fervour of the Carolingian period as well as Benedict's original sixth-century text. The Benedictine Rule was as much an answer to Charlemagne's scholarly call to arms, as the production of the Tours Bibles. It was the foundation stone of all Western monasticism, and was adopted in 816 at a council called by Emperor Louis the Pious at Aachen, as the rule to be followed in all monasteries throughout the Empire. An eye-witness to this imperial council, Benedict of Aniane, records that the entire text of the rule was discussed there, with debate clarifying obscure or vague passages and removing errors from the text. As L. Traube has noted, it is clear that the scholars of the Carolingian court used a copy made at Charlemagne's request from an old manuscript in use at Montecassino, believing that to be St. Benedict's original (*Textgeschichte der "Regula S. Benedicti"*, 1898). Moreover, St. Gallen, MS. 914 has a letter at its beginning stating that that authoritative court copy was its exemplar, and it is likely that Smaragdus used that crucial manuscript as well to produce this text – indeed, in quoting the text of the rule, Smaragdus, often favours the original sixth-century Latin forms over those updated for the ninth century. With this blend of antiquarianism and reestablishment of a correct guide for European monasticism, this text exemplified the Carolingian ideals. Indeed, it may have been commissioned by Louis the Pious himself.



Lot 6

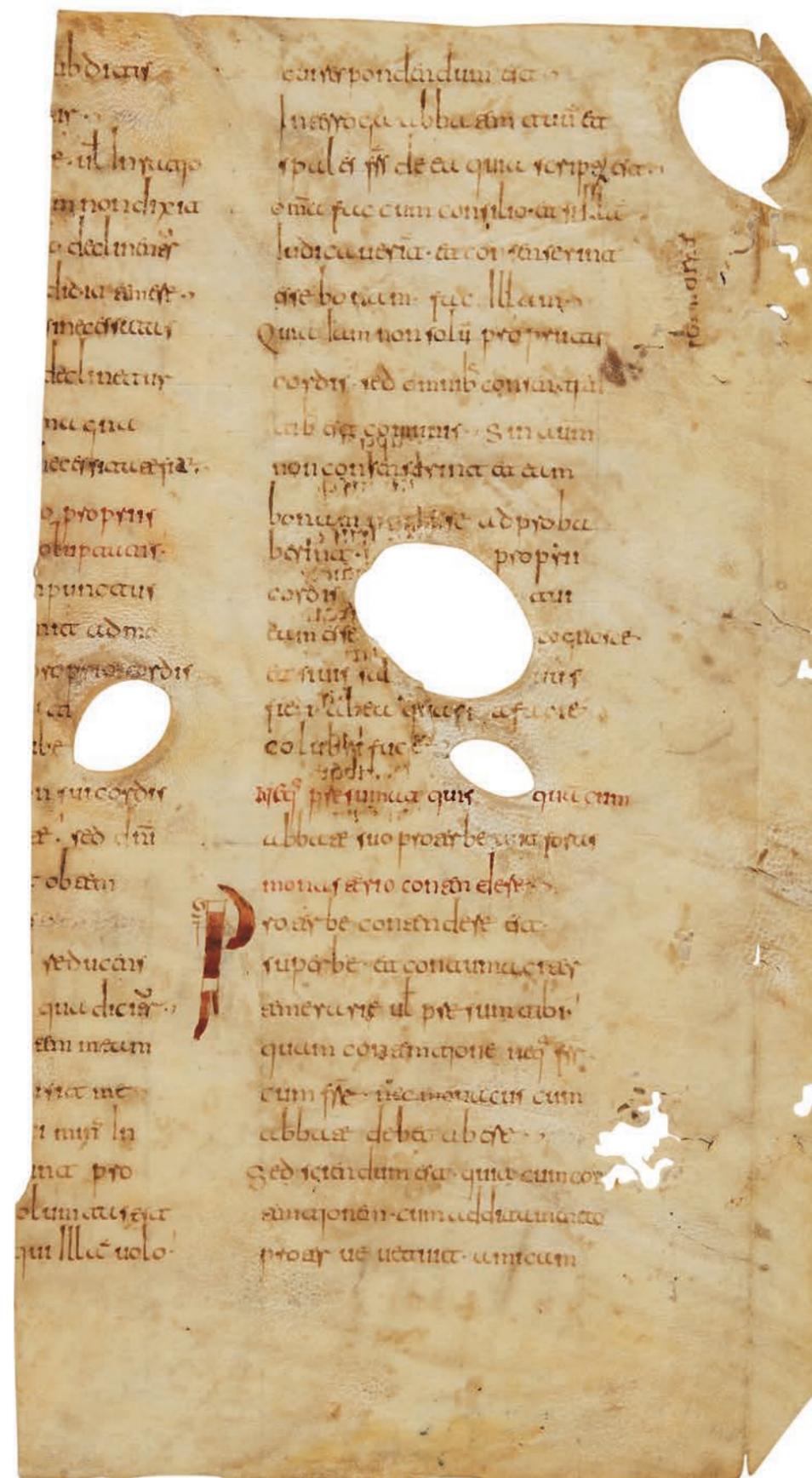
In addition, this leaf and its sister-leaf in Yale are among the very earliest witnesses to the text. A. Spannagel lists fifty-five extant manuscripts, of which only five definitely predate the present example (British Library, Addit. 16961, from Stavelot, late ninth century; Orléans, Bibliothèque municipale 230 (201), from France, mid-ninth century; BnF. lat. 4213, from France, late ninth century; Valenciennes, Bibliothèque municipale 285 (275), from France, late ninth century; John Rylands, MS. lat. 104 (116), from Spain, probably Cardeña, late ninth century; and Silos, Archivo del Monasterio 1 and 5-16, from Spain and probably from the monastery itself, late ninth century + Madrid, Archivo Historico Nacional, Clero. Capeta 1030, num. 24, most probably from the same parent codex) as well as two examples of c. 900 (Paris, BnF. lat. 4212, from France; and Vienna, ÖNB, Ser. nov. 4267), and eight of the tenth century (Berlin, Staatsbibl., theol. lat. fol. 339, from Cologne; Cambridge University Library, Ee.2.4, from England; Poland, Kórnik, Biblioteka Kórnicka, from France; BnF. lat. 4210, France; British Library, Addit. 16961, from Cardeña; Madrid, Biblioteca de la Real Academia, 26, from Spain; Montserrat, Biblioteca del Monestir 793-I, from Spain; and Valvanera, Archivo del Monasterio, s.n., from Spain, dated 954; see *Smaragdi Abbatis Expositio in Regulam S. Benedicti*, 1974, pp. xv-xx). In fact, a distribution pattern emerges when we look at these witnesses, with an initial ninth-century burst of copying of the text in France, ending in two late ninth-century copies from Spain in the John Rylands and Silos+ Madrid, Archivo Historico Nacional manuscripts. From these two witnesses, the copies of the tenth century proliferate in Spain producing five more in the tenth century, more than any other country. Spannagel did not know of this manuscript or its sister-leaves in Yale, and records no witness to the text outside of institutional ownership.

Script:

Like Beneventan, Visigothic script had its origins in the late Roman system of scripts (here influenced by half-uncial models and notarial cursive) and managed to survive the Carolingian script reforms, to thrive in Spain long enough to form hybrid forms in the twelfth and thirteenth centuries. Here we have a particularly appealing example, with the characteristic tall and thin aspect to its characters and profusion of pre-Carolingian letterforms and ligatures, with the distinctive use of the letter 'g' in q-form, the tall 'i', the 'ti' ligature and the conjunction 'quum' (for *cum*).

Examples are rare on the market, and apart from the present leaf, the last to appear are a large leaf from an *Acta Sanctorum*, written about c. 1080, sold in our rooms, 6 July 2016, lot 4; a leaf from the *Pasionario hispánico* in a transitional Visigothic minuscule of the eleventh century, sold in our rooms, 6 December 2017, lot 12; and three small strips from a eleventh-century liturgical volume with *Vetus Latina* readings, sold in the Schøyen sale at Sotheby's, 10 July 2012, lot 22. To these, we might add an eleventh-century charter in transitional Visigothic minuscule offered by Christie's, 20 November 2013, lot 15. None of those had any decoration, and all were significantly later than the present leaf.

£20,000-30,000



Lot 6

Cutting from a leaf of Pseudo-Hegesippus, *De Bello Judaico et excidio urbis Hierosolymitanae*, a Latin adaptation of Josephus Flavius, *The Jewish War*, in early Beneventan script, manuscript on parchment [central Italy (Montecassino), early eleventh century (before 1030)]

*Cutting fashioned to use as the board-support of a later bookbinding (rectangular, with two channels cut into section to be pasted around spine of later book to allow for sewing stations), remains of double column of 13 lines in a fine and accomplished transitional Beneventan minuscule (with I.2.10, I.3.5, and I.1.7, 9 of the text), remains of blank margin on one vertical side, the other trimmed with loss of a few characters from the column-edge there, stains to the sections once around spine of later binding, a few wormholes, scuffed in places to reverse (but mostly legible), 128 by 285mm.; in cloth-covered card binding*

THIS FRAGMENT IS AN EARLY AND IMPORTANT WITNESS TO THIS STRANGE TEXT, A LATE FOURTH-CENTURY LATIN ADAPTATION OF JOSEPHUS, *THE JEWISH WAR*; HERE IN BENEVENTAN SCRIPT AND SECURELY FROM THE MEDIEVAL LIBRARY OF THE GRAND BENEDICTINE FOUNDATION ABBEY OF MONTECASSINO

Provenance:

1. From a parent codex produced in the celebrated abbey of Montecassino in the first few decades of the eleventh century, and used there in their medieval library. At the close of the Middle Ages it was cut up and reused as binding material, and another 71 leaves and fragments remain in Montecassino, *Compactio III* and *VIII*, with this cutting fitting together with one in *Compactio VIII* (on the cuttings in Montecassino, see V. Ussani, 'Un ignoto codice cassinese del così detto Egesippo e i suoi affini', in *Casinensia. Miscellanea di studi cassinesi*, 1929, pp. 601-614; and V. Brown, 'A Second New List of Beneventan Manuscripts (I)', *Mediaeval Studies*, 40, 1978, p. 262).

2. Bernard Rosenthal (1920-2017), of San Francisco, California.

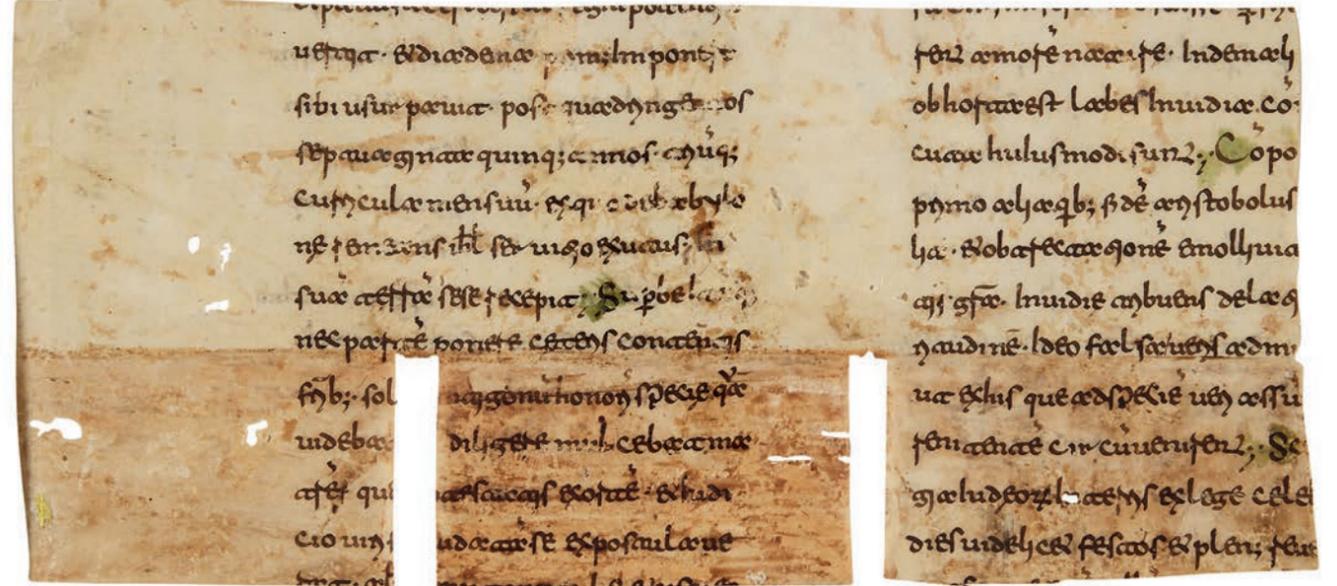
3. Quaritch of London, their cat. 1128, *Bookhands of the Middle Ages IV: Beneventan Script* (1990), no. 1 (the earliest item in that catalogue, and singled out by Brown in her introduction alongside the Vergil, later sold in Sotheby's, 10 July 2012, lot 18, as "particularly important").

4. Schøyen Collection of London and Oslo, their MS. 183.

Text:

Pseudo-Hegesippus lived in the fourth century, but beyond this we know almost nothing of him. His name may be a misunderstanding of 'Iosippus' (for Josephus) whose work he drew on, or a false attribution to Hegesippus the Nazarene (d. 180 AD.) to give the work authority. Alternatively, some manuscripts attribute it to Ambrose of Milan (c. 340-397) and some commentators to a converted Jew named Isaac, producing it for European Jewish populations who could no longer read Greek. The author is often thought of a simple Latin translator of Josephus' *The Jewish War*, but his work is more of a history of the period, drawing its material mainly from Josephus' works, as well as from Virgil, Sallust, Tacitus, Ammianus, Suetonius, Quintilian and Cicero, and deserves to be seen as a work in its own right. Surprisingly, it almost never draws on the Bible for its material, and this is all the more startling for the fact it adopts an overt Christian tone and the statement of the author that it was to be used for the peaceful conversion of medieval Jews. An apparent allusion to the recent reconquest of Britain by Theodosius c. 370, but the author's lack of knowledge of the defeats of the Roman Empire in 378 and 410, has been used to date its composition to between those years.

The text was wildly popular, and for much of the Middle Ages was the version of Josephus' work most well known in Europe, producing nearly forty recorded medieval manuscripts, a large number of citations and rhymed and metrical versions in manuscripts from Tegernsee (E. Dümmler, 'Gedichte aus Münchener Handschriften', *Neues Archiv*, VII, 1881, pp. 608-613) and England (see Dom G. Morin, 'Hégésippe en rimes latine', *Revue Bénédictine*, 31, 1914-1919, pp. 174-178). The present manuscript and its sister leaves stand among the early and important witnesses to the text. The earliest is a series of palimpsest fragments of the text of the sixth century originally from Bobbio, now held in the Biblioteca Ambrosiana in Milan (C. 105 inf: *CLA III*, no. 323a). Copies of the seventh century (Paris, BnF., lat. 13,367), and ninth century (Biblioteca Apostolica Vaticana, Pal. lat. 170; Bern, Burgerbibliothek, 180; Karlsruhe, Badische Landesbibliothek, Aug. Perg. LXXXII; Innsbruck, Universitäts- und Landesbibliothek Tirol, frag. 72; and Kassel, Landesbibliothek, theol. 65) follow. Three tenth-century copies are recorded (Leiden, Voss. Lat. F 17; Turin, Bibl. Univ., D IV 7; and Paris, BnF. lat. 12513), as well as three of c. 1000 (Besancon, Bibl. mun., 833; Cambrai, Médiathèque municipale 678; and Chartres, Médiathèque, 117). Only seven other eleventh-century manuscripts are recorded (Cambridge, Corpus Christi College, MS. 149; Cherbourg, Médiathèque, 51; Karlsruhe, Badische Landesbibliothek, Aug. Perg. CI; Koblenz, Landeshauptarchiv, Best. 701, Nr. 759, 22; Laon, Bibliothèque municipale, 403 bis; Leiden, Bibliothek der Universiteit, B.P.L. 21; and Paris, BnF, lat. 12512). Loew notes that another copy of the text, also of the early eleventh century, was at Montecassino, and was once used by Boccaccio and is now Florence, Laurenziana, MS. 66.1 (*Beneventan Script*, 1914, p. 71).



Lot 7

Script:

Beneventan script, the most well known of the local hands of the Early Middle Ages, refused to be swept away by the Carolingian script reforms of the late eighth and ninth centuries, and stalwartly continued like a paleographical 'living fossil' in Montecassino and its dependant houses in southern and central Italy and coastal Dalmatia through to the thirteenth or fourteenth centuries, with a final appearances in the sixteenth century. On first glance, it appears illegible, a mass of swirling letterforms, broken penstrokes and archaic letters inherited from Roman cursive hands. However, it also delights and fascinates the eye, and has remained close to Martin Schøyen's bibliophilic heart since he acquired the entire stock en bloc of Quaritch's 'Beneventan Hands' catalogue in 1990. In order to reflect the range of Beneventan holdings in his library we offer five examples here.

It is quite remarkable that this text here is copied here in Beneventan script. Even a brief glance at Lowe's and Brown's lists of Beneventan manuscripts shows that overwhelmingly this script was used for Biblical, liturgical and patristic books (of the 600 manuscripts listed by Lowe, over 90% fit into these categories), but Montecassino played an important role in the preservation of several important historical and Classical texts. They rarely come to the market, with noteworthy examples the Orosius fragments now in Yale, MS. 1023 and the Virgil, *Georgics*, once Schøyen Collection MS. 61, and sold in their first sale at Sotheby's, 10 July 2012, lot 18, for £32,000 hammer.

Published:

V. Brown, 'A Second New List of Beneventan Manuscripts (III)', *Mediaeval Studies*, 56 (1994), p. 316.

*BMB. Bibliografia dei manoscritti in scrittura beneventana*, 1993-1995, 2000-2001, no. SPS 183 (but reported in error there as in Norway)..

And noted online in the Mirabile website's listing manuscripts of the text, augmenting the list of manuscripts in V. Ussani, *Hegesippi qui dicitur historiae libri V* (1932 and 1960).

£8,000-12,000

Leaf from a sermon collection, with parts of a tractate and a sermon by Augustine and an anonymous sermon probably composed by a fifth-century African bishop, in Beneventan minuscule and with two fine penwork initials, manuscript in Latin on parchment [Italy (almost certainly Abruzzo, or just perhaps in Montecassino by an Abruzzi scribe), late twelfth century]

Most of a large leaf, trimmed at top and bottom with losses of a few lines of text there, double columns of 35 remaining lines in a distinctively short and leftward leaning Beneventan minuscule, with the descenders of the letters 'p', 'q' and 's' swinging to the left strongly suggesting an Abruzzi origin, capitals touched in red and dull earthy yellow wash, opening words of each section in ornamental capitals touched in red, bright red rubrics, two large penwork initials formed of parallel bands and ornate interlace with geometric knots at their terminals, corners and midpoints, as well as some simple acanthus leaf shoots at their extremities, recovered from a binding and hence with folds, small stains, thumbled areas and darkened edges, overall good condition, 314 by 306mm.; in cloth-covered card binding

Provenance:

1. From a finely decorated Beneventan sermon collection, written in the late twelfth century in either Abruzzo (which as F. Newton has shown had a regular flow and exchange of monastic personnel and books with the Beneventan mother house of Montecassino: *The Scriptorium and Library at Monte Cassino Under the Abbots Desiderius and Oderisius I*, 1999, pp. 240-241 and 246-247), or in Montecassino itself by a scribe trained in Abruzzo. From the eleventh century onwards, a large number of the abbots of Montecassino came from the Abruzzo, and numerous members of the community came from the nobility of that region, and on occasion are recorded as going back there regularly (ibid., p. 241). A sister leaf, with text preceding that here was sold by Bernard Rosenthal to University of Kansas in Lawrence, and is their Spencer Research Library J6:3:A2.
2. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/237', acquired May 1975.
3. Quaritch of London, their cat. 1128, *Bookhands of the Middle Ages IV: Beneventan Script* (1990), no. 18.
4. Schøyen Collection of London and Oslo, their MS. 53.

Text:

The text here is composed of three sermons by or usually associated with Augustine of Hippo. The first is his *Tractatus in Iohannem* 124:7-8, followed by a sermon opening "Fratres Karissimi, ait spiritus sanctus per salamonem ...". The last, a sermon in honour of the Holy Innocents, opening "David propheta sanctissimus loquitur ...", is ascribed here to John Chrysostom, but is usually erroneously included among Augustine's works. It is thought by modern scholarship to be Roman North African in origin, and the work of a Donatist bishop of that region from the opening years of the fifth century, who cited *Vetus Latina* readings for Matthew 2:19-23 (see E. Dekkers, *Clavis Patrum Latinorum*, 1961, p. 204, no. 920, also cited as pseudo-Chrysostom there; and R. Gryson, *Vetus Latina: die Reste der allateinischen Bibel*, I, 2007, p. 145, citing B. Löfstedt, *Sedulius Scottus: Kommentar zum Evangelium nach Matthäum*, 1989; however, the sole Biblical quotation here is from Psalm 8:3, and that consistent with the Vulgate).

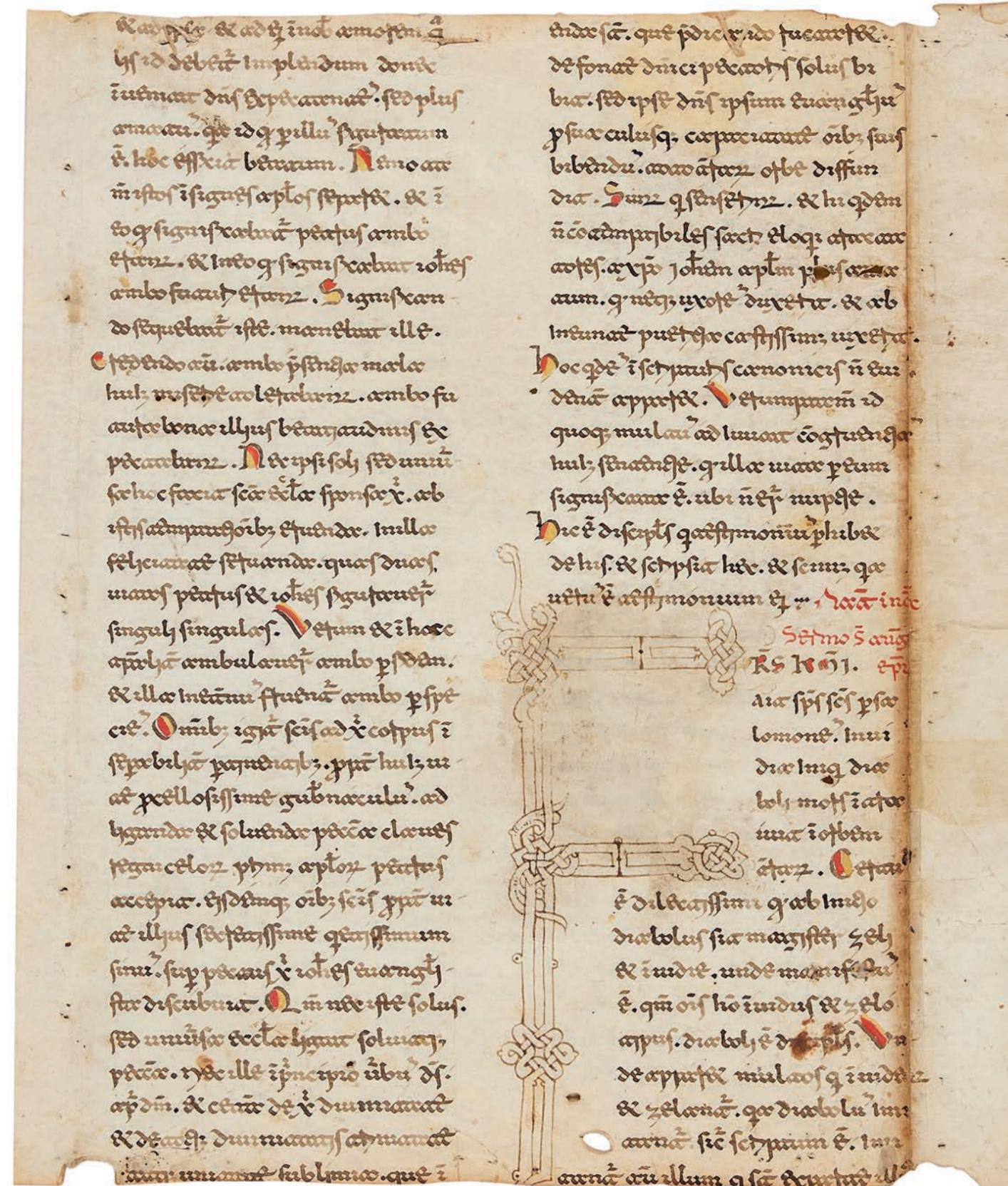
Decoration:

The initials here are of a rare type for twelfth-century Italy, evidently inspired along with white-vine initials from the geometric initials of the Tours Bibles, and yet with more exaggerated geometric strapwork than their peers to compensate for the stripping away of the use of multi-colour washes (as in white vine initials). Similar examples for Beneventan manuscripts can be found in a copy of the works of Virgil, in Beneventan minuscule, produced in Naples in the eleventh century (now BnF, Latin 10308: F. Avril and Y. Zaluska, *Manuscripts enluminés d'origine Italienne*, 1980, no. 30; note in particular the bulging domed buds with a dot at their centre in pl. VI), but they can also be found in isolated examples further afield in Italy. A notably similar initial with geometric knots at the head of its ascender appear in a copy of the works of Horace, made in Central Italy in the second quarter of the twelfth century (ibid., no. 44: now BnF., Latin 10401).

Published:

- V. Brown, 'A Second New List of Beneventan Manuscripts (I)', *Mediaeval Studies*, 40 (1978), p. 272.
- F. Mottolo, 'I frammenti in beneventana e Carolina nell'archivio di Corfinio', in *Scrittura e produzione documentaria el Mezzogiorno*, 1991, p. 115
- BMB. *Bibliografia dei manoscritti in scrittura beneventana*, 1993-1995, 2000, 2013, no. SPS 53 (but reported in error there as in Norway).

£7,000-9,000



Lot 8

Leaf from a Bible, with Proverbs 29:15-30:20, manuscript in fine Montecassino Beneventan minuscule, in Latin, on parchment [central Italy, c. 1200]

Single leaf, with single column of 27 lines in a mature Beneventan minuscule of Montecassino type, initials in larger calligraphic letters, reused in seventeenth century on accounts for years "1611 al 1619" (inscription with those dates where spine would have been on later binding and on backboard, and "C F" at head of what would have been the front board), other scrawls with numbers and sums, some folds and small stains, a few small holes, else good condition, 320 by 220mm.; in cloth-covered card binding

Provenance:

- 1. Copied as part of an impressive Bible manuscript, c. 1200, in Montecassino in central Italy, the grand foundation abbey of the entire Benedictine Order. Later reused as the binding of accounts dated 1611-1619.
- 2. Bernard Rosenthal (1920-2017), of San Francisco, California; sold to Mark Lansburgh (1925-2013) of Santa Barbara, California, the department store magnate, art historian and manuscript leaf collector: his inkstamp on verso enclosing a penwork 'xii', and then later bought back by Rosenthal in June 1966. Then Rosenthal's 'I/200'.
- 3. Quaritch of London, their cat. 1128, *Bookhands of the Middle Ages, IV: Beneventan Script* (1990), no. 19.
- 4. Schøyen Collection of London and Oslo, their MS. 57.

Script:

Much about the script on this handsome leaf suggests the second half of the twelfth century, but the pronounced angularity indicates that it was written in the opening years of the thirteenth century. An origin in Montecassino itself is indicated by the interrogative zigzag sign like a '2' placed in the last lines of the verso and answered with a similar symbol over two points at the end of each clause.

Published:

V. Brown, 'A Second New List of Beneventan Manuscripts (II)', *Mediaeval Studies*, 50 (1988), p. 615.

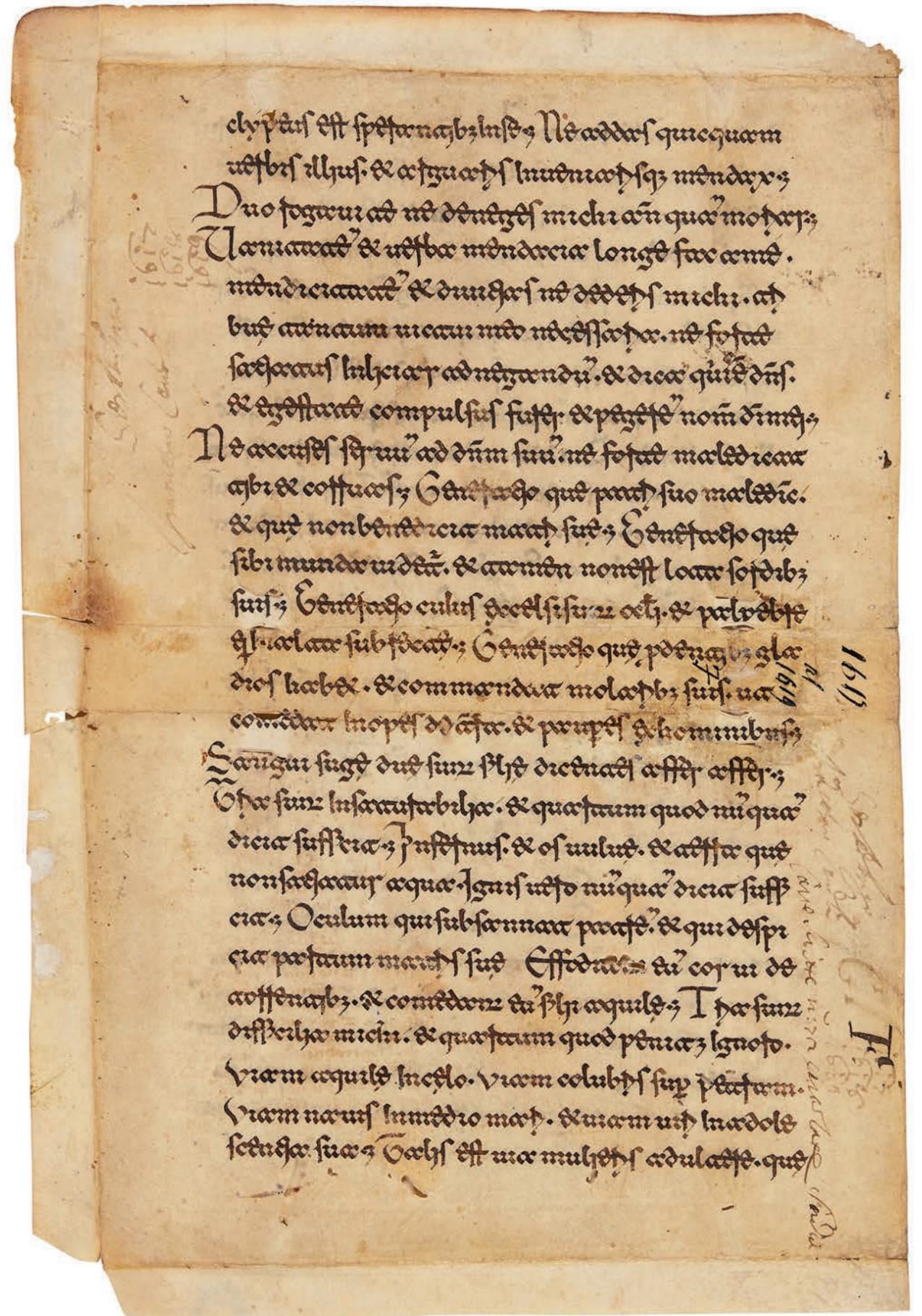
*Répertoire des catalogues de manuscrits en écriture latine antérieurs a 1600*, list no. 10, 1990, p. 8 no 42.

BMB. *Bibliografia dei manoscritti in scrittura beneventana*, 1993-1995, 2000-2001, 2007, 2014, 2018, no. SPS 57 (but reported in error there as in Norway).

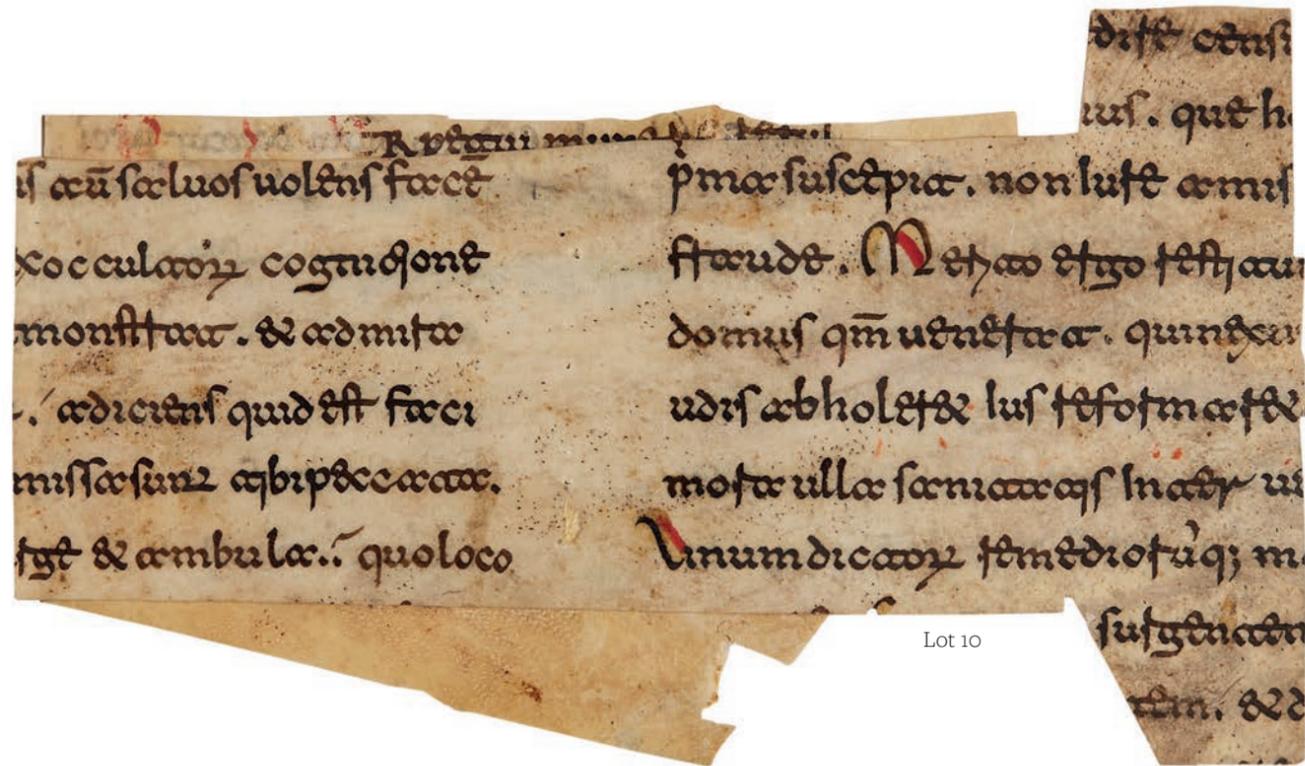
£4,000-6,000

Duo rogavi te ne deneges michi an̄ quæ moriar

Duo rogavi te ne deneges michi antequam moriar



Lot 9



Lot 10

10 θ  
 Small cuttings from a Homiliary, with parts of Ambrose of Milan, Expositio Evangelii Secundum Lucam, and Leo the Great, Tractatus 76, in Beneventan minuscule, decorated manuscript in Latin on parchment [Italy (perhaps Naples), late eleventh century]

Two small cuttings from a single parent manuscript, each roughly rectangular in shape, the first with remains of double column of 10 lines in a somewhat idiosyncratic Beneventan minuscule, with some Bari-type features such as medial 'r' with a straight shoulder and a large 'e', but this clearly not of pure Bari-type, capitals touched in red and iridescent yellow wash, the second cutting with remains of a single column of three lines in same and remnants of a large initial 'P' in red with acanthus leaf flourishing, recovered from a binding and hence with scuffs, tears, small holes and stains, overall fair condition, 100 by 170mm. and 85 by 130mm.; bound together in a cloth-covered card binding

Provenance:  
 Schøyen Collection of London and Oslo, their MS. 67, and acquired in two stages: the first fragment in Quaritch cat. 1128, *Bookhands of the Middle Ages IV: Beneventan Script* (1990), no. 15; and the second fragment in Sotheby's, 21 June 1994, lot 5. Other fragments of the same parent manuscript can be found in the bindings of Naples, Biblioteca Nazionale, VI B 1, VI B 12, VI E 41, XV AA 1 and other volumes there.

Published:  
 V. Brown, 'A Second New List of Beneventan Manuscripts (II)', *Mediaeval Studies*, 50 (1988), p. 601, under Bernard Quaritch Ltd, no. iii.

BMB. *Bibliografia dei manoscritti in scrittura beneventana*, 1993-1995, 2000-2001, 2008, 2014, 2018, no. SPS 67 (but reported in error there as in Norway).

V. Brown, 'A Second New List of Beneventan Manuscripts (III)', *Mediaeval Studies*, 56 (1994), p. 346.

V. Brown, 'A Second New List of Beneventan Manuscripts (IV)', *Mediaeval Studies*, 61 (1999), pp. 361 and 387.

£400-600

11 θ  
 Fragments of a single leaf from Gregory the Great, Homiliae in Evangelia XL, in Beneventan minuscule, decorated manuscript in Latin on parchment [southern Italy, thirteenth century]

Three small cuttings: a long and thin strip and two equally sized small rectangular pieces, the first with remains of a single column of 23 lines of angular Beneventan minuscule with some lateral compression, capitals touched in red and yellow wash, the two smaller cuttings each with 5 lines from the centre of a column in same, recovered from a binding and hence with scuffs, tears, small holes and stains, the two smaller pieces stained dark brown, overall fair condition, 210 by 70mm., 41 by 76 and 42 by 76mm.; bound together in a cloth-covered card binding

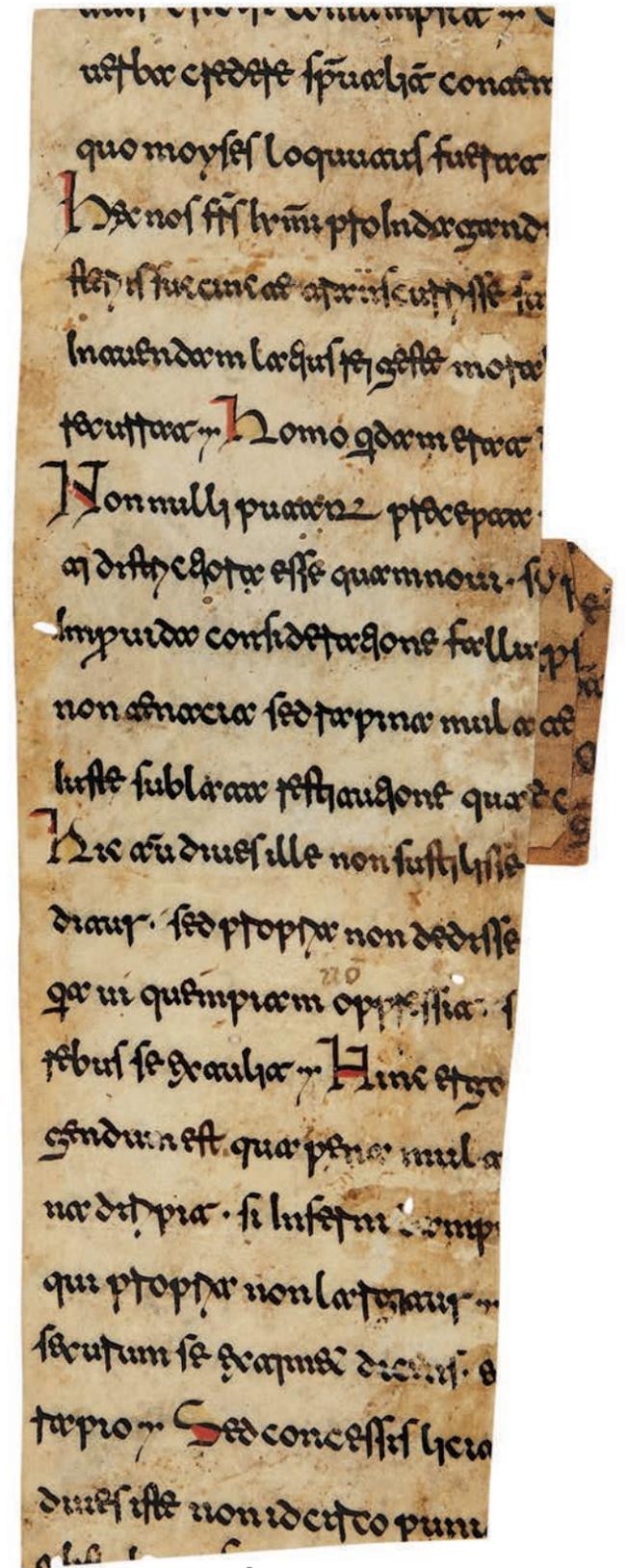
Provenance:  
 Schøyen Collection of London and Oslo, their MS. 64, acquired in two stages: the larger strip in Quaritch cat. 1128, *Bookhands of the Middle Ages IV: Beneventan Script* (1990), no. 22, and the smaller pieces together in Sotheby's, 21 June 1994, lot 5. All three cuttings here are from the innermost column of a single leaf, and the largest strip in Naples, Biblioteca Nazionale, XV AA 1 is part of the outer column of the same leaf. Other fragments from the same parent manuscript can be found in Naples, Biblioteca Nazionale, VI B 1 and XX AA 1, as well as Berlin, Staatsbibliothek Preussischer Kulturbesitz, Lat. fol. 936.

Published:  
 V. Brown, 'A Second New List of Beneventan Manuscripts (II)', *Mediaeval Studies*, 50 (1988), p. 602, under 'Bernard Quaritch Ltd', no. x.

BMB. *Bibliografia dei manoscritti in scrittura beneventana*, 1993, 1995, 2000, 2018, no. SPS 64 (but reported in error there as in Norway).

V. Brown, 'A Second New List of Beneventan Manuscripts (IV)', *Mediaeval Studies*, 61 (1999), pp. 359-360.

£300-500



Lot 11

120

Substantial part of a leaf of Maximus of Turin, Sermones, in a fine Carolingian minuscule, decorated manuscript in Latin on parchment [France, first half of the ninth century]

Substantial fragment of a leaf (trimmed at edges to remove most of blank margins, and trimming away a line or two from foot of text), double column of 31 lines remaining in a fine and early Carolingian minuscule (with end of Sermon 1 and opening of Sermon 110, both for Feast of SS. Peter and Paul), with an open 'g', insular 'F' with mid-bar on baseline, et-ligature commonly used integrally within words, both open and closed 'a', use of insular 'N' within words, and a tall 'T' at beginnings of words, capitals opening sections set off in margins, rubrics in ornamental capitals (these once orange-red, now mostly oxidised to silver), opening words of text in same infilled with red dots (now oxidised), one large initial 'T' (opening "Tempus admonet fratres [ut] evangelii capitulum ...") in panels of dull-red and yellow, these once with internal decorated compartments, a later medieval erroneous attribution of Sermon 110 here to Augustine, one natural flaw in outer vertical edge of leaf (stitched together, perhaps at time of reuse in a binding), offset in one corner from another leaf of same parent manuscript, scuffs and stains, some cockling, but overall good and legible condition, 285 by 210mm.; in cloth covered card binding

Provenance:

1. Written and decorated in the first half of the ninth century in France, most probably for reading within a monastic setting. Then almost certainly reused in the same site at the close of the Middle Ages as binding material, and passing into private hands at the time of the Secularisation.

2. Quaritch cat. 1147, *Bookhands of the Middle Ages*, V (1991), no. 74.

3. Schøyen Collection of London and Oslo, their MS. 643.

Text:

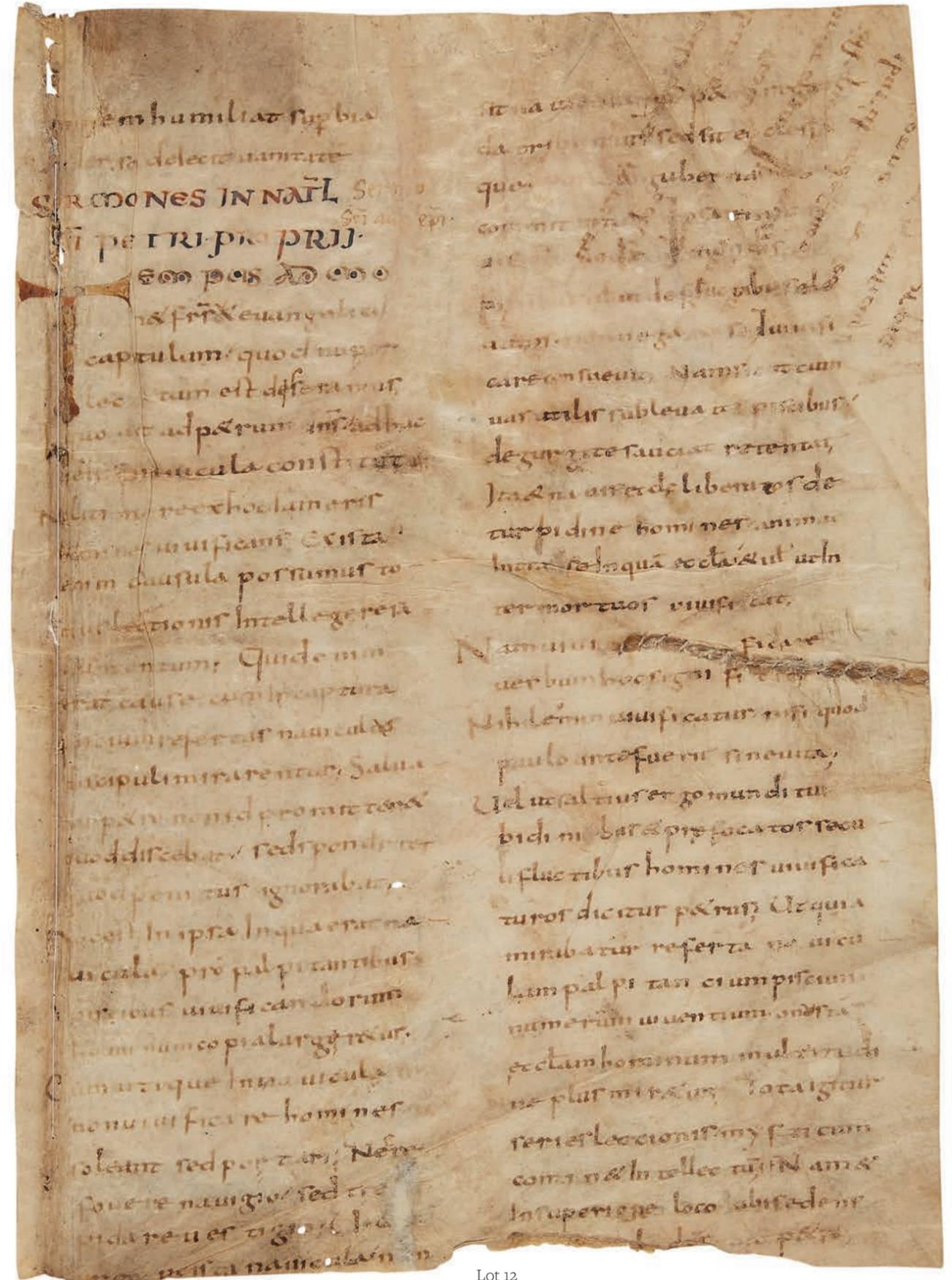
St. Maximus of Turin (d. between 408 and 423) was a theological writer who held office as the first recorded bishop of Turin, and whose ordination may have been related to the establishment of the see in 398. A mention of himself in his Sermon 81 as an eye-witness to the martyrdom of missionaries in 397 at Anaunia in the Rhaetian Alps strongly suggests that he was born before that date. Gennadius of Marseille records that he died under the rule of Emperors Honorius and Theodosius II. A namesake appears in the records of the council of Milan and Rome in 451 and 465, leading to some previous confusion about his date of death. Confusingly, both wrote sermons, and later medieval copyists appear to have conflated their works. The first sermon here was established by Almut Mutzenbecher to be part of a large sermon collection by the first Maximus (*Corpus Christianorum*, series Latina, 23, 1962, pp. 4 and 427-428), and the second here may also be an example of his work that survived in isolation.

Manuscripts survive from the sixth or seventh century (St Petersburg, National Library of Russia, Lat. Q.v.I 5) and the eighth century (Milan, Ambrosiana, C.98 inf.). The ninth century saw substantial interest in his works, with several manuscripts of that date surviving and a number of his individual sermons being included in the homiliary of Paul the Deacon produced within the Carolingian court, as well as other sermon collections (such as those in Tours, Bibliothèque municipale 279, and Bodleian, Laud. Misc. 129).

Script:

This leaf is the first of three examples of Carolingian minuscule, the script fashioned from Roman Half-Uncial and Insular forms perhaps in Corbie in the second half of the eighth century, and championed by Charlemagne and his court school during the earliest years of the Carolingian renaissance, for its ease of intelligibility. From the monasteries of Tours under the auspices of Alcuin of York it was disseminated across the entire Empire, sweeping away almost all the cacophony of preceeding local hands. It is probable that without this paleographic revolution, the Carolingian educational reforms would not have flourished, and the grand embracing of literacy and learning by the elites in the ninth century would have faltered.

£6,000-8,000



Lot 12

13 θ

Leaf from a Lectionary, perhaps made for the individual worship of a Carolingian nobleman or ecclesiastic, in Latin, finely written Carolingian manuscript on parchment, [probably Germany, third quarter of the ninth century]

Single leaf with single column of 25 lines in a fine Carolingian minuscule (with readings from Matthew 21:35-46 and Genesis 27:6-28), with et-ligature used integrally within words, only closed 'a', and notably clubbed ascenders (see 'b' in particular), rich red rubrics and opening text of readings in capitals, recovered from a binding and hence with stains, folds and scuffed areas (but both sides legible), traces of tape at top centre of verso from last mounting, trimmed at top with loss of blank margin there, but wide margins elsewhere, with line-prickings remaining in outer vertical margins, overall in presentable condition, 285 by 246mm.; in a cloth-covered card binding

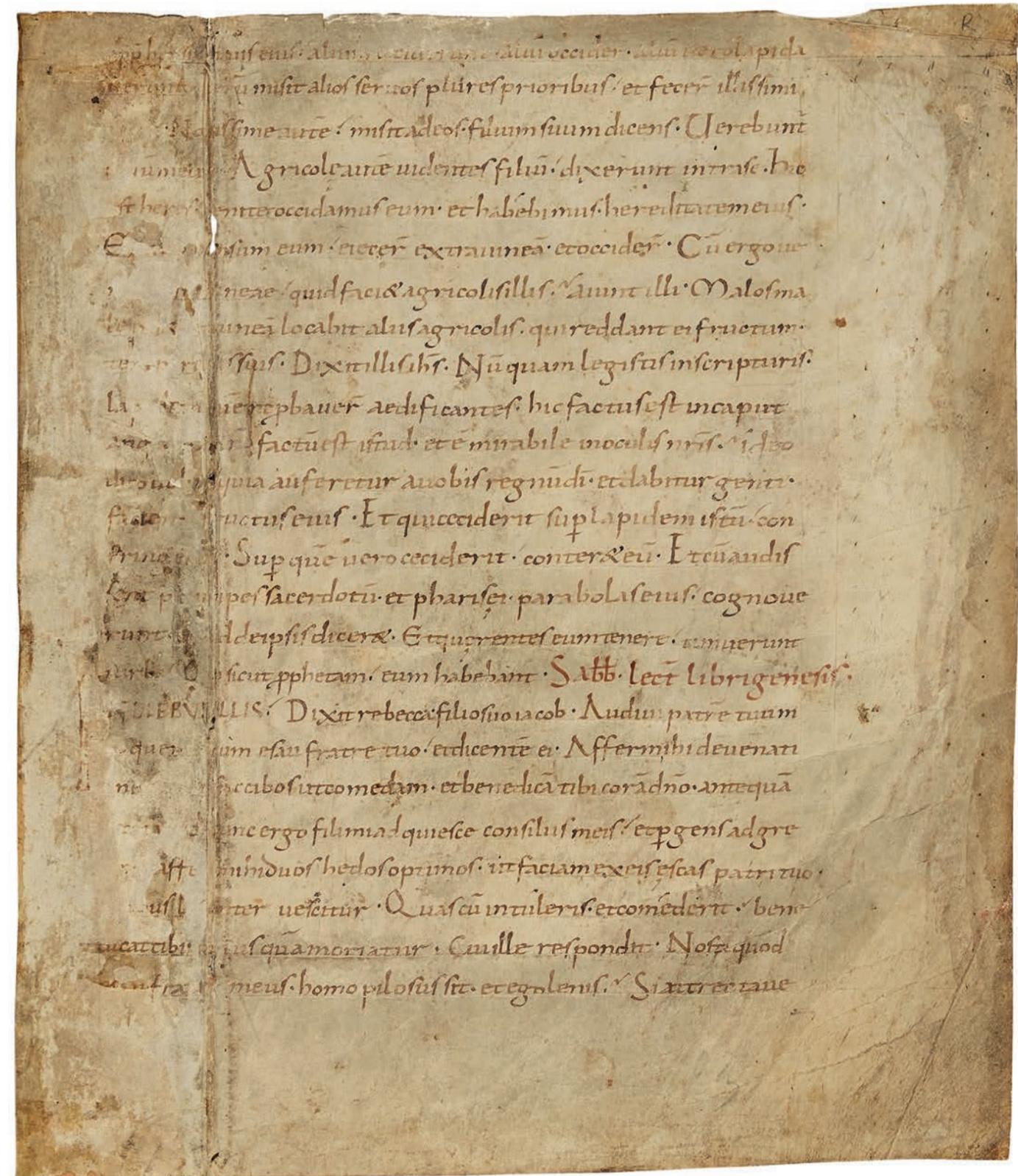
Provenance:

1. Written and decorated in third quarter of ninth century, perhaps as a private devotional volume for a Carolingian nobleman or ecclesiastic (see below).
2. William H. Schab (active 1888-1975), book and art-dealer working firstly with Gilhofer & Ranschburg in Vienna from 1905, then fleeing Austria for New York in 1938.
3. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/210', acquired from Schab in 1969; with Rosenthal's cataloguing and a copy of a letter from Bernhard Bischoff to Rosenthal concerning the dating, included.
4. Quaritch of London, their cat. 1147, *Bookhands of the Middle Ages*, V (1991), no. 25.
5. Schøyen Collection of London and Oslo, their MS. 623.

Text:

The contents here point to a highly individual parent codex, produced perhaps for private devotion. Originally the lections in the Mass were from the Old Testament, the Epistles and the Gospels. Both the Gallican and the Mozarabic rites retained the Old Testament readings for some considerable time, even into the Carolingian period, but these died out in contemporary Roman usage to the point where they can only be found for significant feast days. After the Carolingian age, the Roman form dominated. Here we have the last of such readings from Matthew, followed by the opening reading of the next set from Genesis. Its use by the so-called 'Comes of Alcuin' (BnF. lat. 9452; comes here from 'Liber Comicus' an early liturgical volume with Bible readings to complement the Gospel Book and Lectionary) allows us to see that in the Gallican Rite in the ninth century this Genesis reading was for Saturday after the first Sunday in Lent (that also dedicated to SS. Marcellinus and Petrus, as in our leaf). However, a problem comes when we try to find other witnesses to the readings for that date alongside the passage of Matthew given here. In short, there are none. This may well be a witness to a personal and private devotional codex, compiled according to the individual needs of the commissioner. The scholars and theologians of Charlemagne's court have garnered the lion's share of attention, but there is substantial evidence of the education of secular nobles from across the Carolingian world in the court school and to some extent throughout the Empire from 789 onwards. At its highest levels the Carolingian ruling elite was expected to be literate (see J.L. Nelson, 'Literacy in the Carolingian Government', in *The Frankish World, 750-900*, 1996, pp. 1-36, and R. McKitterick, *The Carolingians and the Written Word*, 1989, pp. 260-261), and other Biblical and liturgical books made in the ninth century for private and secular devotions survive in the Gauzlin Gospels (now in Nancy Cathedral), probably made for Count Arnaldus of Toul, a Psalter commissioned by and written for Count Achadeus of Reims (now Cambridge, Corpus Christi College, MS. 272) and a now-lost Lectionary produced for Count Hechiardus (or Eccard) of Angers.

£8,000-12,000



Lot 13

Substantial fragment of a Carolingian Homiliary, perhaps that of Paul the Deacon, in Latin, decorated manuscript on parchment [probably western Germany, second quarter of the ninth century]

Six leaves (including a bifolium, that forming the outermost leaves here, all others reconstructed into bifolia on small paper guards), each with a single column of 29 or 30 lines of a single fine and elegant Carolingian minuscule (all here 29 lines, except fol. 4 with 30 lines, but all in same hand and clearly from a single parent manuscript), with few abbreviations, the scribe varying the size of his script in places apparently in order to fit words neatly onto the lines, red rubrics and chapter headings, larger initials offset in margin, six large initials in red, a few contemporary corrections and erasures, some small smudges and spots, two leaves with vertical cuts in margin (see below), lower outer corner of fol. 5 repaired with strip of parchment (not paper as in earlier reports), outer edges apparently trimmed, else in excellent condition and on fine, heavy and supple parchment, 305 by 205mm.; in cloth-covered card binding

SIX LEAVES FROM A LARGE AND HANDSOME CAROLINGIAN CODEX, SURVIVING THE TWELVE CENTURIES SINCE THEIR CREATION NOT THROUGH REUSE AS BINDING MATERIAL, BUT AS LEAVES OF A BOOK AND THUS IN AN EXCEPTIONAL STATE OF PRESERVATION

Provenance:

1. Written and decorated in a Carolingian scriptorium in the second quarter of the ninth century, most probably in Germany. With letter from Bernard Bischoff, dated 1989, establishing the dating.

2. At least three of the leaves here were definitely owned by the manuscript-dealer Bruce Ferrini, and perhaps all these leaves were. A previous report of this manuscript noted that fol. 4 here was acquired by the Schøyen Collection from Ferrini in November 1989, and indeed it bears a pencil stock number of Ferrini's ("VM 5507"). In addition, fols. 2-3 here also bear Ferrini stock numbers ("VM 5508" and "VM 5509"), and the fact that the stock numbers are sequential suggests that Ferrini may have owned several bifolia from the parent manuscript and been bisecting these for individual sale. In the 1990s, the late Jeremy Griffiths suggested that fol. 4 was one of the leaves removed from Montpellier, Bibliothèque municipale, MS H. 240 in the nineteenth century (this most probably due to the fact that of the long list compiled by R. Étaix of homiliaries in French public libraries [*Répertoire des Homéliers Conservés en France* in *Homéliers Patristiques Latins*, 1994], only the Montpellier manuscript agrees with the physical layout of the present leaves). However, the Montpellier manuscript has quite different initials and script to that here. Furthermore, the publication earlier this year of a new study of the Homiliary of Paul the Deacon by Z. Giuliano with an apparently exhaustive list of early manuscripts (including 88 manuscripts of the ninth and tenth centuries), similarly contains no witness that could have served as the parent codex of these leaves. Finally, no other leaf from the parent codex is known to us, and they do not come from either of the two ninth-century Homiliaries listed in the Schoenberg database as being sold in the twentieth century. Thus, it seems most likely that only a handful of bifolia survived to the modern period, perhaps as part of a sammelband.

3. Quaritch of London, who sold leaves 1-3 and 5-6 (the first and last of these the outermost bifolium here) to the Schøyen Collection in December 1989, and these marked up with individual Quaritch stock numbers and price codes.

4. Schøyen Collection of London and Oslo, their MS. 587, and acquired for that collection in order to protect these leaves from further dispersal.

Hic stat ut suscipiat Stephani martyris spm.

Hic statut suscipiat Stephani martyris spiritum

Ecce uideo caelos apertos. et stantem dnm in im ad dexteris di. Videamus ergo quaerit ratio quod idem dñs ad auid sedens pphetatur. stans uero. ab stephano praedicatur. Primo omnium ds quincorporalis e. & inuisibilis. e. enim sps. sicut ait dñs. Dspse. sedere aut stare quomodo potest. Deinde aut quali subsellio sedeat ds qui infinitus e. & inmensus. Contra sed ipse magis creaturarum cuncta contineat. Haec autem ppter ea a scis uiris dicta arbitror esse de dno. non quos sint contraria sibi sed ut modo eius potentia modo eius misericordia describatur. Nam utiq. p potestate magis sedere dicitur. p bonitate intercessoris stare suggeritur. At enim beatus apostolus. Quia aduocatum habemus apud patre in im dnm. Iudex ergo e. xps cum resedit. aduocatus e. cum adsurgit. Iudex plane iudeis e. aduocatus e. xpianis. Hic enim stans apud patrem xpianoz licet peccatorum causas exorat. ibi resedit cu patre pharisaeoz psequentium peccata condemnans. Illis indignans uehementer ulciscitur. his interueniens. leniter miseret. Hic stat ut suscipiat stephani martyris spm. ibi residit. ut condempnet iude p ditoris admissum. **LEC SCU EVG SCO IOHANNE.** In illo tempore. Dicebat in discipulis suis. Siquis diligenter sermone meum seruabit. & pater meus diliget eum. & ad eum ueniemus. & mansionem apud eum faciemus. & reliqua. **ITEM OMN LECTIOMIS EIUS DE BENE GREGOR PAPAE DE DIE SCO PENTECOS II M XXXV.** Ibet fratres km euangelicae lectionis sub breuitate uerbaturans currit. ut post diutius liceat in contemplatione tantaesollemnitatis immorari. Hodienamq. sps scs repentinosonitu super discipulos uenit. mentesq. carnalium in sua amore pmutauit. & foris apparentib. linguis igneis. intus facta sunt corda flammantia. Quia dum dnm in ignis uisione suscipiunt. per amore suauit arserunt.

dabit fructū. non orreis inferendū. sed ignibus con cremandū.  
Dicente dno; Omnis plantatio quam non plantauit pater noster.  
eradicabitur; Custodienda ergo nobis ē. omnium germinū  
seminumq; generositas. quam ex summi agricolae planta  
tione concepimus. & uigili sollicitudine puidendum. pēdi  
munera aliquam uidentis inimici fraude uiolentur. & in  
paradisouirtutum concresecat silua uirtuoz; Ad declinandū  
autem hoc malum nihil est potentius elemosinis atq; ieiuniis.  
dum & carnales cupiditates continentiae negat. & desideriorū  
spiritualium fructus misericordiae cultura multiplicat; Unde  
caritatem urām sollempniter commonemus ut per castiga  
tionem corporis. & p opera pietatis mundari ab omnium  
peccatorum sorde cupientes; Quarta igitur & sexta feria  
ieiunemus. sabbato autem apud beatissimum petrum ap̄tm  
uigilias caelebremus. cuius meritis & orationibus. nā per om̄a  
credimus adiuuandos. ut misericordia dī & ieiunio nris a sit  
& uotis per ih̄m xp̄m dnm̄ nrm̄. Amen. **ITEM DE EODĒ**

**DIE. LEC̄ S̄C̄I EUḠL̄ S̄C̄D̄M̄ LUCAM.**

**I**n illo tempore. Surgens ih̄c des̄nagoga. introiit in domum  
s̄rmonis; Socrus autem s̄rmonis. tenebatur magnis febris;

Et rogauerunt illum pro ea; & reliqua; **TRACTATUS S̄C̄I**  
**AMBROSII DE EADEM LECTIONE. / CAP̄ XL.**

**H**ic des̄nagoga erat homo habens sp̄m̄ in mundum. & in  
fra; Surgens autē ih̄c des̄nagoga. introiit in domū  
s̄rmonis & andreae; Socrus autem s̄rmonis. tenebat̄.  
magnis febris; Vide clementiam dī saluatoris. p̄ ē indignatione  
commotus. p̄ scelere offensus. p̄ iniuria uiolat̄.  
iudaeam deserit; Quinetiam in memor in iuriae memor  
clementiae. p̄ un̄ docendo. p̄ un̄ liberando. p̄ un̄ sanando  
in fide plebis corda demulcet; Et bene s̄c̄s lucas uirum.

Text:

Collections of homilies, or explanations of the Gospels, assembled and ordered for public reading throughout the ecclesiastical year, were fundamental to the medieval Church. The fifth and sixth centuries were dominated in this genre by the early popes, Leo the Great (c. 400-461) and Gregory the Great (c. 540-604), and the eighth century knew a now-lost homiliary composed by a Roman named Agimundus, as well as that of Bede of Wearmouth-Jarrow and that of Alanus, abbot of Farfa, which still survive. The ninth century saw homiliaries written by Smaragdus of St-Mihiel and Hrabanus Maurus, as well as the grand compilation of Paul the Deacon produced at the behest of Charlemagne.

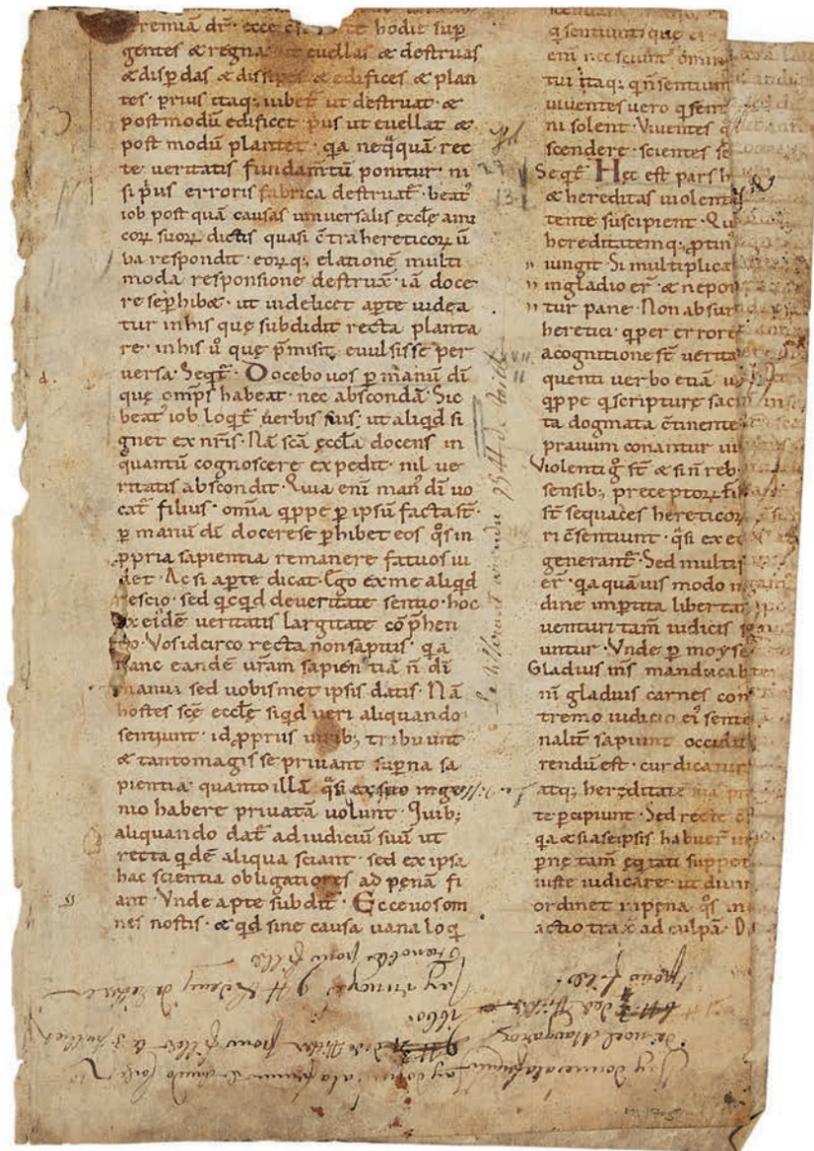
The leaves here are not consecutive, and form three units. The first and last leaves here are parts of the same bifolium (with parts of Leo I, Sermo XCV, and a lection on the Gospel of John by Gregory I, *Homilia XXX*). The second leaf here contains part of the same text as that on the first leaf here. The third leaf here stands alone, with text from Gregory I, *Homilia XXX*, a lection on the Gospel of John 14:23-31, and the fourth and fifth leaves both contain parts of a tractatus on Luke by Ambrose, as well as other lections, readings for the Vigil of the Feast of St Peter and the Feast of the Octave of Pentecost and the opening of a sermon of Leo I for Feria IV mensis IV. Both homilies on fols. 1-2 and 3 here are found in the Homiliary of Paul the Deacon, and are not found together in any other homiliary recorded by Étaix.

Ninth-century codices and substantial fragments of them are now of the utmost rarity in private hands, and only a tiny number of collectors can expect to acquire such an item in a single lifetime of collecting. Complete or substantially complete codices are now all but gone from private ownership, with Sir Thomas Phillipps' MS. 4558 having passed to Rosenbach in 1926, and thence to Edward Harkness (1874-1952), and on to the New York Public Library. J. Pierpont Morgan was able to secure two, in 1902 (now Morgan Library and 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, and now in the Metropolitan Museum in New York. Even fragments of only a few leaves from codices of the ninth century now command high prices, with a fragment of 14 leaves recording the translations and miracles of St. Lomer, written in France c. 873, realising £60,000 hammer in our last Schøyen sale, 8 July 2020, lot 28.

Script:

The hand here is worth especial mention as a fine example of Carolingian minuscule. It is a model of legibility and elegance, with a rejection of the cacophony of ligatures of the Early Medieval local hands, employing instead ligatures only for 'et' and joining 'ct' and 'st'. The 'g' here is quite distinctive, in a closed form and with a tail commonly with a sharp-tipped 'fish-hook-like' end, as is the majuscule 'N' in which the first ascender is longer, descending far below the line, and the mid bar is horizontal, sitting just above the baseline.

£30,000-50,000



Lot 15

150

Two leaves from Gregory the Great, *Moralia in Job*, in Latin, manuscript on parchment [France (Rhône valley, most probably Mirabel or vicinity, perhaps Valence), late tenth century or perhaps c. 1000]

Two leaves, recovered from reuse as an account binding and hence trimmed at upper and outer edges with loss of about ten lines from top and a few letters from outer vertical edge of outermost column, with double columns of 40 lines in a small and rounded late Carolingian minuscule, showing the earliest influence of Romanesque bookhands (with parts of LXXVI:44-51), with a few residual et-ligatures used integrally at the end of words, a tongued 'e', a strong st- and ct-ligature and an early form of open 'g' with a sharp-tipped fish-hook like tail, capitals of each new section offset in margin, one-line initials once red (now oxidised to silver), numerous later scrawls from reuse as binding of accounts and for pen trials (see below), spots, stains and holes, else in fair and presentable condition, each leaf approximately 270 by 180mm.; in cloth-covered card binding

Provenance:

1. Most probably written for, and used by, a cathedral in the vicinity of Mirabel in the Rhône valley between Lyon and Avignon: with inscriptions added from reuse on a binding there in the seventeenth century (including the main inscription: "Livre de Raison pour affaires de Miribel des années 1659 jusquen 1682", as well as another referring to nearby Grenoble). This places them within the Duchy of Burgundy: the successor to the independent kingdom of Burgundy, established by the East Germanic Burgundians in the fifth century during the final collapse of Roman authority, and subjected to Merovingian rule in 534 but maintaining a fierce independence even under

the Carolingians. They came under French royal control only in the first half of the eleventh century. However, beyond Cluny (founded 910) which is probably too far away to have had significant landholdings in Mirabel, the region's monasteries are mostly foundations of the second half of the eleventh century and twelfth century, and so cannot have been the original home of the parent codex of these leaves. The closest cathedral is that of Valence, some 30 km northwards up the Rhône. The leaves here were studied for their original content in the nineteenth century (pencil inscriptions and underlining of that date identifying the text) and may have been separated by then from the seventeenth-century account books they were used to bind.

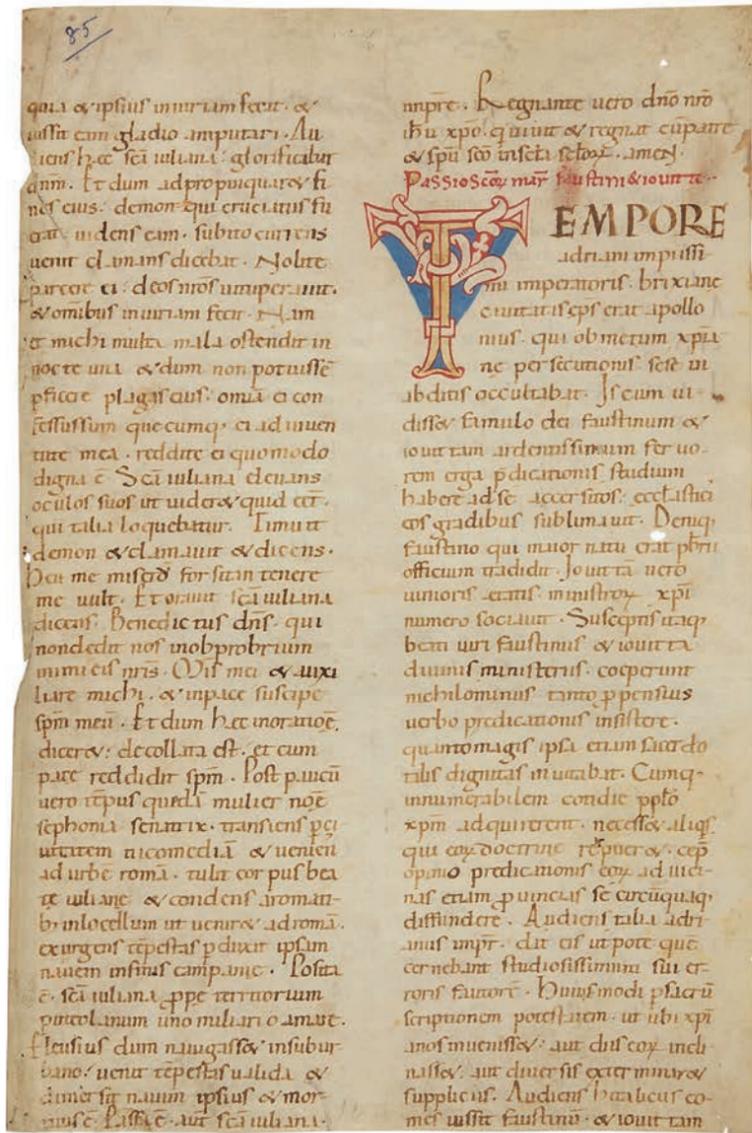
2. Schøyen Collection of London and Oslo, their MS. 1705, acquired from Quaritch in July 1993.

Script:  
The script here has many of the letterforms and occasional ligatures of Carolingian minuscule (see above), but some outlying areas of France appear to have been initially resistant to the script changes of the Romanesque and pre-Gothic periods (see for example the penitential fragments offered in our last Schøyen sale, 8 July 2020, lot 31), and the south seems to have been particularly slow to eschew traditional practices. Here we see the very last phase of Carolingian minuscule, just before the large and imposing letterforms of the eleventh and twelfth centuries make themselves decisively felt.

£3,000-5,000

inter ceteros unum. Omnes enim se diligere con-  
batur. quibus ante suam passionem loquebatur  
dicens. Sic dilexit me pater. & ego dilexi  
patrem. Quia enim in dilectione mea. Sed hunc  
preceperis diligebat. quoniam integritas vir-  
ginalis maiore dilectione fecerat dignum.  
Tradunt namque hystorie quod eum uo-  
lente nubere. de nuptiis uocauit. Et  
propterea quia acoplexu carnalium sub-  
traxerat. spiritali dilectione fecerat esse  
digniores. In eo autem quod ait. uidit illum  
discipulum quem diligebat ihesus sequentem.  
more scorum beatus iohannes euangelista ser-  
uauit. cum proprium nomen tacens. alio in-  
dicio suam personam demonstraui. hac  
enim consuetudinem habent sancti uiri. ut  
quotiens de se mira & magna loquun-  
tur. ad aliam transeant personam. & sic de  
se quasi de alio loquuntur. Sic enim fecit mo-  
yses. quando de se quasi de alio locutus est. dicens.  
Et erat moyses uir mitissimus. super omnes  
qui morabantur in terra. Similiter beatus  
iob. dicitur. & erat uir ille simplex &  
rectus. ac timentis dominum de se quasi de alio pro-  
misit dicens. Uir erat in terra huius nominis iob.  
hanc ergo humilitatem seruans beatus iohannes in  
tota serie sue euangelii proprium nomen ponere  
noluit. Dat autem & aliud indicium sue cognitionis  
beatus iohannes euangelista cum subiungit. qui et re-  
cubuit in cena super pectus domini. & dixit. Domine quis  
est qui tradet te. In ultima cena quam dominus ha-  
buit cum discipulis suis ut super tertios

queret. tertios eos reddidit dicens. Qui  
intingit manum meam in parabolam  
sede. hic me tradet. Quod autem  
discipulus ille supra pectus ma-  
gistri recubuit. non solum presentis di-  
lectionis indicium fuit. sed etiam futuri my-  
sterii signum. Quia enim in pectore ihesu sunt  
omnes thesauri sapientie & scientie ab-  
scōnditi. merito ille super pectus magistri  
recubuisse dicit. quod de diuinitate altius  
& profundius ceteris erat descripturus.  
hunc ergo cum uidisset petrus. dixit ihesu. Domine  
hic autem quod. Quia enim petrus apostolus in  
extensione manuum in oratione alte-  
rius. inductu quo nollet suam passionem  
intellexerat significatam. uoluit scire  
de fratre & co-discipulo quod morte & ipse transi-  
turus esset ad uitam. & uident eum se-  
quentem ait. Domine hic autem quod. Dicit et  
ihesus. Sic eum uolo manere donec ue-  
niam. Quod ad te. Tu me sequere. Ac si  
diceret. Nolo enim pro passionem martyrii  
presentis uite cursu consummare. sed sic  
eum uolo manere donec ecclesiastica pa-  
ce firmata transitu naturalis mortis  
perpetuam ducam ad uitam. Vbi putan-  
dum non est quod negauerit dominus iohannem pro sua  
fide multas tribulationes esse passurum.  
sed protulit eum pro martyrii presentem  
uitam non esse consumaturum. Nam in  
actibus apostolorum publice uirgis cesus legitur.



Lot 16

16θ

Leaf from a large Passional, with an early white-vine initial, in Latin, decorated manuscript on parchment [Italy, first half of the eleventh century]

Single leaf, with double column of 41 lines of a large and rounded Romanesque bookhand (with parts of the readings of the Passio Sanctae Iulianae and the Passio Sanctorum Faustini et Iovitae, with very occasional use of the et-ligature integrally within words (usually at the end of words, and this perhaps copied across from a Carolingian exemplar), a letter 'h' with a tall bowl whose penstroke flows underneath its body to nearly close the bowl, and notably tall capitals, capitals opening readings offset in margin, bright red rubrics, opening with a red capital touched in iridescent yellow wash, one large initial "T" (opening "Tempore adriani impissimi imperatoris...") in parallel bands of red penwork, all except the top bar coloured with iridescent yellow wash (to emulate gold), the bands entwined with simple sprays of acanthus leaves and a simple geometric knot, the whole on vivid blue triangular grounds, a few smudges, wormholes and small traces of paper in borders of verso from last mounting (perhaps that in an album), twentieth-century pen "85" in upper inner corner of recto, trimmed at edges to remove much of blank margins, else in excellent condition, 310 by 210mm.; in a cloth-covered card binding

Provenance:

1. Domenico Maria Manni (1690-1788) of Florence, a polymath, prolific publisher and editor, as well as local antiquary, who held office as librarian and director of the Biblioteca Strozzi in Florence. A marginal note in his hand at the head of the verso here: "Faustina et Jovita".

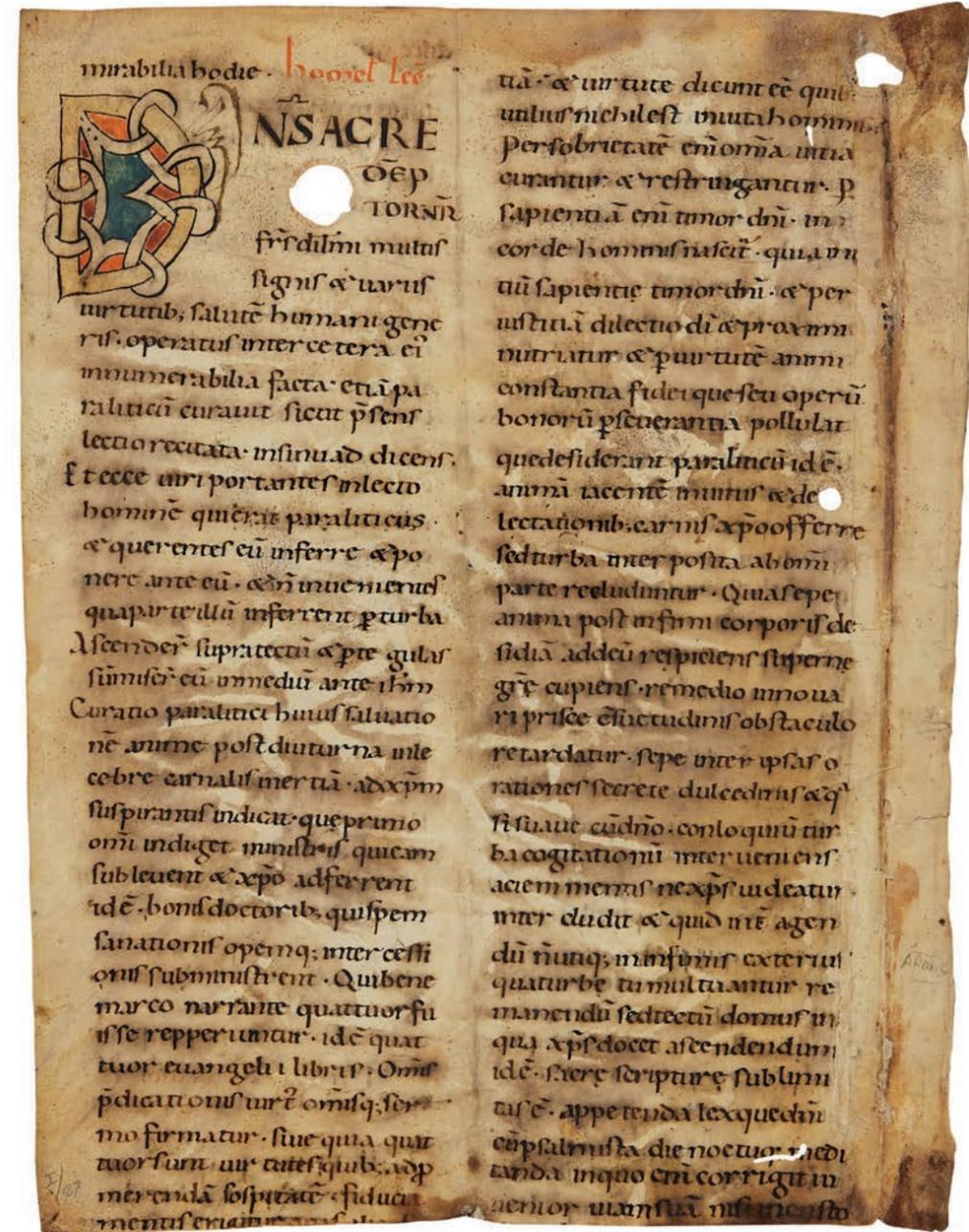
2. Aldo Olschki (1893-1963), Florentine bookseller, the youngest son of Leo Olschki, who took over his father's publishing interests in Rome in 1928-1935, and the entire family's publishing business from 1946.

3. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/59', this leaf acquired in 1959.

4. Quaritch cat. 1147, *Bookhands of the Middle Ages*, V (1991), no. 31.

5. Schøyen Collection of London and Oslo, their MS. 636.

£2,500-3,500



Lot 17

17θ

Leaf from a Homiliary, with a decorated initial, in Latin, manuscript on parchment [Italy, mid-eleventh century]

Single leaf, with double column of 35 lines of a precise Romanesque bookhand, rubrics and remains of an initial in terracotta-red, one large initial 'D' (opening "Dominus ac redemptor noster ...", a Sermon on Luke 5:17-26) with following letters in ornamental capitals, in somewhat rustic penwork and yellow wash entwined with notably spiky and angular white-vine acanthus leaf foliage and enclosing red and blue ground, a later hand adding a penwork human face looking back at the initial, two natural flaws in parchment, somewhat stained and cockled (but legible), trimmed at edges with loss of one line from a column of text, else fair and presentable condition and on heavy and well-prepared parchment, 280 by 215mm.; in cloth-covered card binding

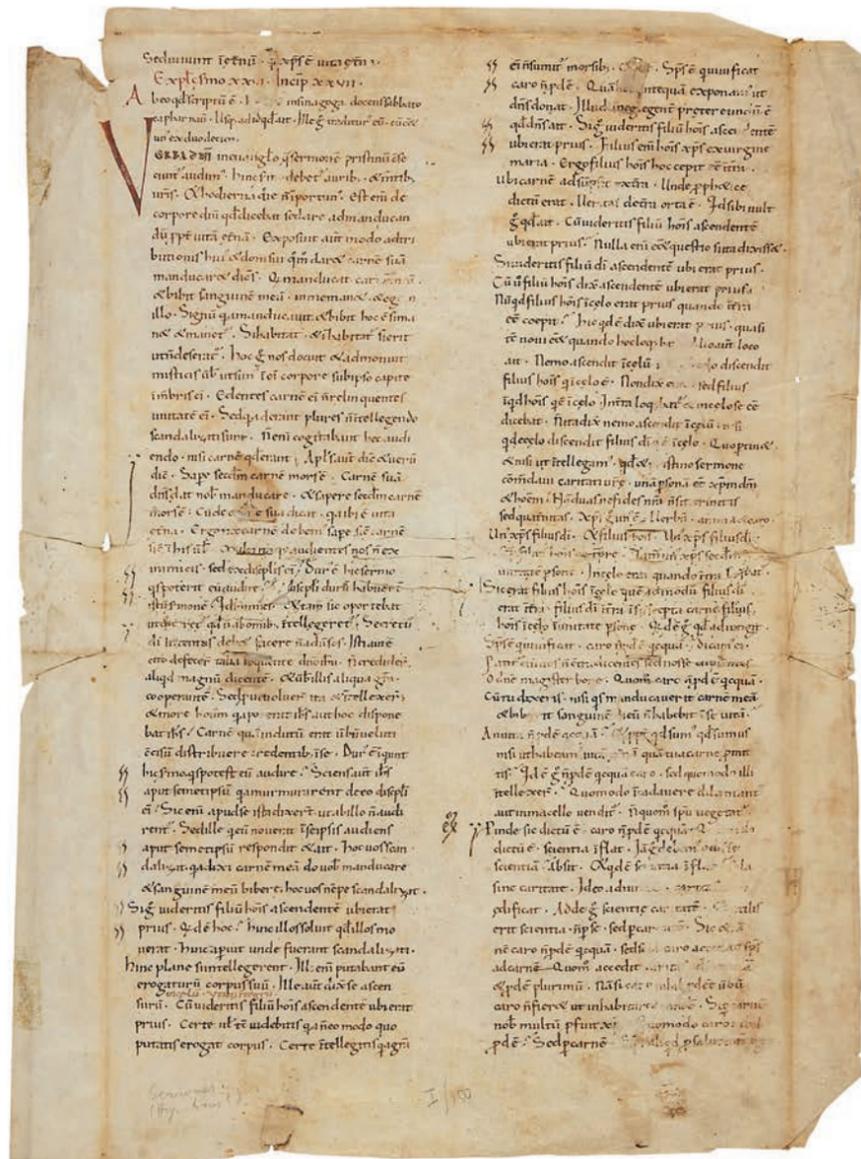
Provenance:

1. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/187', acquired February 1965.

2. Quaritch of London, cat. 1147, *Bookhands of the Middle Ages*, V (1991), no. 83.

3. Schøyen Collection of London and Oslo, their MS. 637.

£2,000-3,000



Lot 18

18 θ  
Leaf from a gargantuan Augustine, Tractatus in Iohannem, in Latin, decorated Romanesque manuscript on parchment [Italy (probably the Veneto, perhaps vicinity of Vicenza), mid-eleventh century]

Single very large leaf, with double columns of 52 lines of a small but good Romanesque bookhand (with CXXIV, 26:13-27:5), with residual use of et-ligature integrally at end of a few words, a distinctive 3-shaped 'z' whose mid-bar sits on the baseline, marks in margin of a 'clover' symbol but with two (not three) dots at its head and a double 's', red rubrics, one-line red initials set off in margin, one large red initial 'V' (opening "Verba domini in evangelio quae sermonem pristinum ...", opening Tractatus in Iohannem CXXIV, 27) followed by opening words in capitals touched in red (these and the initial oxidised to silver in places), recovered from a binding and hence with folds, scuffs and small holes, and some seventeenth-century scrawls (that once on the spine with inscription: "Informationum | MDCVIII III", see also below), but still in presentable condition, 454 by 334mm.; in cloth-covered card binding

Provenance:  
1. The parent manuscript was doubtless written and illuminated for use in lectern reading in a monastic or ecclesiastical community, probably in the vicinity of Vicenza. It was reused in the seventeenth century as binding material for account books, with this leaf with inscriptions with the dates '1660-1677' and naming the owner then of these estates as "Sr Alessandro Boldrini" probably followed by "Vicenza". This name reoccurs on what would have been the spine of the account book, with "Boldrini /

vol. 1" there. The Boldrini/Baldrini family were based in north eastern Italy, with significant presences in the Veneto and especially Vicenza, and the Alessandro named here was most probably a close relative of the celebrated engraver and probable student of Titian, Niccolo Boldrini of Vicenza (d. c. 1566).

- 2. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/150', probably acquired around 1961.
- 3. Quaritch of London, their cat. 1088, *Bookhands of the Middle Ages* (1988), no. 14.
- 4. Schøyen Collection of London and Oslo, their MS. 92.

Script:  
The thin and precise hand here, reminiscent in places of early Carolingian hands, and with frequent use of wedges to terminate ascenders as well as a rapid ductus conveyed by the numerous casual ligatures (note the way that capital 'E' attaches itself to the following letter, and longer words such as "putatis" are written with all letters joined together) is probably explained by the origin of the parent manuscript in the far north-east of Italy. Manuscripts from this region, especially early examples, are far rarer than those of Central Italy.

£2,000-3,000

19 θ  
Leaf from a Gregory the Great, Homiliae in Evangelia, in Latin, manuscript on parchment [Italy, mid-eleventh century]

Large leaf, with single column of 22 lines in a small and squat Romanesque bookhand, much reminiscent of earlier Carolingian hands, capitals in larger version of same and infilled or touched with russet-brown or vivid-red (now oxidised to a dark purple-red), one line added interlineally by main hand, seventeenth- or eighteenth-century foliation "231" on verso, verso with heavy grain pattern to parchment, spots, stains, natural flaw to lower outer corner of leaf with loss to blank margin there, else good condition on fine and supple Romanesque parchment, 250 by 205mm.; in cloth-covered card binding

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 issuing regular bulletins and a sale-catalogue/gossipy journal named *Rotulus* from the 1930s until the 1950s; this perhaps acquired from a German source ("XI Jahrh." on reverse in twentieth-century pencil, and not his hand), and sold in his *Rotulus* VII (1954), no. 2480 (illustrated there).

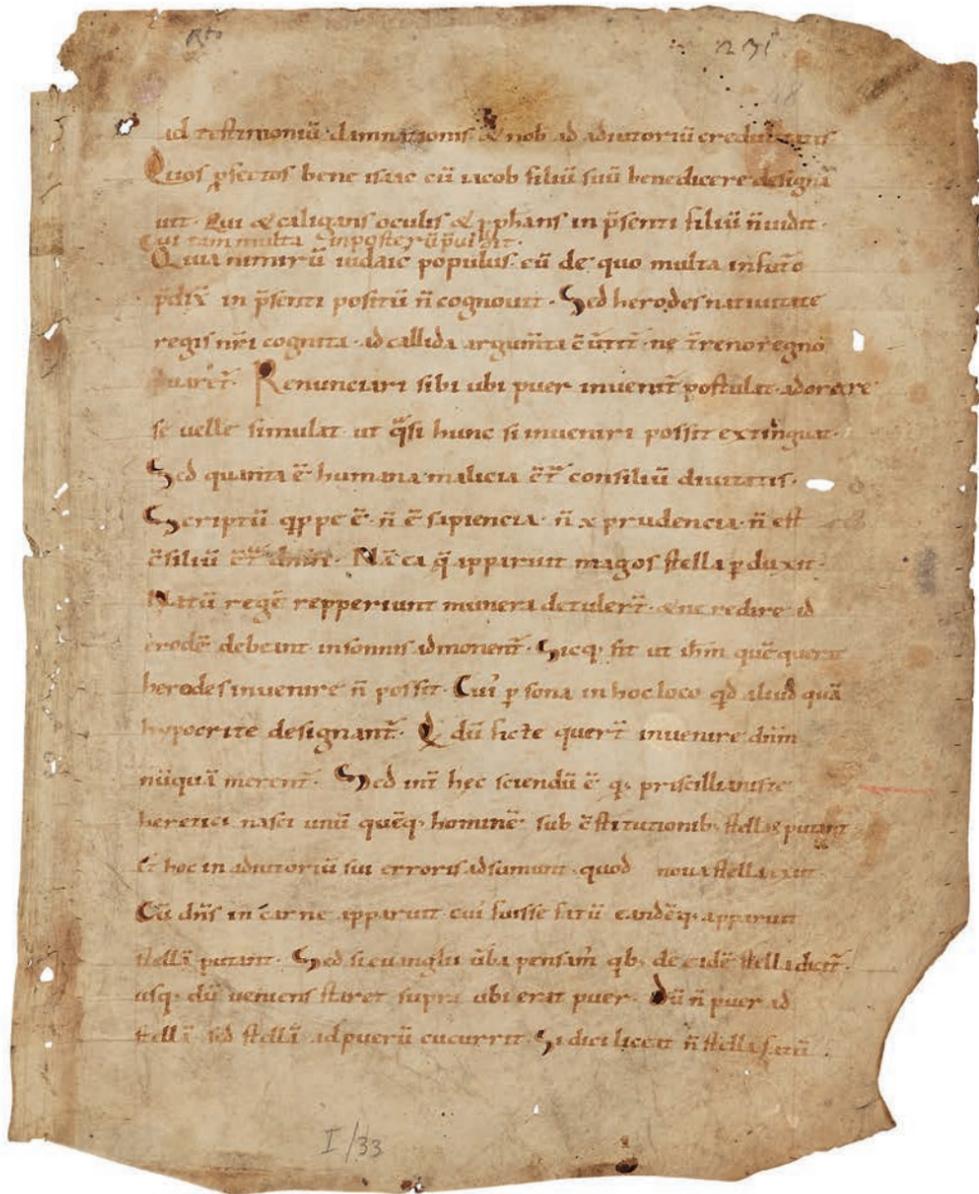
2. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/33', bought from von Scherling in August 1955.

- 3. Quaritch of London, their cat. 1147, *Bookhands of the Middle Ages*, V (1991), no. 82.
- 4. Schøyen Collection of London and Oslo, their MS. 665.

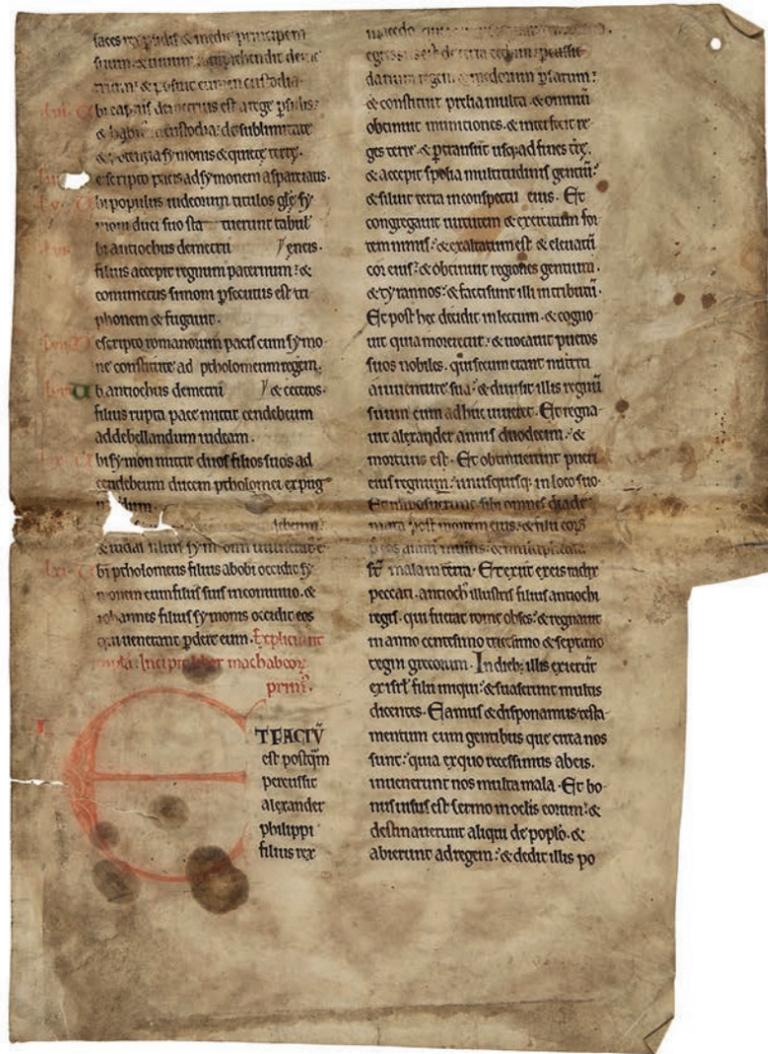
Text:  
The homilies of Gregory the Great (c. 540-604) were composed by 593, soon after he reluctantly took up the papal office. The text was enormously popular, and never went out of fashion throughout the entire Middle Ages. The homily in question here (1.10:2-5) is on the condemnation of astrologers and the Priscillianist heresy.

Von Scherling thought the hand here to be southern German, but there are abbreviations here (notably those for '-bus' and 'qui') that point to Italy instead. In addition, the archaic aspect of this hand and the nearly square dimensions suggest that our scribe was copying either an ancient exemplar or a Carolingian duplicate of one.

£1,200-1,800



Lot 19



Lot 20

20 θ

Leaf from a very large Romanesque English Bible, with parts of 1 Maccabees 1:1-39, in Latin, decorated manuscript on parchment [England, mid-twelfth century]

Single large leaf, with double columns of 36 lines of an angular and compact Anglo-Caroline Romanesque bookhand, which slants to the left, without significant use of biting curves despite some lateral compression, and with noted fish-tailing to ascenders, few abbreviations, explicit in red, one-line initials opening each line of capitula offset in margin and in alternate red and green, versal number in red in margin, one very large initial 'E' (opening "Et factum est postquam percussit alexander...") in red enclosing blank parchment foliage tendrils, recovered from a binding and hence with some discolouration, small holes and spots, folds and cockling at edges, tears to edges (including tear through edge of large initial) section missing from lower outer blank margin, upper blank margin trimmed, overall fair and presentable condition, 372 by 276mm.; in cloth-covered card binding

Provenance:

- 1. The parent volume most probably written and decorated for use in an English Cistercian monastery, and with characteristic punctus flexus punctuation.

2. Solomon Pottesman (1904-1978) of London, incunabulist, self-taught bibliographer and obsessive book collector, whose obituary by his close friend Alan Thomas in the Book Collector, 1979, pp. 545-553, should be in the arsenal of any serious collector seeking to justify his or her mania to a disapproving family member or friend as an example of a collector much further in the grip of bibliophilia. His sale, Sotheby's 11 December 1979, lot 10 (part, main item).

3. Bernard Rosenthal (1920-2017), of San Francisco, California, his '1/265', and with his notes and cataloguing.

4. Quaritch of London, their cat. 1088, Bookhands of the Middle Ages, III (1988), no. 61.

5. Schøyen Collection of London and Oslo, their MS. 106, acquired June 1988.

Script:

From a large and stately English Biblical manuscript, produced as a contemporary of the grand Bury Bible and Winchester Bible. Unlike those manuscripts, the ornament here is simple, perhaps reflecting Cistercian influence, while the hand is a magnificent example of the twelfth-century English scribal arts.

Published:

H.R. Woudhuysen, 'Manuscripts at Auction: January 1988 to December 1988', in English Manuscript Studies 1100-1700, II, 1990, pp. 311 and 315-17.

J. Griffiths, 'Manuscripts in the Schøyen Collection Copied or Owned in the British Isles before 1700', in English Manuscript Studies 1100-1700, V, 1995, pp. 36-42.

£3,000-5,000

21 θ

Haymo of Auxerre, Homily XI on St. John the Evangelist, in Latin, manuscript on parchment [England, second half of the twelfth century (before c. 1180)]

Single leaf, with double column of 32 main text lines in a fine and handsome Anglo-Caroline Romanesque hand beginning to show features of the pre-gothic, no biting curves, a few corrections to individual letters (notably capitalising some 'Q's) and a section at the base of one column and head of next where the original scribe's work has been erased and the correct (and considerably longer) text has been fitted into the same space by a correcting hand, stains from reuse in a later bookbinding, some slight cockling, else in excellent condition, 314 by 204mm.; in cloth-covered card binding

Provenance:

- 1. 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 119.

- 2. Sir Thomas Phillipps (1792-1872), his MS. 18,133 (1858-1872); passing to his heirs and thence to the Robinson brothers of 16-17 Pall Mall, London; his sale in Sotheby's, 24 April 1911, lot 390.

- 3. 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.

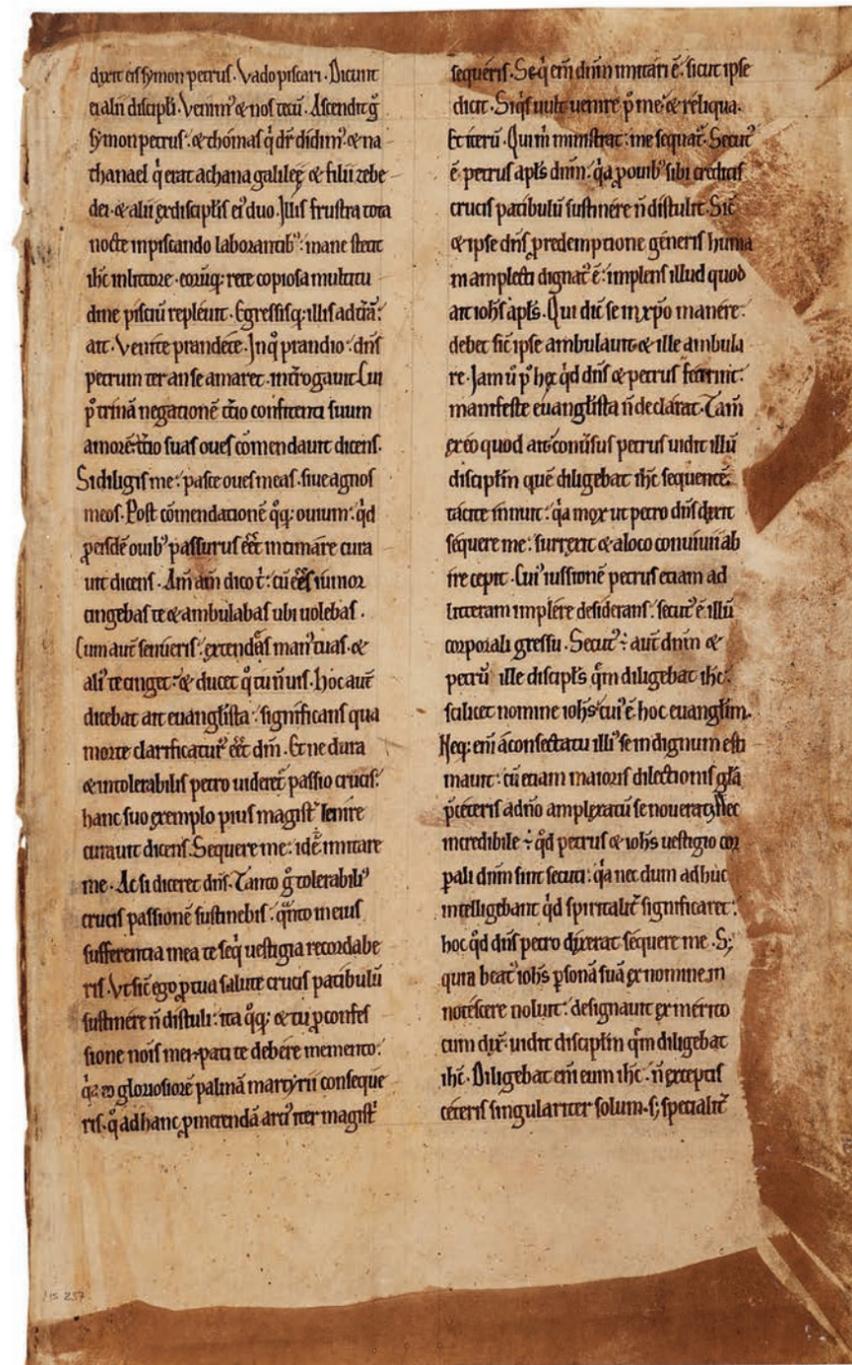
- 4. Quaritch of London, their cat. 1036, Bookhands of the Middle Ages (1984), no. 79.

- 5. Schøyen Collection of London and Oslo, their MS. 237.

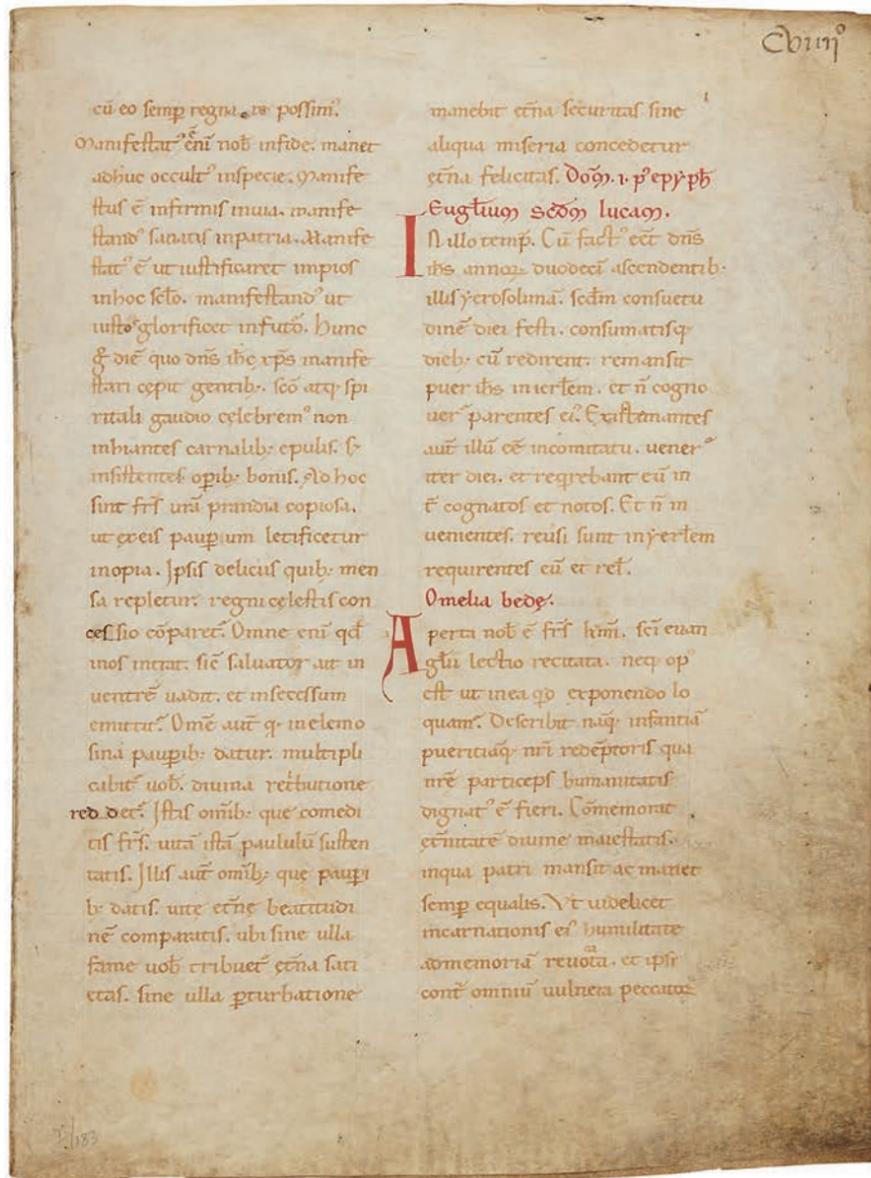
Text:

The homily of which this leaf was once part was one of the fundamental collections of homilies and preaching materials known to medieval Europe from the tenth century onwards. However, while the manuscripts agree that it was the work of a Haimo, this could be either Haimo of Halberstadt (d. 853), who was a monk at Fulda and then the bishop of Halberstadt, or Haimo of Auxerre (fl. 840-75), who appears to have studied with the Irish grammarian Murethach and was for a time the abbot of the monastery of Sasceium (Cussy-les-Bois), as well as teaching at the school of the Benedictine house of Saint-Germain at Auxerre (see E. Jeuneau, 'Les écoles de Laon et d'Auxerre au IXe siècle', in La scuola nell'Occidente latino dell'alto medio evo, 1972, II, pp. 495-522). In 1907, E. Riggenschbach demonstrated that the commentaries attributed in the Patrologia Latina to Haimo of Halberstadt were actually the work of Haimo of Auxerre (Die ältesten lateinischen Kommentare zum Hebräerbrief), and since then many of the homilies there have been tentatively reattributed to him.

£1,500-2,000



Lot 21



Lot 22

22 θ  
Bifolium from a Homiliary, with part of Bede's Homily 1:19, in Latin, decorated manuscript on parchment [Italy, late eleventh or early twelfth century]

Two conjoined leaves, with continuous text and thus once the innermost bifolium from a gathering, with double columns of 30 lines of a fine and accomplished Romanesque bookhand, rubrics and initials in dark red, a few passages marked with a cross, later medieval folio numbers 'cviii' and 'cx', line-prickings visible and thus the leaves not trimmed, some darkening to parchment in places and some grain pattern noticeable in places, a few spots and stains, else in excellent condition, each leaf 318 by 235mm.; cloth-covered card binding

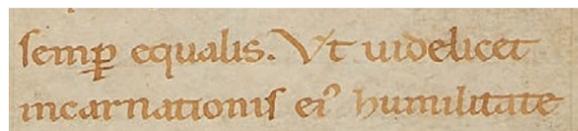
Provenance:

1. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/183', acquired from a Continental bookdealer in February 1965.
2. Quaritch of London, their cat. 1088, *Bookhands of the Middle Ages*, III (1988), no. 5.
3. Schøyen Collection of London and Oslo, their MS. 90, acquired June 1988.

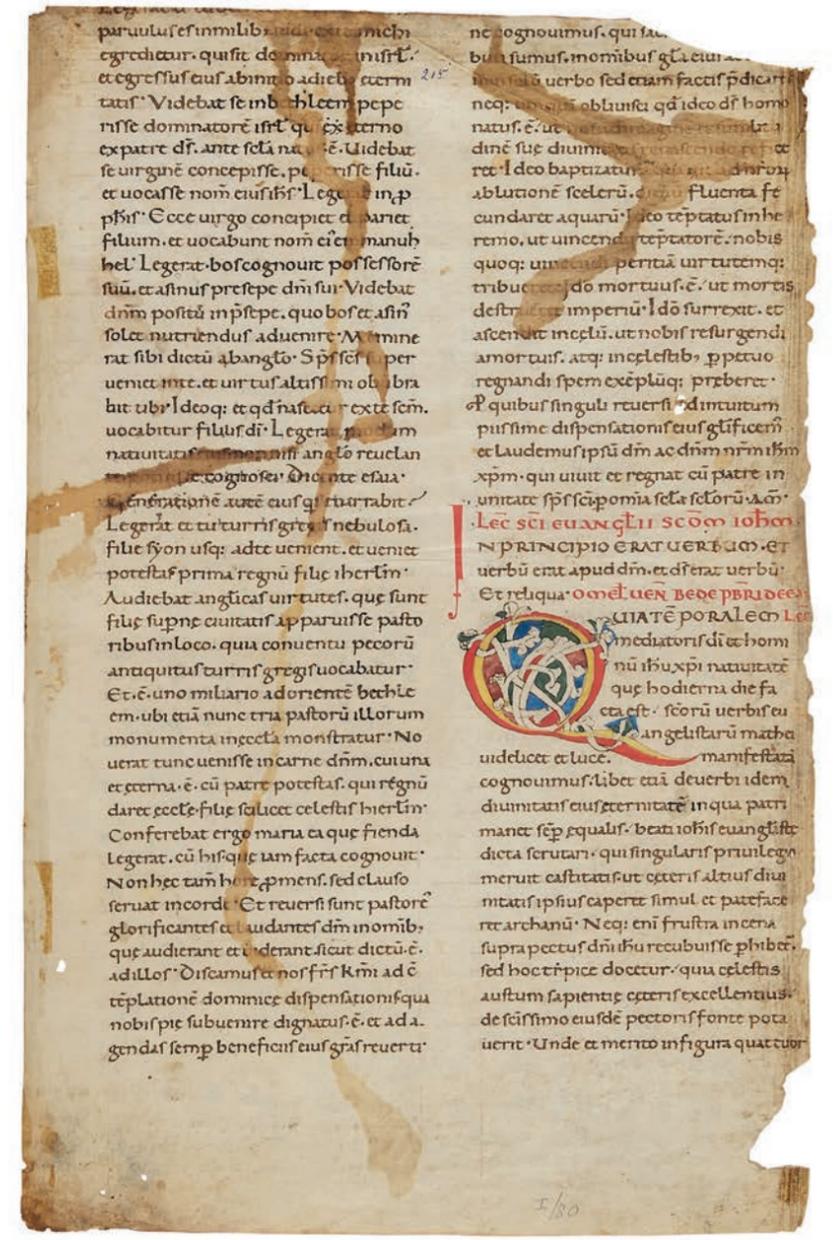
Script:

The elegant and attractive Italian Romanesque hand here finds close parallels in a copy of the commentaries on the Pauline Epistles by Ambrosiaster, Haimo of Auxerre and Jerome, produced in Central Italy in the second half of the eleventh century (now BnF., Latin 1762: F. Avril and Y. Zaluska, *Manuscripts enluminés d'origine Italienne*, 1980, no. 50).

£2,000-3,000



semper equalis. Ut videlicet incarnationis eius humilitate



Lot 23

23 θ  
Leaf from a Homiliary (probably that of Paul the Deacon), with parts of Bede's Homily, 1:7-8, and a fine white-vine initial, in Latin, decorated manuscript on parchment [Italy, first half of twelfth century]

Single large leaf, with double columns of 44 lines in a fine and rounded pre-gothic Italian minuscule, without biting curves, opening words of sections in ornamental capitals, rubrics in red capitals, one red initial with a bauble mounted in a penwork extension from its foot, one large and fine white-vine initial 'Q' (opening "Quia temporalem mediatoris ...") in concentric bands of red and yellow enclosing a large and complex white vine spray on blue, green, red and burgundy grounds, the ends of the white vine shoots piercing the outer circle of the initial's body and intertwining with its tail, trimmed at top with loss of a line there and losses to edges of two lines in corner, losses at edges of leaf, a few large dark stains, but the initial in fresh and bright condition, overall good condition, 427 by 278mm.; in cloth-covered card binding

Provenance:

1. Doubtless written and decorated in Tuscany for a monastic community there. The house may have been in the vicinity of Colonnata on the coastline adjacent to Florence: the lower margin of the verso of this leaf was used while still in its parent volume to record in Italian a local transaction by a priest named Francesco, "retto de la chiesa di sancto nicolo", to "Alghia del popolo connoloneade" and others, dated 27 March 1337.
2. Aldo Olschki (1893-1963), Florentine bookseller, the youngest son of Leo Olschki, who took over his father's publishing interests in Rome in 1928-1935, and the entire family's publishing business from 1946.

3. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/80', acquired from Olschki in 1959.

4. Quaritch of London, their cat. 1088, *Bookhands of the Middle Ages*, III (1988), no. 7.

5. Schøyen Collection of London and Oslo, their MS. 91, acquired June 1988.

£3,000-5,000

24 θ

Leaf with a homily by Bede, from a monumental codex of Bede's Homilies or Paul the Deacon, Homiliary, with a large and fine white-vine initial, in Latin, decorated manuscript on parchment [Italy (Tuscany, probably Florence or vicinity), first half of the twelfth century]

Single large leaf, in double columns of 48 lines of a rounded and accomplished pre-gothic minuscule (with end of Bede's Homily 3:15 and substantial text from 3:16), opening letters of first word of chapter in ornamental capitals, red rubrics, one large initial in split bands of red, one very large initial 'H' (opening "Hidropis morbus ab aquoso ...", the opening of Bede, Homily 3:16) in bands of brilliant yellow (emulating gold) enclosing red penwork geometric designs, a spray of acanthus-leaf foliage in red ink in upper compartment, and a tri-lobed sprig of large leaves in lower compartment, the whole initial on blue, burgundy and teal-green grounds, recovered from a binding and hence with a few wormholes, some folds and stains, and scuffs to verso with some small areas there illegible, upper and lower borders trimmed with small losses to blank margins there, else in good condition with initial fresh and bright, 510 by 380mm.; in a cloth-covered card binding

Provenance:

1. Aldo Olschki (1893-1963), Florentine bookseller, the youngest son of Leo Olschki, who took over his father's publishing interests in Rome in 1928-1935, and the family's publishing business from 1946.
2. Bernard Rosenthal (1920-2017), of San Francisco, California, his '1/76', acquired from Olschki in 1959.
3. Quaritch of London, their cat. 1088, *Bookhands of the Middle Ages*, III (1988), no. 6.
4. Schøyen Collection of London and Oslo, their MS. 84.

Decoration:

The spray of large acanthus leaves in the lower compartment of this striking white vine initial is a rare motif for this type of decoration, mostly employed in Florentine books from the second half of the twelfth century, with other examples listed by K. Berg, *Studies in Tuscan Twelfth Century Illumination*, 1968, nos. 17 (Florence, Bibl. Laurenziana, Plut. 15.13: fig. 197), 72 (ibid., Gadd. 44: fig. 201), 44 (ibid., Conv. Soppr. 292: fig. 228, from Camaldoli to the immediate west of Florence), and 26 (ibid., Plut. 17.40: fig. 349, from Arezzo to the south east of Florence).

£4,000-6,000

Grece enim aqua hydor uocat̃.  
Est aut̃ humor subcutaneus. de-

grece enim aqua hydor uocatur  
Est autem humor subcutaneus de

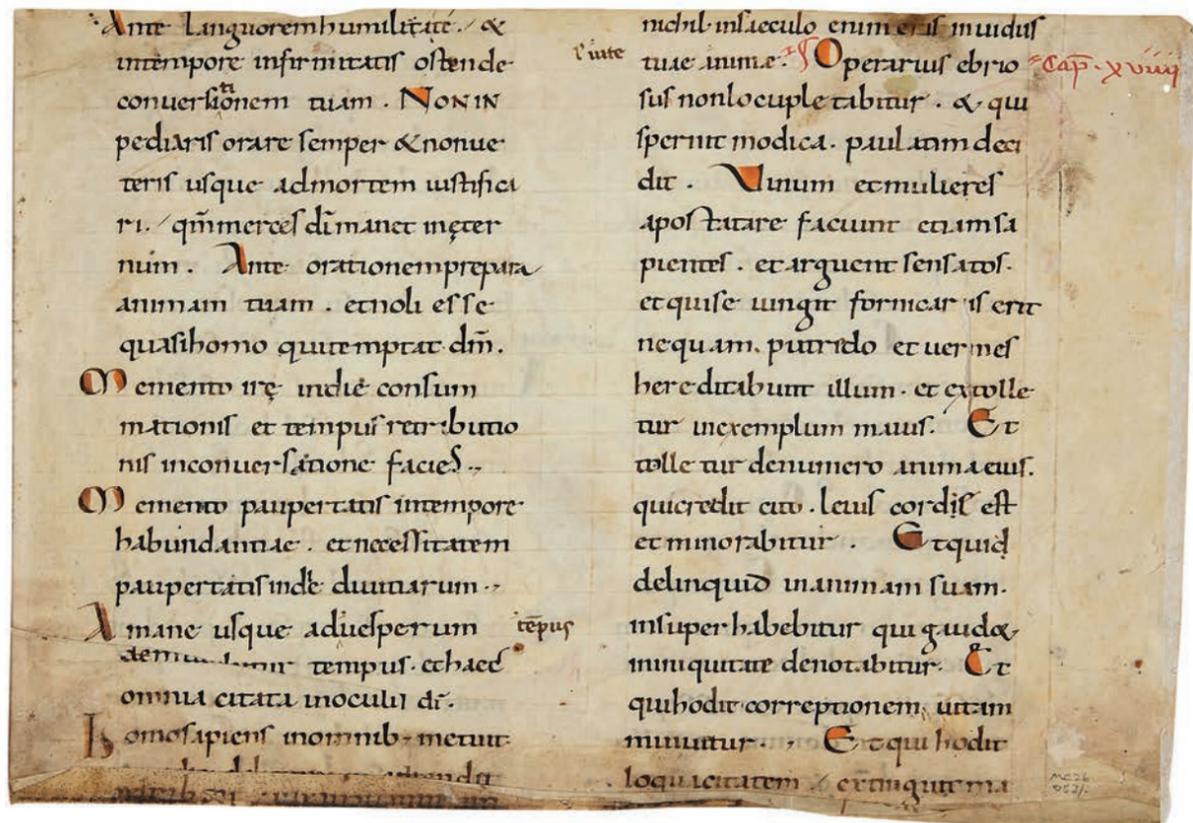
dm̃ dicentes q̃a p̃p̃sa magnus  
surrexit in nob̃. Quanto despera-  
tio: anime mors ad uitam reuo-  
catur. tanto plures eodem corri-  
guntur exemplo. Uide dauid pro-  
pham. uide apl̃m petrum. quoz̃  
quo gradus altior. eo casus graui-  
or. Quo aut̃ grauior casus. eo pi-  
etas erigentis gratior. Quo uero  
gratior in eis dñi pietas apparuit.  
eo certius cunctis penitentib̃  
sp̃s salutis apparuit. Ut iure  
om̃s qui audiunt dicant. Quia  
d̃s uisitauit plebem suam. Non  
tantũmodo uerbum suũ semel  
incorporando. sed etiam ñra hoc  
ut suscitari debeamus s̃p̃ incor-  
da mittendo. **DOCH. XVIII.**  
**LEE SCI EUO SEDON LUCAN.**  
**NILLO T P̃R.** Cum intrasset ihs  
indomum cuiusdam principis  
phariseorum sabbato manduca-  
re panem. et ipsi obseruabant eũ.  
Et ecce homo quidã hydropicũ  
erat ante illũ. Et reliqua.

**H**IDRO-  
PIS MORB;  
abaquoso hu-  
more uocabu-  
lum trahit.

Grece enim aqua hydor uocat̃.  
Est aut̃ humor subcutaneus. de-  
uitio uisice natus. cum inflatio-  
ne turgente et anhelitu fetido.  
P̃p̃riumq; est hydropici quanto  
magis habundat humorẽ inor-  
dinato. tanto amplius sitit. et  
ideo recte comparatur ei quem  
fluxus carnaliũ uoluptatum  
exuberans adgrauat. Compara-  
tur diuiti auaro qui quanto ẽ  
copiosior diuitis quib; non be-  
ne utit̃. tanto ardentius talia  
concupiscit. Et respondens ihs  
dixit ad legis peritos et phariseo.  
Licet sabbato curare. At illi tacu-

erunt. Qd̃ dicit̃ respondisse ihs. ad  
hoc respicit quod remissus est. eẽ  
ipsi obseruabant eum. Dñs enim  
nouit cogitationes hominũ. Sed  
merito interrogati tacerit. qui ẽ  
tra se dictum quic quid dixerunt  
uident. Nam sil. cet sabbato cura-  
re quare saluatore ancuret obser-  
uant. Si non licet. quare ipsi sabbato  
curant. Ipse uero apprehensũ.  
sanauit ac dimisit. P̃uida dispen-  
satione dñs ante legis peritos et  
phariseos hydropicũ curat et mox  
contra auaritiã disputat. ut ui-  
delicet phinus egritudine corpo-  
ris. in illis exprimeretur egritu-  
do cordis. Deniq; post multa dis-  
putationis eius hortamta subiuc-  
tum est. Audiebant aut̃ om̃ia hec  
pharisei qui erant auari. et deride-  
bant illum. Hydropicus quippe  
quo amplius biberit amplius si-  
tit. Et om̃s auarus sitim multi-  
plicat. q̃cum ea que appetit ad-  
eptus fuerit. ad appetenda am-  
plius abel. Et respondens di-  
xit ad illos. Cuius ur̃m asinus aut  
bos imputum cadet. et non con-  
tinuo extrahet illum die sabbati.  
Sic obseruatores sui phariseo  
conuincit. et eosdem etiã auari-  
tie condempnet. Si uos inq̃d̃ in  
sabbato asinum aut bouem. aut  
aliud quolibet animal imputẽ  
decidens eripere festinans. non  
animali sed ur̃e auaritie consulen-  
tes. quanto magis ergo hominem  
qui multo melius est pecore. de-  
beo liberare. Congruentq; hydro-  
picũ animal quẽ decidit imputẽ  
cõparauit. Humore enĩ labora-  
bat. sic illam mulierẽ quam decẽ  
et octo annis alligatã dixerat.  
et ab eadem alligationẽ soluebat.  
comparauit iumento quã soluitur  
ut ad aquam ducat. Et bene ur̃q;  
loco posuit bouem et asinũ. quia  
siue sapientes quoq; et hebetes.

Lot 24



Lot 25

25 θ  
Cutting from a gargantuan 'Atlantic' Bible, with parts of Ecclesiasticus 18-19, in Latin, decorated manuscript on parchment [Italy, c. 1100]

Substantial fragment of the centre of a leaf, cut horizontally from the parent leaf, and with remains of double columns of 31 lines in a professional pre-gothic minuscule, with a notably elongated 'st'-ligature, capitals touched in red, red rubrics, red chapter numbers in margins and red paragraph marks (these apparently added after the copying of the text in a clumsy hand), one large simple red initial 'C' (opening "Corripi amicum ne forte ...", Ecclesiasticus 19:13) enclosing a small red flowerhead, some spots, scuffs and stains, with more damage to verso than recto (but that quite legible), small amount of cockling, remains of paper strip to inner edge from last mounting, else good condition, 215 by 304mm.; in cloth-covered card binding

Provenance:  
Schøyen Collection of London and Oslo, their MS. 646, acquired from Quaritch cat. 1147, *Bookhands of the Middle Ages*, V (1991), no. 9.

Text and script:  
The cutting here contains text from Ecclesiasticus 18:21 ("Ante languorem humilia te ...") to 18:27 ("... et in diebus delictorum attendit [ab inertia]"); and 18:33 ("...nihil in sacco: eris enim invidus vitæ tuæ") to 19:5 ("...odit loquacitatem, extinguit malitiam"); as well as 19:12 ("[Sagitta] infixam femori carnis ...") to 19:18 ("... et in omni sap[ientia dispositio legis]"), and 19:24 ("[et est] qui se nimium submittit a multa ...") to 20:2 ("... Concupiscentia spadonis devirginabit [juvenculam]". Where calculable, the missing sections between the columns come to approximately 16 lines in each case, indicating that the parent codex had approximately 47 lines per column, with each column approximately 425mm. high. With margins added, the original leaf here would have comfortably exceeded 500mm. While the text here is continuously that of the Bible, the function of the book in a monastic setting is perhaps indicated by the unusual rubric on the reverse: "de correctione fraterna . xl" that corresponds to the opening of 19:13.

In the late eleventh and early twelfth centuries, Italian centres began to emulate Carolingian Tours Bibles, creating a new form of prestigious giant Bible manuscript, usually at least 500-550mm. in height, with some outlying examples as tall as 650mm. (see *Le Bibbie Atlantiche, Il libro delle Scritture tra monumentalità e rappresentazione*, 2000, with p. 48 on their dimensions, note these are the same or perhaps a little larger than the vast Tours Bibles). These have been called 'Atlantic' Bibles, named after Atlas, the giant of Greek mythology who carried the world on his shoulders. Correspondingly, their script entered a new de luxe phase of pre-gothic splendour, with large and rounded letter forms created for impressive visual affect, and few abbreviations or ligatures.

£2,000-3,000

26 θ  
Leaf from a monumental Martyrology, with parts of the passion of St. Blasius, with a large finely decorated initial, in Latin, manuscript on parchment [northern Italy (probably Milan), second half of the twelfth century]

Single large leaf, with double columns of 39 lines in a large and rounded pre-gothic minuscule, without biting curves and written below topline, red rubrics, one large initial 'I', opening "Igitur cum romani imperii Diocletianus ..." in bands of iridescent yellow (to emulate gold) edged in red penwork, enclosing geometric panels and topped with an interlace knot, and with foot extending into green foliage, all on blue and iridescent yellow grounds edged in red penwork, Early Modern foliation (perhaps '108') in upper outer corner, some stains and a few worm holes and small folds, damage to lowermost edge of leaf, residue in blank margins of verso from last mounting, else good condition with fresh and bright initial, 430 x 257mm.; in cloth-covered card binding

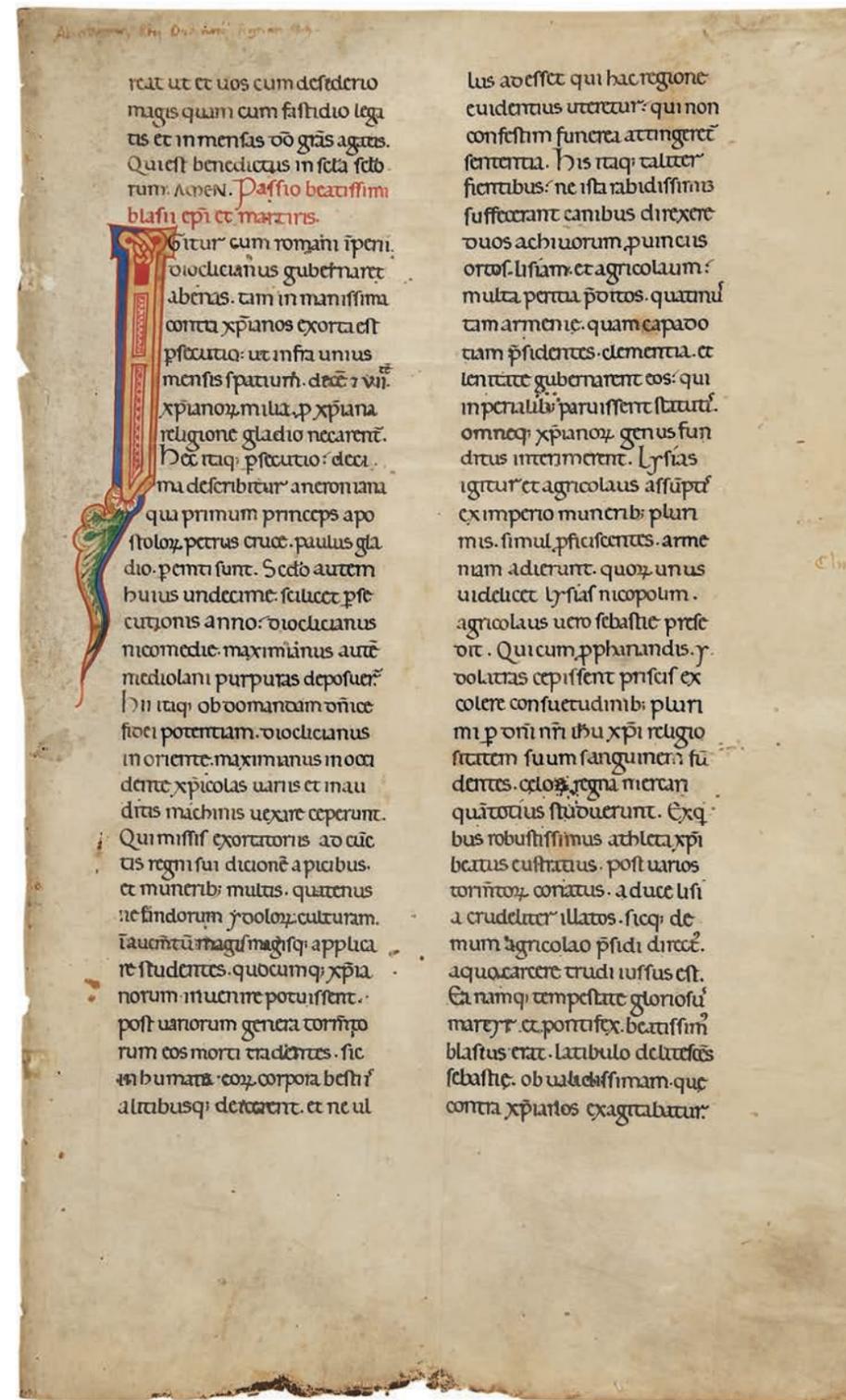
Provenance:  
1. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/32'.

2. Quaritch of London, their cat. 1088, *Bookhands of the Middle Ages*, III (1988), no. 42 (but without classmark on reverse, as accidentally reported there).

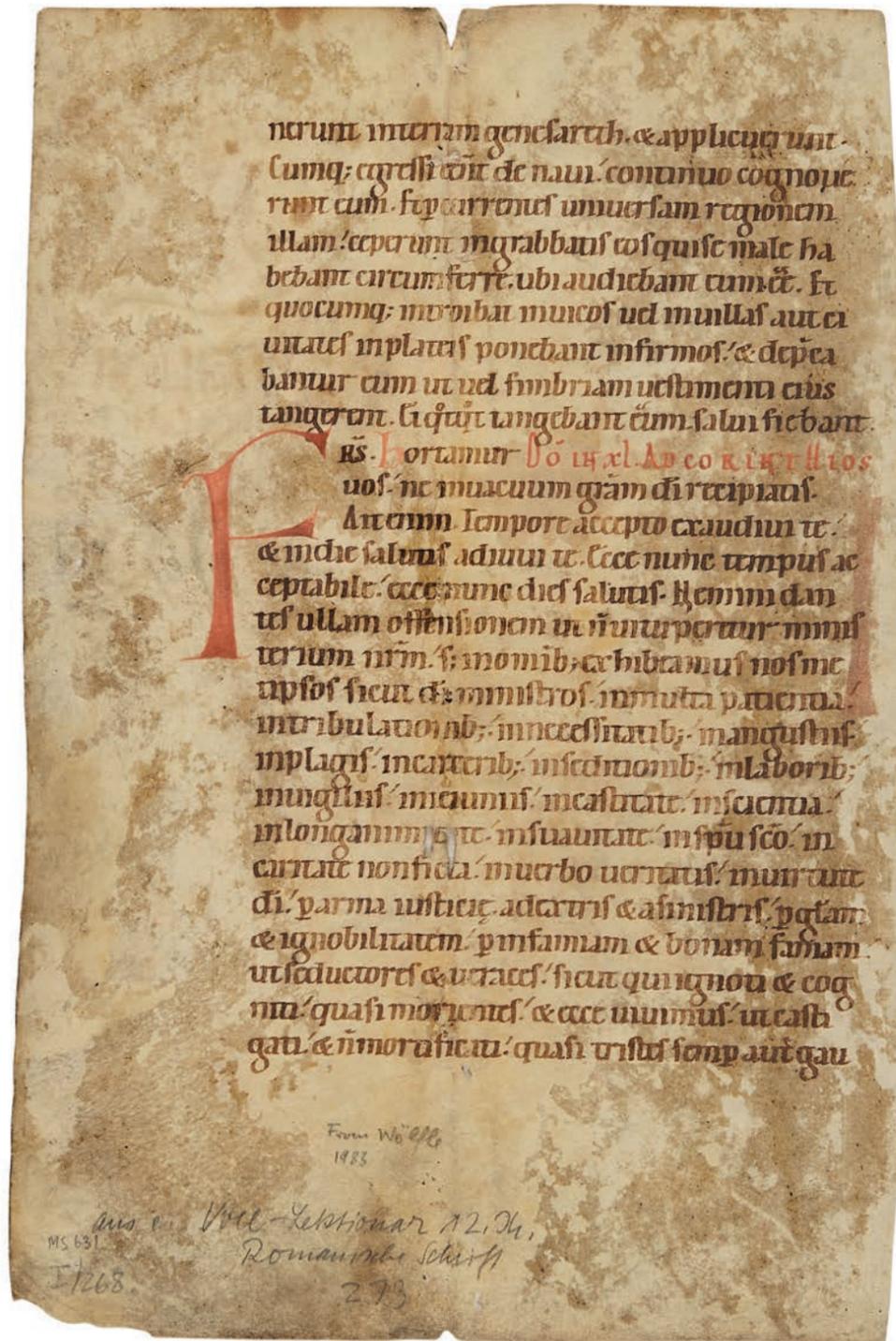
3. Schøyen Collection of London and Oslo, their MS. 240, acquired in March 1989.

Decoration:  
The large initial here is nearly identical in palette and design to those in a Gospel Lectionary produced in northern Italy and probably in Milan c. 1200, and associated with the Cistercian abbey of Santa Maria di Morimondo (formerly in the Ludwig collection, their MS. IV 2: see B. Ferrini and Les Enlumineres, *Important Illuminated Manuscripts*, 2000, no. 10, illustrations on pp. 58-59). Other parallels can be found in the initials of two fragmentary Bibles in the Biblioteca Ambrosiana, MSS. B. 28, Inf. And B. 29, Inf., both dated to the very early thirteenth century (see M.L. Gengaro and G.V. Guglielmetti, *Inventario dei codici decorati e miniati (secc. VII-XIII) della Biblioteca Ambrosiana*, 1968, pp. 91-93). However, the script of our leaf is some decades earlier than that of the Ludwig codex and the examples in the Ambrosiana.

£3,000-5,000



Lot 26



Lot 27

Script:

The inclusion of this leaf and the next two lots allows us to show some of the range of German hands in the Romanesque and pre-gothic periods, from the squat and square formal script as here that harks back to Ottonian book production, through to the taller, thinner and more gothic hands of the next two lots, that despite such paleographical evolutions retain a profoundly German angularity to their penstrokes. Close comparisons for the hand here can be found in the Windberger Psalter, produced in Windberg to the east of Regensburg in the last quarter of the twelfth century (now Bayerische Staatsbibl. Cgm 17: *Pracht auf Pergament, Schätze der Buchmalerei von 780 bis 1180*, 2013, no. 64).

£1,000-2,000

27 θ

Leaf from a Lectionary, in Latin, decorated manuscript on parchment [southern Germany, c. 1100]

Single leaf, with single column of 27 lines in a large and rounded German pre-gothic minuscule, with pronounced fishtailing to ascenders and without biting curves, rubrics in red, two large and simple red initials (the first, an 'F', quite elegant), recovered from reuse in a later binding and hence with staining in places, folds, cockling and scuffing to rear (obscuring some text there), sixteenth-century German scrawls from reuse as binding of account book, traces of paper mounts at head of verso, overall fair condition, 313 by 210mm.; in cloth-covered card binding

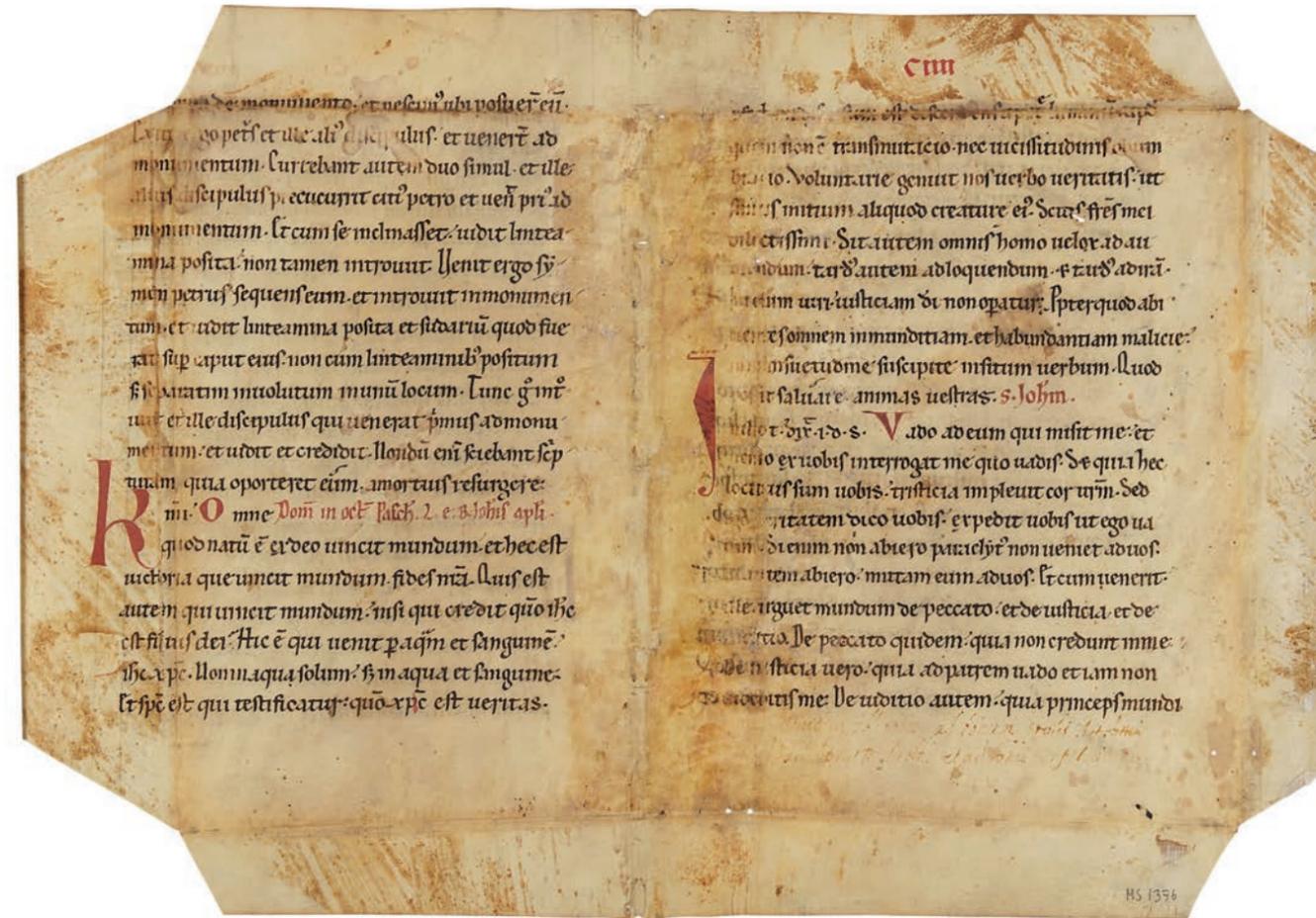
Provenance:

1. Antiquariat Robert Wölflé, Munich bookdealer, with Robert Wölflé active until his death in 1943, and the business passing thereafter to his daughters, who continued to work until their nineties, the business closing in 2011: their pencil notes on foot of recto.

2. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/268', acquired in 1983.

3. Quaritch of London, their cat. 1147, *Bookhands of the Middle Ages*, V (1991), no. 36.

4. Schøyen Collection of London and Oslo, their MS. 631.



Lot 28

28 θ

Bifolium from a Lectionary with Gospel and Epistle readings for the period after Easter, in Latin, decorated manuscript on parchment [southern Germany, first half of the twelfth century]

Two conjoined leaves, each with single column of 20 lines of a upright and angular Romanesque bookhand, red rubrics and simple red initials, contemporary folio numbers "CI" and "CIII" in red at head of text column on rectos, recovered from reuse in a later binding (see below) and hence with corners clipped away, some stains and folds, overall good and presentable condition, each leaf 256 by 114mm.; in a cloth-covered card binding

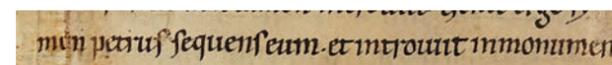
Provenance:

1. Bernard Rosenthal (1920-2017), of San Francisco, California, his 'I/201', acquired c. 1966 or earlier.

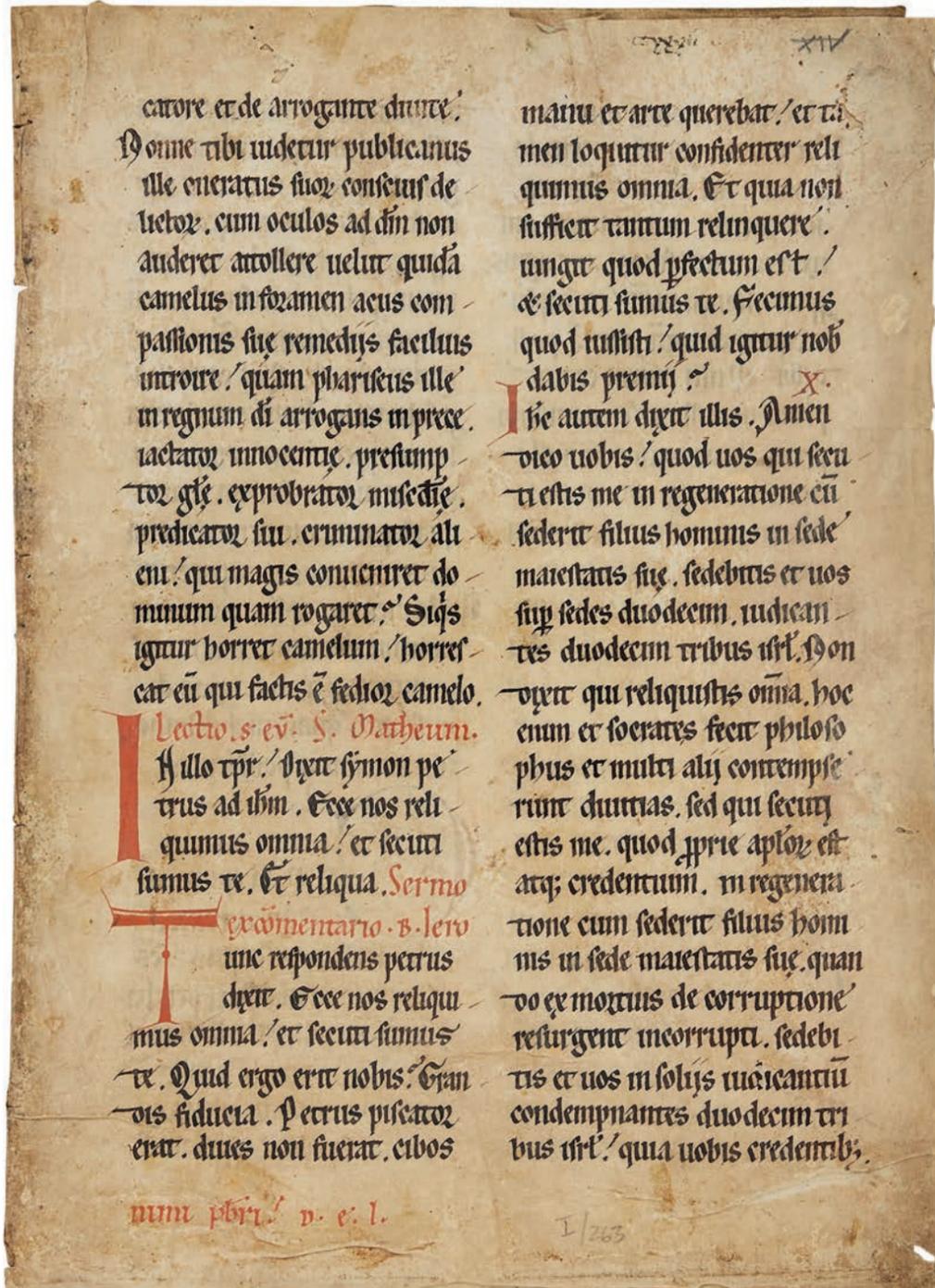
2. Quaritch cat. 1147, *Bookhands of the Middle Ages*, V (1991), no. 40.

3. Schøyen Collection of London and Oslo, their MS. 1376.

£2,000-3,000



[Sy]mon petrus sequens cum et introivit in monumen[tum]



Lot 29

- 2. Bernard Rosenthal (1920-2017), of San Francisco, California, his '1/263', and with his cataloguing of 1979.
- 3. Quaritch of London, their cat. 1088, *Bookhands of the Middle Ages*, III (1988), no. 21.
- 4. Schøyen Collection of London and Oslo, their MS. 103, acquired in June 1988.

Script:  
Close comparisons for the hand here can be found in a *Legendary*, produced in Himmerod in the opening years of the thirteenth century (now BnF., n. a. latin 1836: F. Avril and C. Rabel, *Manuscrits enlumines d'origine germanique*, 1995, no. 102)

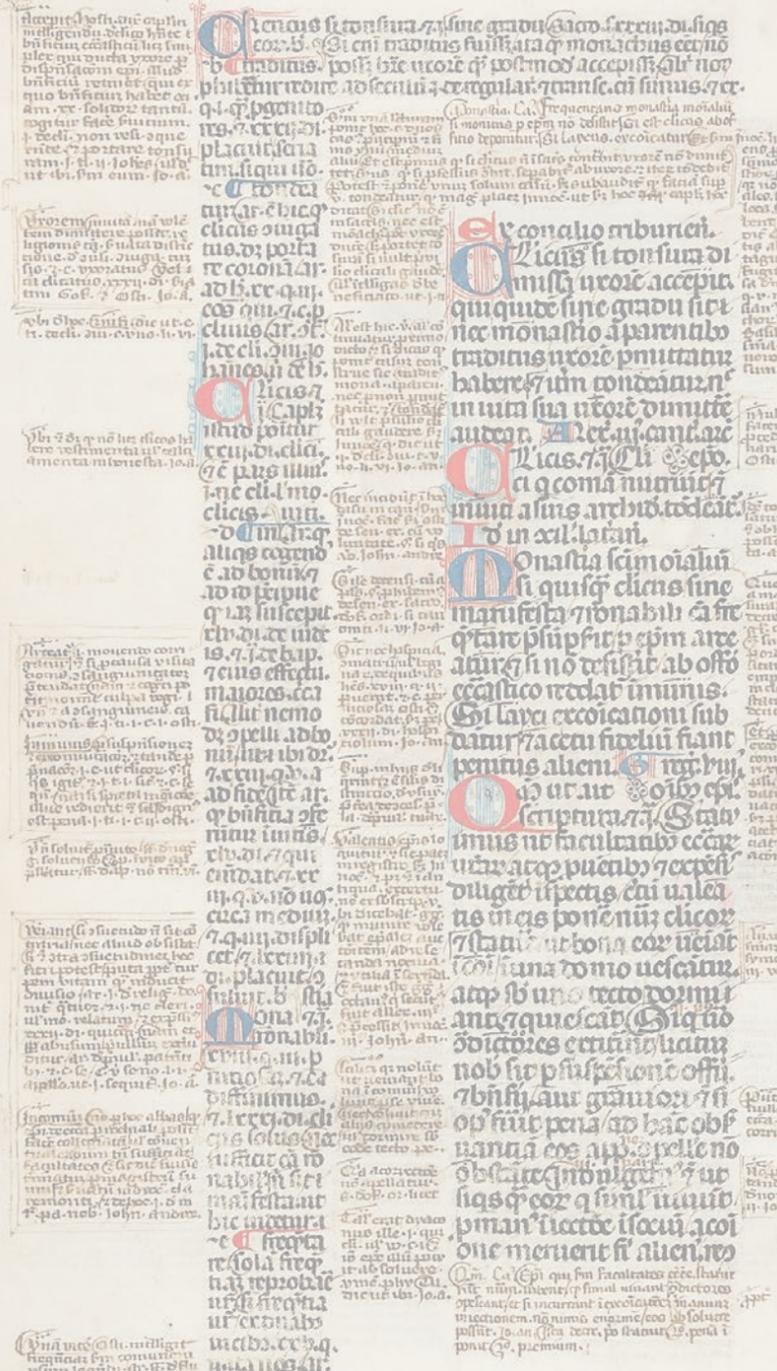
£2,500-3,500

29 θ  
Bifolium from a Homiliary, in Latin, decorated manuscript on parchment [Germany, late twelfth century]

Bifolium, with double column of 28 lines in an elegant and angular German Romanesque script, capitals touched with additional penstrokes, 2-line initials in red with long sweeping ascenders with fish-tailed ends (and one with baubles mounted at tips), red rubrics (that near foot of first column of fol. 1r, having run out of space and continued in lower margin below), five large red initials, one of those infilled with diagonal lines forming chevrons and small flowerheads (this probably added later), contemporary foliation "cxxxii" and "cxxxv" at head of leaves above second column on each recto, small spots and stains and some cockling, else in good condition, 324 by 238mm.; in cloth covered card binding

Provenance:  
1. Probably Antiquariat Robert Wölfe, bookdealer of Munich, Robert Wölfe active until his death in 1943, and the business passing thereafter to his daughters, who continued to work until their nineties, the business closing in 2011.

# The High Gothic



2. Bernard Rosenthal (1920-2017), of San Francisco, California, his '1/263', and with his cataloguing of 1979.

3. Quaritch of London, their cat. 1088, *Bookhands of the Middle Ages*, III (1988), no. 21.

4. Schøyen Collection of London and Oslo, their MS. 103, acquired in June 1988.

Script:  
Close comparisons for the hand here can be found in a *Legendary*, produced in Himmerod in the opening years of the thirteenth century (now BnF., n. a. latin 1836: F. Avril and C. Rabel, *Manuscrits enlumines d'origine germanique*, 1995, no. 102)

£2,500-3,500

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... et de arrogante dicitur. /  
Dome tibi uideatur publicanus  
ille eneratus suoz conserius de  
lietoz. cum oculos ad dm non  
auderet attollere uelut quida  
camelus in foramen acus com  
passionis sue remedys facilius  
introure. / quam phariseus ille  
in regnum di arrogans in prece  
iactator innocentie. presump  
tor gle. exprobrator misericordie.  
predicator suu. criminatoz ali  
eni. / qui magis conueniret do  
minum quam rogaret. / Siquis  
ignitur horret camelum. / horret  
eat eu qui factus e sedioz camelo.  
Lectio. s. ev. S. Matheum.  
Hillo tpr. dixit symon pe  
trus ad ihm. Ecce nos reli  
quimus omnia. / et secuti  
sumus te. Et reliqua. Sermo  
excoimentario. b. iero  
uine respondens petrus  
dixit. Ecce nos reliqui  
mus omnia. / et secuti sumus  
te. Quid ergo erit nobis. Gran  
dis fiducia. Petrus piscator  
erat. diues non fuerat. cibos  
muni pbr. n. e. l.

... et de arrogante dicitur. /  
Dome tibi uideatur publicanus  
ille eneratus suoz conserius de  
lietoz. cum oculos ad dm non  
auderet attollere uelut quida  
camelus in foramen acus com  
passionis sue remedys facilius  
introure. / quam phariseus ille  
in regnum di arrogans in prece  
iactator innocentie. presump  
tor gle. exprobrator misericordie.  
predicator suu. criminatoz ali  
eni. / qui magis conueniret do  
minum quam rogaret. / Siquis  
ignitur horret camelum. / horret  
eat eu qui factus e sedioz camelo.  
Lectio. s. ev. S. Matheum.  
Hillo tpr. dixit symon pe  
trus ad ihm. Ecce nos reli  
quimus omnia. / et secuti  
sumus te. Et reliqua. Sermo  
excoimentario. b. iero  
uine respondens petrus  
dixit. Ecce nos reliqui  
mus omnia. / et secuti sumus  
te. Quid ergo erit nobis. Gran  
dis fiducia. Petrus piscator  
erat. diues non fuerat. cibos  
muni pbr. n. e. l.

Lot 29

2. Bernard Rosenthal (1920-2017), of San Francisco, California, his '1/263', and with his cataloguing of 1979.

3. Quaritch of London, their cat. 1088, *Bookhands of the Middle Ages*, III (1988), no. 21.

4. Schøyen Collection of London and Oslo, their MS. 103, acquired in June 1988.

Script:  
Close comparisons for the hand here can be found in a *Legendary*, produced in Himmerod in the opening years of the thirteenth century (now BnF., n. a. latin 1836: F. Avril and C. Rabel, *Manuscrits enlumines d'origine germanique*, 1995, no. 102)

£2,500-3,500

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Isidore of Seville, *Sententiae*, III, 18-21, on monasticism, in Latin, decorated manuscript on parchment [England, early fourteenth century]

Single leaf, with single column of 37 lines of English gothic bookhand (*textualis libraria*), with numerous abbreviations and lateral compression, 2-line initials in red or dark-blue with contrasting penwork in red or turquoise-blue, edges stained and slightly cockled, else in good condition, 190 by 130mm.; in Salt's fascicule-like paper binding

Provenance:

- 1. Written most probably for use in an ecclesiastical setting in an early fourteenth-century English monastery or cathedral library. The small size of the parent manuscript may suggest that it was used by an itinerant ecclesiastic, perhaps a Dominican or Franciscan.
- 2. A.N.L. Munby (1913-1974), bibliographer (especially of the Phillipps collection), librarian of King's College, Cambridge, J.P.R. Lyell Reader in Bibliography in Oxford University and Sandars Reader in Bibliography in Cambridge University. On Munby's collecting see A.S.G. Edwards, 'A.N. L. Munby's Collecting of Medieval and Renaissance Manuscripts', *Transactions of the Cambridge Bibliographical Society*, 15.3 (2014), pp. 57-72.
- 3. Dr. George Salt (1903-2003) of Cambridge, entomologist, calligrapher and collector: his calligraphic notes on the paper binding of this fragment recording its gift by Munby on 15 January 1948; this his MS 3. Sold in Sotheby's, 17 December 1991, lot 8(c) as "leaf from a small manuscript of monastic rules".
- 4. Schøyen Collection of London and Oslo, their MS. 1556.

Text:

No other encyclopedic text in the West has had anything like the impact of that written by Isidore of Seville (c. 560-636). He was part of the intellectual renaissance in the seventh-century Visigothic court, and was notably close to King Sigebut (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 reference work of the Middle Ages. It survives today in nearly a thousand manuscripts (S.A. Barney et al., *Etymologies of Isidore of Seville*, 2006, p. 24), and by the year 800, copies of it could be found in all the cultural centres of Europe.

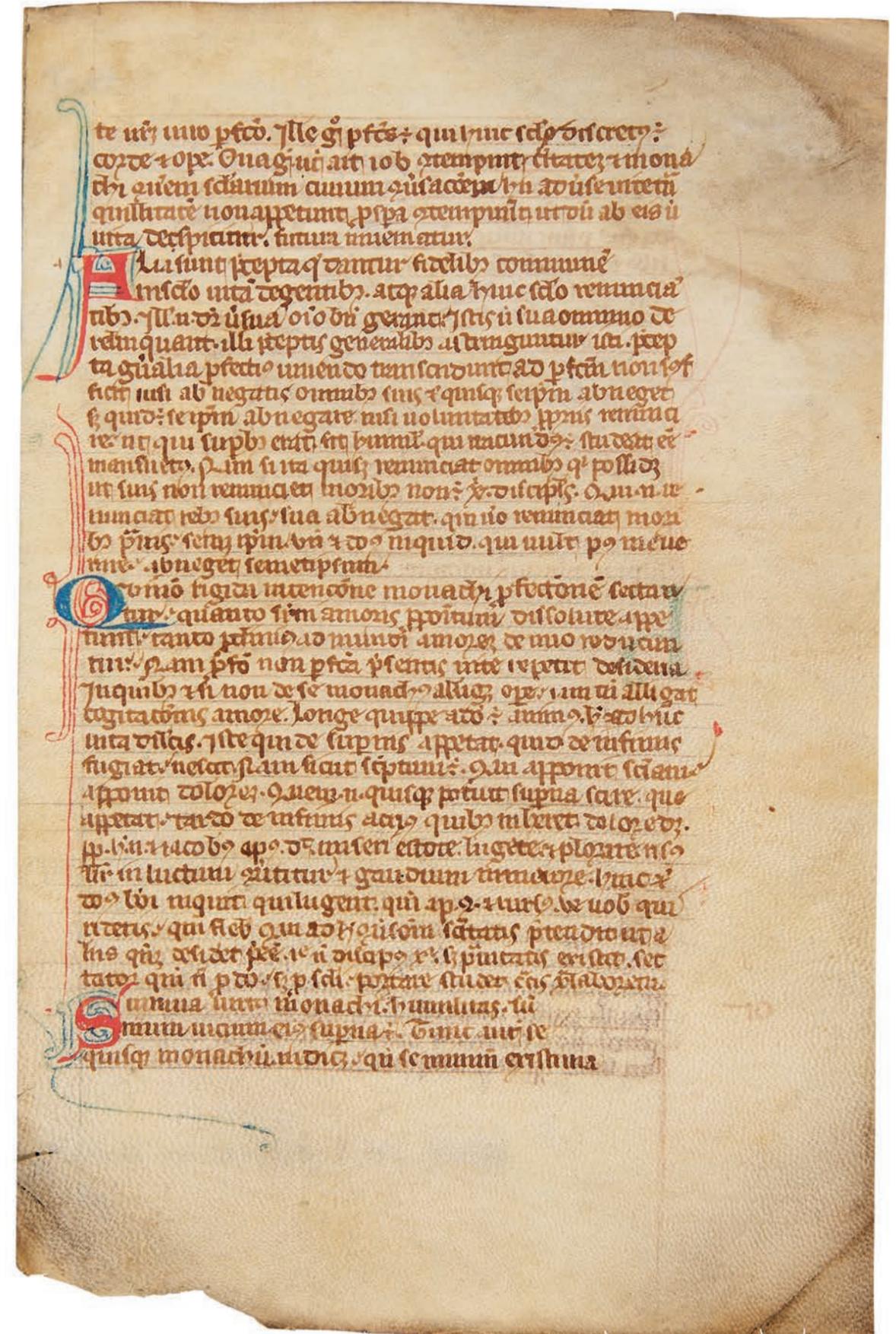
Published:

C. de Hamel, 'The Life of Saint Martin', in *Papyri Graecae Schøyen (PSchøyen II): essays and texts in honour of Martin Schøyen*, 2010, pp. 117-122.

£1,000-2,000



cogitacionis amore. Longe quippe a deo ÷ [=est] animus



Lot 30

Dante Alighieri, *The Divine Comedy, Inferno, Canto XXV*, in Italian, the underlayer of a manuscript palimpsest on parchment, the leaves later reused to produce a manuscript breviary [Italy, mid fourteenth century (perhaps 1330s or 1340s), and fifteenth century]

Two leaves, the first leaf a palimpsest with remains of the foot of a single column in upper part of leaf, with 7 lines of fine Italian vernacular hand (a vernacular rotunda) on recto and 11 lines in same on verso (these easily readable with UV light, and visible in margins in ambient light), with initials offset in margins as common for medieval verse, the later breviary text added over that in the fifteenth century and in a single column of 23 lines of a squat late gothic bookhand (textualis formata) with much lateral compression, rubrics in red, initials in red or dark blue; the second leaf as before but without palimpsest underlayer, some areas of discolouration through use, scuffing to ink on recto of second leaf, else in good condition, 135 by 97mm.; both in separate fascicule-like paper bindings (these added for Salt, see below)

ALMOST CERTAINLY ONE OF THE VERY EARLIEST WITNESSES TO DANTE'S DIVINE COMEDY, WRITTEN WITHIN A DECADE OR SO OF THE COMPOSITION OF THIS GRAND AND IMPORTANT WORK; HERE OFFERED ON THE 700<sup>TH</sup> ANNIVERSARY OF THE POET'S DEATH

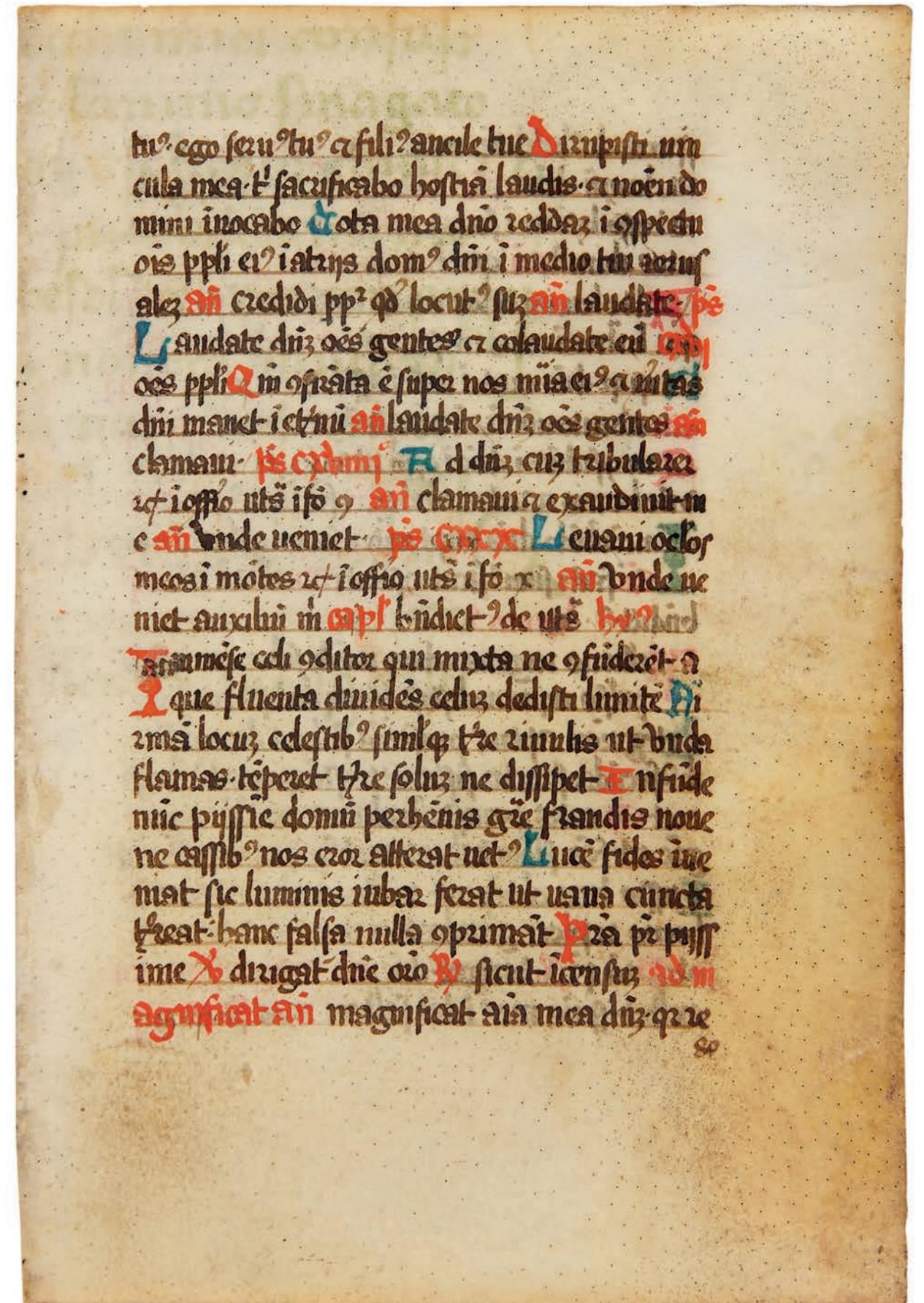
Provenance:

1. The Dante manuscript here was copied in Italy, probably soon after after the author composed the work. The text was completed in 1321, and the professional scribal hand with its broad nib and simple angular initials ornamented with hairline strokes, most closely resemble those of Florence, Biblioteca Medicea Laurenziana, Ashburnham 828, dating to 1335 and the earliest extant manuscript of the text, as well as Piacenza, Biblioteca Comunale, MS. 190, which was copied in Genova in 1336. Moreover, one variant reading on a leaf from the same parent manuscript now in King's College (see below) suggests the inclusion of the parent manuscript in Petrocchi's group 'c' of the *antica vulgata* manuscripts, almost all of which trace their origin to a lost early version of the text (Salt, p. 473). Then in the fifteenth century these leaves were partly scrubbed clean and bisected laterally and reused as bifolia in the production of a Breviary, with saints such as Abundius (fifth-century bishop of Como) in its Litany, suggesting use in the northern Italian border region.

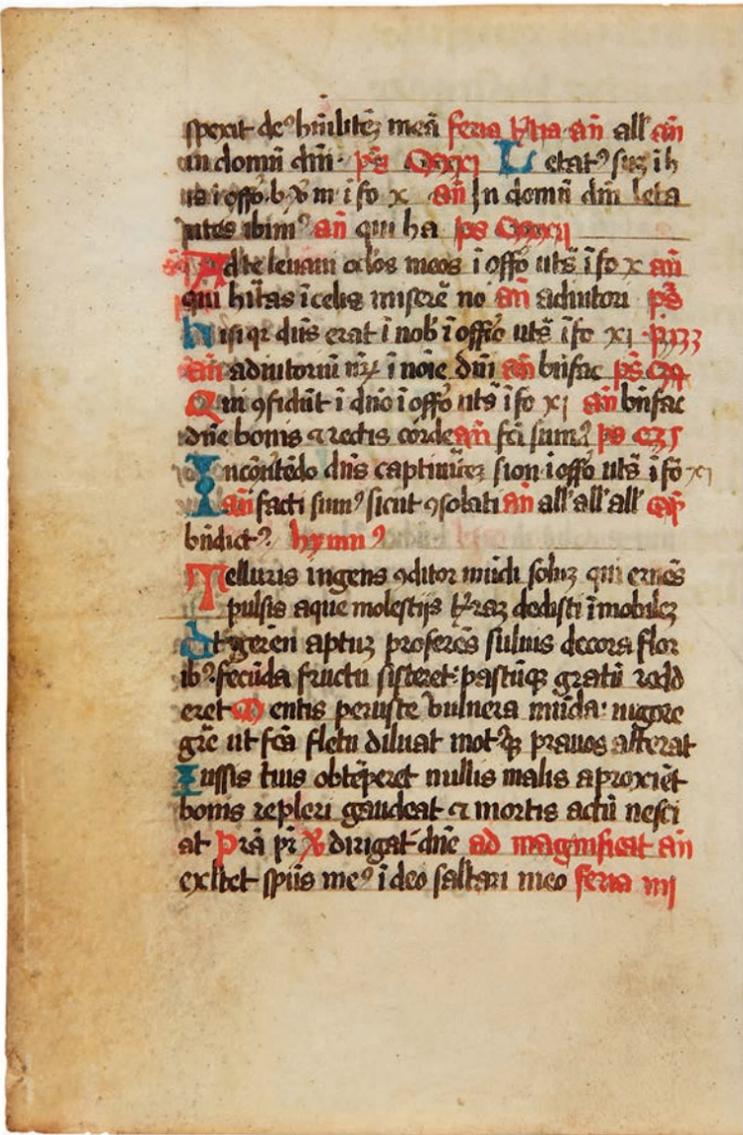
2. Frank R. Brown, of Histon, bookseller based in Cambridge, in business in the 1930s and 1940s.

3. Dr. George Salt (1903-2003) of Cambridge, entomologist, calligrapher and collector, these leaves his MSS. 14 and 15: his calligraphic notes on the paper bindings of these fragments, including the information that he bought the entire Breviary in a dilapidated state from Brown in Cambridge on 18 April 1936. Salt published a short report in 1985 on the underlying palimpsest text visible on approximately 56 leaves of that codex, after gifting the bulk of the volume to King's College, Cambridge (their Salt collection, codex 3, given on 21 January 1983). However, he retained the present two leaves, noting the palimpsest leaf here as "A single leaf of the breviary ... remains in my own collection, its conjoint missing". These two leaves in Sotheby's, 17 December 1991, lots 6 and 7 (the latter part of item k there).

4. The Schøyen Collection of London and Oslo, their MS. 1543.



Lot 31



Lot 31

Text: Dante Alighieri (c. 1265-1321), the foremost poet of the Italian language, stands at the head of a small and select gathering of medieval literary authors of sublime importance and impact. He is the most important medieval Italian author and his works all but founded the modern Italian language. This cutting here is from the grand and exquisitely beautiful *Divine Comedy*, probably the most important literary work of the entire Middle Ages. It was completed by 1321 in the last months of the author's life and found immediate fame. Literary echoes of it are legion and found throughout European literature from the fourteenth century to today, from Boccaccio's evident devotion in his *Trattatello in laude di Dante*, to T.S. Eliot's statement "Dante and Shakespeare divide the world between them. There is no third". Jorge Luis Borges declared it "the best book literature has achieved". That preserved here is *Canto XXV:118-126* and 145-151, describing the eighth circle of hell, and thus the sins and punishment of thieves.

Over 800 medieval manuscripts and fragments have now been recorded by the 'Dante online' project, but they are of extreme rarity in private hands, and no codex has appeared on the open market now in nearly forty years. Fragments and cuttings are still far from common, with Sotheby's selling a damaged leaf with a miniature that was recovered from a binding, on 1 December 1998, lot 16. Another text leaf recovered from a binding was sold in our rooms, 4 December 2018, lot 29, and most recently yet another text leaf recovered from a binding emerged in 2017 in the London trade and then sold by Christie's, 14 July this year, lot 8, for £87,500.

Published: G. Salt, 'An Unrecorded Palimpsest of Dante's Inferno', *Transactions of the Cambridge Bibliographical Society*, 8:4 (1985), pp. 471-476.

£10,000-15,000

32  
Leaf from Johannes de Lana, *Quaestiones de anima humana*, a commentary on Aristotle, *De anima*, in Latin, decorated manuscript on parchment [Italy (probably Bologna), fourteenth-century]

Single large leaf, with double column of 82 lines of an Italian gothic university hand (*littera textualis*), paragraph marks in red or blue, 2-line initials in same with elaborate and densely curled penwork in contrasting colours, probably recovered from a binding and hence with edges trimmed, small stains and some light cockling, but overall in good and presentable condition and on heavy parchment, 304 by 216mm.; in Salt's fascicule-like paper binding

Provenance: 1. Doubtless written and decorated for use in a university setting by a student of philosophy, and in particular the works of Aristotle.

2. A.N.L. Munby (1913-1974), bibliographer (especially of the Phillipps collection), librarian of King's College, Cambridge, J.P.R. Lyell Reader in Bibliography in Oxford University and Sanders Reader in Bibliography in Cambridge University. On Munby's collecting see A.S.G. Edwards, 'A.N. L. Munby's Collecting of Medieval and Renaissance Manuscripts', *Transactions of the Cambridge Bibliographical Society*, 15:3 (2014), pp. 57-72.

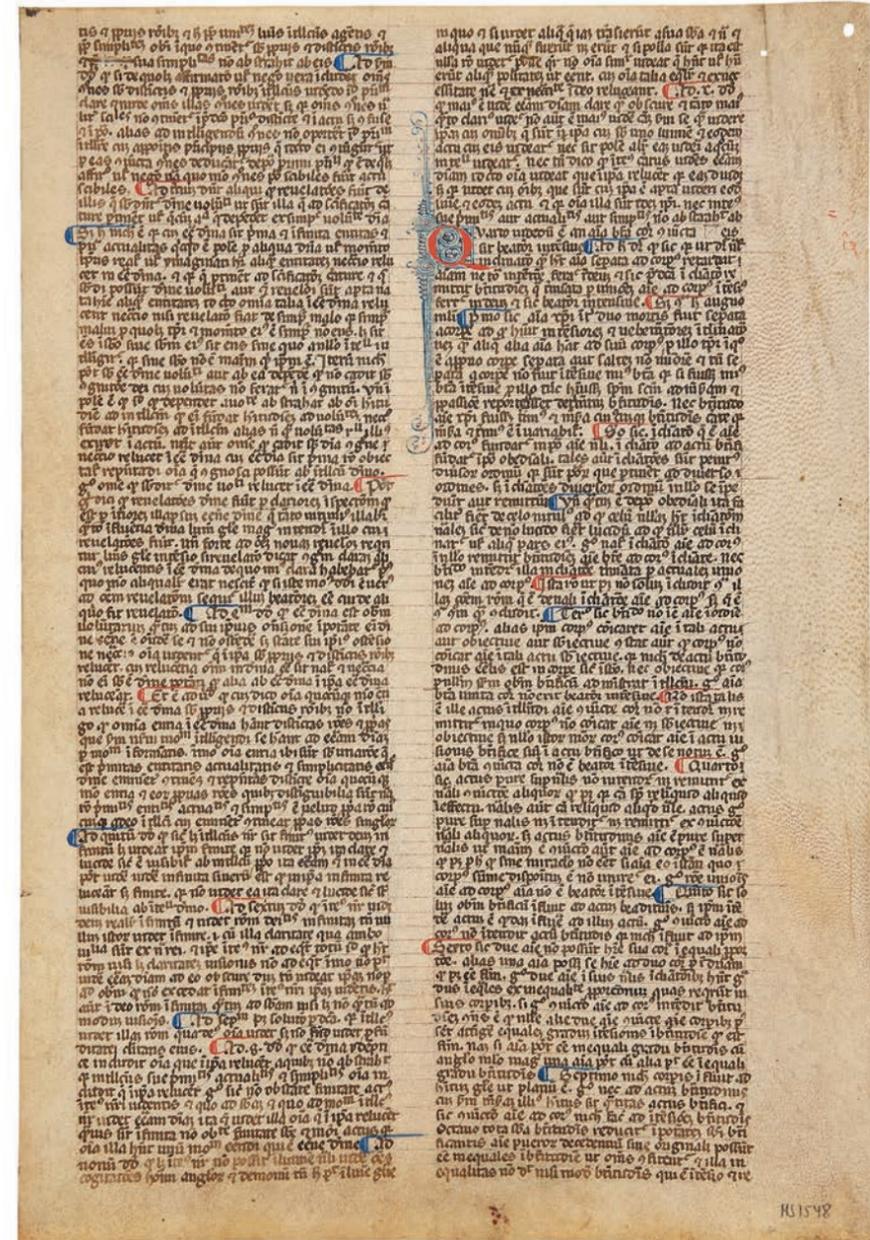
3. Dr. George Salt (1903-2003) of Cambridge, entomologist, calligrapher and collector: his calligraphic notes on the paper bindings of this fragment noting its acquisition from Munby on 25 February 1950 in exchange for "Astle" (most probably a copy of Thomas Astle, *The Origin and Progress of Writing*, 1784); this Salt's MS. 4. Sold in Sotheby's, 17 December 1991, lot 7(f).

4. The Schøyen Collection of London and Oslo, their MS. 1548.

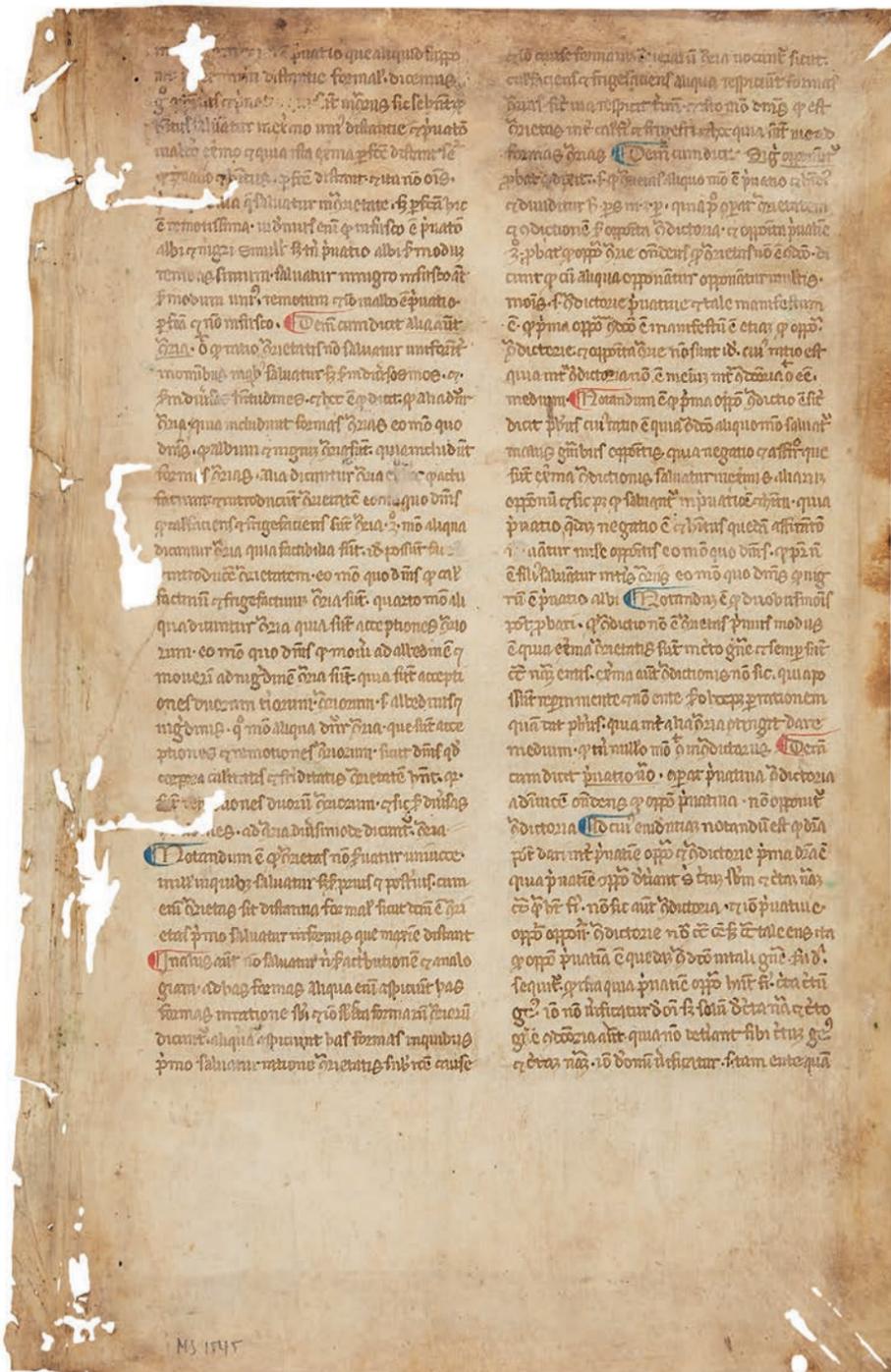
Text: Johannes de Lana (c. 1276-c. 1347) was an Augustinian hermit in Bologna, where he had previously studied theology before perhaps going on to study in Paris. He appears to have returned to Bologna to teach, but c. 1327, had resigned academic office to become the prior of the convent of San Giacomo there. His commentaries on Aristotle's *Physica* and Peter Lombard's *Sententiae*, are lost, but the text here survives in two versions, with twenty-two 'questions' In Chigi E VIII 247, and eighteen in Oxford, Balliol College, MS. 63. As part of his short biography of the author, D. Gutierrez lists another seven fourteenth century manuscripts in his edition of the text ('De Fratere Ioanne de Bononia Qui Dicitur Lana', *Analecta Augustiniana* 19, 1945, pp. 180-209), but no survey of the extant witnesses has yet been published.

Published: C. de Hamel, 'The Life of Saint Martin', in *Papyri Graecae Schøyen (PSchøyen II): essays and texts in honour of Martin Schøyen*, 2010, pp. 117-122.

£1,000-1,500



Lot 32



Lot 33

and rose to become minister general of the Franciscan Order in the last two years of his life. This work was composed during his time in Bologna, in 1303-1307. The work is far from common in manuscript. F. Amerini lists only nine surviving manuscripts of the work: Cordoba, Bibl. del Cabildo, 57 and 129 Est. 3; Erfurt, Stadtbibl., Ampl. F325; Florence, Laurenziana 84, cod. 15; Krakow, Bibl. Jagiellonska, 650; Munich, Staatsbibl., Clm 11591; Naples, Bibl. Nazionale, VIII. E2 and E37; and Padua, Bibl. Antoniana, 386 Scaff. XVIII (A Companion to the Latin Medieval Commentaries on Aristotle's Metaphysics, 2014, p. 317), and a critical edition is in preparation.

Published:

C. de Hamel, 'The Life of Saint Martin', in *Papyri Graecae Schøyen (PSchøyen II): essays and texts in honour of Martin Schøyen*, 2010, pp. 117-122.

£1,000-1,500

33

Leaf from Alexander Bonini de Alexandria, *In Duodecim Aristotelis Metaphysicae Expositio*, a commentary on Aristotle's *Metaphysica*, in Latin, manuscript on parchment [Italy, fourteenth century]

Single large leaf, with double column of 41 lines of an informal Italian university hand (*littera textualis libraria*; with parts of the commentary on *Metaphysica*, book X), paragraph marks in red or dark blue, recovered from a binding and so with wormholes, stained at edges and scuffed on reverse (with areas there illegible), 300 by 190mm.; in Salt's fascicule-like paper binding

Provenance:

1. Written and decorated in an Italian centre for use by a university master or student.

2. Dr. George Salt (1903-2003) of Cambridge, entomologist, calligrapher and collector: his calligraphic notes on the paper bindings of this fragment; this his MS. 5, and sold in Sotheby's, 17 December 1991, lot 7(b), as "leaf from a manuscript on physics or mathematics".

3. Schøyen Collection of London and Oslo, their MS. 1545.

Text:

In the sixteenth century this text was attributed to the English Franciscan theologian, Alexander of Hales (d. 1245), however, it has subsequently been identified as the work of Alexander Bonini (c. 1270-1314) instead. Alexander Bonini was a Franciscan philosopher who taught at the University of Paris, then lectured at the papal court,

34 θ

A priest during Mass and a bell-ringer, large miniature on a leaf from a copy of Gregory IX, *Decretals*, opening of Book III, *De Vita et Honestate Clericorum*, in Latin, illuminated manuscript on parchment [most probably Italy (probably Ligurian coast or vicinity), early fourteenth century]

Single large leaf, with a large rectangular miniature the width of both columns of text (140 by 175mm.), on the left an arched architectural compartment enclosing a priest in a crystalline-gold flecked robe raising the Host during the Mass before an altar with a golden cross, a chalice and two candles, to the right an acolyte holding a long candle as he kneels and pulls a bell-rope to ring the sanctus bell in the rafters of the church, all within a wide frame formed from floral tiles in red, green, blue, pale pink-grey and burnished gold, text opening with one large initial in grey and pink shades heightened with white brushwork, enclosing coloured foliage on blue and gold grounds and enclosed within gold grounds, one smaller initial in same opening corresponding gloss in margin, one- and 2-line initials and running titles ('L/III') in red or blue with contrasting penwork, red or blue paragraph marks, red rubrics, main text in double column of up to 41 lines of Italian rotunda script (Italian rotunda or *littera bononiensis*), encased within a main gloss (up to 94 lines, and in smaller version of same script) with further glosses added in space between the other blocks of text and in the margins (these attached to relevant parts of main text or main gloss by hairline pen symbols and circles), a few elongated manicule marks in gloss, one small 'I' + abbreviation for 'us' or 'h' in middle of bas-de-page of recto (perhaps an original quire signature) and a modern pencil '22' in lower outer corner of recto, slight discolouration at edges and some scuffing to gold, else in excellent and fresh condition, 500 by 325mm.; in cloth covered card binding

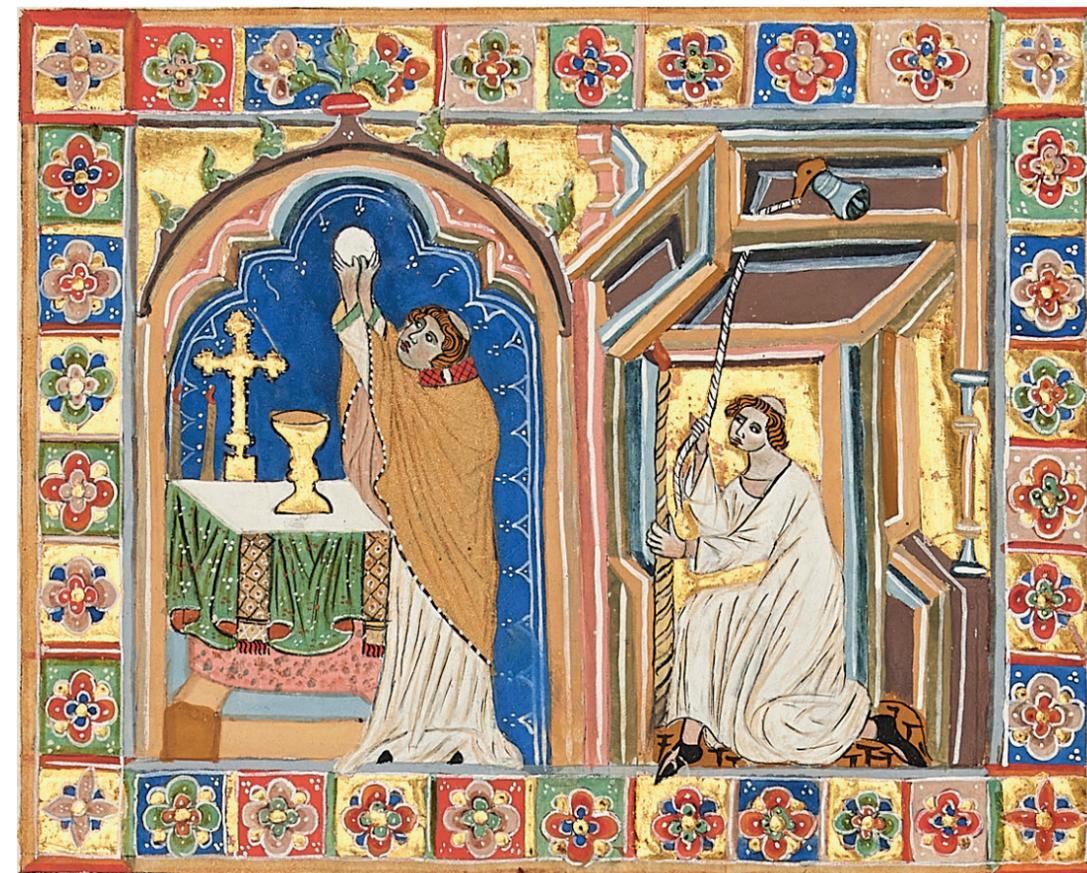
Provenance:

1. Written in an Italian university setting in the early fourteenth century, but the volume then evidently carried away and its miniatures and painted initials probably added in north-western Italy (see below).

2. Dr. Arthur Simony (1854-1882) of Vienna: his small dark-blue inkstamp in upper corner of recto. Simony was a mysterious nineteenth-century collector about whom so little is known, that B.S. Cron wrote to the *Book Collector* in 1958 explaining he had acquired leaves from a Gratian owned by Simony and asking for any information on him (p. 188; the bifolium now in the Metropolitan Museum, New York). He was a Viennese mountaineer who climbed the Spitzmauer when only 17 years old and left a written account of the expedition, and later qualified as a medical doctor. He died at only twenty-eight years old, and his library was sold by Brockhausen & Bräuer of Vienna in 1885 (their cat. no. 8). Another leaf from the same parent manuscript as this one was sold in Köller, 24 March 2021, lot 502, for CHF 16,160.

3. Dr. Rosy Schilling (1888-1971) of Frankfurt, the German art-historian who fled to London after 1937 due to her Jewish ancestry and her husband's public opposition to the Nazi party. Sold by her heirs in Sotheby's, 5 December 1994, lot 37, realising £5980.

4. Schøyen Collection of London and Oslo, their MS 1978.



Lot 34 (detail)



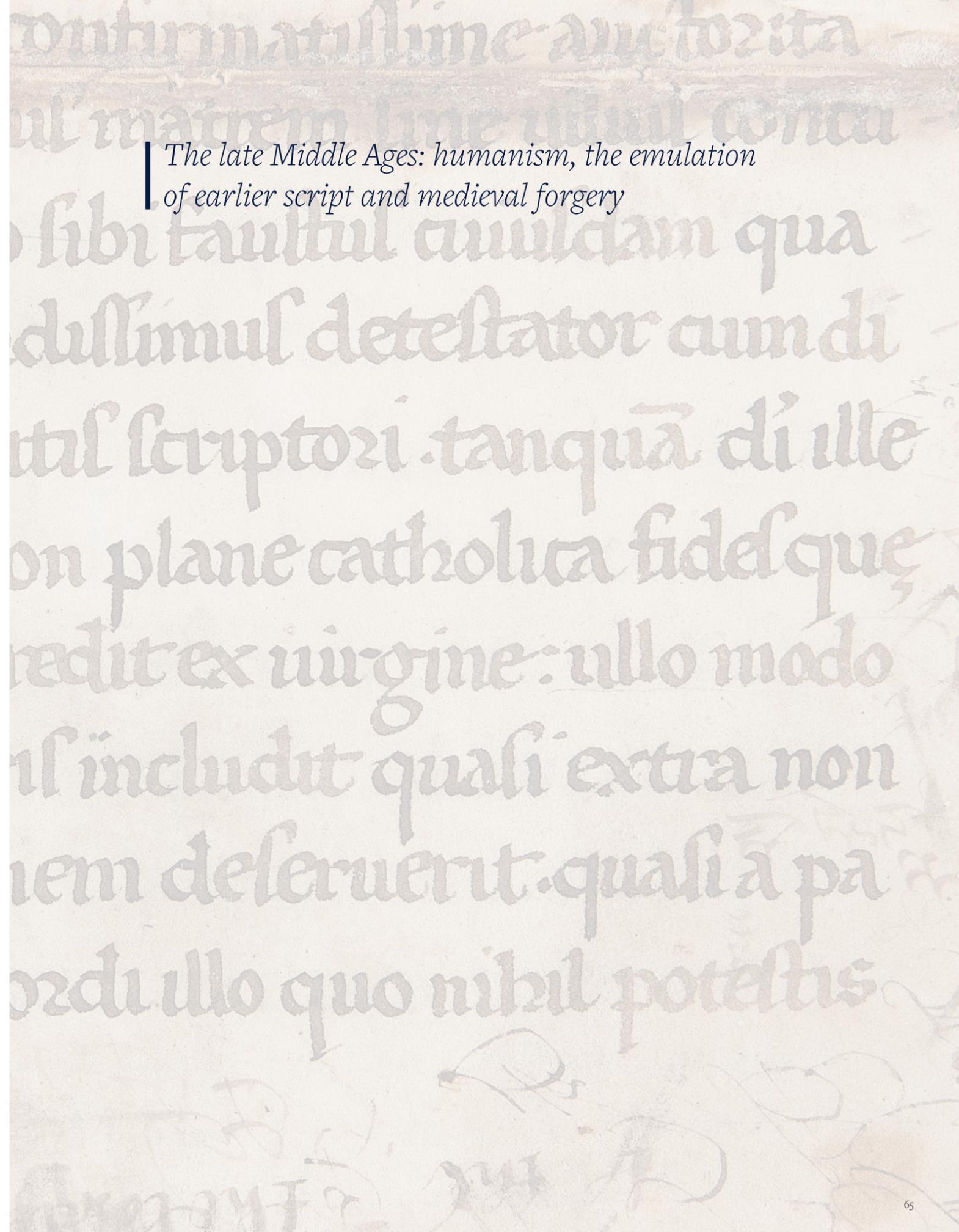
Lot 34

in the frames of manuscripts from Pavia (see the Valerius Maximus, *Facta et dicta memorabilia*, made there c. 1400, now BnF, Latin 5840: *ibid.*, no. 45; and the Seneca, *Tragoediae*, made there in 1403: now BnF, Latin 8028: *ibid.*, no. 46). The figures here are somewhat rustic in execution, but elements of them such as the hair defined internally by thick black brushstrokes also appears in a copy of Maurice de Sully, *Sermons*, attributed to either Milan or Genova and c. 1320-1330 (now BnF, Français 187: *ibid.*, no. 66). The problem of solid attribution is perhaps one of lack of comparative material. So little survives from the Ligurian coastline and surrounding region, and our impression of the book production of northern Italy is focussed on the large centres of Milan and Pavia. If this leaf is from this region, then it adds significantly to our knowledge of book production and the book arts there in the fourteenth century.

£5,000-7,000

Decoration:  
While the script here is certainly Italian, the miniatures on this leaf and its sister leaf sold at Koller are disarming with their mix of Italian and French motifs. Of course, it was common for such volumes to be written in university centres of Italy, but have their miniatures and decoration added at the final destination of the volume, and the flux of students from across the whole Mediterranean in and out of the universities of Italy allowed for such volumes to be carried some distances. When it was in her collection, the art-historian Rosy Schilling identified the miniature here as Neopolitan in origin. When the leaf was sold at Sotheby's nearly thirty years ago that catalogue also allowed for a Spanish origin. However, the Koller description earlier this year pointed towards other possibilities: Avignon and most interestingly, the northern Ligurian coastline. Many of the individual aspects here do fit well into the art of northern Italy, and a location on the north-western Italian coastline and border with France. Wide painted frames also occur around fourteenth-century miniatures from the region (see BnF, Français 755, produced in Lombardy c. 1320-1330: F. Avril and M.T. Gousset, *Manuscripts enluminés d'origine italienne*, 2005, no. 1), and close matches can be found for the quadrilobed coloured flowerheads of the frame here (albeit not arranged within lines of square tiles as here)

The late Middle Ages: humanism, the emulation of earlier script and medieval forgery





Lot 35

35

Leaf from a Breviary, with parts of Feast of St. Mary Magdalene, in Latin, illuminated manuscript on parchment [France, c. 1400]

Single leaf, with double column of 31 lines of two sizes of an accomplished and professional late gothic bookhand (*textualis formata*) with many ornamental penstrokes and flourishes, capitals touched in yellow wash, red rubrics, 2-line initials in gold or blue with ornate contrasting penwork (one enclosing a simple flowerhead picked out with its centre and tips of its petals), verso with catchword, some small areas of discolouration to outermost edges, slight cockling, overall in excellent condition and on fine and thin parchment, 160 by 110mm.; in Salt's fascicule-like paper binding

Provenance:

1. The parent manuscript, a fragmentary Breviary of 113 leaves with two inserted seventeenth-century German miniatures, was sold in Sotheby's 11 April 1961, lot 148, to Alan G. Thomas. The miniatures reappeared as Thomas cat. 9 (1961), no. 37, then Sotheby's, 2 December 1986, lot 27, and the bulk of the volume was sold to the Folio Fine Art Society, who dispersed it widely, with leaves appearing initially in their cats. 5 (1961), no. 97, 13 (1963), no. 129, and 17 (1963), no. 129. M.M. Manion, V.F. Vines and C. de Hamel, *Medieval and Renaissance Manuscripts in New Zealand Collections*, 1989, no. 78, give a list of known leaves (but not including this one).

2. Dr. George Salt (1903-2003) of Cambridge, entomologist, calligrapher and collector: his calligraphic notes on the paper bindings of this fragment; this his MS 2; his sale in Sotheby's, 17 December 1991, lot 7(h).

3. Schøyen Collection of London and Oslo, their MS. 1550.

Script:

This leaf is included here as a fine example of the heights of decorative palaeography and text ornament reached by the turn of the fifteenth century.

Published:

C. de Hamel, 'The Life of Saint Martin', in *Papyri Graecae Schøyen (PSchøyen II): essays and texts in honour of Martin Schøyen*, 2010, pp. 117-122.

£300-500

36 θ

Terence, *Heauton Timorumenos*, in the humanist script of Giuliano di Antonio of Prato, in Latin verse, fine manuscript on parchment [Italy (probably Florence), c. 1450-1460]

Single leaf, with single column of 30 lines (including Act II, Scene 2 of *Heauton Timorumenos*, the 'Self-Tormentor') of the fine humanist minuscule of Giuliano di Antonio of Prato, with few abbreviations or ligatures, rubrics in pale red capitals, the readings for different characters marked in same pale red capitals, occasional textual corrections (one in a contemporary hand definitely not that of the main scribe), noticeable grain pattern to parchment (as common with humanist manuscripts), small spots and stains, slight discolouration at edges, else in excellent condition, 252 by 177mm.; in cloth covered card binding

Provenance:

1. The parent manuscript, a collection of the works of Terence, was written in Florence, c. 1450-60. The script was first attributed by A.C. de la Mare to the Florentine scribe 'Messer Marco', but she later revised this opinion and identified it as the work of the accomplished scribe Giuliano di Antonio of Prato (see her 'A Livy copied by Giacomo Curlo dismembered by Otto Ege', *Interpreting and Collecting Fragments of Medieval Books*, 2000, at p. 57, n. 1).
2. The codex was owned in the fifteenth or sixteenth century by a 'Petrus Colom', and the leaf with his inscription is now at Rutgers University.
3. The incomplete parent volume of 103 leaves was offered by E.P. Goldsmidt, cat. 23 (1930), no. 14, then reappearing as Sotheby's, 28 May 1934, lot 100, bought by Marks (of 84 Charing Cross Road), presumably on behalf of Dawson's, bookdealers of Los Angeles.

4. Otto Ege (1888-1951), who bought this from Dawson's in 1935 (see de Ricci, 1937, and Gwara, 2013), dispersed by September 1936, and apparently shared with Philip C. Duschnes.

5. The present leaf re-appearing in Sotheby's, 26 November 1985, lot 78, to Quaritch, their cat. 1147, *Bookhands of the Middle Ages*, V (1991), no. 117.

6. Schøyen Collection of London and Oslo, part of their MS. 648 (along with another leaf from the same parent manuscript, ex. Ferrini and sold in the Schøyen sale in Christie's, 10 July 2019, lot 456, for £1500).

Text:

Terence (Publius Terentius Afer, c. 190-159 BC.) was one of the great early Roman comic playwrights. This work, the *Heauton Timorumenos*, most probably drew on Menander's lost play of the same name, and is based on a typically Terentian comic motif of a complex deception and double plot of two young lovers whose affairs are closely interwoven. It opens with the author's famous imploring of his audience to judge a play by its merits rather than the opinions of critics, and was first performed in 163 BC. He need not have worried about its reception, and Horace (65-8 BC.) speaks of packed houses for Terence's plays, while Varro (116-27 BC.) had clearly enjoyed a performance and could describe the costume of Menedemus, one of its main characters. Parts survive of four manuscripts of the fourth and fifth centuries, and no less than five Carolingian examples. In total, approximately 650 manuscripts survive from the year 800 onwards (see M.D. Reeve in *Texts and Transmissions*, 1983, pp. 412-20).

Script:

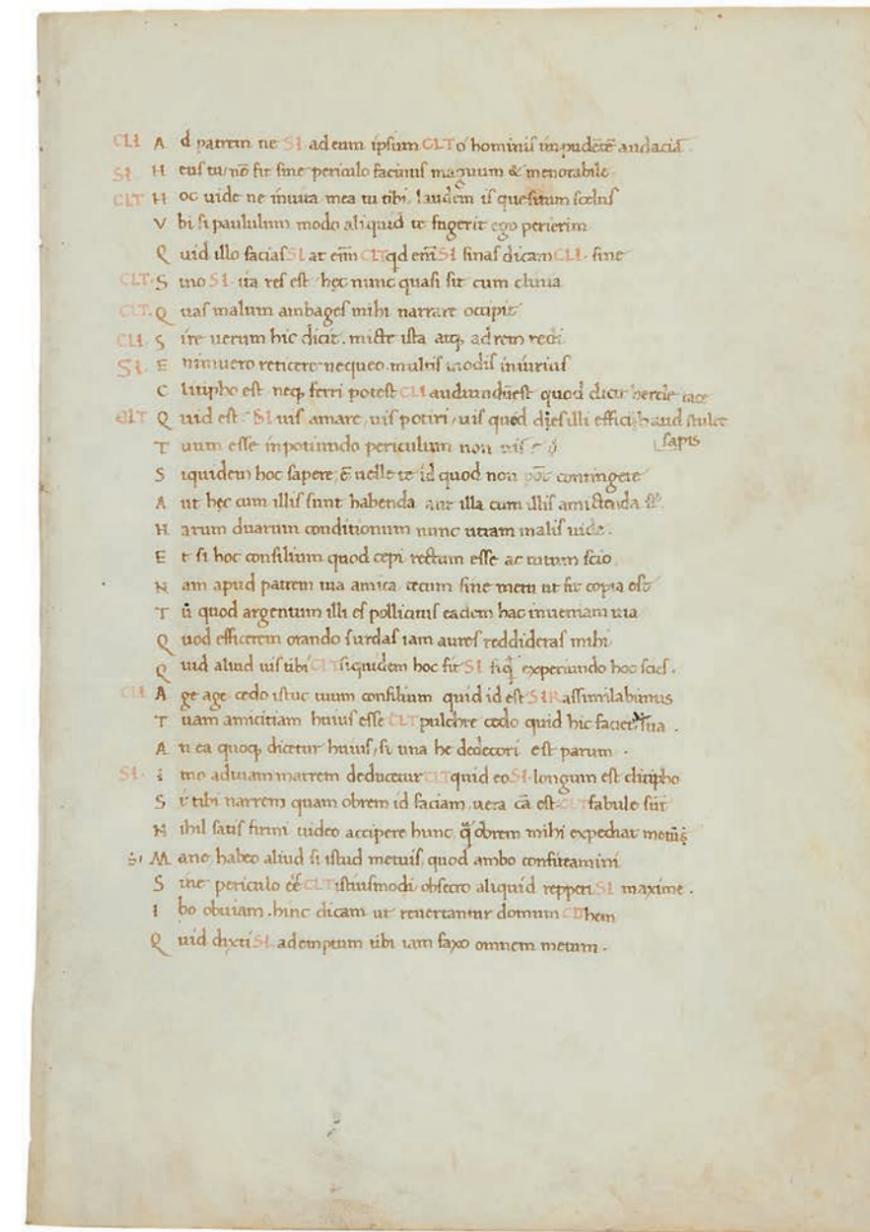
This is a particularly finely executed and appealing example of Italian humanist script, a script created in the second half of the fourteenth century through the emulation and refinement of the bookhands of what its designers thought were 'Roman' or Classical manuscripts, with all their connotations of antiquity and textual authority, but in fact predominantly those of the Carolingian and Romanesque periods. Like Carolingian minuscule, which it chiefly emulates, the introduction of humanist script was also driven by ease of legibility, and a letter survives sent by Petrarch at the age of sixty-two and with failing eyesight to his friend Boccaccio, recording that he had commissioned his Epistles to be copied not in the usual script of the period that could tire the eyes of the reader, but in "littera ... castigata et clara" ('neat and clear letters').

Published:

S. de Ricci, *Census of Medieval and Renaissance Manuscripts in the United States*, 1937, II, p. 1947, no. 65.

S. Gwara, *Otto Ege's Manuscripts*, 2013, his HL 78.

£800-1,200



Lot 36

37

Augustine, *Contra Faustum*, cutting from a leaf copied by the fifteenth-century humanist scribe Theodericus Werken closely imitating late twelfth-century English script, in Latin, manuscript on parchment [England (probably Canterbury), c. 1470-1475]

*Rectangular cutting from the bottom of a leaf, preserving much of lower margin at foot, with single column of 11 lines of the late-humanist hand of Theodericus Werken (see below; the text here book 23, chs. 9:5-16 and 10:3-14), some later scribbles in margins, some discolouration in places (notably where the edge of the cutting was folded around the first or last gathering of the later book it was reused to bind, but overall in good and legible condition and on strong and flexible parchment, 110 by 160mm.; in Salt's fascicule-like paper binding*

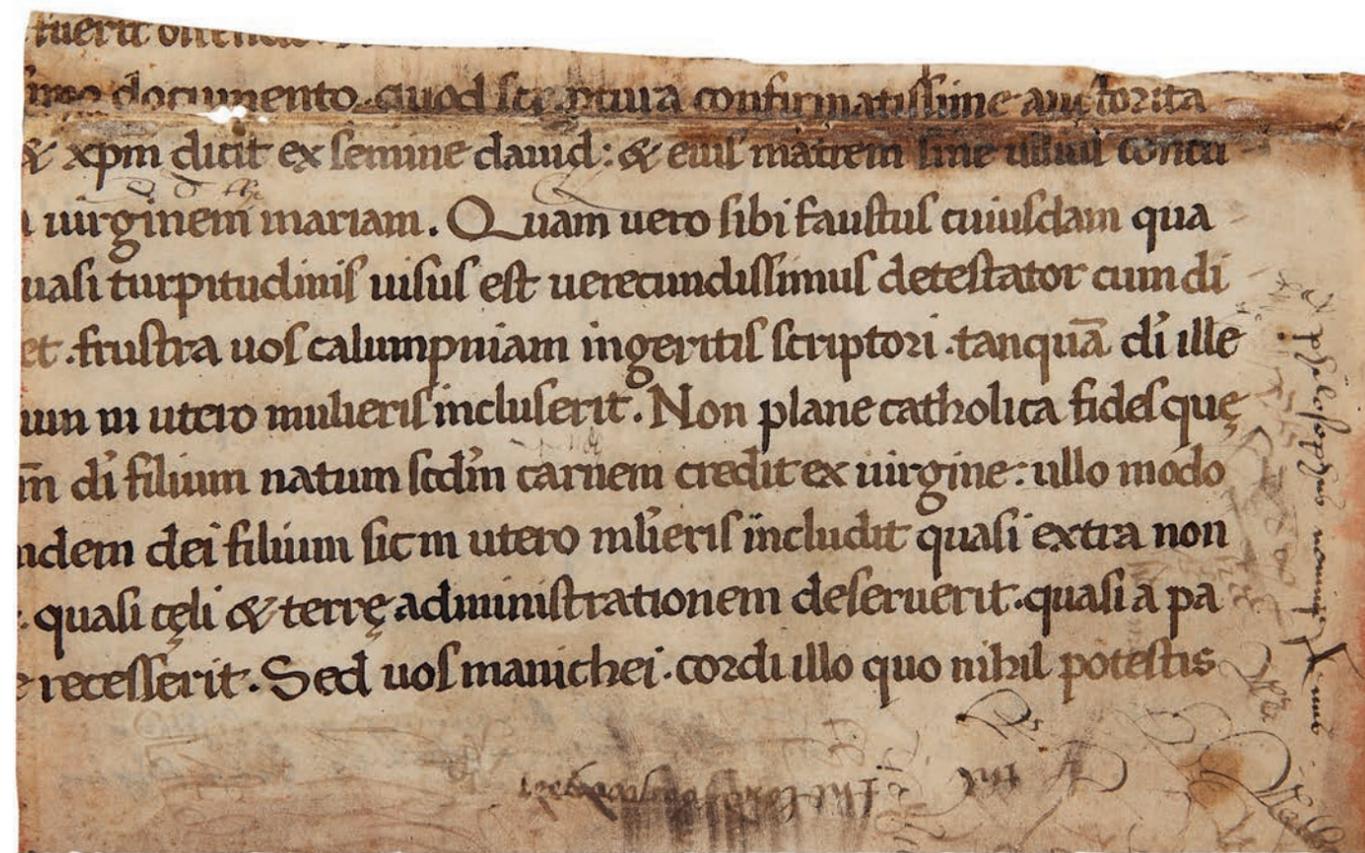
A CUTTING WITH THE DISTINCTIVE MATURE HAND OF THE CELEBRATED SCRIBE THEODERICUS WERKEN, FORMED FROM A FUSION OF A HUMANIST HAND LEARNT IN ITALY AND HIS EMULATION OF THE PRE-GOTHIC BOOKS HE FOUND IN CHRIST CHURCH, CANTERBURY; AND THIS THE ONLY EXAMPLE OF HIS HAND IN PRIVATE OWNERSHIP

Provenance:

1. Written by the virtuoso humanist scribe, Theodericus Werken (more fully “Theodericus Nicolai Werken de Abbenbroith”), towards the end of his career, probably in the 1470s. It was copied from a manuscript exemplar (the *editio princeps* only appeared in 1506), and in 1976 A.C. de la Mare tentatively suggested that the parent volume of this cutting may be identifiable with the manuscript recorded in 1501 in the library of Canterbury College, Oxford (p. 286; no. 78 in their inventory).
2. Then most probably reused as binding material of a copy of Cicero, printed at Lyons by Sebastianus Gryphius in 1540, owned in the seventeenth century by Richard Pitts of Oxford (perhaps of the family of this name from Iffley, Oxfordshire) and then Nathaniel Clutterbuck (doubtless the same who matriculated from Pembroke College in 1650): their ex libris marks in the printed book. Two inscriptions added to the margins of the cutting in the seventeenth century detailing another academic work (“The nomenclator or Remembrancer of Adrianus Junius Physician conteining proper names translated into English by John Higgins printed London 1585”) and a pentrial (“the lord is a good god”).
3. Charlie Stocker (d. 1978), of Cambridge.
4. Dr. George Salt (1903-2003) of Cambridge, entomologist, calligrapher and collector: his calligraphic notes on the paper bindings of this fragment; this his MS 2, acquired in 1943 and liberated from the printed book by him. This cutting sold Sotheby's 17 December 1991, lot 8(e).
5. Schøyen Collection of London and Oslo, their MS. 1558.

The scribe:

A.C. de la Mare first identified this fragment as in the mature hand of Theodericus Werken, using the heavy and well-spaced script with larger letters that he adopted at the very end of his career in the 1470s. He was a humanist scribe from Abbenbroek in The Netherlands, and entered the service of William Gray, the bishop of Ely, in 1444 in Cologne, where he copied several manuscripts in a gothic hand for that patron (on him see de la Mare below, that adding to the work of R.A.B. Mynors, ‘A fifteenth-century scribe: T. Werken’, *Transactions of the Cambridge Bibliographical Society*, I, 1950, pp. 97-104). He accompanied Bishop Gray on to Italy, where he learnt humanist script, copying further works in this new hand in Padua and probably Florence in 1445. He continued in the service of Bishop Gray until 1449, when he came to England, probably in the entourage of Richard Bole, a fellow of Balliol College, Oxford, who had been one of Bishop Gray's companions in the earliest stage of his European tour. He copied several manuscripts for Bole through to the 1460s, and in fact shared the copying together of a manuscript of Thomas of Ringstede's commentary on Proverbs, dated 28 February 1461 in London (Balliol College, MS. 34). A single codex of English vernacular devotional works in an English gothic script was signed by him in 1467 (San Marino, CA., Huntington Library, HM 142). Through the 1470s he copied patristic works from early print editions for the library of Christ Church, Canterbury, and the hand here and the size and spacing of the script is near-identical to those volumes. He was, as D. Rundle states, “a scribe who moved between scripts with more facility than he did between languages” (*Renaissance Reform of the Book and Britain*, 2019, p. 135, with an extended discussion of Werken on pp. 124-142).



Lot 37

What is perhaps most striking here is the influence of English twelfth-century script on Werken's hand. This is not the humanist hand he learnt in Italy and used in the mid-fifteenth century, but while retaining some ideosyncrasies such as a tall final 's' and a z-shaped 'r' he has seamlessly assimilated the script of the books he found in Canterbury. The letters here are too angular and there is too much lateral compression, but letterforms in places are copied perfectly and other features, such as occasional biting curves, are so close that they allow us to suggest that his models came in part from c. 1180 or later. This emulation had no practical function, and was perhaps purely due to his interest in the script and his talent for paleographical mimicry. A generation after Werken's death, Archbishop Matthew Parker would record in a letter to Sir William Cecil, not only that he had a scribe named Lylve who could 'conterfeit' "fair antique writing", but also that Cecil kept his own scribe for the same purpose, "a singular artificer" (*Correspondence of Matthew Parker*, 1853, no. cxciv), and the copying of scripts was common in the bookish entourage of the archbishop (see both the Tudor manuscripts now in the library of Corpus Christi College, Cambridge, as well as facsimiles made by members of that entourage such as John Joscelyn for themselves, such as the material in 'Joselyn's notebook', British Library, Cotton, MS. Vitellius D.vii). This scribal mimicry, the emulation of scripts for no practical reason other than fascination with their forms, was perhaps a facet of English humanism and antiquarianism at the close of the Middle Ages and opening of the Renaissance.

Published:

A.C. de la Mare, 'A Fragment of Augustine in the Hand of Theodericus Werken', *Transactions of the Cambridge Bibliographical Society*, VI (1976), pp. 285-290.

C. de Hamel, 'The Life of Saint Martin', in *Papyri Graecae Schøyen (PSchøyen II): essays and texts in honour of Martin Schøyen*, 2010, pp. 117-122.

D.W. Mosser, 'Longleat House MS 30, T. Werken, and Thomas Betson', *Journal of the Early Book Society for the Study of Manuscripts and Printing*, 15 (2012), p. 319.

£4,000-6,000

Forged charter concerning the transfer of land at Framsdén, Suffolk, by Roger de Mohaut and his wife Isolde, to their heirs, in Latin, manuscript document on parchment [England (probably East Anglia), dated 7 William I (1073) but more probably thirteenth or early fourteenth century]

Single-sheet document, on 16 long lines in a shaky, angular and occasionally clumsy imitation of English Romanesque secretarial hand, stains and cockling, some small splits, these causing losses to text in left-hand corner of last three lines, overall fair and presentable, 115 by 240mm.; stitched to a card with nineteenth-century notes on contents, a transcript and translation of the document and a note that "The Latin version [the transcription on the tipped on leaf] was elaborated [in archaic sense of 'to execute with great care and minuteness of detail'] before the original was placed in this book" (the card has been foliated '1' and would have appear to once have been bound in a volume)

Provenance:

1. Most probably forged at the end of the thirteenth century or the opening of the fourteenth century, in order to support the claims of the de Mohaut family to the estate of Framsdén (see below).

2. In English antiquarian ownership in the nineteenth-century, and then stitched to the card it is presently mounted on, with inscriptions as listed above, and most probably in a large album of charters.

3. Bruce Ferrini (1950-2010), of Akron, Ohio.

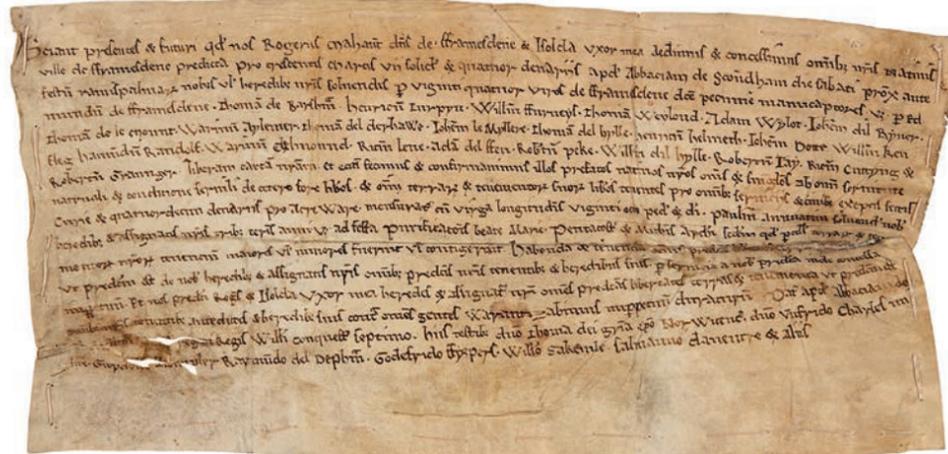
4. Sam Fogg of London.

5. Schøyen Collection of London and Oslo, their MS. 605/1, acquired from Fogg in December 1989.

Text:

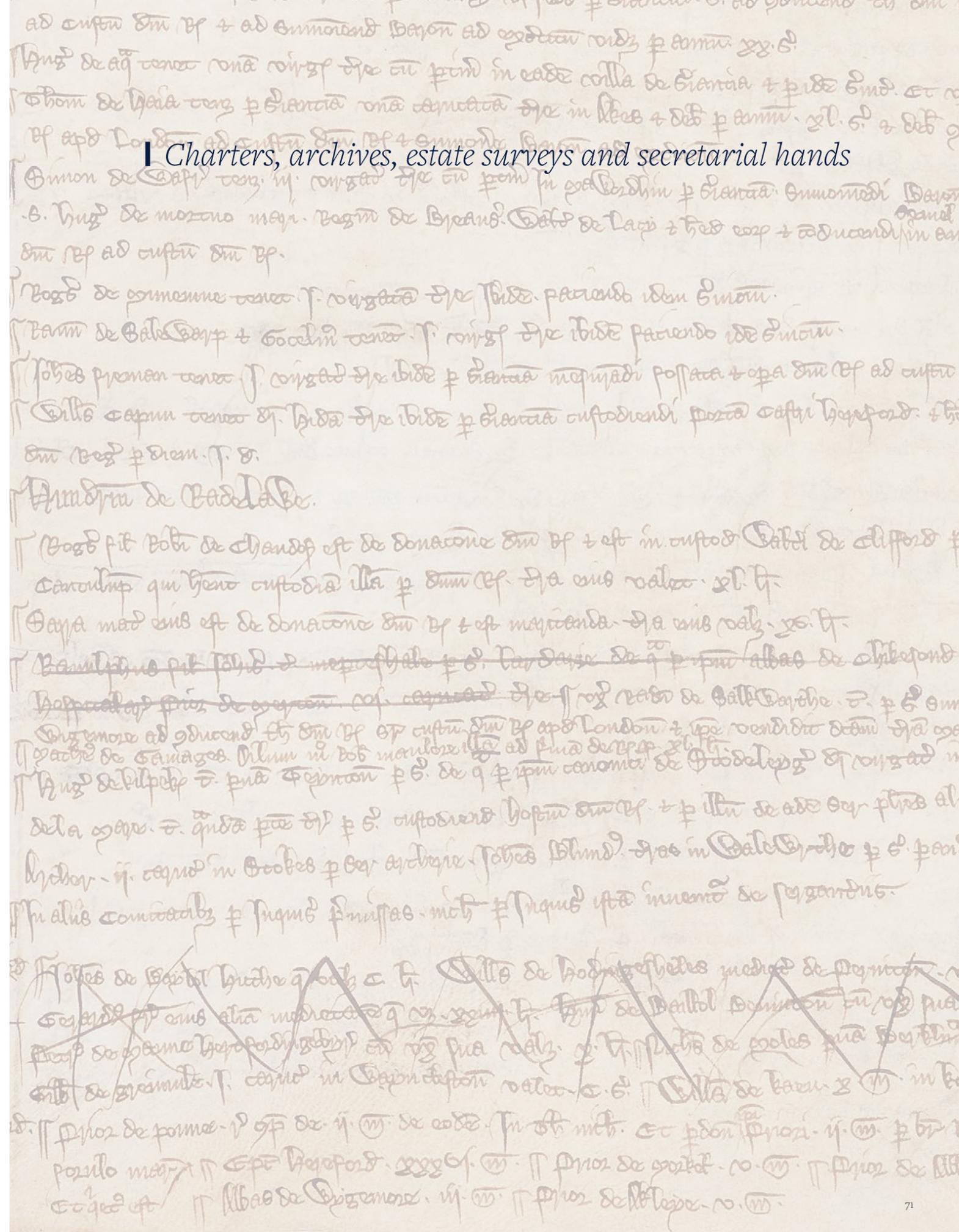
Although this item is a charter rather than text, it is included here among the bookhands emulating earlier script as it is a good example of the most notorious form of such emulation – medieval forgery. This charter purports to date to the seventh year of the reign of William the Conqueror, but is in a peculiarly shaky and hesitant hand that appears to be trying to copy one of the late eleventh century, but fails in that attempt. In addition, it falls down on much factual detail. This land transfer is said to have taken place at the 'abbey' of Shouldham (here "Scoudham") to the immediate south of Marham, yet the community at Shouldham was a Gilbertine priory, and not an abbey, and was not founded until the 1190s. Moreover, beyond the mention of William the Conqueror, it is hard to identify anyone mentioned here with someone who lived in the eleventh century, and the family names given seem to cluster instead in the thirteenth or fourteenth century. The sole episcopal witness is that of "Thomas, bishop of Norwich", yet the bishop of Norwich from 1070 to 1084 was Herfast, and no Thomas held the see until Thomas Blunville (reigned as bishop 1226-1236). A Roger de Mohaut did indeed hold the estate of Framsdén, but he did not have a wife named Isolde, and in fact lived in the late thirteenth century (d. 1275), where he was a hereditary knight of Hawarden Castle, Flintshire in Wales, who also held estates in Middlesex, Sussex and Warwickshire. A handful of men with this name from the same family can be traced in the thirteenth century, but not before, and it is doubtful if the castle on which their name is based (Latin: *Mons Altus*, corrupt form: *Montalt*, and Norman-French: *Mohaut*) was even constructed by 1073. The creator of this charter did have intimate local knowledge, but it seems that again this knowledge was of the thirteenth and fourteenth century, not the eleventh. Some of the names here, such as Henricus Helmeth and Adam Wylot, are recorded as local to Framsdén from the thirteenth century onwards (with an Emma Wylot even recorded as owning a seventh part of Framsdén in an inquest in 1378). The final piece of the puzzle emerges in the record of a charter of 4 June 1335 (now Essex archives, D/DRg 1/36), in which Robert de Morlee, 2<sup>nd</sup> Baron Morley notes that the claims of the de Mohaut family to Framsdén had been disputed by none other than Queen Isabel, the mother of King Edward III. It seems most likely that the present document was created in the fourteenth century to further the claims of the de Mohaut family to the estate, in a hand imitative of the eleventh century and with fictitious family members of the de Mohaut family and their local followers backdated some two centuries to give their claim added legitimacy. What is perhaps most fascinating here is that the de Mohaut family must have employed a professional to help them create this document, but they clearly had only scant knowledge of local details. Records exist of professional forgers in the Middle Ages, such as the twelfth-century French monk Guerno, who tearfully confessed on his deathbed to an impressive career as a monastic forger in France and England, but it is rarer to find them for the late Middle Ages, and of extreme rarity to find one produced to support secular claims, rather than those of an ecclesiastical institution.

£3,000-5,000



Lot 38

# Charters, archives, estate surveys and secretarial hands



Royal charter of King John, for Philip, son of Wastellion, and confirming the gift of an estate named “Dunwalleland” in Wales to him in exchange for feudal service to William de Braose and a knight’s fee to the tenure of Abergavenny Castle, with all its woods, fields, paths, waters, mills, fishponds and so on, in Latin, manuscript document on parchment [Welsh Marches (St. Briavels Castle in Forest of Dean), dated 5 December 1209]

Single-sheet document, on 15 long lines in a fine and professional English Romanesque secretarial hand, with long and tall ascenders that lean to the left, one penwork decorated capital ‘Q’, seventeenth-century endorsement on reverse: “A tenure to the Castell of Abergavenny xi Joh.”, with a nineteenth-century addition below that: “Dec. 5<sup>th</sup> 1210 -11<sup>a</sup> Johis”, remnants of seal-tag (but seal wanting), folds and small stains, two small natural flaws in parchment, else in excellent condition, 210+41 by 230mm.

Provenance:

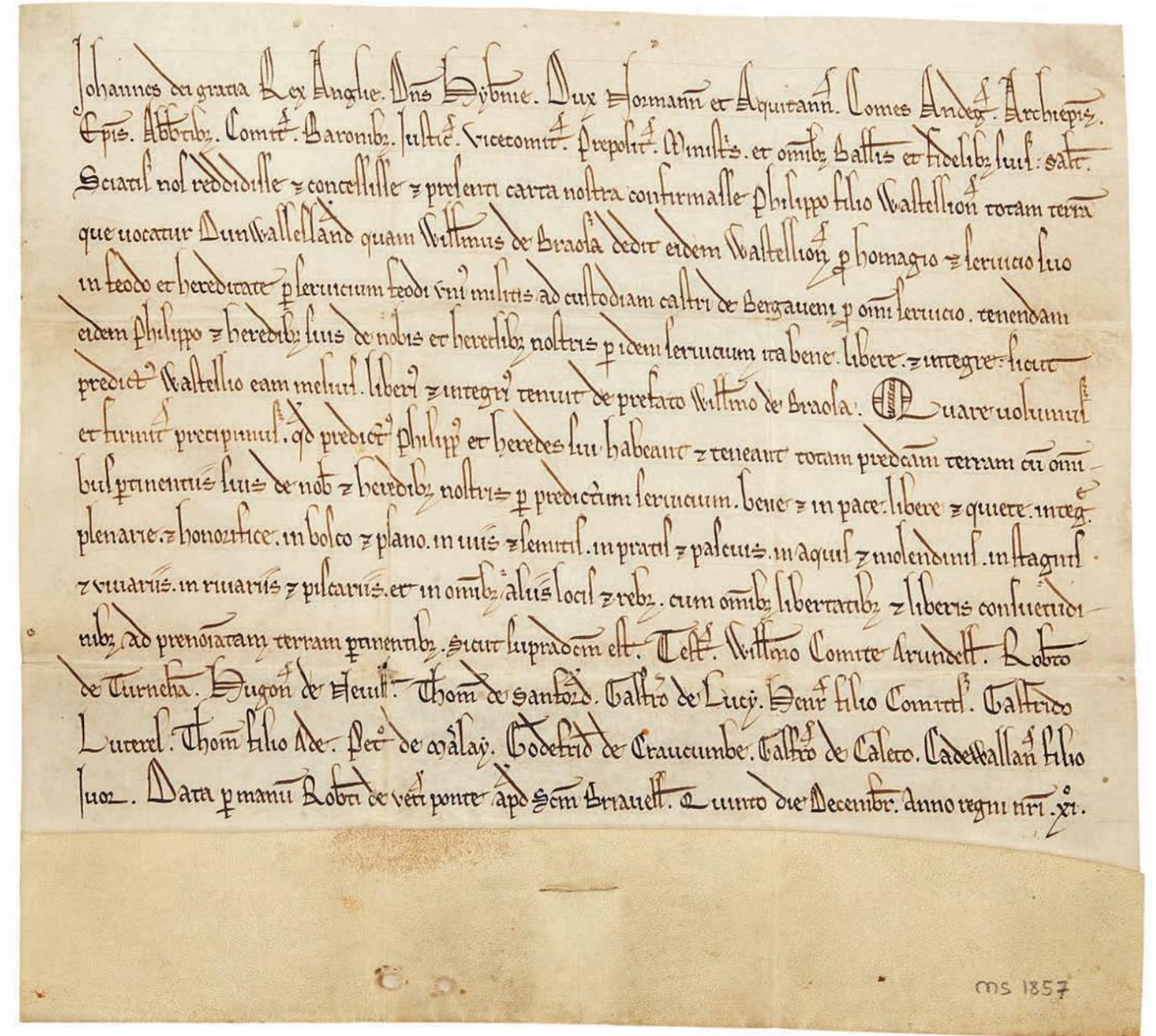
1. Richard Henry Wood (1820-1908), FSA, of Penrhos House, Rugby, iron merchant, antiquarian and collector of charters and rare books: this item doubtless the “Charter of King John to Philip Fitz-Wastell., of the land called Dunwalleland” loaned to the museum of the British Archaeological Association in 1876 (reported in the journal of the society, vol. 32, for that year, p. 306). In fact, the descriptions of what was lent to the museum by Wood appear to have been muddled in their order in the journal, as the final item in the list lent by Wood is described as “The tenure and knight’s service for the custody of his castle at Abergavenny, dated at St. Briavels, Dec. 5, 1210”, which, with a very slight miscalculation of the eleventh year of John’s reign (note the nineteenth-century inscription on the back of this document with the same misdating), must also be the present document.
2. Sotheby’s, 21 June 1994, lot 80, at which time a photograph of this charter was deposited in the National Library of Wales (Facs. 743).
3. Schøyen Collection of London and Oslo, their MS. 1857.

Text:

A visually attractive and remarkably early English royal charter in excellent condition. Documents with any connection to Wales survive in far fewer numbers than those for England, and rarely ever emerge on the market. Here the site of the lands named “Dunwalleland” are yet to be precisely identified, but as the Norman overlord, William de Braose, had ambushed and murdered Seisyll ap Dyfnwal, one of the lords of Gwent, on Christmas Day 1175 in Abergavenny Castle alongside other Welsh princes, they are likely to have been the ancestral lands of Dyfnwal (“Dunwall”) ap Caradog ap Ynyr Fychan, the father of Seisyll. The lordship of Seisyll ap Dyfnwal and his father centred on Monmouthshire, with their main stronghold at Castell Arnalt, a motte and bailey near the River Usk to the south of Abergavenny. These same estates, then named “Donewaldeslond” were disputed in 1290, with John de Hastings, 1<sup>st</sup> Baron Hastings, then claiming their ownership and challenging the heirs of Philip, son of Wastellion.

As befits a grant for military reasons to bolster the Welsh Marches, most of the witnesses here were crusaders, with William, Earl of Arundel (later justiciar of England, then crusader, d. 1221), Robert de Turnham (crusader, justiciar of Cyprus in 1191, d. 1211), Hugh de Neville (crusader, royal counsellor, d. 1222), Peter de Mauley (later traitor, who died in the Holy Land in 1241), as well as the royal agent who made this grant on behalf of the king, Robert de Vieuxpont (crusader and a nephew of Hugh de Morville who was one of the assassins of Thomas Becket, d. 1228). However, the presence of Cadwallan, son of Ivor (“Cadewallanus filio Ivor”), the son of the lord of Senghenydd, at the end of the witnesses, attests to the presence of Welsh nobles in this crucial grant and the new power structure it helped to create in early thirteenth-century Wales.

£6,000-8,000



Lot 39

Leaf with extracts from the Testa de Nevill, a collection of original surveys of feudal landholdings, here with entries for Hereford and Gloucestershire in 1226-1228, 1235-1256 and 1250, with crossed out entries for Bedfordshire and Hertfordshire from 1244, in Latin, manuscript on parchment [England (probably London), second half of thirteenth century (after 1256)]

Single large leaf, with single column of 33/31 lines in a professional English secretarial hand, with counties and estate names set off in margin, with some entries lined through and crossed out (mostly those for Bedfordshire and Hertfordshire, perhaps copied here in error by the original scribe and then cancelled) on apparent caprine parchment with heavy grain pattern and yellowing on verso (in keeping with working documents from medieval England), a few early twentieth-century pencil notes in margins (apparently linking readings here with those of one of the editions of the Liber Feodorum, small spots and stains, trimmed at edges in places without losses to text, else good and presentable condition, 235 by 210mm.; in cloth covered card binding

AN IMPORTANT HISTORICAL WITNESS TO THE COLLECTION OF RECORDS OF FEUDAL LANDHOLDINGS IN THE ENGLISH ROYAL EXCHEQUER IN THE SECOND HALF OF THE THIRTEENTH CENTURY

Provenance:

1. Most probably written in London, by an exchequer scribe extracting information from the surveys in the *Testa de Nevill* (see below).
2. 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.
3. D.C. Wilson of Cheltenham; the bulk of the Dring leaves and fragments were sold in 1983 to Quaritch, but this leaf passed instead to Wilson in 1983: with a report produced for this owner dated 20 January 1987, and a translation of the leaf, here enclosed.
4. Quaritch of London, acquired by them in 1993.
5. Schøyen Collection of London and Oslo, their MS. 1696.

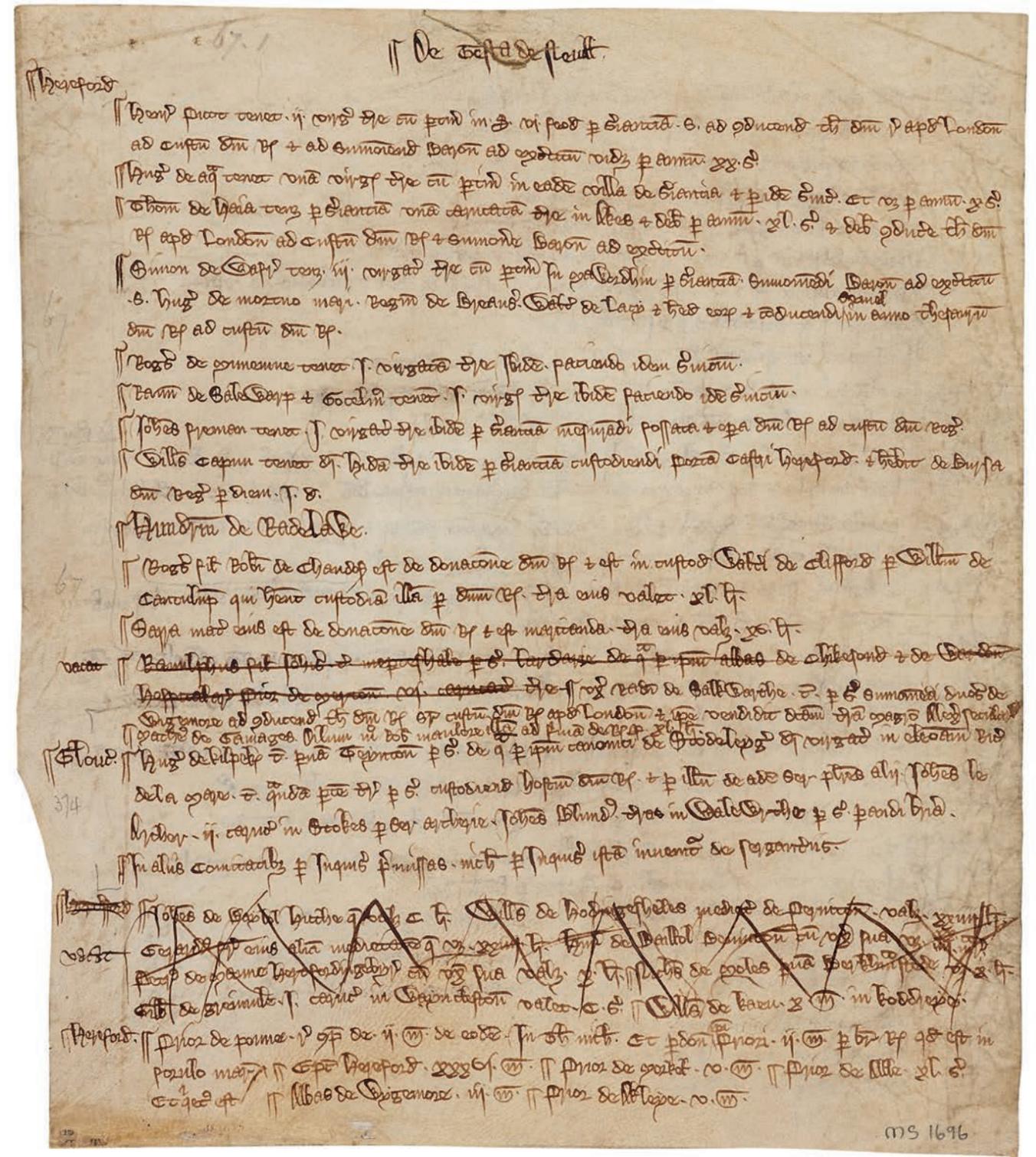
Text:

The title at the head of the recto here ("De Testa de Neull") records that this leaf is an extract of the *Testa de Nevill* or *Liber Feodorum*, a listing of feudal landholdings compiled c. 1302 from earlier records in the English exchequer, most probably under the orders of Edward I (on this see Henry Maxwell-Lyte, *Liber Feodorum: The Book of Fees commonly known called Testa de Nevill*, 1920-1931). Little is known with certainty about these early records, but it has been suggested that the name *Testa de Nevill* refers to a large receptacle (*testa* = 'burnt clay' or 'earthen container', but also in medieval Latin, 'skull' or 'head', and hence modern French *tête*) for administrative documents, with the mark of a man named Nevill (perhaps his portrait/head), doubtless one of many members of that family who held authority over the early exchequer. An exchequer roll of 1298 seems to bear witness to this collection of documents as it mentions a "*rotulus Teste de Nevill*" ("small roll from the *Testa de Nevill*"). Some of these records survive as 500 brief written notes on estates, organised into the two vast Domesday-Book-like codices of the *Liber Feodorum* (Kew, National Archives, E164/5-6), with a few earlier inquiries used in the compilation of these codices now National Archives, E198. The original records appear to have been lent out to local administrative officers once these codices of the *Liber Feodorum* were produced, and used until they were discarded.

Close comparison of the entries here with what survives in the National Archives reveals this leaf to be of some importance for the early history of this record. This leaf is written on the recto and verso and thus was once part of a codex, as opposed to a roll. Occasional deviations in the text and ordering of its components show that it is not a simple copy of the *Liber Feodorum*, and as it includes entries for both Gloucestershire and Herefordshire it is unlikely be a faithful witness of one of the rolls in the *Testa de Nevill*. The leaf here includes entries from three surveys: those of 1226-1228, 1235-1256 and 1244, and two of those entries are unique to this leaf, not being found in either the *Liber Feodorum* or the preparatory materials now in National Archives, E198 (the entries for Hereford in which the abbot of Wygemore is recorded as holding 3 marks, and the prior of Akleye is recorded as holding 5 marks). Thus, it is most probably a fair copy of several rolls once in the *Testa de Nevill*, extracted by the scribe here. It may be the last witness to an otherwise unrecorded inquiry into those counties, produced in London for the investigating government parties to take with them into the West Country.

Please note that this item is subject to the Manorial Documents Rules, and as such it cannot be taken out of England and Wales without the consent of the Master of the Rolls, and future owners must inform the secretary of the Historical Manuscripts Commission of their acquisition.

£5,000-7,000



Lot 40

Henric Picot tenet .ii. virgatas terre cum pertinenciis in Stanford (vi feoda) per serianteriam  
 scilicet ad conducendum thesaurum domini regis apud Londonias

Inventory of gifts and legacies from mostly secular donors to the Abbey of St. Agnes of Gemona, Udine, received between 1290 and 1426, in Latin, manuscript roll on parchment [Italy (Gemona del Friuli, near Udine), dated 1344, with additions up to 1426]

A roll, formed from two membranes joined by interweaving the cut edges of the leaves and stitching through those, evidently complete with long blank space left at end (but Early Modern 'I' at head suggesting this once the first of a series of rolls), entries in single column of secretarial hands of several dates (eight hands in total in the main document: i: a fine notarial cursive, lines 1-39 and 111-end; ii. another notarial cursive with a strong left lean, lines 40-47; iii. rounded gothic minuscule, more bookhand than secretarial, lines 49-57; iv-vi. three other secretarial hands adding short entries on lines 58-97; vii. a semi-notarial minuscule, lines 99-105; and viii. neat cursive hand, lines 106-110; plus other interlinear additions), values in roman numerals set off in right-hand margin, one large simple penwork initial at head of document, modern pencil numbers in left-hand column giving line numbers, some small erasures and some lines struck through, some tears to lowermost edge, reverse blank apart from medieval endorsement "1364 23" and Early-Modern Italian endorsement "Fedor[ico] di Pinzarno" and small areas of ink offset from rolling up scroll before ink dry or from setting it down on top of other recently copied documents, first two lines rubbed and only partly readable with UV-light, spots, stains, a few small holes and folds, overall good and legible condition, 1150 by 167mm.; in fitted burgundy cloth-covered box with copy of Rosenthal cataloguing (see below)

Provenance:

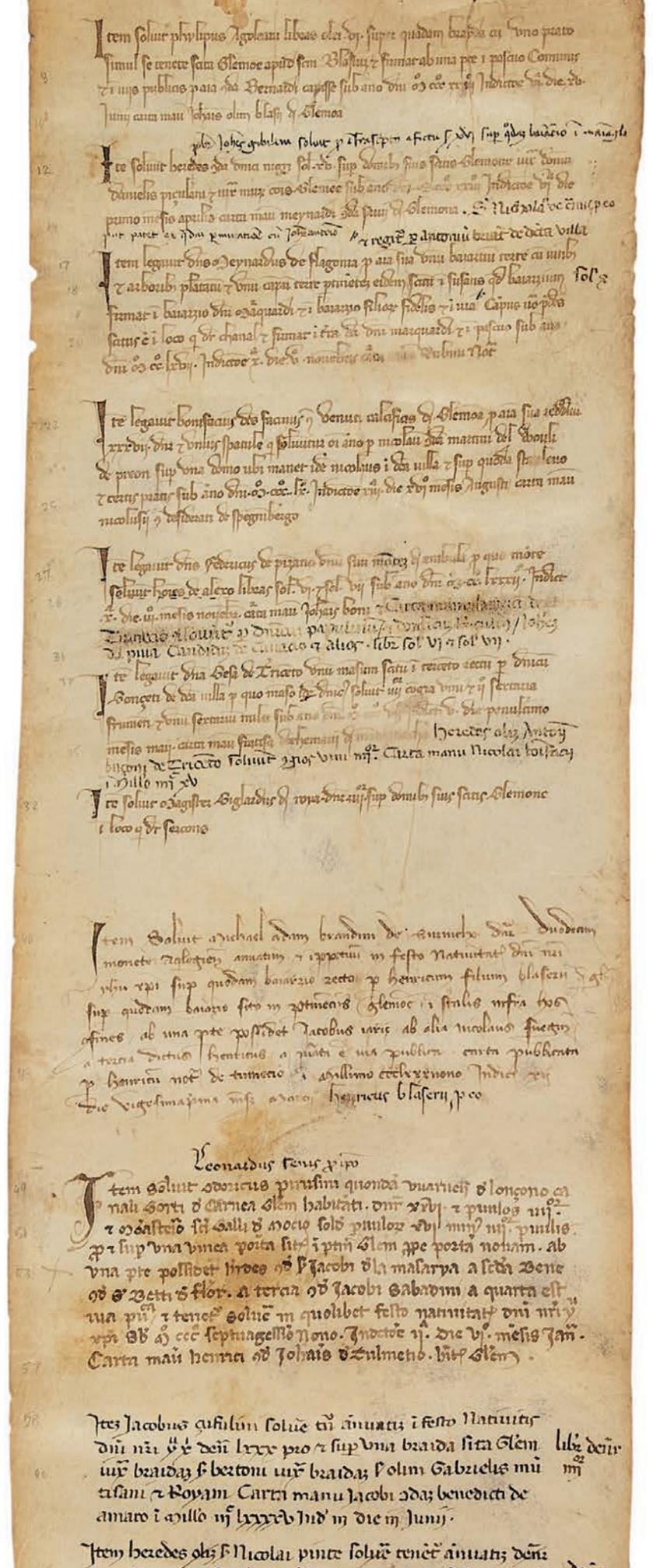
1. The Abbey of St. Agnes in the mountains near Gemona del Friuli: with this scroll opening and ending with inscriptions naming the community ("Sce Agnecis de Glemo'e"), the first of those ending in the date 1344 ("m° ccc° lxiiii"). The house was founded in the twelfth century as a small church on a pagan temple sitting on the pre-Roman road between Gemona and Austria, and later became a hermitage and then a nunnery, with this certainly active by 1240. Due to bitter local conflicts, the community was forced to open another site within the nearby town of Gemona, which for periods from the 1270s onwards became their principal home. It is not known what Order the nunnery followed, and indeed as they grew somewhat organically from a popular hermitage and seem to have referred to their earliest inmates with terms other than 'nuns', they may have followed no Order for their first century. Sometime in the 1270s they were taken under the wing of the Benedictines, and then converted to Augustinian devotions at the end of the thirteenth century. Somewhat confusingly, the site within the town of Gemona was overseen by Franciscans, and thus that cell were Poor Clares, following the rule of St. Clare of Assisi. The community reached its height of wealth and influence in the fourteenth century after a long period of donations from the inhabitants of the region, but then started to decline at the end of that century, and was all but abandoned by the sixteenth century.
2. Federico di Pinzarno: his sixteenth- or seventeenth-century ex libris mark on reverse. He was probably descended from the "Federicus de Pizano", who is recorded here in lines 27-29 as leaving the community a legacy on 3 November 1282.
3. Bernard Rosenthal (1920-2017), of San Francisco, California.
4. Schøyen Collection of London and Oslo, their MS. 1602; acquired from Rosenthal in July 1992.

Text:

This is one of the key working documents of this long-lost nunnery, recording a wealth of donations to the community, predominantly by the seculars of the region, and added to and corrected over the last century of the history of the community. Several of the notes end with phrases showing that these are copies from documents once in the community's archive. It was begun by a single hand, who added the entries dating from 1290 to the fourteenth century, as well as the last lines detailing payments to the community from Henricus de Boldassi of a "brayda" just outside the walls of the town (brayda or braida here meaning a farm or meadow, and a term that is peculiar to the Udine region), the abbot of Moggio and from the 'church of the common people of Gemona dedicated to St. Mary' (ie. the Cathedral of Santa Maria Assunta there). Then between these points single entries or blocks of them were added in the 1370s and 1380s, and then again in the 1420s. It is entirely unknown to scholarship and unstudied.

£4,000-6,000

Lot 41



Lot 41



Lot 42

42  
Quitclaim by Alan de Chipeden of lands in Holdsworth to Woodkirk Priory, in Latin, single-sheet document on parchment [northern England (West Yorkshire), late twelfth century]

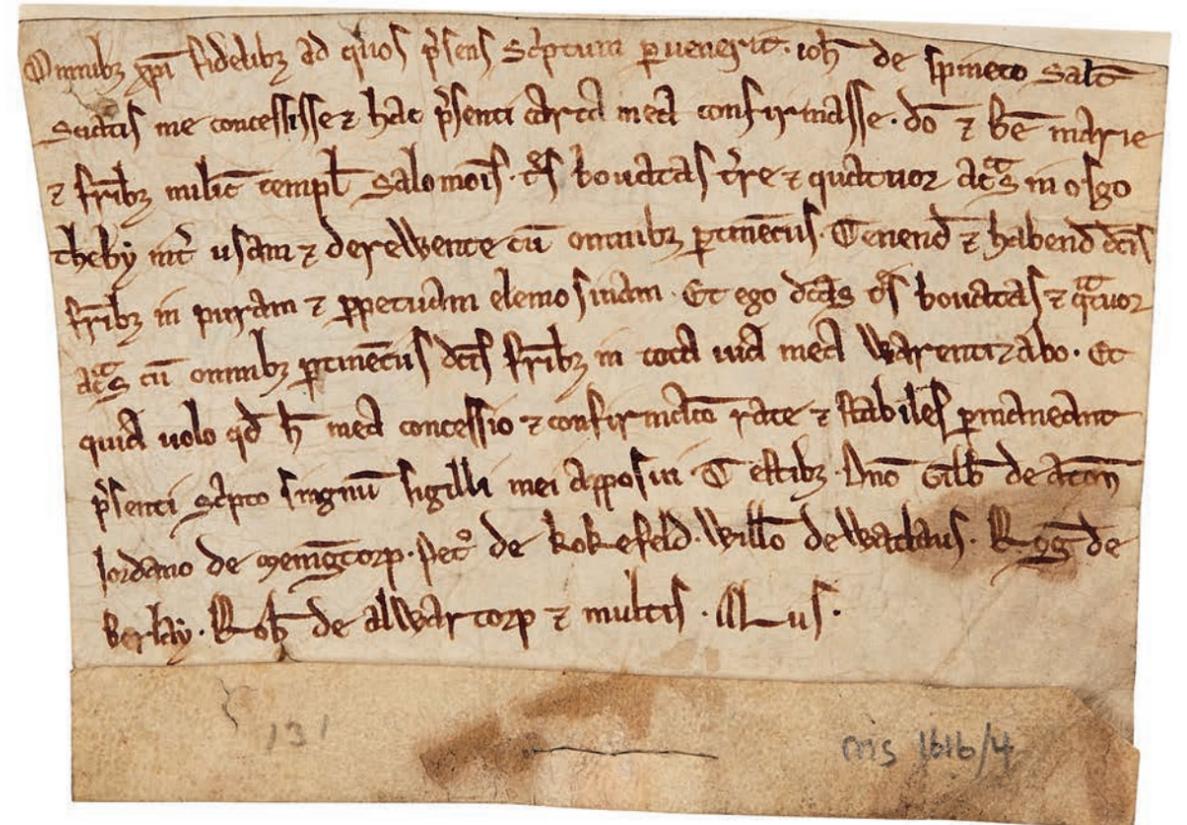
Single document, on 10 long lines of a pre-gothic English secretarial hand, capitals touched with hairline penstrokes, seal tags present (but no seal), contemporary and later endorsements on rear, stains, folds and losses to lower right-hand corner (with loss of a few characters there from text), overall fair condition, 82+16 by 140mm.

Provenance:

1. The Augustinian Priory of Woodkirk, Yorkshire. The house was founded in 1135 as a cell of Nostell Priory, had some popularity in the later Middle Ages as the site of a fair, and was dissolved in 1539, with its property (presumably including this charter) passing to the Savile family.
2. Sir Thomas Phillipps (1792-1872), his MS 41,094; passing to his heirs and thence to the Robinson brothers of 16-17 Pall Mall, London; their sale in Sotheby's, 13 April 1981, lot 216(a): the present charter still in the brown foolscap envelope used by Sotheby's to identify individual Phillipps charters in this sale.
3. Alan G. Thomas (1911-1992), London bookdealer; his sale at Sotheby's 21 June 1993, lot 11(1).
4. Schøyen Collection of London and Oslo, their MS. 1675/1.

Text:  
Manuscripts from northern English monasteries rarely survive, and apart from a handful of copies of documents held in related archives (such as the Archbishop of York's registers and the cartulary of nearby Nostell Priory) all that remains now of this community are its church and a few artefacts recovered from archaeological excavations in the 1960s.

£600-800



Lot 43

43  
Confirmation of alms through a gift of land in "Osgotheby" (Osgodby, Selby), Yorkshire, by John de Spineto to Temple Church in the City of London (the headquarters of the Knights Templar), in Latin, manuscript document on parchment [England (Yorkshire, probably north, perhaps vicinity of Durham), first half of thirteenth century (probably first few decades)]

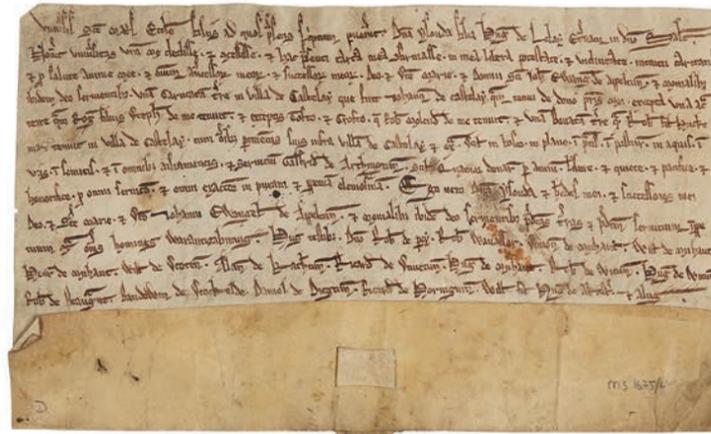
Single tiny document, on 10 long lines of a shaky and unpractised English secretarial hand, reverse with numerous contemporary and later endorsements, some small stains and folds, else good condition, seal and seal tag wanting, 80+15 by 110mm.; loosely laid down on large card.

Provenance:

As noted in the previous lot, manuscripts from the far north of England are rare. Here the grantor lived in the early decades of the thirteenth century, and held land in Sneaton near Scarborough, North Yorkshire, while the principal witness is Gilbert "de Aton" (from Ayton in nearby Pickering), who is also recorded in his youth as holding half a fee of the bishop of Durham in 1166 (albeit under another name, Gilbert de Barlby) and on a grant of the 1180s or 1190s in the Selby cartulary (fol. 112d) as the son and heir of William de Aton. He must have been in his mature years c. 1200, and cannot have survived many decades into the thirteenth century. Another witness, Peter "de Kokefeld" (Cockfield, now in County Durham to the immediate north of Darlington) also suggests a far northern origin. This grant to the Temple Church of St. Mary's, built in 1185 between Fleet Street and the Thames in London as the headquarters of the Knights Templar and serving during the period this charter was written as the royal treasury, strongly suggests that John de Spineto was a member of that military order.

The reverse has an inscription showing this to be MS. 28,329 in the collection of Sir Thomas Phillipps (1792-1872); and thereafter it was owned by George Dunn (1865-1912) of Woolley Hall near Maidenhead, Berkshire, an English bibliophile whose collections were sold at Sotheby's 1913-1917. This charter sold 23 November 1917, lot 3021 (part). Thence to E.H. Dring (1863-1928), and his son E.M. Dring (1906-1990), and from them to the Schøyen Collection (their MS. 1616/4) via the London book-dealership Quaritch.

£700-900



Lot 44

44

Grant of Land in Castley by Lady Yolande, daughter of Hugh de Lelay, to the Cistercian nunnery of Nun Appleton, Yorkshire, witnessed by an array of local nobility including Sir Robert de Percy, in Latin, single-sheet document on parchment [northern England (North Yorkshire), early thirteenth century]

Single document, on 12 long lines of an angular English gothic secretarial hand, seal tag but no seal, spots and stains, one small original flaw in parchment without affect to text, contemporary endorsement of “Castalay” on reverse, overall in good condition, 130+38 by 210mm.

Provenance:

1.The Cistercian nunnery of St. John the Evangelist at Appleton Roebuck (‘Nun Appleton’), Yorkshire. The house was founded c. 1150 by Adeliz de St. Quintin and her husband Eustace de Merch, with the founding grant of property to the community confirmed by St. Thomas Becket as archbishop of Canterbury. Their possessions were confirmed by King John in 1205, and they grew to be an influential presence in Yorkshire with significant landholdings in Yorkshire and Lincolnshire. In 1281 they fell under the suspicion of laxity, and were put under a series of injunctions by Archbishop Wickwane, forbidding the nuns to accept gifts of fine clothing, ensuring that the prioress had to have witnesses present while receiving money and forbidding wealthy women from the region from living permanently with the nuns. The house was dissolved in 1539, and its possessions scattered into private ownership.

2.Sir Thomas Phillipps (1792-1872), his MS 41,003; passing to his heirs and thence to the Robinson brothers of 16-17 Pall Mall, London; their sale in Sotheby’s 13 April 1981, lot 216(d): the present charter still in the brown foolscap envelope used by Sotheby’s to identify individual Phillipps charters in this sale.

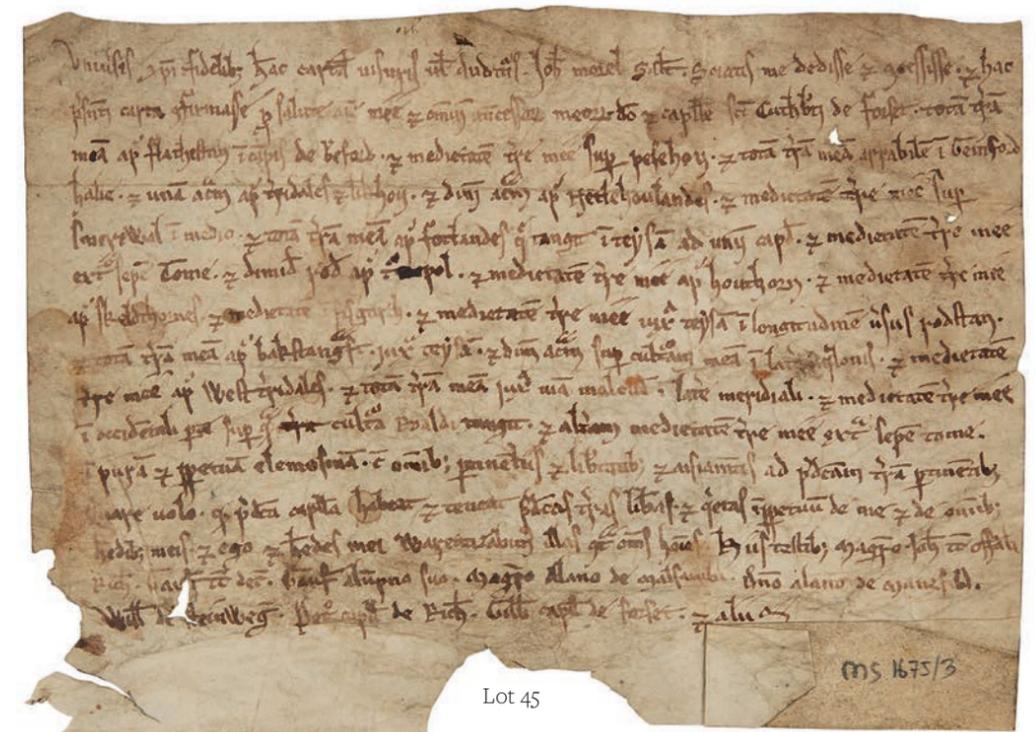
3.Alan G. Thomas (1911-1992), London bookdealer; his sale at Sotheby’s, 21 June 1993, lot 11(4).

4. Schøyen Collection of London and Oslo, their MS. 1675/4.

Text:

Manuscripts from northern English monasteries are rare. The de Lelay (or de Leathley) family were powerful Yorkshire landholders and are commonly met in early archival material. The first settler, Everard de Leathley, was Norman and in the sway of William de Percy, and is recorded as holding this estate and others from de Percy by the Domesday Book. His son was named Hugh, who in turn had a son, named William, who was the father of the Hugh mentioned in the present document. Hugh de Leathley had dealings over land at Baildon with Adeliz de St. Quintin (the founder of Nun Appleton), where she went on to found a chapel there, also dedicated to St. John the Evangelist. This document attests to further property deals between the two, with Leathley’s daughter here making a grant to Adeliz’s nunnery, perhaps as she entered the community herself.

£700-900



Lot 45

45

Grant of Land in Barthford and Gainford (both near Durham) and other smaller estates, by John Morel to the Chapel of St. Cuthbert in Forcett, Yorkshire, in Latin, single-sheet document on parchment [northern England (probably North Yorkshire), c. 1200 or early thirteenth century]

Single document, on 15 long lines of an English pre-gothic secretarial hand, two medieval endorsements on reverse, spots, stains, cockling to parchment, and damage at lower lefthand corner as well as seal tag torn away removing small section of blank parchment at foot, overall in fair condition, 110+16 by 160mm.

Provenance:

1. The Chapel of St. Cuthbert, Forcett, North Yorkshire, to the immediate west of Darlington.

2. Sir Thomas Phillipps (1792-1872), his MS 41,095; passing to his heirs and thence to the Robinson brothers of 16-17 Pall Mall, London; their sale in Sotheby’s, 13 April 1981, lot 216(c): the present charter still in the brown foolscap envelope used by Sotheby’s to identify individual Phillipps charters in this sale.

3. Alan G. Thomas (1911-1992), London bookdealer; his sale at Sotheby’s, 21 June 1993, lot 11(3).

4. Schøyen Collection of London and Oslo, their MS. 1675/3.

Text:

The medieval history of this chapel is now almost entirely obscure, and this charter may well be the last surviving solid record of its existence in the Middle Ages. J. Raine suggested, following medieval records from Durham, that the site was one of those that the monks of Lindesfarne fled to with the relics of St. Cuthbert after the Viking attack of 875 (*Saint Cuthbert: with an account of the state in which his remains were found upon the opening of his tomb in Durham Cathedral*, 1878, pp. 43-44, n.), and if correct then this site must have been founded in the tenth century. This proposed antiquity is supported by the substantial amounts of late Anglo-Saxon stonework that survive reused in the current building’s Romanesque porch. The site may also have had early noble patronage: Domesday Book records that the estate was owned by Earl Edwin of Mercia (d. 1071) before 1066.

£700-900



Lot 46

46 Confirmation by Henry de Leicester, prior of Coventry, of a grant by Walter Langton, bishop of Coventry and Lichfield, of the Church of Conover, Shropshire, to Shrewsbury Abbey, with a note on the appointment of Henry of Lichfield and Thomas of Carnes as rectors of the church in exchange for an annual payment to Shrewsbury Abbey and another to Lichfield Cathedral for the upkeep of a chapel there to celebrate Mass for the souls for King Edward I and the bishop of Lichfield, in Latin, manuscript document on parchment [England (Coventry), dated 3 March 1315]

Large single-sheet document, on 29 long lines in English secretarial hand, plaited silk ties at base for seal (the quality of the ties indicating the missing seal was probably that of Coventry Priory), several contemporary and sixteenth-century endorsements on reverse and an archival number “DLXVI”, some folds and small areas of discolouration, else in excellent condition, 280+30 by 390mm.

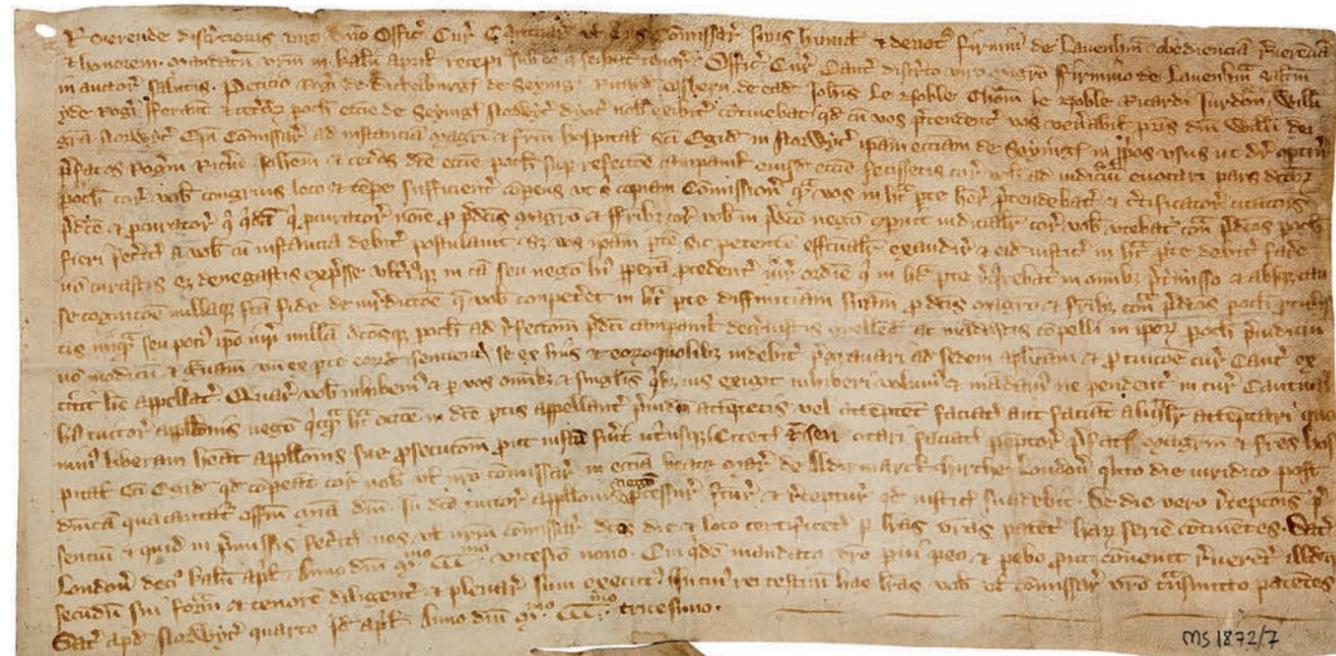
Provenance:

1. The Benedictine Priory of Coventry was founded in 1043, and grew steadily under noble patronage. In 1221, after a costly dispute with their local bishop, they came under papal protection and continued in existence until their suppression in January 1539. Their estates were transferred to John Combes and Richard Stansfield, and the late sixteenth-century English endorsement on the reverse of this document describing its contents is perhaps in one of their hands, or one of their secretaries.
2. By the eighteenth century the estate of Conover Church and this document appear to have passed to Thomas Jelf Powys (1744-1805) of Berwick House, Shropshire, a magistrate: inscription dated 1794 naming him at foot of endorsements on reverse.
3. Sir Thomas Phillipps (1792-1872); passing to his heirs and thence to the Robinson brothers of 16-17 Pall Mall, London; his sale in Sotheby's, 27 June 1977, lot 4948.
4. Alan G. Thomas (1911-1992), London bookdealer.
5. Schøyen Collection of London and Oslo, their MS. 1872/8, acquired in June 1994 from Thomas' estate.

Text:

This large and handsome English document details the ‘tidying up’ of the complex affairs of the ownership of Conover Church. The estate of Conover was owned by the king before 1066, and after the Norman Conquest it was given by William the Conqueror to Roger de Montgomery, earl of Shrewsbury. Roger de Montgomery then gave the church to his clerk, Odelerius of Orléans (the father of the Anglo-Norman historian, Orderic Vitalis). Odelerius was involved with Earl Roger in the foundation of Shrewsbury Abbey, and may have gifted the church then to the abbot. Then, immediately before this grant was made, the ownership of the church was placed by Abbot William of Shrewsbury into the hands of Walter Langton, bishop of Coventry and Lichfield, who in turn presented it back to Shrewsbury Abbey. The licence for the appropriation of this grant can be found in *The Calendar of Patent Rolls*, Edward II, 1307-1313, 497, on 20 September 1312.

£600-800



Lot 47

47 Writ from Master Firmin de Lavenham to the Court of Canterbury about their mandate of 23 March 1330, following a petition from named parishioners of Seething about the rebuilding of the belfry of Seething Church by William Ayermyne, bishop of Norwich, at the instigation of the Master and Brothers of the Hospital of St. Giles in Norwich, in Latin, manuscript document on parchment [England (Norwich), dated 2 April 1330]

Single document, in 22 long lines in English secretarial hand, the text filling almost all of the available parchment, contemporary endorsements on reverse, one partial green wax seal attached to a seal tag cut horizontally from the foot of the document (with a figure kneeling before St. Catherine), small spots and stains, some folds, else good condition, 142 by 265mm.

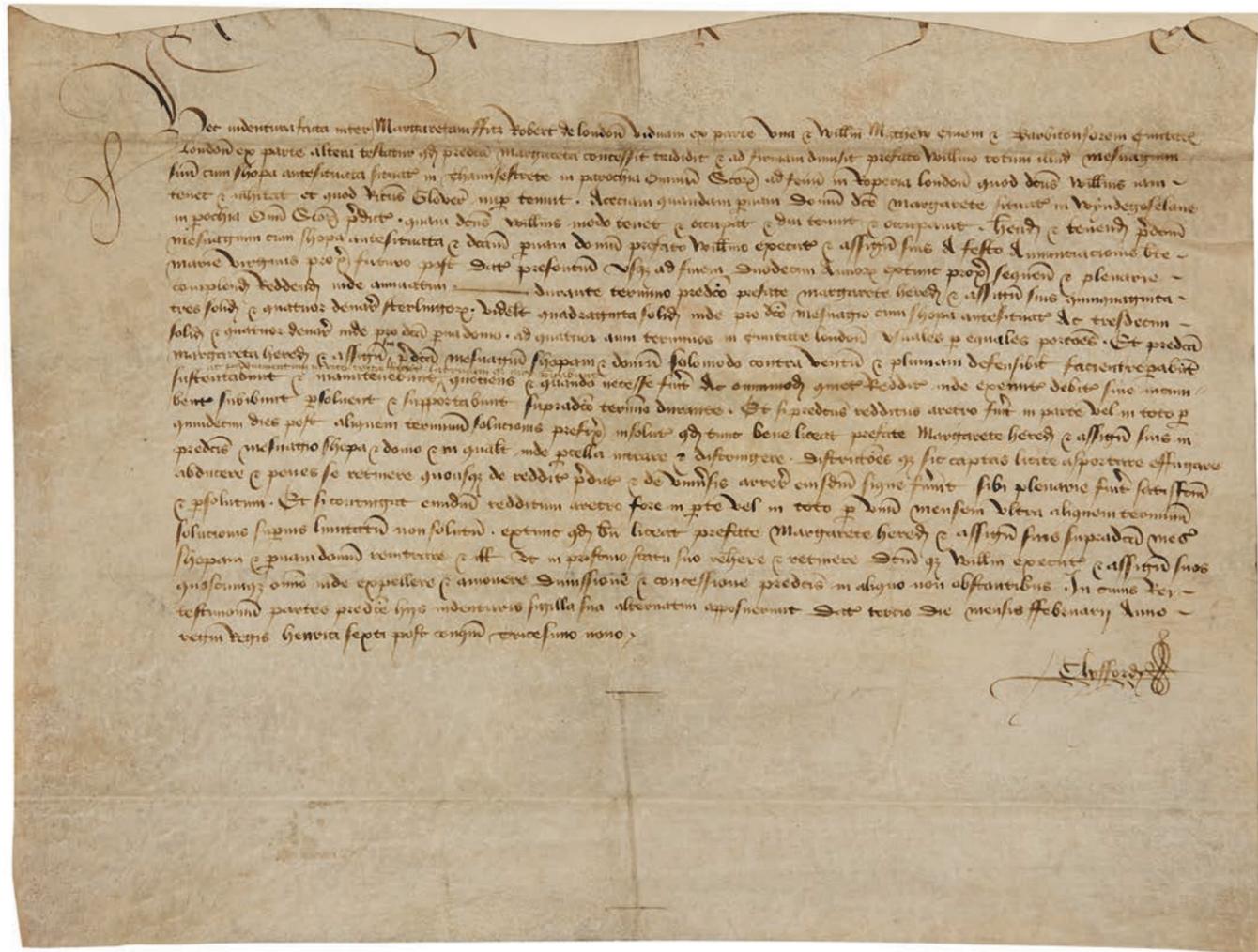
Provenance:

1. Sir Thomas Phillipps (1792-1872), with his inscription “Seething” in pencil on reverse; passing to his heirs and thence to the Robinson brothers of 16-17 Pall Mall, London; his sale in Sotheby's, 27 June 1977, lot 4913a.
2. Alan G. Thomas (1911-1992), London bookdealer: with his cataloguing enclosed; acquired from his estate by the Schøyen Collection of London and Oslo, their MS. 1872/7.

Text:

Firmin de Lavenham was the rector of Cressingham-Magna, who held additional offices as archdeacon of Sudbury in 1329-1346 and as chancellor of Norwich from 1328. The church itself is in its earliest standing elements Norman, with substantial additions of the fourteenth century. No other record of this act of charity through the combined efforts of the parishioners of the church, the local bishop and the Hospital of St. Giles in Norwich, has been traced by us, and this may well be the last surviving witness.

£400-600



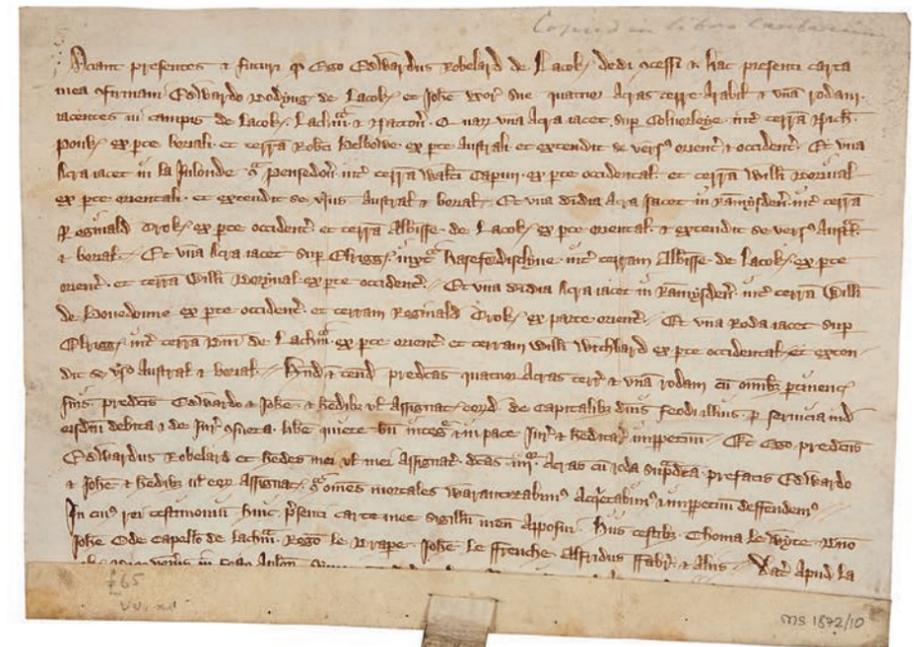
Lot 48

48  
Four charters of London interest, in Latin, manuscript documents on parchment [England, first half of thirteenth to sixteenth century]

Four documents: (i) indenture between Margaret FitzRobert of London and William Matthew, barber of London, for the lease of a shop in Thames Street, on 22 long lines, one calligraphic initial, indentured at head, seal and seal tag wanting, 170+25 by 270mm., dated 3 February 1461; (ii) agreement concerning a house in Southwark between Adam Duke, John Swofeham and Henry Bynley, and William Causton and Alinore, his wife, on 10 long lines, apparently without ever having seals, seal tags or turn-up, endorsed "Ingr" at foot, 90+ by 270mm., dated "XV Henry VII" so 1499 or 1500; (iii) quitclaim of John Clune, citizen and seed farmer of London, to his mother, Frideswide Clune, for land in Warwick Lane, on 28 long lines, important words in larger script, ascenders in uppermost line with ornamental cadels and opening with calligraphic initial, signed by issuer on turn up through stem of seal tag, seal tag present (but no seal), 240+30 by 370mm., dated 20 November 1582; (iv) royal grant of Henry VIII to John Lambard, clothier of London, of the manor of Heddington in Wiltshire, formerly the property of the Augustinian Abbey of St. Mary, Lacock (founded 1232, and surrendered to the crown in 1538), together with the advowson of the rectory of Heddington, on 54 long lines, opening words and crucial phrases in enlarged script, seal and seal tag wanting, 480 by 640mm., dated "Terlynge" (Terling Hall, Essex, an occasional residence of Henry VIII) 28 October 1543; all with small spots, stains and folds, else good condition, and all laid down on large cards

Item (v) here was once in the collection of Sir Thomas Phillipps, and came to the Schøyen Collection from the London book-dealer Alan G. Thomas. The first three documents here were owned by E.H. Dring (1863-1928), and his son E.M. Dring (1906-1990), and passed from them to the Schøyen Collection via the London book-dealership Quaritch.

£1,500-2,000



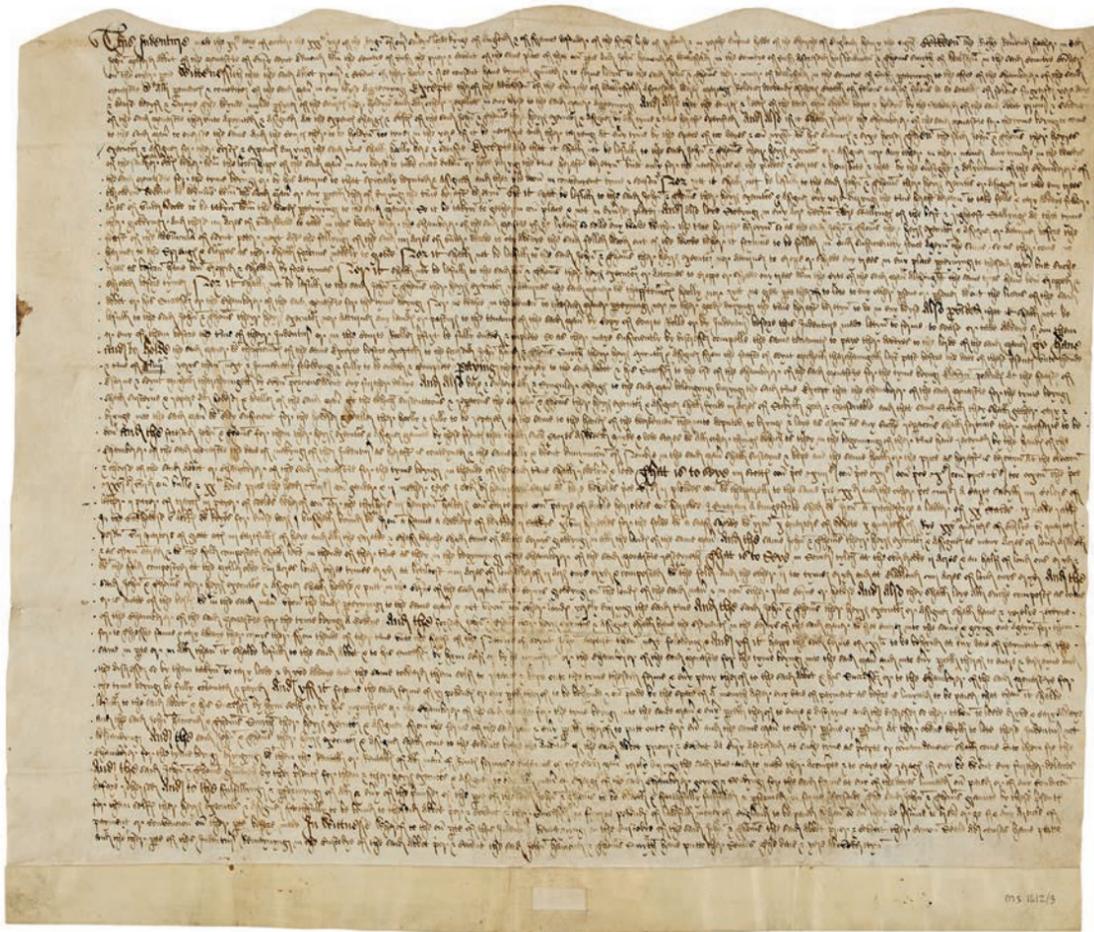
Lot 49

49  
Collection of nine English medieval charters from the Phillipps collection, in Latin, manuscript documents on parchment [England, thirteenth and fourteenth century]

Nine documents: (i) charter of William de Moreville, Elena his wife and Eudes his heir, conveying to Alured Finke land at Bridport on the manor of Bradpole, Dorset, and for a further mark of pasture rights for two cows and a horse, 12 long lines by Robert the chaplain, 110 by 180mm., Dorset, early thirteenth century; (ii) conveyance by Hugh of Porton, Wiltshire, to Walkelin de Rosche, of land beside that formerly of John of Burcombe, 12 long lines, 90 by 150mm., Wiltshire, c. 1250; (iii) conveyance by John the son of Ralph of Sneinton, Nottinghamshire, to John the son of Roger de Croperhull of Nottingham, of land in "le Kyrke Meduwe", 16 long lines, 120 by 210mm., Nottinghamshire, 14 July 1284; (iv) legal judgement on the urgently needed repairs to the Cattawade Bridge, 'which horses and carts used to be able to cross', and for the upkeep of which Hugh, late rector of East Bergholt, Suffolk, had left land which had subsequently been sold, with lists of the landholders in Bergholt, all of whom were to contribute to the repairs, 16 long lines, 110 by 240mm., Suffolk, c. 1300; (v) lease by Sir Robert de Tuddenham (who owned Tuddenham Hall, Wisbech St. Mary, and was executed on the accession of Edward IV) to William le Bustlere of Hildersham, Cambridgeshire, and Margaret his wife, of the manor of Little Abington, 19 long lines, 160 by 220mm., Erismwell, Suffolk, 29 September 1307; (vi) conveyance by Lucy, daughter of John of Otley, to John de Atleburg and Mary his wife, of land in Seething, which she and her sister inherited from their father, 13 long lines, armorial seal with inscription "S. LVCIE: FIL: IOHANIS: D", 120 by 200mm., Suffolk, early fourteenth century; (vii) conveyance by John, son of John of Beckenham, to John of Beckenham and Alice his wife, of lands inherited from his father in Cranbrook and Biddenden, both in Kent, 13 long lines, with seal tag cut from an older document (but no seal), 110 by 240mm., Beckenham, Kent, 1324-1325; (viii) conveyance by Edward Robelard of Lacock to Edward Dodyng, of land in Lacock and elsewhere, 19 long lines, with a pencil note by Phillipps: "Copied in Libro Cartarum", 160 by 220mm., Lacock, Wiltshire, 28 October 1334; (ix) conveyance by Sir William de Rellyston to John Woderove, John Amyas junior, Master Robert Woderove, and John Snytall the chaplain, of his share in the manor and lands of Meltham, Yorkshire, 10 long lines, seal tag cut from an older document and with red wax armorial seal, inscribed "SIGILLVM. WILE[...]", 110 by 260mm., Yorkshire, 1388-1389; all with folds, small spots and discoloured areas, else good condition

This clutch of English documents was built up over a long period of time by Alan G. Thomas (1911-1992) from the sales of the collection of Sir Thomas Phillipps' charters. Only item (iii) ever had a Phillipps acquisition number ("29216", and that indicating an origin in the collection of the nineteenth-century Bradford antiquary John Wilson [1719-1783] of Broomhead Hall), and was acquired by Thomas in Sotheby's, 27 June 1977, lot 4927. The rest were acquired through the same Sotheby's sale (lots 4860, 4974a, 4957, 4843, 4913b, 4889b and 4974d), apart from item (ix) which was acquired by Thomas directly from the Robinsons of Pall Mall. This group of charters then acquired by the Schøyen Collection of London and Oslo, from Thomas' estate in 1994.

£3,000-5,000



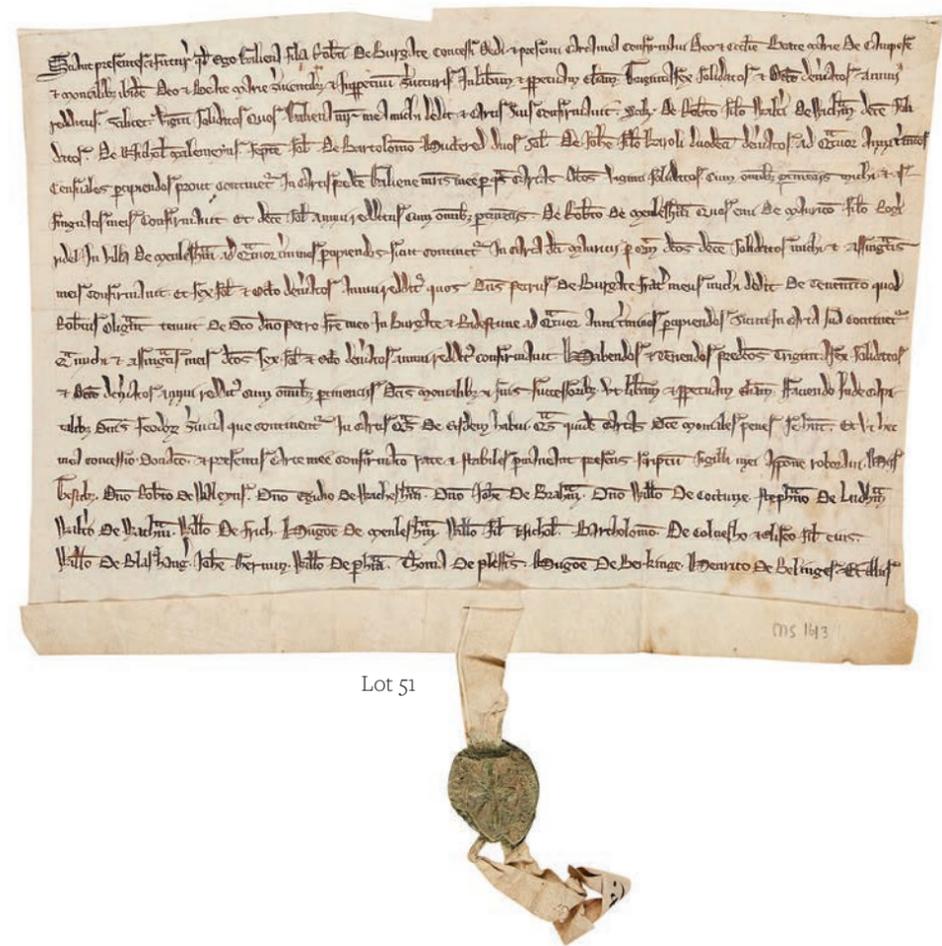
Lot 50

50  
Three charters most probably from the archive of the Abbey of Bury St Edmunds, in Latin, Middle English and Tudor English, manuscript documents on parchment [England (probably Bury St Edmunds, Suffolk), dated 20 August 1473, 12 March 1478 and 12 October 1538]

Three documents: (a) charter of Robert Boteyn and William Clerk (also known as William Wolleman of Bury St. Edmunds) in confirmation of the tenure of Robert Burgeys and others, of property in Brockley, Suffolk, in 20 long lines, calligraphic penwork initial, two seal tags and one seal present (oval red wax, with head), 170+20 by 330mm., dated 20 August 1473; (b) charter of Robert Burgess of Bury St Edmunds, Henry Richard, Laurence Smyth (a “mercier”), John Salter (a “barbour”) and John Mey, for Walter Thurston (a “mercier”), John Helpston (a “grocer”), and John Berywey (a “goldsmith”), for a property in Brockley, the document in Latin, with some of the names of the persons here followed by their profession in Middle English, on 26 long lines, single calligraphic initial, five seal tags and all but one with red wax seals attached (with letters ‘L’, a crowned ‘R’ and a rose), 220+20 by 340mm., dated 12 March 1478; (c) large indenture between John Reeve of Melford, the last abbot of Bury St. Edmunds before the Reformation, and John Hamond of Watlesfeld, Suffolk, and other parties, concerning land at Watlesfeld, in Tudor English, on 50 long lines, crucial words in larger script, indentured at head, endorsements on reverse including an antiquarian one dated 16 September 1615 referring to the contents of “this old leafe” and noting that it “ought ... to be carefully garded because (if I be not mistaken) the legall things ... excepted by yt Abotf” (that is, the privileges and freedoms therein for the estate might be unique and this document should be carefully protected), seal tag but no seal present, 430+30 by 500mm., dated 12 October 1538; all with folds and small stains, else good condition, all laid down on cards

The Abbey of Bury St Edmunds was founded in the early tenth century as a burial site for St. Edmund the martyr, killed by the great Viking army of 869. His cult drew vast numbers of pilgrims and patronage, and the abbey grew to have extraordinarily large land-holdings, directly owning all of West Suffolk by 1327. By the end of the Middle Ages it was among the wealthiest monasteries in England. It was surrendered by Abbot John Reeve of Melford to the royal commissioners on 4 November 1539, with Reeve taking a pension alongside the prior and forty-two monks. He died the following year. This small archive would appear to have passed after the Reformation into private hands, where these perhaps remained, passing mainly by descent, until they entered the collection of E.H. Dring (1863-1928), and his son E.M. Dring (1906-1990), and from them to the Schøyen Collection via the London book-dealership Quaritch.

£600-800



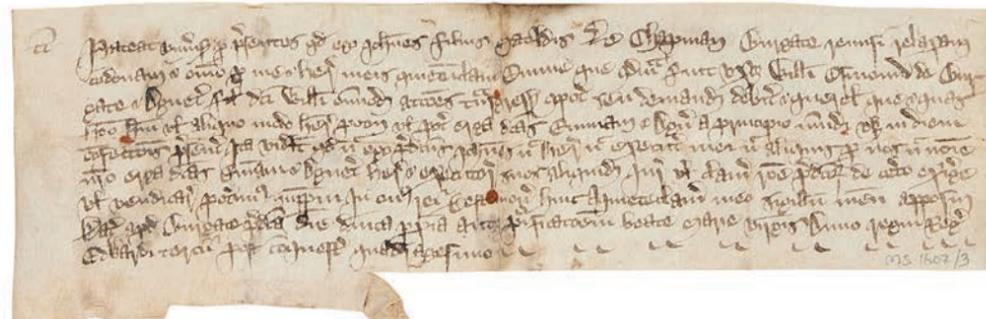
Lot 51

51  
Part of the archive of the Augustinian Priory of Campsey Ash, Suffolk, all in Latin, twenty-three single-sheet documents on parchment [England (East Suffolk), thirteenth to fifteenth century]

Twenty-three charters (seven of the thirteenth century, fourteen of the fourteenth century, and two of the mid-fifteenth century), plus a thirteenth-century record of a gift of alms to the abbey by Galiena, daughter of Robert of Burgate, written in a variety of English secretarial hands, containing records of land transactions in favour of the Priory involving local donors and landowners named Thomas Crawe, John the son of Matilda le Chapman, Sir John de Swynford of Cambridge, Sir Petrus de Burgate, Peter Crowe the son of John Crowe, Ralph de Tendryngg, Matthew the rector of the Church at Bresewyth, Peter and William of Burgate, Richard and Nicholas the sons of Thomas del Hage of Redgrave, Martin of Winnefield, Peter the lord of Burgate, William Faber of Burgate, William le Breton, John de Spergle, John Cockerel the parson of Wortham, Nicholas Cockerel the chaplain of Melles, John Hobart the parson of Burgate, among others, all but two for estates in Burgate, remains of tags once holding seals (cut from other documents and cut from bottom of the actual documents in question), and ten seals present (some armorial), some folds and scuffs, but overall in good and presentable condition, all mounted in groups of one, two or three on large white cards

Provenance:

1. The Priory of the Blessed Virgin Mary, Campsey Ash, was a house of Augustinian canonesses at Campsea Ashe, between Woodbridge and Saxmundham in Suffolk. It was founded in 1195 by Theobald de Valoines, lord of Parham (d. 1209) as a complement to his foundation of male canons at Hickling Priory in Norfolk in 1185 (see VCH, II, 1975, pp. 112-115). By the end of the thirteenth century they owned land in a wide distribution over the whole of Suffolk and Norfolk, and in the fourteenth century the house blossomed under the patronage of the Ufford earls of Suffolk. It was suppressed in 1536 during the Reformation, and the house and its goods that were not carried off by the royal commission passed into a series of private owners’ hands. The majority of their surviving records are now held by Suffolk Records Office (Ipswich branch), and N.R. Ker lists four manuscripts surviving from their library: (i) British Library, Addit. MS. 40,675 a fourteenth-century Psalter, (ii) Arundel MS. 396, a fifteenth-century John Capgrave in Middle English, (iii) Shipham Parish Church, a Psalter of c. 1200, and (iv) the Duke of Portland, Welbeck Abbey, I.C.I., a *Polychronicon* of c. 1400 (*Medieval Libraries of Great Britain*, 1941, pp. 18 and 120). To these should be added British Library, Addit. MS. 70,513, a thirteenth-century collection of saints’ lives. Considering their contents these charters are perhaps the part of the archive concerning Burgate, abstracted by local landowners who held these estates after the suppression of the house.



Lot 51

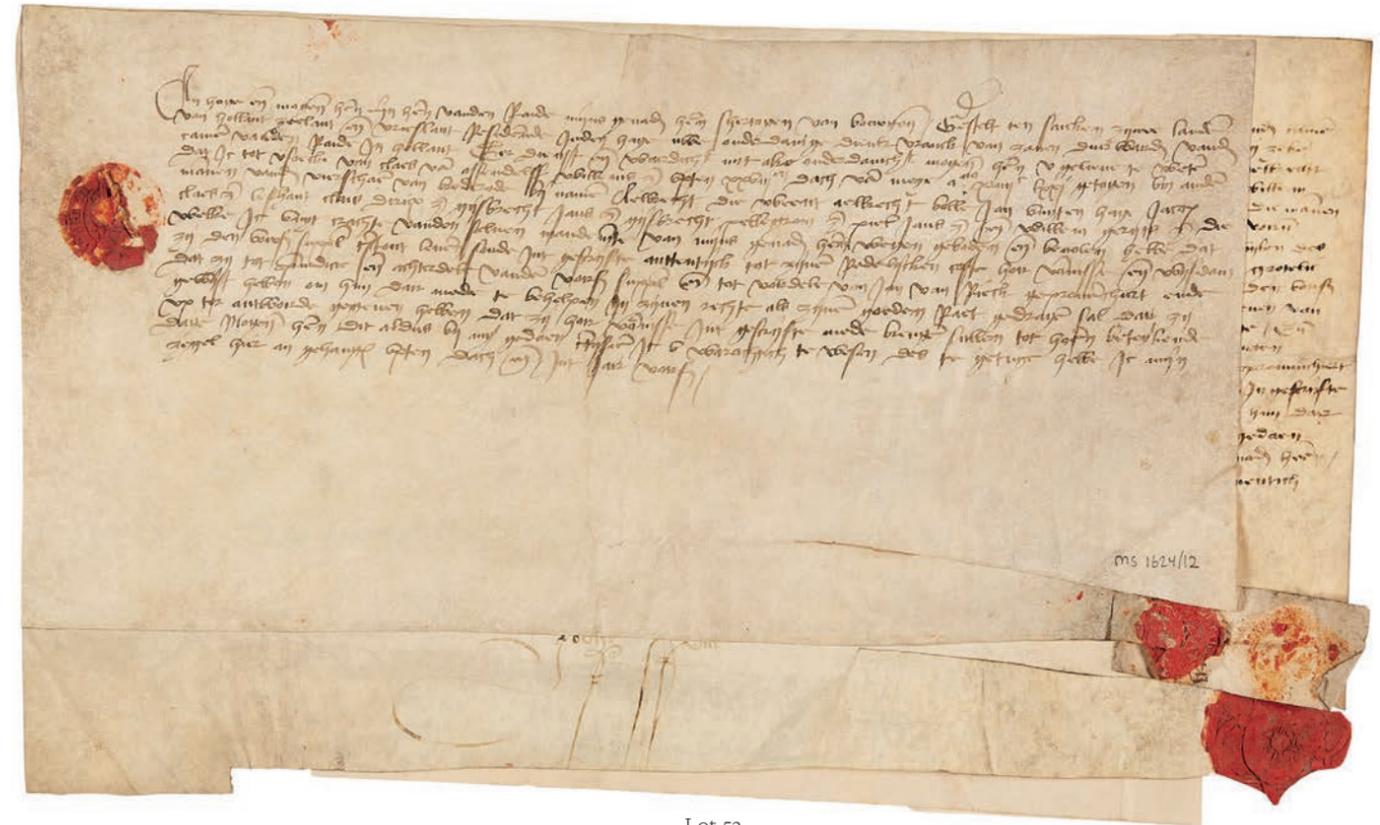
2. E.H. Dring (1863-1928), the first managing director of Quaritch; these acquired in Sotheby's in the first two decades of the twentieth century, and passing in turn to his son E.M. Dring (1906-1990), himself manager of Quaritch from 1960.

3. Quaritch of London, this archive passing to them in 1983 along with the vast Dring fragment collection and other charters.

4. Schøyen Collection, London and Oslo, their MSS. 1607 and 1613, acquired in August 1992 from Quaritch.

Text:  
Outside of the Dring charters (see our last Schøyen sale, 8 July 2020, lots 68-70 and 72) clutches of charters from the archives of English monastic houses rarely now appear on the market. These twenty-four documents here have been kept together since the Middle Ages, and provide a last fleeting glimpse of life for the women in the abbey, its affiliations and land-holdings.

£6,000-8,000



Lot 52

52  
Small collection of documents concerning the Dukes of Burgundy, in French and Dutch, manuscript documents on paper and parchment [England and The Netherlands, dated 13 July 1411, 1470, and 3 April and 28 May 1471]

Five documents (those in Dutch forming two sets of attached double documents, joined at their lefthand edges): (i) letter of 'Sauf Conduit', that is a passport giving safe passage, granted by Thomas Pickworth, lieutenant of Calais for the Prince of Wales (Henry of Monmouth, 1386-1422, later King Henry IV) to visit Thierry Gherbode, counsellor and archivist to the Duke of Burgundy, to discuss differences between the duke and the English, in French on paper, in 26 long lines of an Continental secretarial hand, elongated calligraphic cadels to ascenders of opening words, endorsed with scribal mark like an angular petalled version of the so-called 'clover' symbol at foot, embossed with red wax seal in blank margin at foot of document (30mm. diameter; with Pickworth arms with three pickaxes), endorsed on reverse in French by seventeenth- or eighteenth-century hand as well as Phillipp's number (see below), 270 by 300mm., dated Calais 13 July 1411; (ii) four letters of Charles 'the bold', duke of Burgundy, to Caius, his lord "van den Raide", on 24, 30, 13 and 21 long lines, respectively, in Dutch secretarial script, scribal mark of "Lodovicus" at foot of two of them (and all four in a single scribal hand), with red wax seals on face of documents in margin and on seal tags cut horizontally from feet, 210 by 350mm. and 240 by 360mm., both dated 1470, and 160 by 330mm. and 260 by 360mm., "Hollant" and dated 3 April and 28 May 1471; all with folds and small stains, else good condition, all laid down on three cards

Item (i) here first emerged in the Southwell papers (the archive of Sir Robert Southwell [1635-1702] and his son Edward Southwell [1671-1730], both serving as secretaries of State for Ireland), these disbursed by the London bookseller, Thomas Thorpe, in catalogues issued from 1834 to 1836, with many acquired by Sir Thomas Phillipps (and thence sold by Sotheby's, 4 April 1977, lot 140, and now University of Pennsylvania). Phillipps also owned this document, and it is endorsed by him with his acquisition number: "10165", on its reverse. All three documents passed through the hands of E.H. Dring (1863-1928), and his son E.M. Dring (1906-1990), to the Schøyen Collection via the London book-dealership Quaritch.

£1,000-2,000

53

The greater and final part of the Dring charter collection, in all 161 manuscript documents, predominantly medieval and English, and all except one on parchment [England, France, Low Countries and Spain, twelfth to eighteenth century]

*Some 125 English charters of the twelfth to sixteenth century from the entire breadth of the country, including one of the twelfth century, eleven of the thirteenth century, fifty-six of the fourteenth century, twenty-seven of the fifteenth century and thirty of the sixteenth century, all on parchment and many with seals, including two fourteenth-century charters from a nunnery at "Kington" or "Kynton" patronised by the Berkeley family and thus most probably the Priory of the Blessed Virgin in Gloucestershire, a small secular archive from Foxherd in Essex, a Royal Letters Patent of Queen Elizabeth I to Roland Hayward confirming his estates in Shropshire and dated 12 March 1589 and a Quitclaim of George Talbot, Earl of Shrewsbury, for a "Heryng Workes" (most probably fishing rights) from the tenant of his manor of Walsham, Suffolk, dated 15 February 1509; plus some thirteen vernacular charters in Dutch from the Low Countries (two of fourteenth century, 10 of the fifteenth century and one c. 1500) as well as a confirmation of the privileges of the Celestines in Paris, by Bishop Gregory of Paris, in Latin and dated 15 January 1378, a Belgian charter in French dated 1394, a Spanish document dated 1568, and thirteen English charters of the seventeenth century (one of these on paper; and including an exemplification of Oliver Cromwell, Lord Protector, for a fine levied in the Court of Common Pleas in 1649, for land in Walsham in the Willows, dated 28 October 1651) and an eighteenth-century charter from the same small archive; medieval documents all laid down on cards, and all housed in four large green boxes*

This is the last part of the vast charter collection assembled by E.H. Dring (1863-1928), from a wide array of sources, and passing in turn to his son E.M. Dring (1906-1990, and then acquired by Quaritch of London, and from them to the Schøyen Collection of London and Oslo in November 1994.

£20,000-30,000



Lot 53

'Monasteriarum totius Anglie', a list of English monasteries and their annual incomes, arranged by counties, in Latin, manuscript on paper [England (probably London or Westminster), c. 1535]

6 leaves (plus a blank leaf left at front, and 3 blank leaves at back, the outermost acting as covers), complete, entries in approximately 28 lines of a fine and professional English secretarial hand, diocesan titles offset in left-hand margin, incomes offset in right-hand margin, title and added word "Copia" in contemporary hands at head of verso of last sheet, small amount of corrections from contemporary use, some small spots, stains and folds, discoloured at outer edges, overall good and legible condition, 310 by 210mm.; stitched, but not bound, and probably not so until the eighteenth or nineteenth century (see below), remnants of that later binding at spine of booklet, in fitted burgundy cloth-covered case

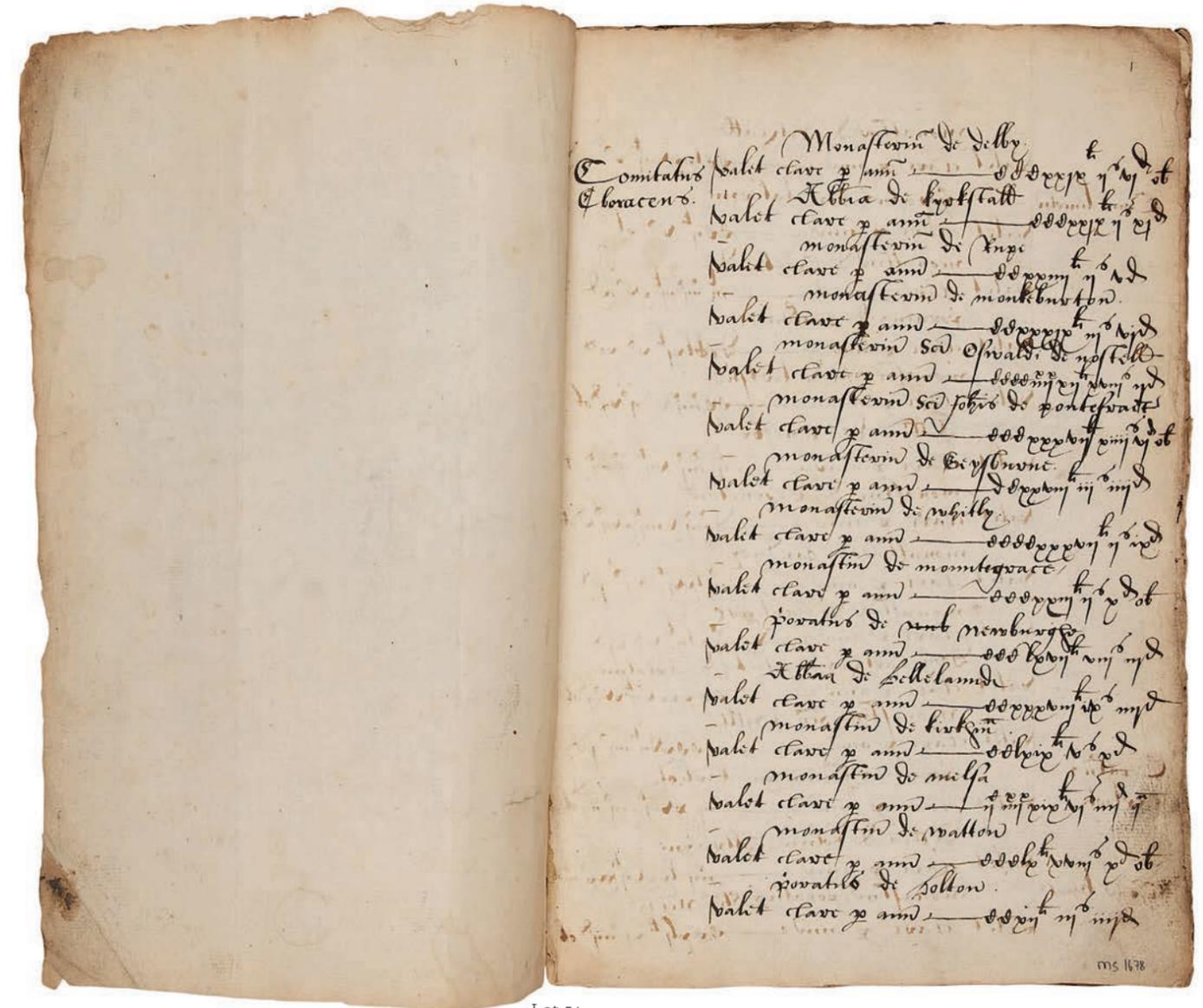
Provenance:

1. Almost certainly produced for an official active in the Dissolution of the Monasteries. Following Henry VIII's seizure of control of the Church, one of his first acts was to tax the clergy, and to that end commissions were appointed throughout the country in 1535 to visit each institution and make a full assessment of their income from their archives. The work was performed under substantial royal pressure and at breakneck speed, with the results handed in and collated together in the royal exchequer in the summer of the same year. This produced the *Valor Ecclesiasticus* (now Kew, National Archives, E344, formed of 30 files and volumes). The present booklet identifies itself as a "Copia" of a document that must have been produced during this hurried exercise in data collection. We can be confident that it was produced around 1535: the watermark of an elaborate pot topped with decorative crenulations and a cross formed of four loops is a common one (agreeing in general with Briquet 12,510-12,512, 12,517 and 12,520-12,526, ranging from 1504-1596), but is closest to Briquet 12,519 (recorded for Brussels, 1536). However, the addition of letters to the body of the pot is found in Briquet 12,819-12,840 (ranging from the 1520s-1580s), and one example of those, Briquet 12,841, is recorded in the Netherlands in 1542, 1543 and 1547, with a garbled inscription "DEL" that might just explain the presence of the letters '[L?]'ED' here. That the paper here should be from the Low Countries is unsurprising, as for most of the sixteenth and seventeenth centuries there were almost no English paper mills engaged in the manufacture of 'white paper' for writing and printing.

2. Sir Thomas Phillipps (1792-1972), doubtless abstracted from a larger manuscript by him, with traces of binding structures and brown leather from inside of spine adhering to the spine of booklet. The discolouration to the first and last leaves indicating that this booklet was separate for some centuries before being bound up (probably in eighteenth or nineteenth century), and before that was probably just tacketed together and folded lengthways. Passing to Phillipps' heirs after his death, and thence to the Robinson brothers, of 16-17 Pall Mall; this item sold by them in Sotheby's, 26 June 1974, lot 2914: with a sheet of paper enclosed with this item with the lot number and the brief description "English monasteries 16<sup>th</sup> cent.", followed by sale date and Alan Thomas' price code.

3. Alan G. Thomas (1911-1992), London bookdealer; and his sale at Sotheby's, 21 June 1993, lot 50, realising £1100.

4. Schøyen Collection of London and Oslo, their MS. 1678; acquired via Quaritch from the Sotheby's sale.



Lot 54

Text:

The approximately 160 entries in this booklet contain considerably less information than in the *Valor Ecclesiasticus*, with the records here pared down to a list of monasteries arranged by their region and followed by their income, and this instrument was evidently used in the calculation of grand totals for each region or indeed the whole nation. The survey is also at odds with the geographical peregrinations of the *Valor Ecclesiasticus*, which unlike that document begins here in the far north with the diocese of York (fol. 1r), before moving on to Lincoln (fol. 1v), Cumbria ("Karlioh"), Huntingdon, Chester (fol. 2r), Lancashire, Sussex, Dorset, Cornwall, London and Middlesex (fol. 2v), Norfolk, Northampton (fol. 3r), Bedford, Bristol (fol. 3v), Nottingham, Canterbury, Worcester, Canterbury (fol. 4r), Oxford, Essex, Leicester (fol. 4v), Suffolk, Buckingham, Hertford (fol. 5r), Gloucester, Wilton, Winchester, Durham (fol. 5v), Berkshire, Warwick, Devon (fol. 6r), and Somerset. It has a small number of contemporary corrections and was evidently in use during the Reformation.

Records such as this, which played an active role in the Dissolution of the Monasteries, have been few and far between on the market since the final dispersal of the Phillipps collection, and to the best of our knowledge the only other comparable in recent years is that of a copy of the Letters Patent of the Dissolution of Ely, with other associated texts, made for the last prior of the community, sold in our last Schøyen sale, 8 July 2020, lot 74.

£4,000-6,000

55

“A terreal of all suche landes as Thom[a]s Yardley hathe in Beoley”, a land terrier in Middle English, manuscript on a roll of parchment within its original fabric cover [England (Worcestershire), dated 1506]

Roll of parchment, formed from two membranes with added headpiece, complete, including a single column of approximately 120 lines in a vernacular English hand, text opening with large calligraphic initial encased within penwork acanthus leaves and supporting a large bird on its penwork cadels, a penwork banderole emerging from side of initial with “A° 1506”, this followed by the title and another date-clause: “A° Regis Henrici VII.22 – A° domini : 1506”, one large penwork initial ‘F’ formed from woody stems, reverse blank, the first membrane stitched to a rough fabric wrapper with two blue plaited cords ending in a single brown cord to wrap around the roll as a tie, some later overwriting throughout, small spots and stains, else in excellent condition, 950 by 120mm.

Provenance:

1. Thomas Yardley (fl. 1506) of Worcestershire, and almost certainly from the estate of Yardley, neighbouring Bewdley and now in the south east outskirts of Birmingham, to the immediate south west of Kidderminster. This roll was probably one of several such records compiled by him for use in his estate management: with the title “Beoley” on the outer side of the fabric wrapper in same hand as main document.

2. Eighteenth- or nineteenth-century circular blue paper label with collection label with “912” in pen.

3. Sir Thomas Phillipps (1792-1872), his MS. 26,566: his manuscript number added in pen to outer side of cloth wrapping; and passing to his heirs and thence to the Robinson brothers of 16-17 Pall Mall, London.

4. Alan G. Thomas (1911-1992), London bookdealer.

5. Schøyen Collection of London and Oslo, their MS. 1872/12, acquired in June 1994.

Text:

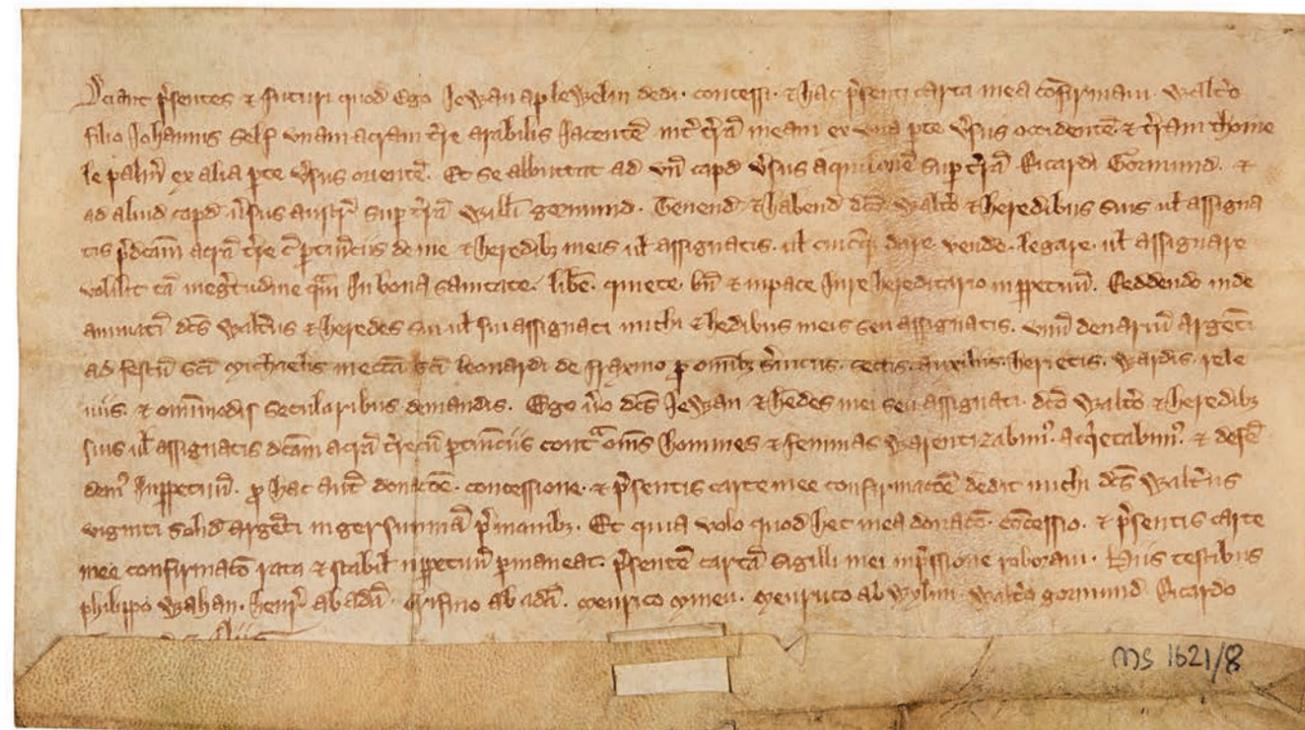
This charming practical estate record contains a detailed description of twenty-four estates in Bewdley. It, and its fabric wrapper, are in an excellent state of preservation. This record dates to a period of the history of Bewdley for which almost no other information survives.

Please note that this item is subject to the Manorial Documents Rules, and as such it cannot be taken out of England and Wales without the consent of the Master of the Rolls, and future owners must inform the secretary of the Historical Manuscripts Commission of their acquisition.

£7,000-9,000



Lot 55



Lot 56

56

Four charters of Welsh interest, in Latin or Tudor English, manuscript documents on parchment [Wales and adjacent border regions of England, thirteenth and sixteenth century]

Four documents: (i) charter of “Iewan ap Lewelin” (Ieuan ap Llywelyn) to Walter, son of John Self, for sale of an acre of arable farmland (unnamed here, and reverse without endorsement, but most probably in a Welsh border region), on 15 long lines, seal tag (but no seal), 110 by 220mm., third quarter of thirteenth century; (ii) indenture recording the sale of the manor of “Longrove” in Penarth, Glamorgan, from Erasmus Saunders of Tenby (c. 1534-c. 1597, a recusant English Catholic, who through his marriage in 1570 became one of the wealthiest men in Pembrokeshire: see F. Green, ‘Saunders of Pentre, Tymawr, and Galnrhyd’, Historical Society of West Wales, Transactions, II, 1913, pp. 161-188) and Jenett, his wife, to Henry Thomas ap Owen of Ilston, Glamorgan, and Rowland Dawkyn of Penarth and John Danyell of Penarth, for £200 in “good and lawfull money of England”, in Tudor English, on 40 long lines, opening two words and important words in enlarged version of same, witnesses added on reverse (Philip Williams, Henry Mansfield [added in his own hand], John Lawrens, John Thome John, George Franklin, “Morgan af ap Jeremie Morgan”, Hopkin William ap Rees, and William ap Richard Meline), the signature of Erasmus Saunders and his wife’s shaky initials added by them to the turn-up on the dorse, indentured at head, tag for a seal present (but only half of red wax seal remaining), another seal tag torn away from foot of document, seventeenth-century inscription on reverse: “Old papers belonging to R[ichard]i Coraugh”, 290+22 by 48mm., dated Penarth, Glamorgan 15 July 1573; (iii) enfeoffment by David ap David Jankyn of “Berthloid” (Berthlloyd), Montgomeryshire, of David ap Rees ap John ap David, for property in “Dorowen” (Darowen), Montgomeryshire, in Tudor English (with endorsement in Latin), in 28 long lines, 150 by 500mm., dated 26 August 1577; (iv) charter of Thomas Wyne of Garth, Montgomeryshire, “Jesper ap Hugh” of “Rydeskine”, Montgomeryshire, and Gylbert Homfrey of “Cletterward”, Montgomeryshire, acknowledging a £600 debt to Edward Horbert, on 11 long lines, remains of four red wax seals on seal tags cut horizontally across the bottom of the document (surviving seals with letters ‘W’ and ‘O’, and a herd of cattle between two castles), 160 by 320mm., dated Acton Burrell, Shropshire, 8 January 1578; all with spots, stains and folds, but overall in good condition, all apart from (ii) laid down on cards

Items (i) and (iii)-(iv) were once in the collection of E.H. Dring (1863-1928), and his son E.M. Dring (1906-1990), and passed from them to the Schøyen Collection via the London book-dealership Quaritch. Item (ii) was acquired by the Schøyen Collection in July 1994 from Jeff Towns of Dylan’s Book Store, Swansea, Glamorgan.

All manuscripts from Wales, or of Welsh interest, are of significant rarity, and those of the thirteenth century greatly so.

£1,200-1,800



Lot 57

57

The archive of the rectory of Llanegryn, Merionethshire, Wales, five manuscript documents in English on parchment [west Wales (Merionethshire) or England, dated 1634, 1654, 1655, 1667 and 1753]

Five single-sheet documents: (i) Letters Patent of Theophilus, earl of Suffolk, for the release of Francis and Margaret Herbert, concerning the rectory at Llanegryn, on 57 long lines in a late English secretarial hand, with important words in more formal display script, one large penwork initial, an oval red wax seal attached (crowned coat-of-arms of earl of Suffolk), 490 by 720mm., dated 4 November 1634; (ii) judgement of the Court of Sessions held at Dolgellau, Merionethshire, before William Littleton and Edward Bulstrode, being a final concord between Sir Henry Herbert and Richard Owen and others, concerning the rectory at Llanegryn, on 30 long lines in a late English secretarial hand, one large penwork initial, with a round black wax seal attached (the Seal of the Commonwealth, with the map of England and Ireland on reverse, and the Parliament on obverse; diameter 100mm.), seal tag partly torn through due to weight of seal, 360 by 550mm., dated Dolgellau, 9 September 1654; (iii) exemplification of a fine by Richard Herbert of the rectory of Llanegryn, on 21 long lines in a late English secretarial hand, one line in formal display script, with a printed upper border of the royal arms of Charles II enclosed by red lines, remains of a round black wax seal (the great seal of the Charles II with the royal arms; original diameter c. 100mm.), 450 by 660mm., dated Bala, Merionethshire, 15 September 1667; (iv) charter of Thomas Lloyd of Fernhill, Shropshire, acknowledging a debt to Thomas Perryn of "Dollerin" in Montgomeryshire, on 23 long lines in a late English secretarial hand, with part of red wax seal, 200 by 210mm., dated Fernhill, Shropshire, April 1655; (v) indenture between Henry Arthur Herbert, earl of Powis and Viscount Ludlow, and Richard Herbert of Oakly Park (near Ludlow), for sale of the rectory of Llanegryn, on 51 long lines in a late English secretarial hand, with printed royal arms of George II and stamped seals of earl of Powys (black wax), and others (all red wax), 640 by 75mm., dated 11 August 1753; some folds, spots and stains, all in an eighteenth- or nineteenth-century wooden box lined with marbled paper, and covered with leather recovered from an earlier stamped book binding (thus cuts and scuffs visible where leather once covered the spine), this leather covering worn and damaged and coming loose at extremities, small printed number '30' on paper label pasted to front of box

Provenance:

- Francis and Margaret Herbert, and their descendants, the rectory of Llanegryn, Merionethshire, Wales. Francis Herbert was the son of Matthew Herbert, MP. and sheriff of Merionethshire (d. 1611), who himself held extensive estates in Cyfeiliog and Machynlleth in Montgomeryshire, and rights and fishing interests in the Dovey in Merioneth, as well as the tithes of Llanegryn rectory.
- Henry Arthur Herbert (c. 1700-1772) of Dolgellau and Oakly Park, earl of Powis and son of Francis Herbert, MP. for Ludlow from 1727, then Lord Herbert of Cherbury from 1743, and Baron Powis and Viscount Ludlow from 1748.
- These charters are then likely to have remained in the archive of Oakly Park, in Bromfield, near Ludlow, Shropshire, after the sale of the estate by Henry Arthur Herbert to Robert Clive (1725-1774; 'Clive of India'), whose son in turn married Henry Arthur Herbert's daughter.
- 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: a note in the hand of E.H. Dring on a brown foolscap envelope once used to store the documents, reading, "Deeds relating to the Rectory of Llanegryn, formerly in the possession of the Herbert Family, and release of same to Mr Som. Davis in 1753. The original lease is framed in Drawing Room". Acquired by E.H. Dring in or immediately before 1918.
- Quaritch of London; this archive passing to them in 1983 along with the vast Dring fragment collection and other charters.
- Schøyen Collection, London and Oslo, their MS. 1623/1-5, acquired from Quaritch in August 1992.

£1,000-2,000



Lot 57

A small secular archive of charters from the Abbey of Inchaffray, Perth, Scotland, five manuscript documents in Latin on parchment [Scotland (Inchaffray, near Perth, and Edinburgh), sixteenth century (dated 31 March 1565, 3 and 4 February 1566, 1569, 12 May 1587 and 12 May 1587)]

- Five associated charters: (a) large charter issued by the Abbey of Inchaffray and its commendator, Alexander Gordon, to confirm purchase of lands at Thornyhill and elsewhere by Patrick Murray of Newrrow, on 66 long lines in a secretarial hand, one initial with penwork decoration, numerous signatures following that of Alexander Gordon, stains and folds, splits to edges, no seals or seal tags, 510+25 by 560mm., dated Inchaffray, 31 March 1565;
- (b) unusually tall charter, with agreement between David, Lord Drummond (appointed commendator of the Abbey of Inchaffray by Mary, queen of Scots, on 26 July 1565, without apparent papal approval), William Lindesay and Patrick Murray of Newrrow for the sale of land near Woodend, on 74 long lines of secretarial hand, initial with penwork decoration, folds and small amount of cockling to one corner, seal and seal tag wanting, 430+20 by 310mm., Inchaffray, dated 3 and 4 February 1566;
- (c) large charter of the Abbey of Inchaffray and its abbot, James Drummond, confirming the sale of lands to Patrick Murray of Newrrow, on 43 long lines of secretarial hand, ornamental cadels to letters in uppermost lines, penwork initial, large round seal in brown wax showing the arcaded front of the church of the Abbey of Inchaffray and St. John, on reverse an eagle (70mm. in diameter), folds and small spots, mounted in a large red case with Perspex front, 280+16 by 480mm., Inchaffray, dated 1569 (with spaces left for numeral of day and month);
- (d) Royal Charter of King James VI of Scotland in confirmation of a charter of Alexander Gordon, Commendator of the Abbey of Inchaffray concerning sale of lands of the Abbey of Inchaffray to Patrick Murray of Newrrow (that dated 30 April 1559), on 78 long lines of secretarial hand, three calligraphic penwork initials, seal tag but no seal, with witnesses of John, duke of Hamilton and commendator of the Abbey of Arbroath, Lord Archibald Angusie, Patrick Adamson, the bishop of St. Andrews, Walter Stewart, the prior and commendator of the Abbey of Blantyre, John Maitland, the chancellor of Thirlestane, Justice Louis Belenden and Alexander Hay the keeper of the Rolls and of the King's Council, folds, else near-pristine, 405+40 by 523mm., Edinburgh, dated 12 May 1587; and (e) Royal Charter of King James VI of Scotland, in confirmation of a charter of the Abbey of Inchaffray and Abbot James Drummond, concerning sale of land at "Tullithandich" to Patrick Murray of Newrrow, on 50 long lines of secretarial hand, initial and ascenders in the first line with penwork decoration, by the same scribe as the previous document and with the same witnesses, small space left for placename, one large natural flaw in blank margin of parchment, some folds and small stains along those, seal tags but no seal, else good, 280+35 by 580mm., Edinburgh, dated 12 May 1587

Provenance:

- Most probably forming the private secular archive of Patrick Murray (1535-1590) of Newrrow and Woodend, both in the parish of Madderty, Perthshire. His great-grandfather had been knighted at the coronation of James I in 1424, and the Murrays held sway over large parts of Perthshire until the seventeenth century, when they took on the title of Baron Strange in 1627 and then Earl Strange from 1786. The Augustinian Abbey of St. Mary and St. John, Inchaffray, was founded as a priory on a site midway between Perth and Crieff in Strathearn, by the Earl of Strathearn and his wife c. 1200. It was under the rule of the Augustinians of Scone Abbey. Under Strathearn and royal patronage it grew wealthy, and during an assessment in 1275 to fund a crusade, it ranked fourth among the Scottish Augustinian houses, after only St Andrews, Scone and Holyrood. Its abbot carried the relics of St. Fillan ahead of the Scottish army to Bannockburn in 1314. However, in the fourteenth or fifteenth century its fortunes declined and in 1556 it was converted without much objection to a secular lordship for the Drummond family, and then the earls of Kinnoull (who still own both surviving chartularies of the community). What remained of the abbey was cleared during the creation of a road in 1816, and all that now remains is a mound and some small walls.
- Alan Rankin, Edinburgh bookseller.
- Schøyen Collection of London and Oslo, their MS. 1690/1-5, acquired from Rankin in July 1993.

Text: Medieval Scottish manuscripts and records are of some rarity on the market, and those that have survived outside of religious institutions are exceptionally so. As W.A. Lindsey, J. Dowden and J.M. Thomson explain in the introduction to *Charters, bulls and other documents relating to the abbey of Inchaffray, chiefly from the originals in the charter chest of the Earl of Kinnoull* (1908, p. v), the Inchaffray cartulary held by the Earl of Kinnoull was published in 1847, followed in 1908 by the publication of some boxes of charters from the Kinnoull archive relating to the abbey, many of which were not represented in the cartulary. Likewise, all of the documents here are completely unknown and unstudied.

£3,000-5,000



Lot 58

Small archive of Jersey charters, in French, single-sheet documents on parchment [Jersey, dated 1582, 1618 and 1635]

Three charters: (i) judgement of Jean du Marescq, bailiff of Jersey (“bailly en lisle de Jersey”), in the case of Collas Beaugie and Jacques du Feu, on 15 long lines in an irregular French secretarial hand, one penwork initial, signatures of the three involved parties at foot with calligraphic flourishes, seals once attached to tags cuts horizontally from base of document (these now wanting), small scuffs and spots, old folds causing some losses of a few characters along lines and in one place a loss of small area of parchment with a few characters from uppermost line at head of document, 110 by 260mm., dated Jersey, 3 March 1582; (ii) confirmation of judgement of the court of the Isle of Jersey, in the case between François Amy and Thomas Falle, concerning property in the “Ruelle au Nord”, 20 long lines in a small and rounded French secretarial hand, opening words in larger ornamental script, three scrawled signatures of all parties at foot of document, and part of round black wax seal (containing impression of coat-of-arms with a tree), suspended by tag cut horizontally from base of document, another tag with seal now lost, small folds and slight cockling to parchment, else excellent condition, 130 by 240mm., dated St. Helier, Jersey, 2 January 1618; (iii) judgement of Elie Dumarez (Elias du Marescq) and Philip de Carteret “chevalier et ... Bailly en lisle de Jersey”, in the Case of Jean le Gras and Jacques Fileul, on 14 long lines in French secretarial hand, opening words in larger ornamental hand, witnessed by parties involved at foot, remains of a single black seal on a tag cut horizontally from the foot of the document, another tag cut from same place now wanting, some folds and small areas of discolouration, 90 by 300mm., dated Jersey, 1 May 1635; overall in good condition, all laid down on old card mounts

Provenance:

1. Most of the Channel Islands families here were closely intermarried throughout the Middle Ages and sixteenth and seventeenth centuries, and this small archive is most probably that of a descendant of some of the parties under judgement here.
2. 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.
3. Quaritch of London; this archive passing to them in 1983 along with the vast Dring fragment collection and other charters.
4. Schøyen Collection, London and Oslo, their MS. 1622, acquired in August 1992.

Text:

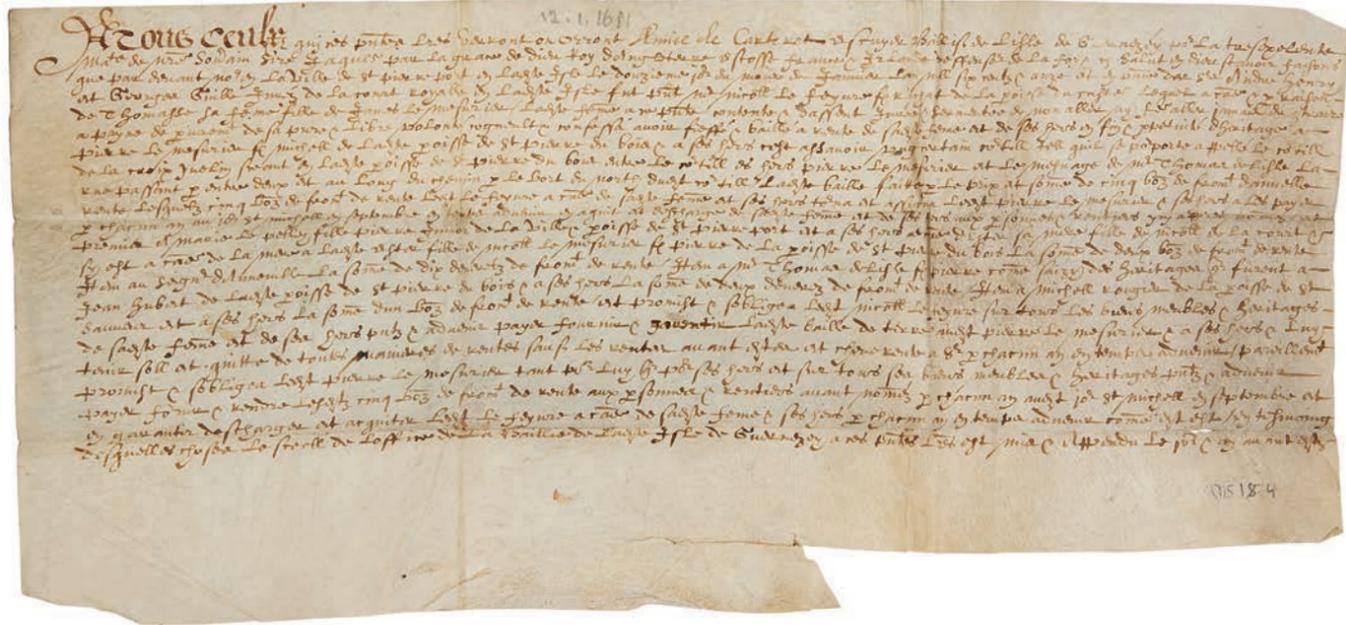
The names here are among the most illustrious in the history of the Channel Islands, with the judge in the first document a member of the du Marescq family, lords of Vinchelés de Bas from 1483, and after 1500 baillifs of Jersey. In addition, François Amy in the second document here is identifiable as the seigneur of Lower Castillon as well as constable and captain of Grouville, and his partner in this matter, Thomas Falle, was a member of the wealthy bourgeois family of St. Saviour, as well as most probably the same man who, in 1636, alongside his wife, Elisabeth Le Boutillier, gave a silver cup to St. Saviour’s Church. Finally, the judges in the third document are easily identifiable as Elias du Marescq, another member of this influential family and probably the son of the seigneur of La Haule and namesake who died from a gunshot wound in 1644 and is buried in S. Brelade’s Church, and Sir Philip de Carteret (d. 1693), 2<sup>nd</sup> Baronet of St. Ouen, high bailiff of Jersey and a member of the Privy Chamber, who was knighted by Charles II, and who named his son after that king with the monarch standing as the child’s godfather.

Manuscripts from the Channel Islands are of extreme rarity on the market, and those from Jersey exceptionally so, with only one or two examples known to us appearing in living memory. The majority of surviving documents are preserved within the island’s archive, with only a few small collections such as that in British Library, Lansdowne MS. 657, found elsewhere.

£3,000-5,000



Lot 59



Lot 60

60  
Charter recording the sale of land from Thomasse, daughter of James le Mesurier and wife of Nicholas Le Feyure, to Pierre le Mesurier of the Parish of St. Peter du Bois, issued in the name of Amice de Carteret, the Bailiff of Guernsey, in French, manuscript document on parchment [Guernsey, dated 12 January 1612]

Single-sheet document, on 22 long lines of a cursive and informal French secretarial hand, opening words in larger version of same, modern pencil note at head with date of issue, seal once suspended from foot on tag cut horizontally from base of document (now wanting), endorsed in contemporary hand on reverse and with two crude crosses, some modern dealer marks in pencil, some folds and small areas of discolouration, overall excellent condition, 150 by 270mm.

Provenance:

1. Alan G. Thomas (1911-1992), London bookdealer: with his typed description, and his dealer marks in pencil on reverse.

2. Schøyen Collection of London and Oslo, their MS. 1874, acquired June 1994 from Thomas' estate.

Text:

Amice de Carteret (1559-1631) was the founder of the line of de Carterets of Trinity, who served as a *Jurat* of Jersey's Royal Court and then as bailiff and lieut-governor of Guernsey. He was a renowned opponent of witchcraft and allegedly tried seventy-seven witches, ordering thirty-four of those to be burned alive. As noted in the previous lot, manuscripts from the Channel Islands are of extreme rarity on the market.

£700-900

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OTTOMAN ATLAS: Raif Efendi, Mahmud. Cedit Atlas Tercumesi [A Translation of a New Atlas], single volume, hand-coloured engraved pictorial title with the tughra of Sultan Selim III, text in Ottoman Turkish, (79pp + 1p), 24 hand-coloured terrestrial maps, including 2 twin-hemispheres and one world, all double-page, (some additionally folded), one double-page, plain celestial chart (coloured in outline), contemporary Ottoman blind-stamped calf, folio, (548 x 365mm), Constantinople, 1218 AH (April 1803 - March 1804).

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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 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.

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. We reserve the right to withhold the monies owed until the vendor provides the information necessary to complete the anti-money laundering checks.

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 unless the buyer has not paid for the goods or the checks necessary under the current Money Laundering Regulations have not been completed. 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. Lots will only be released once we have completed necessary checks under the current Money Laundering Regulations.

## 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 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 and we have completed necessary checks under the current Money Laundering Regulations.

## 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/](http://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.

# Dreweatts

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Viam nauis in medio maris. & uiam uis in adole  
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