



Department for
Digital, Culture,
Media & Sport

Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest 2020-21

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Report of the Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest

1 May 2020 to 30 April 2021

To:

The Rt Hon. Nadine Dorries, MP
Secretary of State for Digital, Culture, Media and Sport

66th Report of the Reviewing Committee

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Mr Christopher Baker

Mr Peter Barber

Mr Richard Calvocoressi (appointment expired 12 November 2020;
appointment extended until 12 August 2021)

Mr Stuart Lochhead

Mr Christopher Rowell

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appointment extended until 12 August 2021)

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***A register of interests held by Committee members is posted
on Arts Council England's website: www.artscouncil.org.uk***

Report of the Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest

I am pleased to lay before Parliament the sixty-sixth annual report of the Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest, which covers the period 1 May 2020 to 30 April 2021.

The last few years have been challenging for us all and we have had to adapt our ways of working to stay safe whilst continuing to get important things done. I am extremely grateful to the Reviewing Committee and staff at the Arts Council for doing just that and ensuring that the seven objects referred to the Committee were given the appropriate level of consideration.

This has also been a challenging time for fundraising and of the nine objects placed under export-deferral, export licences were eventually issued for five. The three museums which successfully managed to acquire objects will be delighted to have added them to their collections. I was particularly pleased to see that Dorset County Museum managed to acquire the Roman mosaic fragment which was unearthed in Dewlish in 1974 and that it will now join and complement the two other sections from the same mosaic, also cared for by the museum.

As Sir Hayden explains, the Reviewing Committee's annual report and my report on the Operation of the Control are being published separately this year and both will be laid in Parliament as a permanent record. The case Sir Hayden refers to where a reader spotted an item being sold in New York which had been refused a UK export licence is an excellent demonstration of why this is important. Separating the two reports will ensure that the statutory requirement to notify Parliament

of the export licensing figures continues to be met whilst allowing the Reviewing Committee to promote its work more widely through its annual report.

The decision to move to a fully digital report is part of a wider Government initiative to digitise reporting.

Whilst there have been no cases affected by the new system of legally binding offers within the period of this report, the introduction of the new process will give us added confidence in going forward that where a serious intention to purchase is received, the efforts of all those involved in fundraising will not be wasted. The Government has also been pleased to provide funding for the new digital system for export licences which is being developed and which will improve the efficiency of the export controls process.

I am enormously grateful to Sir Hayden and the members of the Committee for their hard work during a difficult year and for their clear and expert advice. I would also like to thank the expert advisers and independent assessors, staff at the Arts Council England and all those organisations and individuals who have given so generously towards the objects that were saved for the nation.

The Rt Hon Nadine Dorries MP
Secretary of State for Digital, Culture,
Media and Sport

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Reviewing Committee Report for 2020-21

1 May 2020 to 30 April 2021

Introduction

Members of the Committee give their expertise and a good deal of their time, without any financial reward, in the public interest. Our compensation however is that we are able to examine wonderfully diverse works of art and historic treasures in the company of leading experts in each field. Last year because of the pandemic we had to suspend our meeting in May and we are very grateful to the Arts Council for providing us with the means to resume, albeit remotely, from June. We met remotely 10 times and considered objects referred to us at 3 of those meetings. I would like to thank members of the Committee, the Secretary of State's Expert Advisers who bring objections to us and our Independent Assessors who made the effort during these difficult times to inspect the objects we considered. We would not have been able to consider them otherwise as physical inspection is a pre-requisite of our process: if we did not see the objects we would not be able to advise you that every effort should be made to acquire them and save them for the nation. Equally, we would not be doing justice to their owners.

We were able to consider 7 objects and we are also reporting three objects from the 2019/20 reporting period. For all but one of these we recommended that their export licences should be deferred. Their aggregate value came to £38,082,000. 3 of them were saved for the nation; one was withdrawn following a serious expression of interest from a private buyer and sadly the other five were or can be exported.

There is also an as yet unresolved case from 2019/20 where, following the hearing when we concluded that the object met the Waverley criteria and before we made our recommendation to you, the owner asked instead if they could export it temporarily so that they could examine it as they had bought it without having seen it due to travel restrictions. Exceptionally and for reasons particular to this case, we agreed that this would be reasonable subject to an undertaking from the owner to return the object to the UK within the term of the temporary licence.

We were not able to hold a meeting of the Advisory Council during this reporting period but are hoping to be able to do so, whether in person or remotely, during the next one. The last meeting was held in June 2019.

Changes to the Annual Report from 2020-21

Under the Export Control Act 2002 you are required to submit an annual report to Parliament on the export licensing activities for which your Department is responsible and which you delegated to the Arts Council in 2011. From 2004-05 the Reviewing Committee's Annual Report and yours have been published together in hard copy in a single document which is laid before Parliament. Prior to that date they were separate.

In 2021 your Department informed us that for this and future reporting periods you will publish your report as a separate document which will be laid before Parliament. In line with the general Government move for itself

and all its Arm's Length Bodies, DCMS and the Arts Council are transferring to digital-only annual reporting. This means that the Reviewing Committee will henceforth publish its report in full-colour electronic PDF format only and not as a hard copy publication.

Our report will still be addressed to you and you will still need to approve its publication. Although we welcome the split, which addresses the concerns of our predecessors about maintaining the Committee's independence, and understand the reasons for it, we regret the loss of the hard copy publication but are pleased that a version of our report will continue to be laid in Parliament as a permanent public record in accordance with the Waverley Committee's recommendation and as it has been for nearly 70 years.

Over the years our Annual Report has become an important and valued document of record containing as it does both detailed case histories of our hearings and more general information about our country's system to control the export of Works of Art and it has an important readership both in this country and internationally. Quite apart from any financial savings, and administrative convenience that the changed format of the report may achieve, it is hoped it will also be more useful and convenient to its readers.

From 2014/15 as was reported in that year's Statistical Release our reports have detailed only those applications which were heard by the Committee and for which a decision was issued by the Secretary of State or which were withdrawn before such time. Any other applications have been included in the following year's report. From 2020/21 we are returning to our normal reporting methodology including details of all cases heard during the year covered by our report.

Illegal exports

The importance of our annual reports beyond their immediate reporting period was made clear earlier this year when a national treasure which had been refused an export licence more than three decades ago, was spotted by a reader of our reports at an auction in New York. The matter has been referred to law enforcement which is trying to overcome the practical problems of ensuring its return to the UK. We are monitoring the matter and once it has concluded we will advise you as to whether the current procedure is sufficient to make good any infractions of the UK export systems. As the case is under investigation we cannot disclose the details of the object.

Manuscripts, Documents and Archives

The Working Party on Manuscripts, Documents and Archives did not meet during this reporting period but has requested that two perennial points be added to my introduction by way of a reminder to the Secretary of State's Expert Advisers:

- Archival material can be of major importance for local history under Waverley One.
- There is no financial threshold for manuscripts and archives (all material, including that with a low financial value, might potentially be of significance).

Introduction of a legally binding mechanism into the deferral process

Following a public consultation in 2019 about instances where the export deferral system was deemed to have failed, the government introduced a legally binding mechanism into the export deferral process for all export licence applications made on

or after 1st January 2021. New Statutory Guidance and Guidance for Exporters was published on that date which stipulates that if a serious expression of interest is made at the end of the first deferral period the owner, if they agree to proceed, will have to grant the interested party an option agreement, based on a set template, thereby committing themselves legally to honour their agreement.

We had no cases affected by this new system during this reporting period but we hope to be able to report next year that it has addressed our and our predecessors' concerns about instances where an applicant for an export licence had indicated at the time of the hearing that they would accept a matching offer but subsequently decided to change their mind. This has, on a number of occasions, led to a waste of significant time, effort and fundraising credibility on the part of the organisation which was seeking to raise the required funds as was the case with the St. Christopher reliquary (reported below as case 10) when it first came before this Committee in 2002.

The government confirmed when it introduced the new system that its effectiveness would be reviewed within five years of the new process being introduced. It also confirmed that the overall time frame for each case was being monitored and tightened wherever this was possible and that it had made funds available for the development of a new digital system for export licences as part of its continuing efforts to improve the efficiency of the export controls process for cultural objects. We warmly welcome this.

Sir Hayden Phillips GCB DL

Chairman, Reviewing Committee on the Export of Works of Art and Objects of Cultural Interest

Cases referred to the Committee

In 2020-21, 7 objects were considered by the Committee because the appropriate expert adviser had objected to their proposed export on the grounds of national importance. We are also reporting here 3 objects which were considered by us in the previous reporting period.

The Committee will designate an object as a 'national treasure' if it considers that its departure from the UK would be a misfortune on one or more of the following three grounds, collectively known as the Waverley criteria:

History	Aesthetics	Scholarship
Is it closely connected with our history and national life?	Is it of outstanding aesthetic importance?	Is it of outstanding significance for the study of some particular branch of art, learning or history?
Waverley 1	Waverley 2	Waverley 3

Items found to be national treasures

Nine objects were found to meet at least one of the Waverley criteria:

- Case 1** A Romano-British Mosaic (met all three criteria)
- Case 2** Two Roman figures of Celtic Hounds (met all three criteria)
- Case 3** The Astor Armada Drawings (met criteria 1 and 2)
- Case 5** *Death of Cleopatra* by H. Triqueti (met criteria 2 and 3)
- Case 6** A Mughal Durbar Set (met all three criteria)
- Case 7** A Mughal Dagger and Scabbard (met criteria 1 and 3)
- Case 8** A Breguet Four Minute Tourbillon (met all three criteria)
- Case 9** Mantuan Roundel, *Venus, Mars, Cupid and Vulcan* (met criteria 2 and 3)
- Case 10** St Christopher Reliquary (met criteria 2 and 3)

Items found not to be national treasures

One item was found not to meet any of the Waverley criteria. It was:

- Case 4** *Portrait of a Young Man* by Piero del Pollaiuolo

National treasures referred to the Secretary of State

9 objects with an aggregate value of £38,082,000 were referred to the Secretary of State for deferral.

Items where the licence application was withdrawn following a serious expression of interest

- Case 8** A Breguet Four Minute Tourbillon

Deferred items that were acquired

Three items with a total value of £1,032,000, 2.7 per cent of the total value of objects that were deferred, were acquired by institutions in the United Kingdom:

- Case 1** A Romano-British Mosaic
- Case 3** The Astor Armada Drawings
- Case 5** *Death of Cleopatra* by H. Triqueti

National treasures that were not saved

Unfortunately, funds could not be raised for every 'Waverley' object. Export licences were issued for the following items with a total value of £34,650,000, which represents 91 per cent of the total value of objects that were deferred and 55.5 per cent of the total number.

- Case 2** Two Roman figures of Celtic Hounds
- Case 6** A Mughal Durbar Set
- Case 7** A Mughal Dagger and Scabbard
- Case 9** Mantuan Roundel, *Venus, Mars, Cupid and Vulcan*
- Case 10** St Christopher Reliquary

Individual export cases 2020-21

Case 3 The Astor Armada Drawings



Den 19^{en} Junij Anno is der wert der Spaensche vloot
 ondeckt van vnn rijnas davor op Kappijtwyn was

Case 1 Romano-British Mosaic

A substantial fragment of a Roman mosaic pavement attributed to the Durnovarian School removed from the Roman villa at Dewlish in Dorset. Early 4th Century. It is composed of tesserae cut from coloured stone and brick. Its maximum measurements are 1.96m by 2.39m. It was found in situ in the principal reception room of the villa, Room 11, during excavations directed by Bill Putnam between 1969 and 1979.

The applicant had applied to export the mosaic to Singapore. The value shown on the export licence application was £135,000 which represented the price at which the overseas owner had bought the mosaic through a private sale. In the event of a UK sale, VAT would be payable on this price.

Case 1 A Romano-British Mosaic



The Emeritus Professor of European Archaeology at the University of Oxford acting as expert adviser objected to the export of the mosaic under all three of the Waverley criteria because of its outstanding significance to the study of Romano-British art and history, its innovative design and what it could tell us about the social and economic changes that were happening towards the end of the Roman era.

The fragment consisted of four rectangular panels framed by bands of twisted guilloche. On one side, part of the tessellated zone bordering the pavement remained. The fragment retained parts of three panels from the frame around the main pavement design, together with a small area of the large central panel that had otherwise been totally destroyed. Of the border panels, one, which would have occupied the corner of the room, was filled with a knotted guilloche. Next to it was a well-preserved panel giving a spirited rendering of a leopard pouncing on the back of an antelope in full flight: blood drips from the wounded prey.

It had strong similarities to other 4th century mosaics found in the region around the Roman town of Dorchester which had led mosaic experts to ascribe them to a Durnovarian School of mosaic workers. Notable examples were the Hinton St Mary mosaic with its strong Christian iconography and the mosaics from Frampton also incorporating Christian symbols.

The Dewlish fragment was part of an elaborate mosaic composition much of which had been destroyed. Apart from one much smaller piece, in the Dorchester County Museum, the rest of the surviving floor, occupying the apse and still largely intact, remained in its original position. Most of the mosaic in the main part of the room had been destroyed and this fragment was the largest surviving piece and was of crucial importance to an understanding the whole.

The mosaic occupied the principal reception room in a luxurious villa belonging to a member of the Romano-British elite and had been chosen by him to express his values and

beliefs to the clients and peers who visited. By analysing this floor, in the context of the few surviving contemporary floors, would enhance our understanding of the aspirations and education of the country landowners who held power in the final decades of the Roman era.

The mosaic was probably the work of the Durnovarian School whose output was known at only about ten sites clustering around Dorchester. The Durnovarian School was one of four regional schools recognized to be at work in Britain in the 4th century. It was operating at a time when new ideas inspired by Christianity were in the air. Artists were grappling with ways to incorporate these alien concepts into a repertoire with roots deep in classical mythology. The Dewlish mosaic was of direct relevance in enabling us to understand the process by which mosaics were designed and executed by these masters and their co-workers through detailed comparative studies; it also afforded a means of exploring the transformations gripping Roman art in the 4th century.

Whilst some of the panels were highly accomplished, notably the leopard and antelope scene, other parts of the floor were less so which raised interesting questions about the way these elaborate floors had been constructed. It was possible that the figured panels had been made by the master in a workshop and taken to the site to be used in compositions executed by less skilled workers and there was much still to learn about the processes involved.

Most of the mosaics assigned to the Durnovarian School had been reburied or destroyed, significant exceptions being the floor from Hinton St Mary (to be displayed in the Dorset County Museum with the central roundel in the British Museum) and parts of floors from Hemsworth shared between the Dorset County Museum and the British Museum. The Dewlish fragment was, therefore, of enhanced significance.

The Applicant said that there were already many other examples of mosaics from this

period and geographical area in the UK, both 'lifted' from their original site and still in situ, the latter either being on display or covered for later study so the relevance and connection of this fragment to our history was lessened. Nor was it of outstanding aesthetic importance as it was an incomplete fragment and on the coarser side of this particular style and type of mosaic. Furthermore, there was another substantial section from the Dewlish Roman Villa, albeit from a different room within the complex, on public display at the Dorset County Museum. This was, they said, aesthetically superior and more complete in design. There were also more mosaics from the Durnovarian School held in the Dorset County Museum from Dorchester, Hermsworth and Fordington.

The most famous of all Durnovarian mosaics was that from Hinton St Mary which was near complete and this was held by the British Museum. The national holding of Durnovarian mosaics was therefore very well represented and the Dewlish fragment would not add scholarship in this area, being a repeat.

We heard this case in December 2019 when we saw the mosaic. We concluded that it met all three of the Waverley criteria. While other Durnovarian school mosaics were in private collections, there were few mosaics of this quality containing figurative elements such as this one. As a fragment of a documented larger work, this mosaic was exceptional as too was its scale. Produced by a British school whose impact on the Romano-British artistic tradition was still being explored we agreed that the mosaic was closely connected with our history and national life. The workmanship on the panel was exceptional, depicting an active scene of a leopard and an antelope locked in battle. Unusual in a British context, the piece contributed to the debate on the transmission of cultural ideas in Roman Britain and there was much to be learned from its technical analysis and further study.

During the hearing it became apparent that the mosaic was mentioned in the listing of Dewlish House which is listed Grade 1. No evidence was available as to whether consent

for its removal had been obtained from Dorset County Council. The applicant subsequently contacted Dorset Council and Historic England and the latter confirmed that *"Notwithstanding the historical importance of the Mosaic or the fact that it was originally sited in the house that was effectively the predecessor to the villa or the fact it was placed in the house to be seen when the house was open to the public"* it considered *"the Mosaic to be an ornament and the purpose of its annexation to be for the better enjoyment of the object itself and consequently a chattel"*. The Council confirmed in March 2020 that the mosaic was therefore not *"part of the Listing but an added adornment in the form of an archaeological find from the grounds, relating to an earlier house"* and that it would not have needed Listed Building Consent prior to being removed or relocated.

We therefore recommended that a decision on the export licence application should be deferred for a period of three months to enable an offer to purchase the mosaic to be made at the agreed fair market price of £135,000 plus VAT (£162,000). We further recommended that, if at the end of the initial period of three months there was a potential purchaser who showed a serious intention to raise funds with a view to making an offer to purchase, the deferral period should be extended by a further three months.

During the initial deferral period, we were informed of a serious intention by Dorset County Museum to raise funds to purchase the mosaic. A decision on the export licence application was deferred for a further three months. We subsequently heard that the mosaic had been purchased by Dorset County Museum with assistance from the ACE/V&A Purchase Grant Fund, the Art Fund, the Headley Trust, the Association for Roman Archaeology and public donations.

The independent assessors for this case were Professor Michael Fulford (Professor of Archaeology, University of Reading) and Sarah Hornsby (Director, Hornsby + Nugée Antiquities Consultants).

Case 2 Two Roman Figures of Celtic Hounds

Two roman marble figures of Celtic hounds, a male and a female, dated around the 2nd century AD, made of white marble measuring 74.5cm and 68cm high respectively.

The applicant had applied to export them to France. The value shown on the export licence application was £2,000,000 which represented an agreed sale price subject to the granting of an export licence. VAT would be payable on this in the event of a UK sale.

The Assistant Keeper and Cyprus Curator at the Fitzwilliam Museum acting as expert adviser objected to their export under Waverley criteria one and three because they were connected to a long history of collecting in the UK having been part of the Thomas Hope collection and were of outstanding significance for the study of the history of collecting in Britain from the 17th century onwards.

The two figures were made of white marble, possibly north Italian white marble, but also possibly Greek (Thassian or Parian): the exact provenance of the marble could not be easily surmised. The male hound was seated upright with his head tilted upwards, wearing a studded collar, the slender powerful body with a visibly defined ribcage, shown resting with his tail between his legs on a rock-like base, the head, neck and part of the left foreleg restored in the 18th century. The female hound was seated wearing a wide studded collar, the slender body naturalistically carved, with her right foreleg raised, her haunches and left paw resting on an integral arch-shaped base. Her muzzle, ears, part of the neck and the lower half of the raised right foreleg bore signs of historic restoration (probably conducted in the 18th century). The sculptor or school that produced the hounds was unknown.

There was substantial provenance information for them. They had been excavated from the ruins of Antoninus Pius' Laurentine villa by Prince Chigi, at Torre Paterno, circa 1795-6,

as recorded by C. M. Westmacott in *British galleries of Painting and Sculpture*, London, 1824. They were later acquired by Thomas Hope (1769-1831) in Italy between 1795 and 1803 and had then passed by descent to Lord Henry Francis Hope Pelham-Clinton-Hope (1866-1941). They were originally displayed as a pair in the statue gallery at Duchess Street in London between 1804-1849. The hounds were subsequently moved to Deepdene House in Dorking, Surrey where Adolf Michaelis recorded them in the Gallery of the Entrance Hall. They were sold at the *Hope Heirlooms* sale at Christie's, London, 23-24 July 1917 as lots 226 and 227 where they had been purchased by a UK collector for 720 gns and 280 gns each and had then passed by descent until sold to the present owner at Bonham's on 3 July 2019, lot 151.

The pair of marble hounds were connected to a long history of collecting in the UK and were part of the great neoclassical collector and decorator, Thomas Hope's collection, one of the most renowned art and antiquities collections in the country. The Thomas Hope Roman sculpture collection in particular was of significant importance and the two hounds would have been one of his earliest acquisitions and were later displayed in the statue gallery of his London townhouse in Duchess Street, between 1804-1849. They were of significant importance for the study and teaching of the history of collecting and the history of particular collections and museums in the UK from the 17th century onwards.

The remarkable provenance and the fact there were only two other similar sets of hounds surviving from antiquity made these objects a fascinating and important view into the display and use of sculpture in antiquity and their subsequently profound influence on early 19th century British taste and cultural history. They were interwoven in so many ways to our cultural heritage that their export abroad would represent a great loss to the nation.

The applicant did not dispute that the hounds met the Waverley criteria. They said that although they had been on display throughout their time in Britain, their viewing was by invitation only and they had not been available for study since 1917 although they and other ancient sculpture from Thomas Hope's collection had undoubtedly influenced British neo-classical sculpture and furniture.

We heard this case in February 2020 when the two figures were shown to us. We were particularly impressed by the aesthetic quality of the hounds and even though the expert adviser had only objected under the first and third we concluded that they met all three of the Waverley criteria. They were outstanding examples of ancient sculpture with significant British provenance. Thomas Hope's collection had had a profound influence on British cultural history and the development of the neo-classical style. We were also struck by their sensitive carving and exceptional craftsmanship noting the challenge of carving this type of marble. The female hound in particular was sculpted remarkably finely. The 18th century restoration to the male hound had been executed with virtuosity. As a pair, the hounds complemented each other, despite the difference in their quality and condition, and they possessed an exquisite presence.

Although there was extensive documentation of the Hope collection the hounds had not been accessible for study since their purchase by a private collector in 1917. The two figures would provide valuable understanding of the use and display of sculpture in antiquity, especially within the context of the Roman imperial villa and the inclusion of collars in the sculpture implied that they may have been pets, which added further interest.



Case 2 Two Roman figures of Celtic Hounds

We therefore recommended that a decision on their export licence application should be deferred for a period of three months to enable an offer to purchase them to be made at the agreed fair market price of £2m plus VAT (£2.4m). We further recommended that, if at the end of the initial period of three months there was a potential purchaser who showed a serious intention to raise funds with a view to making an offer to purchase, the deferral period should be extended by a further four months.

At the end of the initial three-month period, no offer to purchase had been made and we were not aware of a serious intention to raise funds. An export licence was therefore issued.

The independent assessors for this case were Holly Trusted (Honorary Senior Research Fellow, Victoria and Albert Museum), Sarah Hornsby (Director, Hornsby + Nugée Antiquities Consultants) and Will Wootton (Senior Lecturer in Roman Art, King's College London).

Case 3 The Astor Armada Drawings

A set of ten ink and watercolour drawings laid on paper depicting the progress and defeat of the Spanish Armada. The drawings are by an unknown draughtsman, possibly from the Netherlands, and are undated but probably date from circa 1589. The ten drawings are:

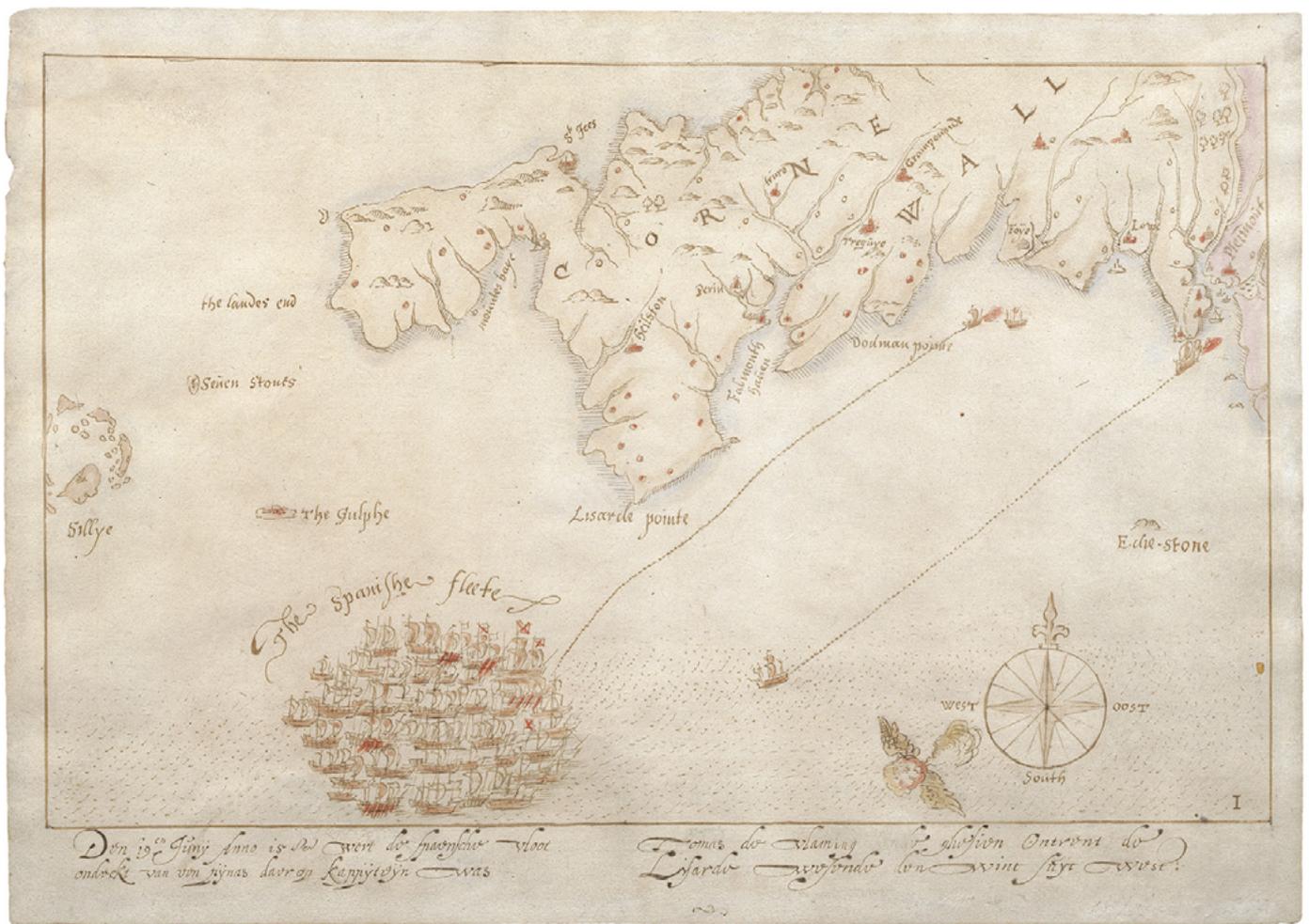
1. The sighting of the Spanish Armada off the Lizard, 29th July 1588, 202mm by 323mm with a Dutch inscription below.
2. The first engagement, near Plymouth, 30th – 31st July 1588, 214mm by 324mm.
3. The skirmish off Plymouth and the aftermath, 31st July 1588, 214mm by 324mm.
4. Drake's capture of the Rosario, Armada pursued by Howard east of Plymouth, 31st July – 1st August 1588, 214mm by 324mm.
5. The Fleet off Berry Head, Capture of the San Salvador, and the engagement near Portland Bill, 1st – 2nd August 1588, 214mm by 324mm.
6. Engagement of the fleets between Portland Bill and the Isle of Wight, 2nd – 3rd August 1588, 214mm by 324mm.
7. The Battle off the Isle of Wight, 4th August 1588, 214mm by 324mm.
8. The pursuit to Calais, 4th – 6th August 1588, 214mm by 324mm.
9. The fireship attack on the Spanish Armada, 7th August 1588, 214mm by 324mm.
10. The battle off Gravelines, 8th August 1588, 214mm by 324mm.

The applicant had applied to export the set of drawings to the USA. The value shown on the export licence application was £600,000 which represented an agreed sale price subject to the issue of an export licence. VAT would be payable on this in the event of a UK sale.

The Head of Western Heritage Collections at the British Library, acting as expert adviser objected to the export of the drawings under Waverley criteria one and three because they were a major original documentary source of the progress of the Armada, possibly the first sketches for the set of engravings of the Spanish Armada by Augustine Ryther published in 1590, and of substantial research potential as surviving evidence of the outpouring of Protestant propaganda across northern Europe following the defeat of the Armada.

The drawings had been in the possession of Roger Wilbraham MP (1743-1829) in 1828. The Wilbraham family sold them at Sotheby's sale of 20 June 1898 where they had been bought by J. Pearson and Co., a London bookseller, who later sold them to William Waldorf Astor (1848-1919).

Both Sotheby's and J. Pearson's catalogues described them as probably the first sketches for the set of engravings of the Spanish Armada by Augustine Ryther published in 1590 which are in the British Museum. These engravings were the earliest detailed visual representations of the Armada for which clear dating was established. The original drawings for Ryther's engravings were apparently made by the surveyor Robert Adams (d. 1595), but these were not known to survive. Some elements included in the engravings, most notably the coats of arms, were not included in the drawings. This could reflect an earlier stage of the preparation for the engravings or a later copy made from them for a different patron. In the latter case, the handwriting in Dutch on the first drawing may indicate that the set were prepared for a Dutch patron or for the Dutch market.



Case 3 The Astor Armada Drawings

There was no doubt of the pre-eminent importance of the story of the Spanish Armada in English (and later UK) history and therefore that the major original documentary sources (including the earliest depiction of the progress of the Armada) were likewise of pre-eminent national importance. The defeat of the Spanish Armada in 1588 had a totemic place in English and UK history, seeming to herald the point at which the nation began its rise to the maritime and imperial greatness of later centuries. The victory had been employed at various moments of national crisis, including the threats of invasion from Napoleonic France and Nazi Germany, to steady the country's resolve to withstand the onslaught of enemy forces. If successful, the 1588 conquest of England would have regained the English Crown for

Philip II of Spain, which he had briefly held as King-consort during his marriage to Elizabeth's half-sister Mary. With victory, Elizabeth's status as a European monarch was immeasurably enhanced, as was England's standing as a naval power. For many within the British Isles and on the Continent, England and its queen were now the defenders of Protestant Europe.

The drawings had a substantial research potential as surviving evidence of the outpouring of Protestant propaganda across northern Europe following the defeat of the Armada. Their study, both as artefacts in themselves and as part of this wider process of transmission, offered the opportunity to develop our knowledge of the contemporary Protestant response to the defeat of the Armada.

With the exception of medals (which often depicted the English victory as the result of divine intervention to conjure up storms to defeat the Spanish), the 16th century visual culture of the Spanish Armada was surprisingly scarce, primarily comprising a small number of oil paintings, two landscape miniatures and the now lost Westminster tapestries, the appearance of which was known principally from a series of prints by John Pine published in London in 1739. Historically, then, these drawings were, at the very least, an important survival of an incident that encapsulates the reign of Elizabeth and the maritime adventure that characterised the late-Tudor age.

The wider European context also offered the opportunity for new research, particularly given the evidence suggesting the drawings may have been made for a Dutch audience. For the Dutch, who were involved in a bitter religious struggle with Spain, the defeat of the Armada kept England in the fight and demonstrated that the Spanish Empire could be tamed, providing a considerable boost to their ongoing revolt. Moreover, the production of maps, which clearly delineated the course of the battle and the causes of victory, added a sense of authenticity and realism above the more obviously propagandistic medals.

The applicant did not dispute that the drawings met the Waverley criteria.

We heard this case in February 2020 when the drawings were shown to us. We concluded that the set met the first and third Waverley criteria. The drawings had outstanding research potential due to their rarity, particularly as there were unanswered questions concerning their origin. They were highly unlikely, as thought when purchased by Lord Astor a century ago, to be the preliminary drawings by Robert Adams for the Ryther engravings, but, neither were they copied from the engravings photographs of which we were also shown. There remained the possibility that they could be copies of the Adams drawings, probably illicitly created in the period prior to the publication of the engravings. This supposition was strengthened by the fact that

some of the drawings had Dutch text of a type accompanying engravings while others did not, suggesting that the creator's project had been abandoned incomplete – perhaps because of the publication of the Ryther engravings. Analysis of the paper could help shed some light on their origin and their relation to the Ryther engravings. There was an increasing significance the defeat of the Spanish Armada had taken in the development of our national history. Initially an opportunity for Protestant and royal propagandists, the victory had come to represent a mythical, defining moment, often evoked at times of national crisis, representing the UK's ascension to a global maritime power. Importantly, these drawings offered a rare, contemporary insight into the artistic material culture, often associated with Elizabeth I, that followed the battle.

We therefore recommended that a decision on their export licence application should be deferred for a period of three months to enable an offer to purchase them to be made at the agreed fair market price of £600,000 plus VAT (£720,000). We further recommended that, if at the end of the initial period of three months there was a potential purchaser who showed a serious intention to raise funds with a view to making an offer to purchase, the deferral period should be extended by a further three months.

During the initial deferral period, we were informed of a serious intention by the National Museum of the Royal Navy in Portsmouth to raise funds to purchase the drawings. A decision on the export licence application was deferred for a further three months. We subsequently heard that the drawings had been purchased by the National Museum of the Royal Navy with assistance from the Art Fund, the National Heritage Memorial Fund and public donations.

The independent assessors for this case were Christine Riding (Head of Curatorial Department at The National Gallery), Laurence Worms (Ash Rare Books) and Antony Griffiths (Former Keeper of the Department of Prints and Drawings at The British Museum).

Case 4 *Portrait of a Young Man* by Piero del Pollaiuolo

Piero del Pollaiuolo (about 1441 – before 1496), *Portrait of a Young Man*, late 1460s – early 1470s, oil and tempera on panel measuring 49.2 cm by 35.5 cm.

The applicant had applied to export the portrait to the USA. The value shown on the export licence application was £5m which represented an estimated value, a justification of which had also been provided.

The Director, The National Gallery, assisted by the Director of Collections and Research, The National Gallery, acting as expert adviser, objected to the export of the portrait under the third Waverley criterion because, being by one of the leading artists driving and responding to the demand for portraits in 15th century Florence, it was of outstanding significance for the study of the development of Florentine portraiture and portraiture in the European canon.

This life-size portrait of a youth was a rare surviving work by Piero del Pollaiuolo, who, together with his brother Antonio, was at the forefront of innovations in Florentine portraiture in the third quarter of the 15th century, when Florence was one of the three greatest artistic centres in Europe. It combined the serene naturalism, animation and attention to illusionistic detail that characterised Piero's work.

Dated to around 1470, it was a relatively early work of Piero's artistic maturity, painted as he was establishing himself as an assured, sought-after painter of prestigious civic commissions and high-profile portraits of the Florentine elite. The near frontal posture of this portrait was striking. Full-face portraits had previously been reserved for images of Christ. It exemplified the fluidity and inventiveness of portraiture circa 1470, when painted portraits engaged with older typologies, such as profile portraits, and newer ones, such as the three-quarter-length poses used in portraits by Netherlandish, Flemish and French artists that were circulating in Florence at the time. Piero's subtle experimentation made this portrait an arresting encounter with its youthful sitter.

Portrait of a Young Man was a rare surviving work that exemplified an important but often overlooked moment in the development of Florentine portraiture, painted by one of the leading artists of this generation. This painting pre-empted the advances of artists working slightly later in the century. There were few pictures of this kind and of this moment in British collections. The export of this work would be lamentable for the full representation of Florentine 15th century portraits, at a critical moment for the history of European portraiture.

The applicant disagreed that the painting met the Waverley criteria. They said that its whereabouts were unknown before it was sold at auction in London in 1942 (as 'Florentine School') from the collection of Gerald Maunsell Gamul Wilshire. Although it subsequently formed part of the distinguished collection of Sir Thomas Merton, it was only exhibited once during that time, at the Royal Academy in 1950. For the last 35 years it had remained largely unseen, in a private collection so could not be said to be closely connected with our history and national life.

Although an attractive and rare work it was not of such outstanding aesthetic importance that its departure would be a misfortune. Executed in the late 1460s/early 1470s, it was one of a relatively small number of Quattrocento portraits of this type that had survived. Its attribution to Piero del Pollaiuolo had met with general support but it was not a documented work. Neither was the sitter known. The format of the portrait with the young man seen almost full face, gazing at the viewer, created a strong image but it was not the type of portrait for which Piero Pollaiuolo (or his brother Antonio) were most celebrated, ie it was not a profile portrait, the format that for many exemplified the highpoint of Florentine Quattrocento portraiture. Whilst the painting's overall state of conservation was good for a work of this age, it had suffered some losses which had been addressed by recent restoration.

Whilst there had been some debate over the last 80 years over the attribution of the work the consensus today was that it was by Piero del Pollaiuolo, and it did not seem to them to be of outstanding significance in the study of art of that period

We heard this case in November 2020 when we saw the portrait. Whilst recognizing that this was a charming portrait produced in an era when new forms of portraiture were being explored, the Committee considered that its degree of national importance was not so great as to justify the withholding of an export licence.

The independent assessors for this case were Mark Evans (Head of Paintings and Photographs at the Victoria and Albert Museum), Tim Hunter (Art Consultant and Director at Venator Fine Art Ltd.) and Professor David Ekserdjian (Professor of the History of Art and Film at the University of Leicester).

Case 5 *Death of Cleopatra* by Henry-Joseph-François, Baron de Triqueti

Statuette of *Cleopatra Dying* by Henry-Joseph-François, Baron de Triqueti (Conflans, 24 October 1803–Paris, 11 May 1874), ivory and bronze on a red marble and ebony base, height including base: 38 cm, height excluding base: 30 cm, base: 8 by 51 by 24.5 cm, signed and dated: H • DE • TRIQUETI • 1859.

The applicant had applied to export the statuette to France. The value shown on the export licence application was £150,000 which represented an estimated value, a justification of which had also been provided.

The Senior Curator, Sculpture at the Victoria and Albert Museum assisted by the Curator, Sculpture at the Victoria and Albert Museum, acting as expert adviser objected to the export of the statuette under all three of the Waverley criteria because it was a masterpiece of Triqueti's work in ivory and was displayed to critical acclaim in 1859 and 1860. Made for the British market, it was emblematic of the "English" phase of Triqueti's career, when the artist spent much of his time in England, sought patronage among the royal family and their circle, and displayed at the great exhibitions. It had an unbroken provenance from 1862 to 1927, and had recently resurfaced at auction. Although noted in the scholarly literature on Triqueti, notably thanks to its well-documented early history, it had not been exhibited since 1860. Its notable provenance and royal associations were significant for our national history and life. A superb illustration of Triqueti's fluidity of forms, consideration of the female figure and distinctive eclecticism, the sculpture was of outstanding aesthetic importance. Aside from the *Vase of Dreams* (1860, untraced, possibly lost) it was the greatest example of Triqueti's investigation of the combination of ivory and bronze. As such it was of outstanding significance for the study of ivories, both in relation to its technique as a work in multi-media, and of British collecting and the history of taste.

The statuette represents the suicide of the Egyptian Queen Cleopatra after her and her Roman lover Mark Antony's defeat by the army of Octavian at the Battle of Actium in 31 BCE. Bitten by an asp still coiled around her left arm, Cleopatra falls back limply onto her throne, her neck stretched out, head to the side, lips slightly parted, her loose dress revealing a breast. In a last burst of life, she clasps the folds of her gown in her right hand; figs are tumbling from a wicker basket to her side. Cleopatra's throne, cast in bronze, is adorned with winged lion legs, putti straddling dolphins, foliage and geometric patterns.

Case 5 *Death of Cleopatra* by Henry-Joseph-François, Baron de Triqueti



Until it resurfaced at auction in 2019, this statuette was only known from literature contemporary to Triqueti's time, its terracotta model (1851, Orléans, Musée des Beaux-Arts) and preparatory drawings (Paris, Ecole nationale des Beaux-Arts). Triqueti's only other firmly documented work of ivory and bronze, the Vase of Dreams (1860), is presumed lost. Few of his ivory statuettes have been traced, and are in private collections – one is in the Royal Collection, the others in France.

"Sculptor to the princes" Henri de Triqueti (1803-1874) was among the foremost sculptors of the 19th century, obtaining prestigious commissions from the French and British royal families. Triqueti scholar Richard Dagonne identifies two distinct phases in the career of the artist: the "French" phase (1831-48), when

Triqueti obtained the patronage of King Louis-Philippe and became official sculptor of the July Monarchy, and the "English" phase (1849-his death). This statuette was emblematic of the latter.

A monarchist, after the Revolution of 1848, Triqueti turned to England in search of new patrons, dividing his time between the two sides of the Channel. He was well connected in Britain: in 1834 he had married Julia Forster, granddaughter of the sculptor Thomas Banks (1735-1805), and daughter of the Chaplain to the British ambassador in Paris, Lord Cowley. Cowley in turn helped him secure English commissions. This supportive milieu and the familiarity Triqueti enjoyed with the French royal family, exiled in England, meant that he soon came to the attention of Queen Victoria and



Prince Albert, becoming one of their favourite sculptors. Victoria bought the ivory group, *Sappho and Cupid* (c. 1851, RCIN 41779), which Triqueti had shown at the Great Exhibition, as a Christmas present for Prince Albert in 1852, and the marble *Edward VI Reading the Holy Scriptures* (1856-7, RCIN 45260) was described as "Prince Albert's favourite statue" when displayed at the Exhibition of 1862.

The royal couple saw *Cleopatra Dying* in June 1859 and June 1860, when it was exhibited at Colnaghi's, the second time alongside the *Vase of Dreams* and two other ivory statuettes (all whereabouts unknown). Both viewings were reported in court circulars in the London, regional and national press. *Cleopatra* was soon acquired by the Welsh industrialist and art collector Sir Ivor Guest (1835-1914). Guest might have been introduced to Triqueti's work by his brother-in-law, the art historian and archaeologist Austen Henry Layard, who published an article about Triqueti's ivories in August 1860. *Cleopatra* was displayed in Guest's Canford Manor home and remained in his possession, and that of his widow and descendants, until 1927.

Triqueti's practice of working in ivory coincided with his "English" period. His first ivory is recorded in 1847, and early pieces in 1848 were acquired by British collectors. He seems to have developed this aspect of his work in response to their appreciation of the medium. When exhibited at Colnaghi's in 1859 and 1860, his ivories – particularly the *Cleopatra* – were well received in the press. Characteristic of the critical reaction *The Morning Post* saw Triqueti as having "rescued the beautiful art of carving in ivory from the hands of the mere workmen to whom, since the time of the Greeks, it has, with comparatively few exceptions, been consigned". *Cleopatra* deemed "exquisite", "recalls, by the purity of the outlines and the charm of the execution, the finest productions of antiquity."

Cleopatra Dying was one of the most significant domestic pieces produced by Triqueti. It shows the artist's eclectic style, range of influences and interests. A classicist, he was drawn to Hellenistic and Roman sculpture.

The polychromy of the piece, now partially lost (*Cleopatra's* dress and ornaments were originally enhanced with touches of gold and colour) evoked the Chryselephantine – ivory and gold – statuary of Phidias, the most celebrated sculptor of Greek antiquity. The pose and chair were directly drawn from *Ariadne Sleeping* (formerly known as *Cleopatra*), a marble 2nd century CE Roman copy of a Greek original in the Vatican, and the *Death of Phaedra*, a drawing by Triqueti's early mentor, the neoclassical painter Anne-Louis Girodet-Trioson (1801, Musée du Louvre). Triqueti was moreover greatly knowledgeable about Italian art. The exquisite casting and decorative detail of the chair evoked Triqueti's attraction for the art of the Renaissance, recalling, for example, the classicism of Andrea Riccio.

Triqueti recruited collaborators of outstanding technical skill. He certainly enlisted master craftsmen (probably from Dieppe) to translate his terracotta model into ivory. The piece was exquisitely carved, predominantly from one unusually large tusk, the shape of which was utilised to accommodate the flowing drapery, reclining body, and tangle of hair tumbling behind the chair. Part of the drapery, flowers and one arm were likely made from another piece of ivory, skilfully and seamlessly integrated into the main body of the piece. The bronze casting was also of outstanding quality, and most certainly executed by the reputed French firm Eck and Durand, whom Triqueti favoured for casting his decorative pieces and small bronzes.

Seeking to express the richness of human emotion, Triqueti was inspired by the subject of heroines suffering ill-fated love. The contrast between the abandoned pose, feet pressed against each other and hand still gripping the cloth, expressed all at once resignation, anguish and determination, *Cleopatra* preferring to join her lover in death than live without him. Together with Triqueti's antiquarianism, this art of love – also displayed in the *Sappho and Cupid* in the Royal Collection – would have particularly appealed to the Victorian attraction for sentimental pieces, and virtuous love.

Characteristic of the taste which the exiled court of King Louis-Philippe brought to Britain, this masterpiece of Triqueti's domestic work epitomized the rich network of patronage between France and England, British collecting of mid- to -late 19th century French sculpture, and the Victorian taste for eclecticism and work in ivory.

The applicant did not dispute the argument for the statuette's importance under the Waverley criteria which was why, they said, they had offered it to a number of UK institutions before agreeing to sell it abroad.

We heard this case in November 2020 when we saw the statuette and concluded that it met the second and third Waverley criteria. It was a powerful composition, a particularly fine example of Triqueti's style and use of materials, representing the work of a sculptor at the height of his power. Triqueti's eclectic range was apparent, reflected in the neo-Assyrian jewellery observable around the subject's neck. Triqueti was also an important and highly appreciated figure in the context of 19th century British art. His greatest works were the marbles produced for the Albert Memorial Chapel, however there were relatively few examples of Triqueti working on the smaller scale. In recent years he had been rather neglected and his historical interest had been slightly underplayed. His Royal and Imperial relationships were complicated, however they played a significant role in his patronage and there was a great deal of scholarship to be undertaken on this aspect, and his link to the craftsmen of Dieppe.

Triqueti would have been among the first sculptors whose work was rich in different materials, colours and textures to reach Britain from France. This sculpture, therefore, had some place in bringing polychromy to Britain, which was subsequently taken up by the so-called New Sculptors in England, particularly Harry Bates and Alfred Gilbert. As such, Triqueti may have played a significant role in introducing the continental taste for polychromy and unusual materials into British sculpture and there was scope for further research into the

relevance of this piece in relation to the history of British art.

We were also satisfied that the valuation provided had been adequately substantiated. We therefore recommended that a decision on the statuette's export licence application should be deferred for a period of three months to enable an offer to purchase it to be made at the agreed fair market price of £150,000. We further recommended that, if at the end of the initial period of three months there was a potential purchaser who showed a serious intention to raise funds with a view to making an offer to purchase, the deferral period should be extended by a further three months.

At the end of the initial deferral period the Victoria and Albert Museum (V&A), which acted as champion for the statuette, informed us that, having exhausted every other possibility of purchase by another public body, it had decided that it had an obligation to the national interest to try and raise the funds itself to purchase the statuette. Confirmation was received from it that at the time it had objected and at the Reviewing Committee meeting, it had not been considering a purchase of the statuette and a decision on the export licence application was therefore deferred for a further three months.

We were subsequently informed that the V&A had come to an agreement with the owner to purchase the statuette. Although it was not purchased within the agreed deferral period, the owner agreed to allow the V&A to raise the outstanding money outside the deferral period. We subsequently heard that the V&A had purchased the statuette with support from the Robert H. Smith Family Foundation, Art Fund, Henry Moore Foundation, W.L. Hildburgh Bequest, The Crescent Trust, Bowman Sculpture, Daniel Katz MBE, Horn Bequest and The Decorative Arts Society 40th Anniversary Fund.

The independent assessors for this case were Jeremy Warren (Honorary Curator of Sculpture at the Ashmolean Museum), Philip Ward-Jackson (Art Historian) and William Agnew (W. Agnew & Company Ltd.).

Case 6 A Mughal (Clive of India) Durbar Set

'Durbar' set comprising 19 pieces, including rosewater sprinklers with stands, caskets for *pan*, and components of huqqa bases. Silver, cast, chased and partly gilded. Mughal empire, mid-18th century.

Octagonal box and stand (*pāndān*); cusped box and stand (*pāndān*); basin on stand; salver; pair of rosewater sprinklers (*gulab pash*); pair of trays; three pieces from a huqqa: bowl (*chilim*), cover & lid (*sarpush*); rosewater sprinkler and stand (*gulab pash*); and three perfume stands. All the pieces are silver and partly gilded to leave the stamped 'tear drop' motif plain.

The applicant had applied to export the set to Qatar. The value shown on the export licence application was £730,000 which represented the price the owner had paid for it in a private sale in 2017.

The Senior Curator, Asian Department at the Victoria and Albert Museum, acting as expert adviser objected to the export of the set under the second and third Waverley criteria because the set was of outstanding aesthetic importance and of outstanding significance for the study of Indian silver.

Case 6 A Mughal (Clive of India) Durbar Set



This suite of silver artefacts provided a rare glimpse of the manners and customs of courtly life in 18th century India. Its aesthetic importance rested in its completeness, which allowed it to evoke the ambience of elite formal gatherings.

Contemporary paintings frequently depicted regional rulers, whether Hindu or Muslim, in *darbār* ('Durbar' to the British in the 19th and 20th centuries), or formal assembly. The maharaja or nawab was usually shown reclining on a bolster with a huqqa next to him, surrounded by members of the court and with an array of rosewater sprinklers, caskets and perfume containers on the floor between them. The atmosphere was one of scented formality: rosewater would be sprinkled on each high-ranking individual on arrival, *'itr* (attar) of roses would emanate from the flower-shaped elements called 'essence stands' in a Clive inventory of 1775, and *pān* would be offered from the caskets to mark the end of the audience. All these items were found in this Clive set.

The V&A had one rosewater sprinkler of similar design to those in the Clive set, and with closely similar 'tear-drop' motifs, but its execution was noticeably inferior. It was bought by the museum as a piece taken from the treasury of Tipu Sultan in 1799, when the invading British army defeated the Mysore ruler at the Siege of Seringapatam. His treasury, which was said to have contained large quantities of silver plate, was divided between the troops as 'Prize'. The rosewater sprinkler was said to have been made in Hyderabad. It was significant that this object with its stylistic parallel to the items in the Clive set belonged to a royal treasury.

The Clive set must have come from a sophisticated workshop, used to supplying a courtly clientele. Each piece had surface decoration of tear-drop motifs carefully accentuated by mercury gilding. The two lidded *pāndāns* were of slightly different form, one being octagonal and the other having broad ribs; both their salvers had shallow depressions into which the *pāndān* fitted exactly.

The impeccable provenance of this set connected it directly to Robert Clive, 1st Baron Clive (1725-1774), a figure of outstanding if highly controversial importance to the history of the British in India. Some of the pieces were listed in an inventory of Clive's possessions made in 1766; the complete set was in his inventory of 1775. These dated references to items clearly made for Indian use were extremely rare before the 19th century, and the set therefore had fundamental importance in the study of Indian silver. For this reason, it was included in the landmark V&A 1982 exhibition, *The Indian Heritage: Court Life and Arts under Mughal Rule*.

It also gave a different dimension to the career of Robert Clive in India, otherwise seen almost exclusively from a Western perspective. The set demonstrated that he adopted the Indian formal customs that would be expected of someone holding high rank within the Mughal empire, even as it disintegrated and power shifted to the courts of the regional governors.

Clive's first Mughal title was Sabet Jang, or 'Firm in War', awarded to him by the Nawab of the Carnatic. This carried no pecuniary benefit. Following his success in leading the British to victory over the Nawab of Bengal in 1757 at the Battle of Plassey, Clive was able to make a request that could not be refused: an official position in the meticulously stratified Mughal hierarchy. The position always came with a *jagār*, or grant of the revenue of a designated piece of land. The *jagār* in question gave him control over an extremely valuable part of Bengal, and an annual income of £30,000 a year. He fulfilled none of the obligations incumbent on the holder of a *jagār*, and drained the wealth of the province.

Clive would, nevertheless, have been expected to hold court gatherings (*darbārs*) commensurate with his position and which had their own strict rules of etiquette. Those individuals being received in such an elite assembly would have rosewater sprinkled on

them on arrival, and be offered *pān* to mark the end of the audience. The *pān*, which refers to the small pouches of chopped nuts, lime and spices wrapped in a leaf, would be kept in lidded boxes (*pāndāns*) and offered on salvers. Within the courts of these regional governors, the components of a *darbār* set would be made en suite, and of precious materials, as here.

Individual 18th century *pāndāns* made of gold or silver were found in public and private collections across the world, as were single rosewater sprinklers, or matching pairs. However, this was the only complete 18th century Indian silver *darbār* set known to the expert adviser.

The applicant said that the set had been on loan to the National Trust at Powis Castle until 2016 when it had been consigned for sale. If the National Trust had felt at the time that the set was of significant national importance, they argued, it would have negotiated its purchase from the owners to retain it in the UK, which it had not done.

We heard this case in December 2020 when we saw the *darbār* set. We concluded that it met all three of the Waverley criteria. It was a striking assemblage of objects, with an extraordinary range of component parts. The presence of rosewater sprinklers and stands was particularly significant. The set was illustrative of the culture of court etiquette and diplomatic gift-giving observed at the Imperial and regional courts in 18th century India. Associated with the undeniably controversial figure of Robert Clive, the set was of significance to the study of the history of the British in India and it demonstrated how the British adopted Indian customs in pursuit of their commercial and political goals. It also enabled people today to evaluate accusations of greed thrown at Clive by his British contemporaries.

The individual pieces were in superb condition and it was likely that the set had never been used as the gilding was still intact and both perfume bottles still had their original green paint. No other set of this completeness or condition was known to exist. It was extremely rare to be able to date Indian 18th century silver so accurately and as a result, the set was of enormous importance for the study of silver and the culture of court etiquette, and diplomatic gift-giving between Britain and India within the broader Mughal context.

We were also satisfied, having considered the current market for Islamic works of art, that the 2017 purchase price had been adequately substantiated. We therefore recommended that a decision on the set's export licence application should be deferred for a period of three months to enable an offer to purchase it to be made at the agreed fair market price of £730,000. We further recommended that, if at the end of the initial period of three months there was a potential purchaser who showed a serious intention to raise funds with a view to making an offer to purchase, the deferral period should be extended by a further five months.

At the end of the initial three-month period, no offer to purchase had been made and we were not aware of a serious intention to raise funds. An export licence was therefore issued.

The independent assessors for this case were Richard Blurton (former Head of South & South East Asia at the British Museum), Emily Hannam (Curator of Islamic and South Asian Collections at the Royal Collection Trust) and Charles Greig (Art Historian).

Case 7 A Mughal (Clive of India) dagger and scabbard

A Mughal, c. 1700-1759 dagger and scabbard, the silk fabric covering the scabbard Iran, c. 1650. The dagger with watered steel blade, nephrite jade hilt set with rubies and emeralds in gold; the scabbard of wood covered with silk brocade, the nephrite jade locket and chape set with rubies in gold, and tassel and threads of silk and metal. Dagger: L 39.5 cm; Scabbard: L 30 cm.

The applicant had applied to export the dagger and scabbard to Qatar. The value shown on the export licence application was £1,120,000 which represented the price the owner had paid for them in a private sale in 2014.

The Senior Curator, Asian Department at the Victoria and Albert Museum, acting as expert adviser objected to the export of the dagger and scabbard under the third Waverley criterion because they were of outstanding significance for the study of 18th century Mughal weapons.

The dagger was one of several with expensive hardstone hilts to have been owned by Robert Clive, 1st Baron Clive, KB, FRS (1725-1774) and collected during his time in India. Such items were frequently presented by rulers on occasions of high significance. He may thus have been given the dagger by the Mughal emperor Shah 'Alam, who had received Clive at Allahabad in 1765. It was perhaps more likely that he had acquired it after his famous victory at the Battle of Plassey in 1757, and the subsequent installation by the British of Mir Ja'far as Nawab of Bengal. By his own account, when Clive arrived in the Nawab's capital of Murshidabad, he was amazed at his own moderation in what he agreed to accept as gifts, both from the rich treasury and from the nobles in the city.

The silk brocade cover of the wooden scabbard was regarded by textile specialists as

Case 7 A Mughal (Clive of India) dagger and scabbard

being Iranian, and dating to about 1650. Such textiles were rare. This fragment was closely similar to the pieces used as padded linings for a pair of Mughal watered steel armguards of exceptional quality now at Powis, and the dagger may be presumed to have come from the same royal collection. Murshidabad must be considered a likely source for both. The use of this fabric testified to the influence of Iran on India throughout the Mughal period, from the 16th to the late 18th century, and to the high regard in which precious foreign textiles were held.

The form of the nephrite jade hilt of the dagger was unusual: there was one other related hilt made of plain jade in the Clive Collection still at Powis Castle, for example, and a jewelled hilt on a dagger in the Al Sabah Collection in Kuwait.

The arrangement of the precious stones in gold on the Clive dagger was unique. Other jade-hilted daggers had typical Mughal designs of flowering plants, either set with precious stones or simply worked in low relief. The setting of these precious stones, some of considerable size, had no parallel of which the expert adviser was aware in any public or private collection. The perfectly matched, large emeralds, including carved and table cut examples, seemed to be of high quality. The ruby on top of the pommel was an extremely rare instance of a stone faceted by an Indian lapidary in the manner of a diamond. Detailed gemmological study would eventually yield interesting information concerning the likely sources of the stones and the way in which they had been shaped.

The study of 18th century Mughal weapons had yet to produce a convincing datable typology of hilts, largely because of their lack of context. Daggers like this, made of expensive materials, were always subject to looting and seizure as 'Prize' in the complicated and volatile political context of the time. Large stones were often picked out and sold separately. The fact that this dagger had retained all its components, including the precious stones and earlier Iranian silk brocade covering for the scabbard, was exceptional.

The applicant did not comment on whether the dagger and scabbard met any of the Waverley criteria.

We heard this case in December 2020 when we saw the dagger and scabbard. We concluded that in addition to their outstanding importance for the study of Mughal weaponry and design they were also outstandingly important for the light they could shed on the nature of Anglo-Indian diplomatic relations in the mid 18th century and on the personality of Robert Clive and even though the expert adviser had only objected under the third criterion we agreed that the dagger and scabbard met the first and third Waverley criteria.

The blade, a fine example of Indian watered steel, would have been made in a different location to the jade hilt. Most likely a product of the royal workshops, the design, consisting of inset precious stones, was atypical of Mughal design and extremely unusual. The raised embrasures indicated that the stones may have been inset at later date. Revealingly for the mentalities of the time, it may have been altered, and enriched, to resemble what the imperial or princely donor – trying particularly hard to flatter and win influence with its all-powerful recipient – thought looked European and thus familiar to Clive.

The very splendour of the dagger and its embroidered hilt – and the fact that the precious stones have not been removed as was usually the case with diplomatic gifts – also provided important evidence in the ongoing re-assessment of Clive’s personality and conduct.

We were, however, unable to recommend a fair matching price and recommended that the Secretary of State should obtain an independent valuation of the dagger and scabbard.

The applicant was given the option to agree to be bound by the valuer appointed by the Secretary of State once their identity was known or to appoint their own independent valuer with a view to the two independent valuers agreeing a valuation. In the event that they were unable to agree the Secretary of State would appoint an arbitrator to act as an expert by whose decision the parties would be bound. The applicant agreed to this procedure.

The Secretary of State agreed the Committee’s recommendation and having been given the identity of the valuer appointed by the Secretary of State, Brendan Lynch of Oliver Forge & Brendan Lynch, the applicant agreed to be bound by their valuation which confirmed that the 2014 purchase price of £1,120,000 was a reasonable current value. The Secretary of State recommended that as the fair matching price. Having regard to it the Committee agreed to recommend to the Secretary of State that the decision on the export licence should be deferred for an initial period of three months to allow an offer to purchase to be made at the fair matching price of £1,120,000. We further recommended that if, by the end of the initial deferral period, a potential purchaser had shown a serious intention to raise funds with a view to making an offer to purchase the dagger and scabbard, the deferral should be extended by a further four months.

At the end of the initial deferral period, no offer to purchase the dagger and scabbard had been made and we were not aware of any serious intention to raise funds. An export licence was therefore issued.

The independent assessors for this case were Richard Blurton (former Head of South & South East Asia at the British Museum), Emily Hannam (Curator of Islamic and South Asian Collections at the Royal Collection Trust) and Charles Greig (Art Historian).

Case 8 Breguet Four Minute Tourbillon Watch

A gold four-minute tourbillon watch with Robin escapement, thermometer and stop slide for timing the seconds made in 1808 by the pre-eminent Paris watchmaker, Abraham-Louis Breguet (1747-1823) for King George III of England (1738-1820). 1808, NO. 1297, diameter 65mm.

The applicant had applied to export the watch to Australia. The value shown on the export licence application was £2m which represented the price that the overseas buyer had agreed to buy it for and of which a balance of £240,000 remained outstanding which was to be paid

when the export licence was issued and the watch had been delivered. In the event of a UK sale, VAT would be payable on this price.

The Acting Keeper, Britain Europe & Prehistory at the British Museum assisted by the Curator of Horology, Department of Britain, Europe & Prehistory at the British Museum, acting as expert adviser had objected to the export of the watch under all three of the Waverley criteria because it had been made for King

Case 8 Breguet Four Minute Tourbillon Watch



George III and embodied the interests and aspirations of British Enlightenment; it was the pinnacle of watch design incorporating an early example of state-of-the-art horological technology alongside a unique group of innovative features; and it was of outstanding significance for the study of horology and the social and political history of Britain and Europe.

Abraham-Louis Breguet set up in business at Quai de l'Horloge on Ile de la Cité in Paris in 1775. He was soon achieving excellence, bringing to the market his *perpétuelle* watch in 1780 and serving the highest status clients. He went on to develop more horological innovations, some of which, like the automatic, are still important today. The tourbillon was possibly Breguet's single greatest contribution to horology. He conceived the idea whilst in Switzerland between 1793-1795, in exile from the Reign of Terror in Paris. It was patented on June 26, 1801 and was finally put into commercial production in 1805.

The escapement, the beating-heart of a watch responsible for controlling its timekeeping, was subject to varying forces as it moved about in normal use, which could adversely affect timekeeping. Breguet sought to reduce these positional errors by incorporating the *tourbillon* which caused the entire escapement assembly to rotate continuously through 360°, the word "tourbillon" translating as "whirlwind". Breguet sold 35 tourbillon watches between 1805 and 1823 and less than ten were now thought to survive, thus making them rare and coveted pieces. This important type of watch, the Breguet four-minute tourbillon, was not currently represented in any national collection and it was possible that there may not be any further examples in the country. If a watch of such importance, in such pristine condition, were to leave the country then it would be a great loss to the nation.

King George III & Queen Charlotte shared many interests which resulted "in a significant expansion of the Royal collection" during their long reign (1760-1820). The King was a keen

horologist and engaged the leading horologists of the day, actively involving himself in the creation of pieces that he commissioned. The Royal Collection held manuscripts written in the King's hand in which he detailed the procedure for assembling and disassembling watches. This watch exemplified George III's criteria for horological acquisitions in its austere beauty and innovative mechanism. It was certainly not acquired as a trinket.

The watch was also of interest in respect of international scientific activity during the period of the Napoleonic Wars, as well as being indicative of Breguet's business and diplomatic acumen. This was revealed by the intriguing mystery on the watch case. The copy of the certificate No. 4178 that was issued by Breguet for the watch stated that the movement was "*fini en blanc*" (finished in the rough) when it was sent to Recordon of London on 21st June 1808 (for the King of England) who had it cased. However, the case bore two casemakers' marks, "PBT" for Pierre-Benjamin Tavernier who worked for Breguet in Paris, and "LC" for Louis Comtesse who was based in London, as well as having gold hallmarks for London. This suggested a prolonged and convoluted gestation for the watch that Roger Smith in *The Swiss Connection: International Networks in Some Eighteenth-Century Luxury Trades*, Journal of Design History, Vol.17, No.2, 2004, pp.123-139, figs.11-13 considered indicative of Breguet being astute enough to present his product as English to make it acceptable to the King of England during the Napoleonic Wars.

Overall, the watch had direct connections to British history and individuals, as well as being a significant product of British 18th century interests in technical innovation, trade, and consumerism. Its rarity made it a great prize for a collector anywhere in the world but in a British public collection it related particularly to the science and understanding of horology, time and measuring, as well as more broadly to the social and political history of Britain and Europe. Its loss from Britain would be a misfortune.

Although it was not known when the watch had left George III's collection this information was likely to exist and presented an avenue for further research.

The applicant declined to comment on the Waverley status of the watch.

We heard this case in December 2020 when we saw the watch. We concluded that it met all three of the Waverley criteria. It was an outstanding technical accomplishment, a riveting object, displaying advanced horological technology for the time. Its association with the collection of King George III and Queen Charlotte, its relationship to scientific activity between London and Paris during the Napoleonic Wars and its rich connection to the social and political history of Britain and Europe at the time would make its loss from Britain a misfortune. The watch was a tour-de-force of the art of horology. At the very cutting edge of technology, the beauty of its mechanism was matched by the restrained elegance of its case, all of which would have been prized by its original owner King George III, an astute collector and active horologist. Further research might also include looking at the inventories of King George's scientific collection to see if it was part of that.

We therefore recommended that a decision on the watch's export licence application should be deferred for a period of three months to enable an offer to purchase it to be made at the agreed fair market price of £2m plus VAT (£2.4m). We further recommended that, if at the end of the initial period of three months there was a potential purchaser who showed a serious intention to raise funds with a view to making an offer to purchase the watch, the deferral period should be extended by a further five months.

During the initial deferral period, we were informed of an offer from a private source to purchase the watch at the fair matching price with a guarantee of reasonable public access at a UK national institution. A decision on the export licence application was deferred for a further five months. Before the end of the second deferral period, the applicant withdrew their application. The applicant was informed that, in accordance with normal policy, any subsequent re-application would normally be treated as if the Secretary of State had refused the licence. The watch remains in the UK.

The independent assessors for this case were Ben Wright (Director, Ben Wright Clocks), Jonathan Betts (Horological Scholar) and Dr Jane Desborough (Curator of Scientific Instruments at the Science Museum).

Case 9 A Mantuan parcel gilt and silvered bronze roundel

A roundel depicting *Venus, Mars, Cupid and Vulcan*, partially gilded and silvered bronze with a deep brown/black patina, Italian, Mantuan or possibly Paduan, c.1480-1500, 42 cm. in diameter.

The applicant had applied for a licence to export the roundel to the USA. The value shown on the export licence application was £17m which represented an estimated value, a justification of which had also been provided.

In 2004 (reported as Case 1 in our 2004-05 Annual Report), the roundel had been export stopped and starred under Waverley criteria two and three. Following a serious expression of interest from the V&A the export licence application had been withdrawn during the initial deferral period. As the V&A had tried to acquire the roundel at that time the applicant was consulted on its involvement as expert adviser for the current hearing and raised no objections.

The Senior Curator of Sculpture at the Victoria and Albert Museum, acting as expert adviser, objected to its export under the second and third of the Waverley criteria because it was exceptionally beautiful and of major significance for the study of North Italian bronze sculptural production within late 15th century culture. In addition, its likely early provenance in Britain was relevant for the history of collecting amongst the English elite in the mid-18th century.

The roundel showed Venus, the goddess of Love, in the centre holding her son Cupid, who pierced her chest with a gilded arrow while glancing toward Vulcan, god of Fire, at work at the forge. Venus's lower body faced Vulcan, but her gaze focussed on her lover Mars, the god of War, whose helmet, emblazoned with a leaping horse, was being hammered by her cuckolded husband. A *spiritello* (or sprite) squatted beneath Vulcan's legs working the bellows, while another stood alongside Mars, attempting to draw his sword

from its decorative scabbard. The *exergue* below contained a *tabula ansata* with the Latin inscription announcing the narrative 'CYPRIA MARS / ET AMOR GAUDENT / VVLCANE LABORAS', roughly translated as 'While Venus, Mars and Cupid enjoy themselves, Vulcan labours'. Areas were picked out in vibrant mercury-gilding, notably the hair, footwear and drapery of the figures, while other details were silvered. The bronze had an integrally cast moulded border, into which a suspension loop had been pinned slightly off-centre to account for the weighting of the bronze.

The roundel was not securely documented, and prior to its discovery in 2003 the design was only known through a close plaster variant, formerly in the Bardini Collection. It had, however, been suggested that the prominent horse (*cavallo* in Italian) on Mars' helmet, could be a pun on the name of the goldsmith, sculptor and medallist Gian Marco Cavalli (c.1454-after 1508), who was variously patronized at the Gonzaga court in Mantua from 1499-1505. Cavalli was also known to have worked to other artist's designs, including casting two bronze *Spinarii* after Antico, tentatively identified using alloy analysis. Five smaller roundels (c.1496; c.32.7 cm dia.) showing scenes from the life and labours of Hercules by Antico survived in the Kunsthistorisches Museum, Vienna, the Victoria and Albert Museum, and the Museo Nazionale del Bargello, Florence, the last two similarly incorporating highlights in gilding and silver. Notable parallels could also be seen with the treatment of the partially gilded bronze *Entombment* relief in the Kunsthistorisches Museum (inv. KK6059), which had been variously attributed, most recently to Andrea Mantegna (1431-1506), who was active in both Padua and Mantua; to Cavalli, possibly after a design by Mantegna, and to 'Mantua or Padua'.

Depictions of Mars, Venus and Cupid in the forge of Vulcan were comparatively rare in the

Case 9 A Mantuan parcel gilt and silvered bronze roundel



Renaissance. This and other related scenes (such as the *Forging of Cupid's wings* and *Vulcan forging the Armour of Aeneas*) were largely confined to plaquettes and engravings of around 1500 from Northern Italy. Classical images of Vulcan at his forge were equally rare, and Renaissance representations usually showed him as an older man, perhaps hinted at here by his lined face. The pose of Mars was based on a classical intaglio of *Diomedes and the Palladium*, and the use of 'Cypria' referred to the 'Cyprian Aphrodite', as in Homer's *Iliad*. Such adaptations of diverse artistic and literary sources were typical of the period, but here the designer had been particularly inventive, uniting two events that were usually depicted independently: Vulcan forging armour for Mars and his fashioning of Cupid's wings.

The story was layered still further as the inscription suggested. The sexual desire of Venus and Mars was encapsulated in their gaze, cleverly tempered by decorum, with Venus's body literally shielded from that of the (unusually) naked Mars. The fact that Venus was magnificently winged might also carry specific meaning. This sensual intensity was offset by the inclusion of the diminutive *spiritello* toying with the sword, and Cupid seemingly scowling at Vulcan who had yet to forge his wings. The latter, oblivious to all, was the butt of the central joke. The roundel demonstrated the erudition of inventor, owner and any other viewers who might be invited to unravel the hidden meanings in what would have been a costly signal of status.

Significantly for the Waverley criteria, the relief was stunningly beautiful, both in its design in the tondo format and in the exquisite handling of the materials. The conformal, comparatively thin casting used less expensive bronze, while reducing the risk of casting flaws. The technique (and the alloy analysis) appeared comparable to that used for Antico's roundels, probably the 'direct' lost-wax technique, producing one-off casts, although there was scope for further research. This approach, together with the delicate application of mercury gilding and silvering – especially the

crow's feet of Vulcan's eye – suggested that it was cast and finished by a consummate craftsman (or craftsmen) with a background in goldsmithing, capable of sensitive modelling and subtle definition of forms in relief. That bronzists were trained as goldsmiths was not unusual, but this inter-connection was the topic of new scholarly research, for which the roundel was apposite.

While the facture, gilding and silvering could be associated with the Mantuan court, the wit and layering of meaning in the narrative chimed equally well with works produced for a humanist clientele in Padua and the Veneto, as seen in reliefs, statuettes and lamps by Andrea Riccio (1470-1532) – albeit with a varied handling. The diverse attributional history of the cited *Entombment*, whose composition was doubtless inspired by Donatello's stone relief of the same subject on the altar of St Anthony's Basilica in Padua, highlighted the connection between the two cities that demanded further study. The roundel equally suggested a possible interplay between these great centres of bronze production.

The roundel was discovered amongst the possessions of the heirs of George Treby III, most likely purchased by him while he was on the Grand Tour in 1746, when he was known to have visited Florence, Rome and Naples. Following in the footsteps of both grandfather and father, Treby was the MP for the Rotten Borough of Plympton Erle from 1747. Introducing Treby to the antiquarian collector Cardinal Albani in Rome, Horace Mann described him as both 'allied to several ... principal families of England and very rich', indicating his standing and wealth. The roundel provided a glimpse of his collecting taste, which warranted further research within the broader context of English Grand Tour collecting.

No work securely by the same hand was known in the UK. The closest related sculptures in UK collections were the two Antico roundels in the Victoria and Albert Museum of c.1496 showing *Hercules strangling the snakes*, potentially designed by

Mantegna, and *Hercules and the Erymanthean Boar*; together with the exquisitely finished *Martelli Mirror* c.1475-1550.

The applicant did not dispute that the roundel met the Waverley criteria.

We heard this case in April 2021 when we saw the roundel. We concluded that it met the second and third Waverley criteria. It was a fascinating and extraordinarily important renaissance object of outstanding beauty. The energy in the composition as well as its size was unique and gave the roundel an exceptional presence. It was extremely interesting technically, in particular the way the gold was applied to the creases in Vulcan's cheeks and the remarkable excavation of the helmet. These elements together made the roundel a breath-taking piece in beauty and grandeur. We were intrigued by its enigmatic nature and its importance in an intellectual context as it would have been created as a talking point in humanist circles with potentially hidden messages and there was much more to discover about the roundel's symbolism. It may also have had a significant political and historical context. The idea that it could have been a collaboration offered several opportunities for further study into its

attribution and it could provide outstanding insight into the artisans and workshops of the time.

We were also satisfied, having considered the applicant's justification, that their estimated value on the licence had been adequately substantiated. We therefore recommended that a decision on the roundel's export licence application should be deferred for a period of four months to enable an offer to purchase it to be made at the agreed fair market price of £17m plus VAT (£20.4m). We further recommended that, if at the end of the initial period of four months there was a potential purchaser who showed a serious intention to raise funds with a view to making an offer to purchase, the deferral period should be extended by a further six months.

At the end of the initial four-month period, no offer to purchase had been made and we were not aware of a serious intention to raise funds. An export licence was therefore issued.

The independent assessors for this case were Sir Nicholas Penny (formerly Director of The National Gallery), Lewis Smith (Director, Koopman Rare Art) and Dino Tomasso (Partner, Tomasso Brothers Fine Art).



Case 10 A parcel-gilt reliquary figure of Saint Christopher, dated 1493

This German late Gothic parcel-gilt silver statuette was on a reliquary base with a Latin inscription around the top. It was 47 cm in height and the total weight was 2,838 gr. It was probably made in Augsburg, dated 1493. A gift to the Monastery of Kaiserheim in 1493, ordered by the Custodian of the Abbey Treasury, Brother Adam Medelin on behalf of Abbot George Kastner and paid for in part by Duke Frederick of Saxony.

The applicant had applied for a licence to export the reliquary to Canada. The value shown on the export licence application was £10m which represented an estimated value, a justification of which had also been provided.

In 2000 (reported as Case 8 in our 2000-01 Annual Report), the reliquary had been export stopped and starred under Waverley criteria two and three. Following a formal offer to purchase it from the National Museums of Scotland with assistance from the National Heritage Memorial Fund and the Art Fund, the export licence application had been withdrawn and, in accordance with normal policy treated as refused by the Secretary of State.

The Curator of Decorative Arts and Sculpture at the Ashmolean Museum of Art and Archaeology, Oxford, acting as expert adviser, objected to its export under the second and third of the Waverley criteria because it was a highly important work of art of superb artistic and technical quality that was a rare and powerful example of European goldsmith's work from the great age of Albrecht Dürer and Hans Holbein the Elder. There were few surviving comparable pieces either in UK or international collections. In addition it had unusually well-documented and interesting early and later provenances and associations with important historical figures. It had been one of the stars of Sir Julius Wernher's silver collection the history of which was set out in Case 5 of our 2000/01 Annual Report.

The figure of Saint Christopher wore a gilt tunic and a billowing cloak with a gilt lining. He was shown wading through a turbulent river, holding a staff in his left hand, his right hand resting on his hip. The figure of the Christ Child sat on his right shoulder holding onto the Saint's hair with his left hand, with his right hand raised in blessing. The figures stood on a hexagonal reliquary base engraved around the shoulder with a Latin inscription that read: CHRISTOFERE. SANCTE. V'TVTES. SVT. T'TANTE G.A.K.D.W. (= Georg Abbas Kaiserheimensis Dei Vavassor?) QVI. TE. MANE. VIDET. TEMP'OE. NOCTNO. R'DET. 1.4.9.3. A.M.K. (= Adam Mendlin Kustos). The base stood on six plinth feet each surmounted by an architectural column. The plain band above each was engraved with a name and initial. The relic was contained within three curved glazed panels that were surrounded by applied scrolling foliage wreaths and figures of the seated Christ Child. Between the panels were figures of an Abbot, above a coat of arms, and Saint George in armour, beneath canopies (now missing a third figure and two coats of arms).

The statuette was almost unrivalled in the sculptural beauty and vigour of its composition, the delicacy of its detailing and its superb technical virtuosity. The master goldsmith had captured the sense of movement and physical strain through the Saint's billowing cloak, swirling water and powerfully veined legs and hands. There was a poignant intensity and tenderness between the figure of the old man and the playful child on his shoulders. There were few pieces in UK collections or beyond that could compare.

It had been made as a companion piece to another reliquary, the figure of Saint Sebastian (acquired by the V&A in 2001 – Case 7 of our 2000/01 report), probably designed by Hans Holbein the Elder and possibly made by the same goldsmith, but aside from this, there

were few pieces in UK collections or beyond that could compare.

The reliquary was remarkably well-documented, one of a number of costly items commissioned by Abbot Georg Kastner, abbot of Kaiserheim Monastery near Augsburg in South Germany between 1490 and 1509. Kaiserheim was a Cistercian monastery founded in 1134 and dedicated to the Virgin Mary. Among Kastner's other commissions had been the reliquary of Saint Sebastian, a large monstrance and a precious white chasuble. The origins of the Saint Christopher and Saint Sebastian reliquaries were confirmed by the contemporary inscriptions on them together with a near contemporary 1531 Chronical of Kaiserheim Monastery. This described the generosity of Abbot Kastner and specifically mentioned his gift of the two reliquaries to which Herzog Friedrich von Sachsen contributed 10 florins. The base of the Saint Christopher reliquary had figures of Abbot Kastner, with his arms, and Saint George in armour, the abbot's patron saint. It also originally had the arms of Kaiserheim Monastery and the Holy Roman Emperor Maximilian (still present when exhibited in 1901).

It was not hallmarked but was probably made in Augsburg, then a highly important European centre of goldsmithing that lies only 12 km from Kaiserheim. The designer and goldsmith of the Saint Christopher were unknown but the companion figure of Saint Sebastian, made four years later in 1497, corresponded closely to a silverpoint design in the British Museum that was attributed Hans Holbein the Elder (around 1460/5-1534). Holbein, together with the sculptor Gregor Erhart (around 1470-1540) moved to Augsburg from Ulm in 1493/4. Both later worked together on an altarpiece for Kaiserheim Monastery in 1502, also commissioned by Abbot Kastner. There were some striking similarities between the treatment of the hair and faces of the two reliquary figures and the work of the sculptor Gregor Erhart. It was possible that both reliquaries were the result of an early

collaboration between the two artists, with Holbein drawing the design and Erhart creating the 3D model in wax or wood for the goldsmith to follow. The technical virtuosity displayed in the piece clearly showed that it was made by master craftsmen. Figures fully in the round were one of the greatest challenges for goldsmiths and would have been the result of the collaboration of many different artist and craftsmen. The Saint Christopher reliquary was made using the highly skilled techniques of raising and casting. The figure of Saint Christopher was almost entirely raised from flat metal, with cast hands, hair and beard.

The reliquary was presumed to have first come onto the art market when Kaiserheim Monastery was secularised in 1802-3. Its first known owner was the Russian Prince Petr Soltykoff. Based in Paris. It was bought at the sale of his collection in 1861 by Baron Achille Seillière and it was probably directly from him that they were purchased by Sir Julius Wernher (1850-1912) to add to his own outstanding collection of works of art. Originally from Germany, Sir Julius was a brilliantly successful diamond entrepreneur who became one of the richest men in Britain. Using his new wealth, he built up his collection with the help and advice of Wilhelm von Bode (1845-1929), Director of the Berlin Museum. Sir Julius displayed his collection both in his London mansion, Bath House, Piccadilly and in his country estate Luton Hoo, Bedfordshire. The two Kaiserheim reliquaries were the stars of his silver collection. They were emblematic of the remarkable Anglo-German taste for medieval and renaissance Germanic goldsmiths' work, also represented in the Waddeson Bequest in the British Museum, other Rothschild collections and the Schroder Collection, that ended with World War I.

The applicant did not dispute that the reliquary met the Waverley criteria.

We heard this case in April 2021 when we saw the reliquary. We concluded that it met the second and third Waverley criteria. Its artistic quality was outstanding. It was a deeply moving object of incredible intensity and immense

narrative power and we felt that this was certainly one of the most remarkable objects that had come before us. Goldsmiths in this period were highly regarded across Europe and this object was the product of the great age of European masters such as Holbein and Albrecht Durer. This was not merely a piece of functional silverware, but a costly, wonderfully modelled sculpture intended for an altar. There was a great deal still to be discovered about it and the surviving group of comparable pieces. Their place in the development of European sculpture deserved further study. There was technical analysis that could be undertaken and much to be learned about the technique and the circumstances of their creation. The relics contained within the Saint Christopher reliquary were yet to be identified.

We were also satisfied, having considered the applicant's justification, that their estimated value on the licence had been adequately substantiated. We therefore recommended that a decision on the reliquary's export licence application should be deferred for a period of four months to enable an offer to purchase it to be made at the agreed fair market price of £10m. We further recommended that, if at the end of the initial period of four months there was a potential purchaser who showed a serious intention to raise funds with a view to making an offer to purchase, the deferral period should be extended by a further six months.

At the end of the initial four-month period, no offer to purchase had been made and we were not aware of a serious intention to raise funds. An export licence was therefore issued.

The independent assessors for this case were Lewis Smith (Director, Koopman Rare Art), Timothy Schroder (Lecturer, Writer and Adviser on Silver- and Goldsmiths' Work) and Philippa Glanville (Independent Historic Metalwork Scholar).

Case 10 A parcel-gilt reliquary figure of Saint Christopher, dated 1493



