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Sotheby's sued over Caravaggio attribution

The auction house sticks by its cataloguing of a painting sold in 2006 as a copy not an autograph work

By Melanie Gerlis
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Sotheby's is being sued for damages over a work it attributed to a "follower" of Caravaggio that sold at auction in London to the late collector and scholar Sir Denis Mahon in 2006, for a hammer price of £42,000. Mahon subsequently identified the painting as a work "by the hand of Caravaggio" and obtained an export licence for it that gave an estimated selling price of £10m, according to a claim filed at London's High Court of Justice. The claimant is Lancelot William Thwaytes, who consigned the work to auction in 2006; it was catalogued as *The Cardsharps*, "a 17th-century copy after Caravaggio's original now in the Kimbell Art Museum, Fort Worth".



Sir Denis Mahon's version of *The Cardsharps* on view in Trapani, Sicily

The painting had been in the Thwaytes family since 1962. According to the claim that was filed at the end of January, Thwaytes seeks unspecified damages, interest and costs relating to the price difference between the £42,000 the painting sold for in 2006 and "what its true open market value was in 2006", had it been attributed to Caravaggio and to be determined by expert evidence. The filing includes the claim that Sotheby's did not undertake the necessary research and analysis prior to the work's sale.

In a statement, Sotheby's says that its "view that the painting is a copy and not an autograph work by Caravaggio is supported by the eminent Caravaggio scholar Professor Richard Spear, as well as by several other leading experts in the field". Other experts who have gone on the record in support of Sotheby's view include Helen Langdon, the Italian Baroque scholar and the writer of Caravaggio's 1998 biography, and Sebastian Schütze, a professor of art history at the University of Vienna. In reference to Mahon's *The Cardsharps*, Schütze writes in his 2009 catalogue of Caravaggio's paintings that "the quality of the execution... rather suggests the painting to be a copy".

Sotheby's adds: "Our view is also supported by the market, which gave its verdict on this painting when it set the price at £50,400 [the hammer price plus the buyer's premium] at Sotheby's sale in December of 2006. The catalogue in which the painting was included was distributed among the world's leading curators, art historians, collectors and dealers—had they deemed the attribution different to that given in the catalogue, the price realised would doubtless have reflected that."

The claim lists the experts in support of Mahon's attribution as the Caravaggio scholars Mina Gregori and Maurizio Marini; Antonio Paolucci, the director of the Vatican Museums; the curator and Bolognese art expert Daniele Benati; Thomas Scheider, a writer and restorer; and Ulrich Birkmaier, the chief conservator of the Wadsworth Atheneum.



AUTHENTICATION IN ART

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Mahon, who died in 2011, bequeathed 58 works from his collection, valued at around £100m, to UK galleries. He was one of the experts who in 2005 said he was “convinced” that John the Baptist with a lamb, catalogued by Sotheby’s in 1998 as “circle of Caravaggio”, was a genuine late work by the artist, reversing his previously held view (The Art Newspaper, April 2005). He was also one of the experts who supported the identification of a Christ taken into captivity, found in an Irish religious college, as a missing original by Caravaggio (The Art Newspaper, May 1993).