

*An Examination into the  
Authenticity of the Alleged  
Norval Morriseau Painting  
“Spirit Energy of Mother Earth”*

*Expert Report*

*3 February 2012*

*Ontario Superior Court of Justice*

*Hearn v. Joseph McLeod and Maslak McLeod Gallery*

## PREFACE

I was asked by the plaintiff to act as an expert witness and give my opinion about the authenticity of the acrylic on canvas painting "Spirit Energy of Mother Earth", 56 x 52 inches, signed and dated 1974, alleged to be by Norval Morrisseau.

There is much more at stake here than the authenticity of just one painting. This is also a matter of national importance. Finding truth and justice for the artistic legacy of renowned artist Norval Morrisseau's art is essential for the integrity of this nation's cultural heritage.

My role is to assist the court on matters within my area of expertise. It is my duty to provide evidence that is fair, objective and non-partisan. I was not involved in any way with the underlying facts of this case. I believe that I give my opinion and speak neither for "my side" nor for that of the defendant, but as a professional art dealer on behalf of my profession, in the interest of truth and justice. The facts stated herein are true. The opinions stated herein are honestly held.

This report is divided into three main sections. Section 1 provides an overview and concise synopsis of the most significant points and conclusions. Section 2 provides much more detailed information and includes the main body of the report. Section 3 is the Appendix which contains supporting documentation.

Donald C. Robinson, BaSc., M.B.A, P. Eng.  
Toronto, Ontario  
3 February 2012

\*This report should not be relied upon for any purpose other than use in the legal proceeding for which it is intended.

# SECTION 1 - OVERVIEW

## REPORT SUMMARY

### QUALIFICATIONS AND EXPERTISE

I believe I was asked to prepare this report because of my comprehensive experience with the artist and his work. I have been in the fine art business for thirty-six years. I sold his art for over twenty-six years and have handled more than one thousand Morrisseau paintings. For eighteen years I had the exclusive contractual rights for Canada, to market his paintings. I arranged several sellout exhibitions. My experience includes the authentication and appraisal of hundreds of paintings in private and public collections. I am the author of several articles, brochures, exhibition catalogues, two published sold-out books about the artist, and four previous Expert Reports. I acted as a court-qualified expert for three Morrisseau authenticity-related civil suits, two in 2009 and another in 2011. In 2005 I was certified and notarized by the artist as an expert in authenticating his art, with "the right and authority to legally authenticate Norval Morrisseau art". During recent years I have specialized in identifying fake Morrisseau paintings which are now endemic in the marketplace. This required the comparative study of numerous examples of his handwriting and signature. Although I am not a handwriting expert, I do have long experience and specialized expert knowledge about Norval Morrisseau's handwriting and signature.

### METHODS

Traditional art historical methods of analysis were used to authenticate this painting. I examined the provenance, secondary supporting documentation, syllabic signature, English signature handwriting, title handwriting, use of dry-brush painted writing, the overall composition, pictorial design elements using Morellian stylistic analysis, and the colour palette.

### OPINION

I found overwhelming evidence that the subject painting could not have been painted by Norval Morrisseau in 1974, or at any other time. The Synopsis on the following page is a bullet form summary of each piece of the evidence examined in detail and the individual conclusions reached on each part. Even if one or more aspects of the evidence examined were excluded from consideration, the remaining inconsistencies would still be more than enough to disprove the authenticity of this painting and lead to the same conclusion. There is no possibility whatsoever that the subject painting is authentic. I hold this opinion with a one hundred percent level of confidence. The subject painting is a mediocre forgery.

### FAIR MARKET VALUE

The current fair market value of this painting is \$300.00 unframed. The current fair market value of an authentic painting this size would range between \$40,000.00 and \$45,000.00. Authentic early paintings usually command a premium price compared to later paintings, all other factors being equal. The subject painting is pleasing to the eye, well composed, and complex in design. Therefore the higher value of \$45,000.00 would be appropriate.

## SYNOPSIS OF ANALYSIS

*"Spirit Energy of Mother Earth"*, acrylic on canvas, 56x52 inches, signed and dated 1974

- |  |      |
|--|------|
| 1. CREDIBLE PROVENANCE BACK TO THE ARTIST? (Pages 23-24)       | NONE |
| 2. SECONDARY SUPPORTING DOCUMENTATION? (Pages 61-62)           | NONE |
| 3. DRY BRUSH PAINTING TECHNIQUE CONSISTENT? (Pages 13, 45, 61) | NO   |
| 4. REVERSE SIDE LARGE PAINTED WRITING CONSISTENT? (Page 61)    | NO   |
| 5. PRESENCE OF TITLE CONSISTENT? (Pages 13, 61)                | NO   |
| 6. SYLLABIC SIGNATURE CONSISTENT FOR 1974? (Page 25)           | NO   |
| 7. TITLE HANDWRITING CONSISTENT? (Pages 46-47)                 | NO   |
| 8. ENGLISH SIGNATURE HANDWRITING CONSISTENT? (Pages 40-45)     | NO   |
| 9. OVERALL IMAGE CONSISTENT? (Pages 58-59)                     | NO   |
| 10. OVERALL COMPOSITION CONSISTENT? (Page 58)                  | NO   |
| 11. INDIVIDUAL IMAGES CONSISTENT? (Pages 58-59)                | NO   |
| 12. PAINTING TECHNIQUES CONSISTENT? (Page 59)                  | NO   |
| 13. THEME AND MOOD CONSISTENT? (Page 59)                       | NO   |
| 14. COLOUR PALETTE CONSISTENT? (Pages 59-60)                   | NO   |

THIS IS

OVERWHELMING EVIDENCE THE SUBJECT PAINTING IS A FORGERY

## SUMMARY OF OPINION

1. The claim that the subject painting is an authentic work by Norval Morrisseau, is not supported by the evidence.
2. I used traditional art historical methods to examine the authenticity of this painting, including investigation of its provenance, signature analysis, Morellian stylistic analysis, and reverse side documentation analysis. Each of these areas of investigation revealed problems with the painting's authenticity.
3. No provenance back to the artist is available for this painting. The provenance provided is unverifiable and not credible (Pages 23-24).
4. Signature analysis revealed that the syllabic signature on the front of this painting is similar to some later signatures of the artist, but completely inconsistent with authentic documented syllabic signatures from the same 1970's time period (Pages 25-39).
5. Comparison of the handwritten signature in paint on the back of this painting with indisputable authentic documented handwritten signatures revealed unequivocal evidence that this signature is not by Norval Morrisseau's hand (Pages 40-45).
6. Comparison of the handwritten title on the back of this painting with authentic specimen titles and handwriting from the same time period provided strong evidence that this title was not written by Norval Morrisseau (Pages 46-47).
7. Morellian stylistic analysis revealed several significant pictorial design elements in this painting inconsistent with those used by Norval Morrisseau. Any one of these would have been sufficient to cast doubt on the painting. Together, this large number of design inconsistencies clearly demonstrates, beyond any doubt, that this canvas was not painted by Norval Morrisseau's hand (Pages 58-60).
8. Examination of the reverse side revealed that the painting lacks any secondary supporting documentation (gallery labels, framer labels, gallery inventory numbers, dedications, previous owner's marks or letters) very often found on the back of or accompanying older secondary-market paintings (Page 61-62).
9. Reverse side documentation analysis demonstrated that the writing and printing in heavy black dry-brush paint on the back of the canvas, alleged to be by the artist, is inconsistent with Norval Morrisseau's practice. I have never seen an authentic painting with dry brush paint, or any kind of paint, used to sign, title, or date his art in the 1970's, or any other time (Pages 61-62).
10. Taken together, all of the above evidence overwhelmingly supports the conclusion that the subject painting was not painted by Norval Morrisseau's hand. I have reached this conclusion with a one hundred percent level of confidence.

## **SUMMARY OF BACKGROUND**

### **THE RISE OF MORRISSEAU FAKES**

1. First observed in 1999. By 2005 became endemic in the art marketplace across Canada. (Page 12)
2. The greatest fraud in Canadian art history. Unprecedented by volume and dollar value. (Page 18-19)
3. More than 2000 fakes known. More than 3000 probably exist. (Page 14)
4. Majority dated in the 1970's characterized by large faded-looking writing in black paint on the reverse side. (Page 12)
5. Sold by distributors, numerous established art galleries, private dealers, on eBay, and by online galleries across Canada and internationally. Supported by misleading internet postings and a comprehensive ongoing blog, with over 1800 posts and 140,000 hits. (Page 14)
6. The artist was deeply concerned and actively sought to remove these fakes from the marketplace. (Page 14)
7. Norval identified large numbers of fakes in affidavits and letters sent to several art galleries, dealers and the primary auctioneer. (Page 14)
8. The disinformation continues. Some Morrisseau family members complicit by supporting the alleged Morrisseau paintings with published statements, authenticating them on their reverse sides, and issuing Certificates of Authenticity. (Page 15)
9. Some Morrisseau family members arranged to have Norval sign and thumbprint Certificates of Authenticity for 8 fake Morrisseau paintings on 11 April 2002 after taking him from his Nanaimo nursing home to Thunder Bay. (Page 16)
10. In 2003, Norval issued a statement indicating his thumbprints had been "fraudulently obtained". (Page 16)
11. The RCMP did an extensive investigation, but in December 2010 the Crown declined to lay charges. The investigation was terminated and the file was transferred to the Thunder Bay Police. No charges have been laid. (Page 18)
12. Open dialogue by experts about the authenticity of alleged Morrisseau paintings has been quashed by threats of lawsuits. Several civil suits have been filed. (Page 18)

## COUNTER-ARGUMENTS

Two main counter-arguments will likely be used by witnesses defending the authenticity of the subject painting.

### **1. NORVAL ROUTINELY WROTE ON THE BACKS OF HIS PAINTINGS IN BLACK PAINT.**

Five of Norval's immediate family members have gone on record that Norval routinely signed the back of his paintings in black paint. (Victoria, Peter, David, Christian and Wilfred - See published statements in Appendix 8). **Nothing could be further from the truth.**

I have handled well over one thousand Morrisscau paintings over twenty-six years with an estimated eight hundred to nine hundred paintings received directly from the artist. **Not one of these paintings had an authentic signature or writing in paint on the reverse side.**

In addition, my gallery has received and handled several hundred additional paintings with good provenances from private sources, most from early decades of the artist's life, dating in the 1960's and 1970's. **Not one of these paintings had a signature or writing in paint on the reverse side.**

In addition, in March 2001 my gallery received the bulk of Norval Morrisscau's personal inventory, a total of three hundred and eighty-four paintings, for safekeeping storage and insurance purposes only. I personally inventoried and inspected each painting as it was received, and again when they were returned, seven years later, after Norval's death. Each painting has my gallery inventory number (KR1 to KR384) written on the back. **Not one of these paintings had a signature or writing in paint on the reverse side.**

Norval relatively rarely wrote anything on the back of his paintings, but when he did, it was in pencil, ballpoint pen, or marker pen. In contrast, the subject painting type of fakes almost always have a signature and title in black paint on the reverse side. I have never seen an authentic Morrisscau with reverse-side writing in paint.

### **2. EVIDENCE BY HANDWRITING EXPERTS THAT NORVAL'S ENGLISH SIGNATURE AND HANDWRITING ON THE BACK OF THE SUBJECT PAINTING ARE AUTHENTIC.**

Evidence introduced in previous litigation leads me to believe that the defendant will introduce as evidence an expert report by a paid forensic handwriting expert. The defendant's expert evidence will likely state it is probable that the writer of the known Morrisscau signatures did write the questioned signature on the reverse side of the subject painting (Page 18). **Nothing could be further from the truth.**

I have reviewed several "Forensic Reports" concerning other alleged 1970's Norval Morrisscau paintings (Court file No. SC-09-087264, Hatfield vs. Artworld of Sherway; Court file No. SC-07-51428, Otavnik vs. Vadas; and Court file No. CV-07-1776-SR, Moniz vs. CTVglobemedia Publishing Inc. et al). All of these Forensic Reports used the same or almost identical examples of specimen authentic handwritten signatures and compared them with those on the reverse side

of the subject paintings. All of them drew the same conclusion that the paintings were authentic, using a specific level of certainty on the opinion scale. However, **all of them also recommended that additional known signatures written with paint on similar surfaces (canvas) be provided for more conclusive findings.** This will never be possible since Morriseau did not sign or title the reverse side of his paintings in paint.

I am not a handwriting expert, but I do have long experience and specialized expert knowledge about Norval Morriseau's signature and handwriting. For the past few years, since Norval's death and as a high business priority, I have been collecting and intensely studying Morriseau's syllabic and English signatures and handwriting. My gallery has specialized in high quality earlier paintings that must be obtained from private sources. Handwriting examples were obtained from trusted sources, including The Royal Ontario Museum (Pages 46-50). An intimate knowledge of Norval's signatures and reverse side title handwriting is important to assure the authenticity of paintings that we sell.

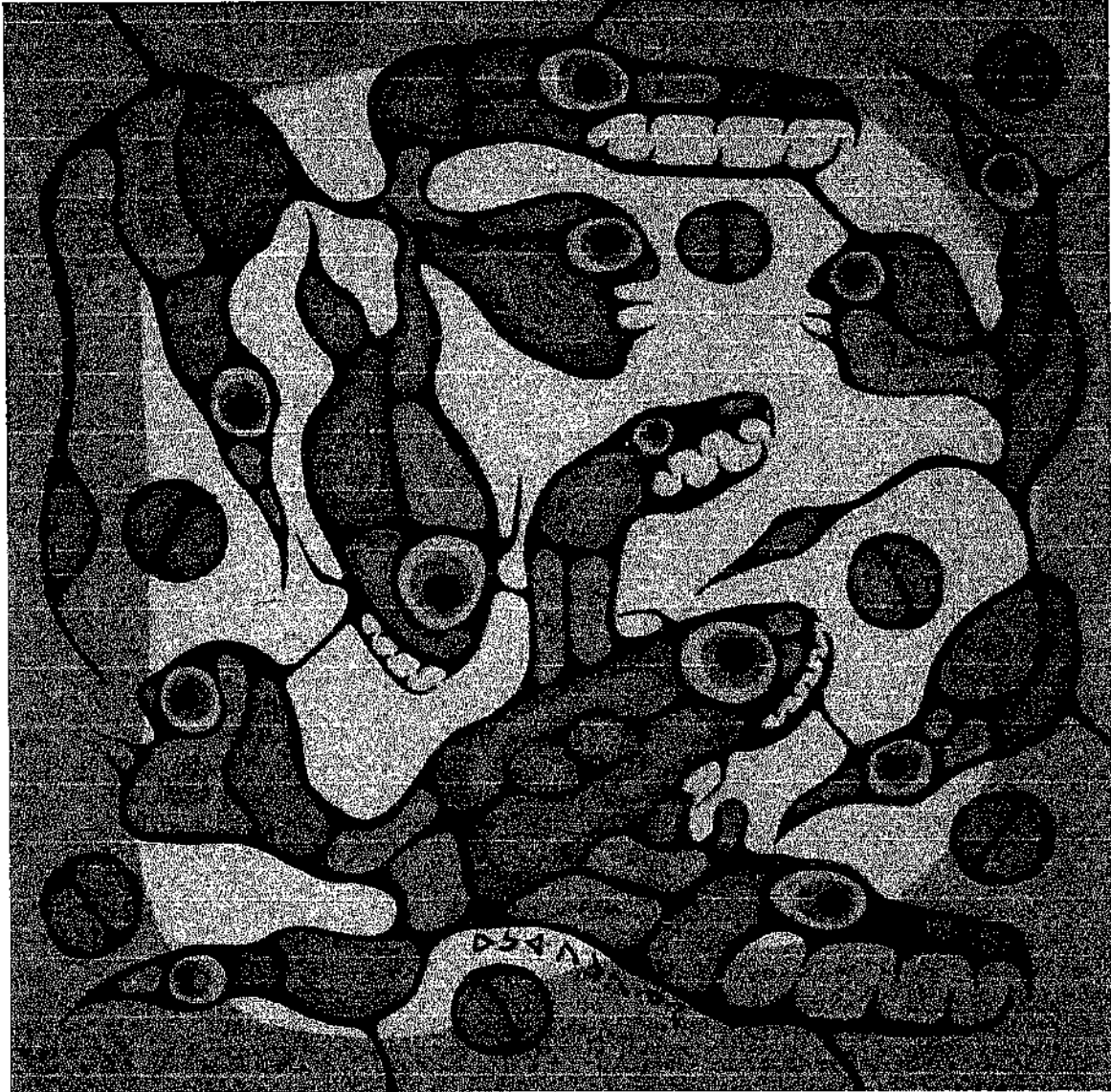
The differences between the writing on the subject painting and known indisputably authentic examples illustrated in this report are blatantly obvious. The first most obvious difference is that the title is written in capitals. Norval wrote using upper and lower case letters, not in all capitals. In addition, a number of the capital letters are in a different writing style than the artist used (See pages 48-49 for a comparison to specimen capital letters). Second, the artist's main initial "N" is written in a two-stroke design, similar to two sevens not quite joined together, without the usual upstroke and continuous fluid motion displayed in known authentic signatures. Third, the main initial "M" is missing the initial downstroke that normally begins this letter. In addition, the initial stroke is an upstroke completely contrary to Norval's indisputably authentic specimen signatures, with the heavier paint deposit becoming lighter as the brush moved up. There are many other differences.

**The signature and handwriting on the back of the subject painting could not have been done by the artist.** I say this with a one hundred percent level of confidence.



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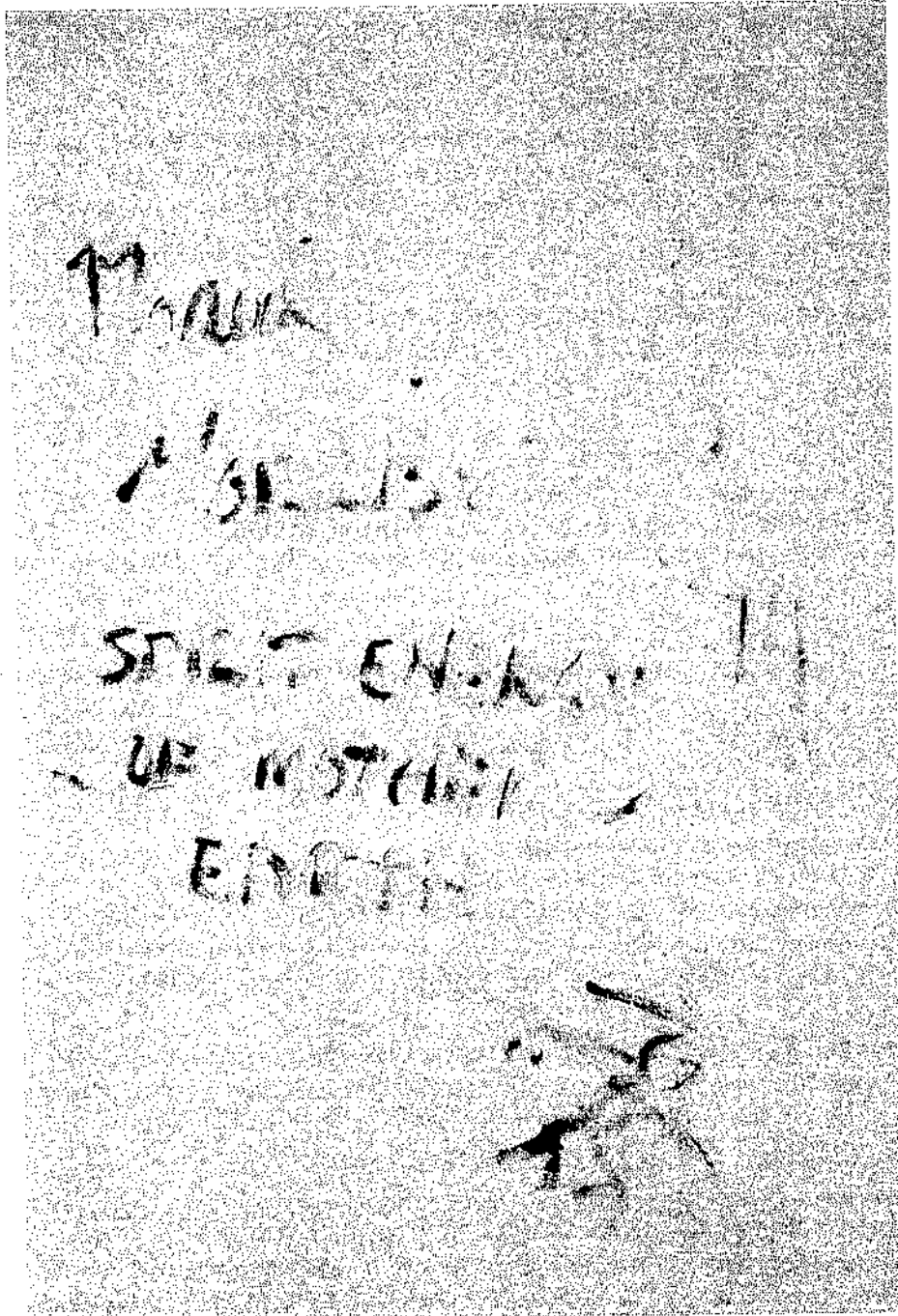
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The Subject Painting

*Spirit Energy of Mother Earth, 1974*

Fig. 1



Reverse Side  
*Spirit Energy of Mother Earth, 1974*  
Fig. 2

## INTRODUCTION

I am one of the founders and owners of Kinsman Robinson Galleries (KRG), a division of Tele-Connect Publications Ltd., 108 Cumberland St. in the Yorkville District of Toronto, operating as a fine art gallery since 1980. Prior to that I was an art collector, an art advisor and consultant, and between 1975 and 1980, author and publisher of *The Canadian Art Investor's Guide*. I am the joint author with the artist Norval Morrisseau of two sold-out hardcover books, published in 1997 and 2005 by Key Porter Books, Toronto, about the man and his paintings. I have been certified and authorized by Morrisseau as an expert in his art and granted his written authority to authenticate his art (Appendix 2). I am a member in good standing of the Art Dealers Association of Canada (ADAC) which as a condition of membership requires members to uphold high ethical standards of professionalism. My Curriculum Vitae and reference letter are reproduced in Appendix 1.

For the past twenty-five years I have been marketing primary and secondary-market paintings of Norval Morrisseau, along with several other contemporary and historical artists. KRG started representing Norval's work in Toronto in 1989. On March 6, 1990 KRG signed a written agreement with the artist to represent his work exclusively in Canada (Appendix 2.) KRG continued to be his principal dealer until his death, in December 2007. This is the longest period of time anyone has ever represented Morrisseau, exceeding that of his original art dealer Jack Pollock. During this time no other dealer in Ontario received any paintings directly from the artist, or from his business manager and informally adopted son, Gabe Vadas.

Together with the artist and Gabe Vadas, I developed a marketing plan designed to introduce stability in the marketplace. Its purpose was to correct the preexisting imbalance in the prices asked for his paintings across Canada, and to achieve gradually increasing nationwide prices. These objectives were realized. During the following years KRG held a series of highly successful sold-out exhibitions. During these years the artist and I developed a close personal relationship and we visited each other at home on numerous occasions.

For several years prior to 1989 and afterwards up to the present time KRG also handled secondary market Morrisseau paintings from all time periods, with authentic provenances traceable directly back to Morrisseau. These included individual paintings and exhibitions of paintings from the 1960's and 1970's. In addition, I have conducted hundreds of formal appraisals of Morrisseau paintings, for private individuals, corporations, and public institutions. Thus I was able to study many early works from numerous collections over many years. In November 2008 and 2010, KRG held highly successful retrospective exhibitions of paintings from all time periods spanning his entire career, including paintings from the 1960's and 1970's.

I have comprehensive experience with the artist and his work. I sold his art for over twenty-six years and have handled more than 1000 Morrisseau paintings. For nineteen years I had the exclusive contractual rights for Canada, to market his paintings. I arranged several sellout exhibitions during this time. I am the author of several articles, brochures, exhibition catalogues, two published sold-out books about the artist, and four previous Expert Reports. I was a court-qualified expert for the Tax Court of Canada and for other authenticity-related civil litigation. In 2005 I was certified and notarized by the artist as an expert in authenticating his art, with the "right and authority to legally authenticate Norval Morrisseau art."

## BACKGROUND - THE RISE OF MORRISSEAU FAKES

Norval Morriseau was one of the most original and important artists Canada has ever produced. His artwork will be revered by countless future generations. He was one of the few world artists who created an art form that didn't exist before him. Just as Tom Thomson inspired The Group of Seven, Morriseau inspired the Woodland School of Art. He gained worldwide recognition and received many honours. Transcending cultural barriers, his paintings teach the world the dignity of the Anishnaabe people, the importance of the environment, and the interconnection among all living things. Morriseau's works are a national treasure. His major mural *Androgyny* currently hangs in the Governor General's residence in Ottawa. Morriseau died in Toronto on December 4th, 2007.

Starting in 1999, large numbers of paintings purported to be by Norval Morriseau were sold at Khan Country Auctions, operated by Randy Potter in Pickering, and in more recent years, at Randy Potter Auctions in Port Hope, Ontario. They were acrylics on canvas, signed on the front with Norval Morriseau's syllabics signature, and titled, dated, signed, or initialed on the reverse. They were mostly dated in the 1970's with a few dated in the late 1960's. More recently, dates in the 1980's have been appearing.

The writing on the back is done in black paint, in large letters, often appearing faded and somewhat indistinct. This is accomplished by using a dry brush (DB) technique. Dry brush is a painting technique in which a paintbrush that is relatively dry, but still holds some paint, is used. Most of the paint is wiped off the brush on the sides of the paint jar, before applying it. This is a common method used to make the painted result look faded and old.

Initially, collectors and dealers, including myself, believed the paintings were authentic. I had no reason not to believe the auctioneer Randy Potter when he told me they came from a single Thunder Bay collector who received them directly from the artist. Much later I realized this was not true. None of these paintings had a provenance traceable back to the artist as the creator. Potter did not reveal the name of the consignor, and I did not expect him to do so. This practice was not suspicious. Normal ethical art auction practice is to keep the names of consignors and purchasers strictly confidential. Potter also told me that Joseph McLeod, a gallery owner with a long-time experience in selling Morriseau paintings, had declared them genuine and was purchasing them. I confirmed this and it was a major factor at that time in my decision to purchase them. At that time I believed in McLeod's credibility and trusted his judgment. At first glance, the paintings looked like Norval's woodland style. The faded writing on the back, seeming to be further confirmation by the artist, looked aged and authentic. When they first came to auction in 1999 and in the belief that they were genuine I purchased twenty-eight of them at consecutive Potter auctions over a six-month period. Almost immediately I began to sell some of the lesser works at a different out-of-town art auction, to help finance continuing purchases.

As I started to build a significant collection of Potter-sourced paintings, my son, Paul Robinson, alerted me to the fact that this new group of purported Morriseaus had a completely different feel from the later work that KRG was receiving directly from Morriseau's studio and from earlier Morriseaus (also from the 1970's) that KRG had previously sold. During several discussions with me Paul felt strongly that these paintings were not by Norval Morriseau's hand. All things

considered, I decided to stop purchasing additional paintings from Potter until I could clarify the issue.

By 2001 large numbers of these paintings had been auctioned and my suspicions were increasingly aroused by the sheer volume of 1970's paintings still coming on the market. Up to that time my sales of paintings received directly from the artist had been strong, and I was extremely busy with those sales. My first priority was to support the artist and market paintings received from him before any others. Most of the Potter-sourced paintings were left unframed and in long-term storage as a hedge for possible future use if for any reason my supply from the artist ceased. It had not even occurred to me to send them to Norval for confirmation. However, in 2001 Jim White brought twenty-three Potter-sourced paintings to KRG for individual appraisals. I sent twenty-three large colour photos of them to Norval. He returned the photos with a signed letter stating, "I did not paint these 23 paintings." I told Jim White that his paintings were not by Norval and refused the appraisals.

After that I reviewed KRG's previous experience and sales of Morrisseau paintings. In my experience, Morrisseau paintings from the 1970's had previously been comparatively rare on the secondary market. I began to investigate. I found that although KRG had handled hundreds of Morrisseau paintings we had never observed any painting with a provenance traceable back to the artist with painted heavy black DB writing on the reverse. In fact I confirmed that Morrisseau rarely wrote anything on the reverse, but when he did it was in small upper and lowercase letters, in pencil, ballpoint, or marker-pen, but not large all uppercase in paint.

After some time I realized that all of my Potter-sourced paintings were not authentic. With the exception of the re-sales, KRG suffered a total loss on the remaining Potter purchases. For several years the remaining sixteen Potter paintings were stored unframed and never offered for sale. In 2007 they were donated to the Norval Morrisseau Heritage Society (NMHS) for their use as examples, for scientific testing, and as evidence. If the donated paintings had been real they would be worth in excess of \$300,000.00 today and I would not have given them away. KRG received no financial compensation or tax credit for the donation.

As a result of this extremely regrettable experience I started to recognize the specific characteristics of the images and painting style of my Potter-sourced artworks. After becoming familiar with the different stylistic images, I began to be able to recognize many Potter-sourced paintings simply by the style of the images and design elements, without needing to examine the reverse side. The subject matter and stylistic elements of many of these paintings are highly repetitive, suggesting a kind of mass production. The same or similar images appear in numerous paintings. This makes them readily recognizable. I observed that Norval himself only needed to see front-side images or photographs to be able to declare paintings as imitations with enough certainty to sign formal affidavits. To a practiced eye these fakes are easy to identify.

To the best of my knowledge no one has been able to document the existence of these types of paintings before the mid 1990's. There is no historical photographic evidence of this style. They have not appeared at art auctions or in art galleries predating 1995. They have never been reproduced in any published book, catalogue, art show invitation, poster, flyer, limited-edition or open-edition print, lithograph, any document of provenance, or any record of any kind before the 1990's. None have ever been found with a Jack Pollock gallery label, even though the 1970's

were among the strongest time periods in the Pollock - Morrisseau connection. Even though more than two thousand of these paintings are dated in the 1970's, no painting of this style appears in the definitive Lister Sinclair - Jack Pollock reference book which documents many paintings from the 1970's. Photographs of Norval painting his artworks are available, but none have ever been found of him painting any Potter-sourced image or any other fake 1970's style painting. They were not known to be in any public or government collection before 1999. None appeared in the National Gallery of Canada 2006 major retrospective exhibition of Morrisseau works from all time periods. In recent years however, they have been donated in return for tax credits and appeared briefly in a few public collections, including the Senate of Canada, and the Art Gallery of Thunder Bay.

The prevalence of these paintings was of deep concern to Morrisseau and he actively sought to remove them from the marketplace, without success (Appendix 6). It was at his request that the NMHS was established to compile a database of authentic art and publish a catalogue raisonne of his work. NMHS members include highly respected academics from the Canadian art establishment (Appendix 10). No member of the NMHS will support the authenticity of any of these 1970's style fake paintings.

There have been a number of past occasions when Morrisseau himself disavowed significant numbers of these paintings. Documented examples of this from 1993 to 2007 include several sworn affidavits and letters to art galleries, dealers, and to the primary auctioneer Randy Potter. A few of these documents have been published on the internet. Three affidavits directed to Potter were signed in October 2004, November 2004 and April 2005 (Appendix 5). Morrisseau also sent five letters and affidavits to Joseph McLeod during the period 1993 to 2004 (Appendix 5). To the best of my knowledge, after receiving Norval's letters and affidavits, the recipients, including Randy Potter and Joseph McLeod, disputed the artist's statements and continued to sell the disavowed paintings. In 2007 a number of the paintings donated by KRG to the NMHS were shown for the first time to Morrisseau himself at an NMHS meeting. The artist confirmed to the NMHS that he did not paint these paintings and declared that he had never seen them before.

Market penetration of the Potter-sourced paintings is extensive. For the past ten years and up to 2009, large numbers of them continued to be sold by Randy Potter. Potter earlier admitted in writing to selling over 1200 of these paintings and continued to sell them afterwards. In 2009 he admitted in writing to selling approximately 2000 "Morrisseau" paintings, all from the same alleged source (Appendix 4). He also identified David Voss of Thunder Bay as his sole consignee.

Large numbers of other similar "Morrisseau's" were also purchased in bulk by a different auctioneer and several private dealer distributors. Therefore it is highly probable that at least another 1000 paintings were purchased and are being sold, making a probable total of at least 3000 known fake paintings. Forty-one art galleries across Canada are known to have sold 1970's paintings (Appendix 9). This network is supported by a comprehensive on-going blog ([www.norvalmorrisseau.blogspot.com](http://www.norvalmorrisseau.blogspot.com)) which since 2008 has had over 1,800 posts and 140,000 "unique visits". This blog claims to be presenting the truth about Morrisseau and his art, but in fact has been and is still currently filled with disinformation that supports the sale of 1970's type fake paintings nationwide and abroad. See Appendix 4 for a blog post using the subject painting and misleading forensic reports. These fakes have now proliferated the market and are being re-

sold at much higher prices (With an average price mark-up of up to ten times or more than the auction purchase cost) across Canada and internationally by distributors, established art galleries, private dealers, on eBay, and by online galleries.

On 7 March 2008, Paul Robinson started a blog called "Genuine Morrisseau From KRG" in an effort to refute and counter the misinformation that was being published on the internet about Norval Morrisseau and KRG. On 18 June 2009, Paul suspended the blog in order to concentrate his efforts on the emerging social media known as Twitter. By 18 September 2010, Paul resumed writing the blog as it became increasingly evident that the campaign of misinformation was not going away.

In what is perhaps the greatest tragedy of all, several Morrisseau family members are actively supporting these 1970's type fakes while at the same time producing fakes themselves, selling them, distributing them, publishing false statements, authenticating 1970's type fakes with written statements on the backs of paintings, and making certificates of authenticity for fakes (Appendix 8). This is particularly harmful because in the world of art it is often a surviving family member who becomes the recognized authority for authenticating a famous artist's work. A precedent has already been widely established for many other well-known artists that the public can rely on the authority of a close family member. Unfortunately in the case of Morrisseau the opposite is true.

In a recent litigation (Hatfield vs Artworld of Sherway), an expert report by the defendant's handwriting expert proclaimed that eleven paintings with painted writing on the reverse side were all authentic works by Morrisseau. Six out of eleven of these alleged Morrisseau paintings had written statements of authenticity on the reverse sides by David Morrisseau (Appendix 8). All eleven of these paintings are easily recognized typical 1970's type forgeries.

In February 2002 another family member, Christian Morrisseau, couriered to me a package of thirty signed "Morrisseau" paintings (unframed) on paper. When the paintings arrived at KRG we immediately knew they were fakes. I was angry about this attempted fraud and the impact it would have had on the gallery and our reputation if we had accepted and sold these forgeries. The thirty fake paintings were particularly deplorable because they came directly from the Morrisseau family while Norval was living with them, which normally should have been one of the best possible provenances. I decided to fly immediately to Thunder Bay with the paintings and confront them about it. I arrived on 21 February. They were staying in a suite of rooms at a motel. When I entered the room, Norval was seated in the middle of a sofa and his sons Christian Morrisseau and Peter Morrisseau were sitting on each side of him. They told me that Eugene Morrisseau had been present earlier that day but had left. Lisa Morrisseau was also present. Another younger woman was coming and going from an adjoining room. The air was heavy with tobacco and marijuana smoke. I handed the package of paintings back to one of his sons on the sofa and loudly stated that Norval did not paint these paintings, and because of that I was returning them. There was complete silence in the room. Norval said nothing. No one denied it. No one spoke. These thirty fake paintings had to have been produced by one or more members of the Morrisseau family. Feeling uncomfortable, I left shortly after that and flew back to Toronto.

These fakes produced by some Morrisseau family members were completely different, more like authentic Morrisseau's in style, colour and composition, than the more numerous 1970's type fakes.



Another difference is they did not have a signature or title written in paint on the reverse sides like the 1970's types.

Later I saw photographs posted on the internet showing Christian and Eugene Morrisseau posing with at least sixty "Morrisseau" paintings on canvas and on paper, signed with a purported signature, with price tags evident, displayed and being offered for sale at an exhibition beside a Canada Post location in Thunder Bay. Norval was present, but appeared in ill health. A few of the same thirty fake paintings I returned to them are also shown in these photographs. The style, colour and images on these signed paintings (both canvases and paperwork's), are all close to Norval's style, but in my opinion (held with a one hundred percent level of confidence) they are all obvious fakes in the same manner as the fake paper-works that were sent to me. I observed a few which also had thumbprints embedded in the paint. At least fifty-six of these paintings are additional to the thirty sent to me. These paintings appear authentic to the average collector, and appear especially trustworthy because close family members are providing the provenance. In October 2003 Norval signed a document declaring he had not painted any of the thumbprinted paintings (Appendix 2).

Some Morrisseau family members arranged to have Norval sign and thumbprint certificates of authenticity for at least eight 1970's type "Morrisseau" paintings, after taking him from his nursing home in Nanaimo to Thunder Bay. All these certificates were signed on one day only (11 April 2002). According to postings on [www.norvalmorrisseau.blogspot.com](http://www.norvalmorrisseau.blogspot.com) a total of fourteen certificates were signed by Norval and all were witnessed by Christian and Eugene Morrisseau. Norval's thumbprints were also applied to a number of new "Morrisseau" paintings produced in Thunder Bay. After being returned to his nursing home, Norval signed and issued a statement indicating his thumbprints had been "fraudulently obtained". By 11 April 2002 Norval had been with his family in Thunder Bay since 26 January, a period of 70 days, and most likely was by then deprived of his nursing home supplied supplements and medication for Parkinson's disease. Considering Norval's previous and later denials of 1970's type paintings, and also considering the heavy use of marijuana I observed in Thunder Bay, in my opinion he was likely being unduly influenced by drugs and family pressure when, in what must be considered uncharacteristic behaviour, he signed these certificates on 11 April 2002.

In September 2004 I visited the Artworld of Sherway gallery in Toronto after it announced an "estate sale" of sixty-two "Morrisseaus". One of my purposes in attending was to investigate and determine if these paintings also had large DB painted titles and signatures on the reverse side. The other reason was that a KRG client had told me that Artworld said one of the paintings had a provenance from my gallery. I did not go there as an official representative of Norval Morrisseau. I spoke to Donna Child, director of the gallery. I did not identify myself, but afterwards I realized she had recognized me. When I asked how the gallery knew that these paintings were authentic, she told me it was because Joseph McLeod was providing signed certificates of authenticity for each painting (Appendix 7). On his certificates McLeod said the paintings were from the collection of James White. Some of the Artworld paintings also had a separate appraisal certificate from Bremner Fine Art. She told me McLeod was the premier authority on Morrisseau authenticity and that was why she knew the paintings were authentic.

In February 2005 Norval Morrisseau sent a sworn statement to the Art Dealers Association of

Canada (ADAC), whose members are held to a high standard of ethical business practices, requesting them "to investigate the sale and advertising by Maslak McLeod Gallery of artworks prescribed as by me, which are fakes and frauds to the knowledge of Maslak McLeod" (Appendix 5). In March 2007 ADAC issued a rule that member galleries are not allowed to issue Morrisseau certificates of authenticity. The NMHS was to be the sole authority for the authentication of works by Norval Morrisseau. (In fact to date the NMHS has not publicly authenticated any Morrisseau paintings.) Not long after that, Maslak McLeod Gallery was no longer a member of ADAC.

McLeod is a key figure in the successful rise and sales of 1970's type paintings. Without McLeod participating, the distribution and sale of these alleged Morrisseau's could not have been so successful. Joseph McLeod has been closely associated with and a leading advocate for the Morrisseau family and is a member of the Norval Morrisseau Family Foundation. McLeod has testified under oath in courtroom appearances that 1970's type fakes are authentic. He has issued large numbers of appraisals for paintings of this type. A few of these are reproduced in Appendix 7. In my opinion, without exception all of the paintings appraised by Joseph McLeod and reproduced in Appendix 7, at values from \$7,000.00 to \$24,000.00, are easily recognizable forgeries of the 1970's type.

McLeod's first major role is as a principal dealer of 1970's paintings, selling them directly to the public through his gallery, and also providing them, along with written appraisals, to other retail art galleries. He also produced two full-colour exhibition catalogues, both containing a majority of fakes, and both unwittingly endorsed by the Lieutenant Governor of Ontario, James K. Bartleman.

McLeod's second major role is that of principal authenticator. He has issued hundreds of appraisals of 1970's type paintings, considering the Artworld of Sherway example alone. He also provided appraisal authentications to James White, of White Distribution Ltd., who was a major purchaser of paintings from Khan Country Auction, and is the principal distributor of 1970's type paintings to galleries across Canada. White Distribution owns, has sold, or is attempting to sell hundreds of alleged Morrisseau paintings (Affidavit of James White, 22 November 2008). White offers the paintings to galleries on consignment at fifty percent of retail value (offered to myself in 2001), complete with McLeod appraisals. This is extremely advantageous to the galleries who have no up-front cost and a high markup allowing them to offer discounts and still make a large profit on each sale. This explains the wide appeal of these fakes to galleries. (White also makes a large profit on every consigned painting sold by the galleries, estimated at four hundred percent or more of his initial investment, based on an average gallery retail price of \$10,000.00 to \$12,000.00 and an average auction purchase cost of approximately \$1,000.00 for a small to medium size painting.)

McLeod publicized his credentials, including his long experience selling Morrisseau after-market paintings, and his alleged association and dealings with prestigious collections and museums around the world. He used his former membership in ADAC as an important credential of credibility. Another credential he still uses is his membership in Canadian Public Appraisers (CPA). Numerous dealers and auction houses trusted his judgment, and apparently continue to do so, just as I did in 1999.

The decisions of the courts and investigations by the RCMP have been made more difficult by the

presence of numerous misleading "Forensic" handwriting reports by a handwriting expert (Brian Lindblom) with apparently impressive credentials, such as ex-RCMP forensic lab experience. Jim White commissioned many such reports which were used as evidence in court that the signatures and handwriting on the backs of paintings were authentic. The conclusions in these expert reports were badly biased, had an admitted low level of confidence and emphasized the similarities but ignored glaring discrepancies (which were only discernible by a vigilant critique of the detailed observations). Further, all their conclusions were qualified by stating that more (and impossible) comparisons on similar material needed to be made for a definitive conclusion of authorship. More recent reports by Dr. Atul Singla (alleged as "RCMP accredited and certified") drew conclusions of authenticity at a higher level of confidence, but still contained glaring deficiencies and with the conclusion qualified with the same impossible condition. These misleading reports were highly publicized on the internet as conclusive evidence of authenticity, and are still being used to mislead potential public buyers. In my opinion they appear to be results-oriented to fit the prior authentications written on the backs of the paintings by Norval's son David Morrisseau. They may have been highly influenced by these prior family authentications.

In September 2008 the RCMP launched an extensive investigation into the production and sale of 1970's type fakes. Officers interviewed numerous witnesses and told me they believed they had evidence of fraud. However in the final analysis the crown counsel declined to lay charges. With the artist deceased, and with the presence of experts on both sides with contradictory testimony, forensic reports, and a few artist signed certificates, the crown was uncertain of its ability to obtain convictions. The investigation was terminated in December 2010. The RCMP transferred their file to the Thunder Bay Police. No charges have been laid.

Since 2008, fifteen civil suits have been filed in Ontario courts, and additional legal threats of lawsuits have been issued. These legal actions and threats have silenced experts and assisted the rapid spread and proliferation of 1970's type fake paintings across Canada and beyond our borders, in the U.S. and Europe. In many of these suits, out of court settlements were made, with no admission of liability from either side, and with no clearly stated definitive court decision about the authenticity of any 1970's type fake. Legal actions by several individuals associated with the marketing of 1970's type fakes have targeted the artist's estate beneficiary, apprentices, researchers, his principal dealer (KRG), newspapers, members of the NMHS, and art experts. People are afraid to speak out. The effect of this organized campaign has been to quash open dialogue and prevent experts in the private and public sector from telling the truth about the authenticity of these fakes.

In the history of Canadian art, there have been many fakes, notably in the work of Krieghoff, the Group of Seven, and others, but their numbers have been relatively few compared to Morrisseau. There has never before been such a large-scale operation with distributors, authenticators, family members, dealers, bloggers and galleries working together to promote the sale of such large numbers of fraudulent art. Using long established sources and an organized Canada-wide supply and distribution chain, and with the aid of misleading "forensic" handwriting reports, misleading internet-based promotional support, false appraisals and certificates of authenticity, these individuals have been successful in an unprecedented manner. All of these components have acted together synergistically to successfully promote the rise of Morrisseau fakes. Thousands of forgeries have flooded the Morrisseau market. Morrisseau fakes are being sold by unsuspecting

auction houses, giving the fakes even more credibility. They are reportedly still being sold by forty retail art galleries across Canada (Appendix 9).

The art market is the biggest unregulated market in the world. In total numbers, Morrisseau fakes are the largest art fraud in Canadian art history and probably rank in number among the largest in the world. The market value of Morrisseau paintings is still rising. In dollar value, with current retail prices for fakes ranging from \$10,000 to \$25,000 and sometimes more, a conservative estimated market value for these fakes ranges from \$40 million to \$50 million or more. Now, with the lack of prosecution by police, and without a definitive finding from the courts, the manufacture and sale of Morrisseau fakes continues. The public will increasingly continue to become victims of fraud.

## METHODS USED FOR AUTHENTICATION

Traditional art historical methods were used to authenticate this painting. This included examination of the following considerations:

1. Provenance
2. Syllabic Signature
3. English Signature
4. Handwritten Title
5. Morellian Stylistic Analysis
6. Reverse Side Documentation
7. Scientific Forensic Tests

### 1. PROVENANCE

Provenance of a work of art means its origin or source, and the documented history of its ownership. This is a paper trail showing the work's commercial journey from the artist's studio to the current owner. The provenance can include a verifiable list of previous owners, a photo of the artist with the work, gallery labels and inventory numbers, catalogue listings, bills of sale, and signed statements by the artist. The primary purpose of provenance is to confirm the person responsible for the creation of the artwork and the time and place of its creation. Written and verbal records are often used to help establish provenance along with comparative techniques, and expert opinions. Documented evidence of provenance of an artwork can make a considerable difference to its selling price in the marketplace and can establish that it is an original work by the artist. The provenance of any artwork, traceable back to the artist, is an extremely important factor in helping to confirm its authenticity. The method used is to document the known facts about the origin and history of the painting and its owners, and to analyze the credibility of any additional provided information.

### 2. SYLLABIC SIGNATURE ANALYSIS

Signature analysis involves comparison of the signature on a painting with known indisputable specimen examples of the artist's signature from the same time period to see if they match. Signatures may evolve and change over periods of time longer than a decade. The signature is often one of the easiest things to reproduce on a painting, whereas the artist's style and images are usually much harder to duplicate. In the case of Norval Morriseau, his basic syllabic signature is easy to duplicate. The forms he used instead of written letters make it possible for almost anyone to produce a reasonable facsimile of his signature which would look acceptable to anyone except an expert. On the subject painting there is also a handwritten lettered signature and title on the reverse side for additional comparison with authentic Morriseau handwriting. I was able to closely observe and photograph details of the purported syllabic signature on the front side, and the purported handwritten signature, date and title in drybrush paint on the reverse side.

### 3. HANDWRITTEN (ENGLISH) SIGNATURE ANALYSIS

On the reverse side of the subject painting there is also a handwritten signature in English letters. Analysis of this signature also requires comparison with known indisputable specimen examples from the same time period to see if they match.

#### 4. HANDWRITTEN TITLE ANALYSIS

There is a handwritten title in uppercase letters on the reverse side of the subject painting. Analysis involves comparison of this title with authentic indisputable specimen examples of uppercase letters from the same time period to see if they match and to determine the degree to which they match.

#### 5. MORELLIAN STYLISTIC ANALYSIS

Norval Morrisseau demonstrated on several occasions that he could simply look at the front of canvases and know instantly that he did not paint them. The artist did not have to remember each painting. He did not have to examine the reverse side. He simply recognized design elements in each painting that he did not use. Similarly, stylistic analysis may be done by someone who is thoroughly familiar with the artist's work and can recognize whether the work was the sort of thing that the artist could have, or would have painted. This type of analysis is now commonly employed by experts. It was invented by the 19th century Italian art critic Giovanni Morelli, and later developed to a high degree by the famous American Renaissance art authority Bernard Berenson.

The Morelli Method of Stylistic Analysis will be used here to compare pictorial stylistic elements in the painting in question with those in a large number of photographs of indisputably authentic paintings from reliable sources. The sources used are *"The Art of Norval Morrisseau"* by Lister Sinclair and Jack Pollock, Methuen 1979, and *"Norval Morrisseau - Shaman Artist"* by Greg A. Hill, National Gallery of Canada (NGC) exhibition catalogue, 2006.

I was able to closely examine the fine details of this acrylic on canvas painting, its style, the individual images used in its composition, the brush strokes, the colour palette used and to compare them to the authentic images in the above sources.

#### 6. REVERSE SIDE DOCUMENTATION ANALYSIS

The reverse side of paintings and their frames may display information that is useful to help determine authenticity. This may include writing by the artist, inscriptions, the title of the artwork, dates, labels from galleries and framers, gallery inventory numbers, notes or letters from previous owners, dedications, and more. Documentation such as bills of sale, appraisals, and letters of provenance may also accompany the painting. All such information may or may not be genuine. The method used here is to examine any such documentation and try to verify its authenticity.

#### 7. SCIENTIFIC FORENSIC TESTS

Paintings are not authenticated through scientific tests alone, but a wide variety of tests have traditionally been used to confirm a painting is not authentic if the painting in all other respects has been accepted by experts. Scientific tests have also been used to differentiate original paintings from later copies. Tests can determine the chemical composition and age of paint and the physical composition and age of canvas. Photographic and x-ray techniques, fingerprint analysis, and DNA recovery methods are also used. Many authentic Morrisseau paintings have hairs from the artist embedded in the paint. However, in the special case of Norval Morrisseau, the artist's thumbprint embedded in a painting does not mean the painting is genuine, but rather usually means it is not authentic.

Paintings sometimes have been authenticated through a combination of scientific testing and Morellian stylistic analysis. This is especially useful when the stylistic analysis is not conclusive.

The author is aware that at least three separate efforts that were, or are underway to conduct scientific tests on Norval Morriseau's paintings. Recent promising developments in computerized analysis using high-resolution imaging may soon revolutionize the detection of art forgeries. Scientific tests were not used as evidence for this report. Nevertheless, the method used here is to determine if possible whether additional scientific test results would change the conclusions reached in this report solely by the use of traditional art historical analysis.

## ANALYSIS - PROVENANCE

A letter of provenance provided by the defendant is reproduced in Appendix 3. It states that the chain of ownership is Norval Morrisseau, Rolf Schneider, Kakebeka Falls; Robert Voss, Thunder Bay; and Irving Jacobs, Toronto. Irving Jacobs is assumed to be a Toronto collector with no known direct connection to Morrisseau. As the last link in the chain he has no significance with regard to provenance. Robert Voss of Thunder Bay, Ontario is assumed to mean David Voss. There is no one named Robert Voss living in Thunder Bay with a known connection to Norval Morrisseau. However, David Voss of Thunder Bay, has a well-publicized alleged connection to Morrisseau. No proof or evidence is provided that the subject painting came from Norval Morrisseau. There is no known transaction between David Voss or Rolf Schneider and Norval Morrisseau. I have no credible evidence that Rolf Schneider, allegedly deceased, was a person with authentic connections to Norval Morrisseau. Thus the stated provenance of the subject painting is unverifiable. However, substantial evidence does exist that the painting did not come from Morrisseau.

Approximately two thousand fake Morrisseau paintings with the same characteristics as the subject painting were sold by auctioneer Randy Potter of Khan Country Auctions (See Appendix 4 for statements by Randy Potter). At one of his auctions, Potter told me that Joseph McLeod was a frequent purchaser of these paintings. Later, when I inquired about the provenance, Potter told me that David Voss of Thunder Bay, Ontario was his sole consignor, and that Voss had obtained these paintings directly from Norval Morrisseau. This was not true, but it did reveal that someone allegedly named David Voss consigned two thousand "Morrisseau" paintings to Randy Potter (Appendix 4).

There is no evidence to back up Randy Potter's claim. Attempts were made by myself and three other independent researchers to try to contact a person named David Voss in the Thunder Bay area, without success. To the best of my knowledge, no one has been able to do so. David Voss has no known address or phone number in Thunder Bay. However, RCMP lead investigator Corporal Judith Falbo informed me that David Voss "is a person known to the police". I believe the name David Voss may be an alias for the real consignor. If David Voss is a real person and not an alias, he is a person who does not want to be found. Several letters attributed to David Voss about his purchases and his sources were published repeatedly and are still being published on the internet at [www.norvalmorrisseau.blogspot.com](http://www.norvalmorrisseau.blogspot.com).

Even the source of two David Voss letters is questionable. They appear to be written in two different handwritings. One even has a feminine feel to it. For example, the writer of one letter dots her "i"s with a small circle rather than the much more usual dot, but the author of the other letter does not. These published statements signed "David Voss" state, among other derogatory comments about me, that I had previous conversations and business dealings with him (See Appendix 4 for published statements attributed to David Voss). These statements are all completely fabricated. I have never met nor communicated in any way with David Voss. The presence of these false statements in the David Voss letters brings into question the credibility of any statements attributed to David Voss.

The portions of these statements relating to provenance are as follows:



*"Because I have contacted and collected hundreds of original paintings from collectors and others-", " I have collected native art all my life -- I first became aware of Norval Morrisseau around the early 80's, when I was introduced to him at a home of a friend in Thunder Bay, Ontario. It was shortly after this that he went to Kenora to sell some of his paintings -- and wound up in jail. After that episode I began to collect his paintings. A lot of my friends and work associates lived on and worked in or around native reserves, so this gave me access to large volumes of artwork at little expense.-- by the mid 90's I owned some five hundred pieces by more well-known artists, including Morrisseau. -- I decided to sell off my collection. -- I settled with doing business with a few auction houses in Southern Ontario because I paid little or in some cases no money for the artwork my expectations were not market value but to break even or just better."*

signed "David Voss"

These letters do not confirm that the subject painting was purchased directly from Norval Morrisseau. Rather they confirm the opposite. The letters state that David Voss purchased hundreds of the consigned paintings after 1980 from individuals in native reserves and from various collectors, not directly from Norval Morrisseau.

To the best of my knowledge, all the paintings David Voss purportedly consigned to Potter auctions have the same characteristics. For example, they all have heavy black painted DB writing on the reverse side. The Voss letters state the paintings were collected after 1980 but by far the great majority carry dates in the 1970's. Therefore the previous owners must have possessed the paintings for several years prior to their stated purchase dates after 1980. It seems highly unlikely that purchases on such a massive scale from such diverse sources would not have resulted in some sort of paper record or correspondence for at least some of them. However no other records for the subject painting (or any other 1970's type fake), such as payment receipts, bills of sale, letters, notes, or correspondence from the previous owners, have been provided.

The provenance of any artwork is extremely important in establishing authenticity. The subject painting has no credible history associated with it and no credible connection back to the artist. The absence of any verifiable history of ownership leading back to the artist or his principal dealers does not support a claim of authenticity by the defendant.

In summary, **the subject painting has no credible provenance.** The lack of provenance does not establish that the painting is a fake. It does however fail to confirm its authenticity and **raises a serious doubt about its origin.**

## ANALYSIS OF THE SYLLABIC SIGNATURE

The best way to evaluate the syllabic signature on the front of the subject painting is to compare it with known authentic and indisputable signatures. Since signatures may evolve and change over long periods of time, it is important to compare it with those made in the same time period. A sufficient number of comparable same time-frame signatures are required to ensure that no bias or error arises from using too small a sample. Therefore we need access to a significant number of signatures.

Two completely independent and widely disparate sources exist and are available for comparisons. The first is the large coffee-table book *The Art of Norval Morrisseau*, by Lister Sinclair and Jack Pollock, published in 1979. This book contains seventy-one large full-colour photographs with nearly all the signatures made in the 1970's. The second source is the National Gallery of Canada (NGC) catalogue, *Norval Morrisseau - Shaman Artist*, published in 2006 as part of a major retrospective exhibition. This catalogue contains nineteen large full-colour photographs of canvases with signatures made in the 1970's. Both publications are impeccable sources. The first was published by Norval's major dealer when most paintings are from the 1970's and before Potter-sourced paintings were available. The second reproduced paintings which have been selected and vetted by the expert curators at the NGC, Ottawa. All nineteen of the 1970's signatures from the NGC catalogue are enlarged and reproduced as specimen signatures on the following pages.

Examination of these nineteen specimen signatures clearly demonstrates that they all have the common characteristic of increasing size or thickness in the syllabic characters from the first to the last character. Examination of the 1970's signatures from the Sinclair/Pollock book also confirms this observation. This characteristic occurs regardless of whether the signature is placed vertically or horizontally on the painting. The most prominent enlargement usually comes on the last one or two characters. Another common characteristic of these authentic 1970's signatures is irregularity in the vertical size of the characters, and irregularity in the width or thickness of the characters, all within any one particular signature.

The Sinclair/Pollock book, published in 1979, provides more confirmation of the artist's genuine signature characteristics. This book reproduces seventy-one large full-colour specimen images of Norval's signatures on canvases signed in the 1970's. Each of these paintings and signatures was examined to determine the relationship between the signature space available and whether or not the last characters increased in size. Unless he was running out of space at the edge of the canvas, or up close to the painted edge of an image, characters seven and eight are always larger. Norval never crossed the edge of an image when applying his signature.

The results have been summarized on the following pages (Table 1). In nine of these examples the last characters do not increase in size because the artist was obviously running out of room at the end to use larger characters. Eliminating these nine space-constrained signatures leaves sixty-two remaining. Of these, sixty or ninety-seven percent have increasing character size towards the end of each signature.

**Analysis of Signatures  
from  
The Art of Norval Morriseau,  
by Lister Sinclair & Jack Pollock, 1979**

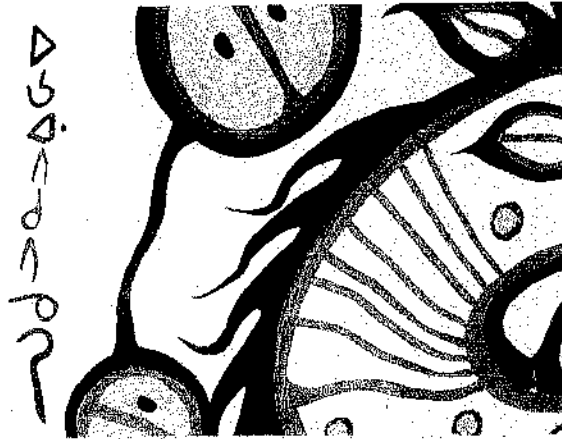
Book Page Number	Characters Increasing in Size	Irregular Characters and/or Decreasing	All Characters of Equal Size	Signature Ran Out of Room	Date of the Painting
87	X				1972
88	X				1972
89	X				1972
90	X				1972
91	X			X	1973
92	X				1973
93	X				1973
95	X				1973
96	X				1973
97				X	1973
98	X				1973
99	X				1973
103		X		X	1974
105	X				1974
106				X	1974
107	X				1974
108				X	1974
109	X				1974
110	X				1974
111		X			1974
112	X	X			1974
113	X				1974
114	X				1975
115	X				1975
117	X				1975
118	X				1975
119	X				1975
120				X	1975
121	X				1975
122				X	1975
123		X		X	1975
124		X			1975
125	X				1975
126	X				1975
127	X				1975

128	X				1976
129	X				1976
130	X	X			1976
131	X				1976
132	X			X	1976
133	X				1976
135	X				1977
137	X				1976
138	X				1977
139	X				1977
140	X				1977
140	X				1977
141	X				1977
141	X				1977
141	X				1977
141	X				1977
142	X				1977
143	X				1977
145	X				1977
146	X				1978
147	X				1978
148	X				1978
149	X				1978
151	X				1978
151	X		X	X	1978
152					1978
153	X				1978
155	X				1978
156	X				1978
157	X	X			1978
158	X				1978
159	X			X	1978
160		X			1978
161	X			X	1979
163	X	X			1978
164	X				
71	60			12	

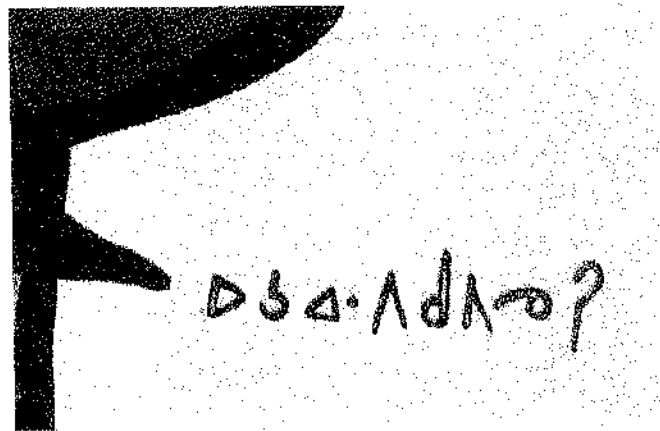
Notes:

9. There were 9 paintings out of 12 where Norval ran out of room for the signature while applying it, and as a result the last syllabics did not increase in size.
10. Eliminating these 9 from the total 71, results in the proportion of signatures with increasing size in the last syllabics, when the artist did not run out of room, of 60/62 or 97%.

Table 1

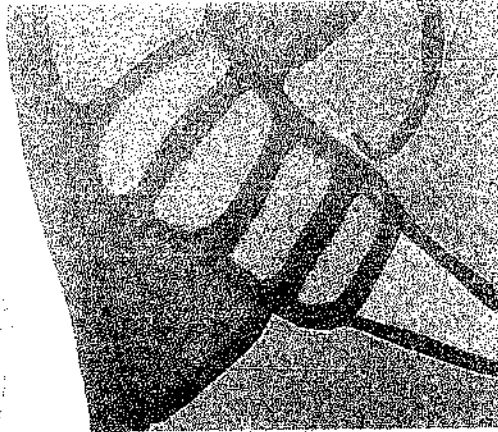


*Water Spirit, 1972*  
Page 113

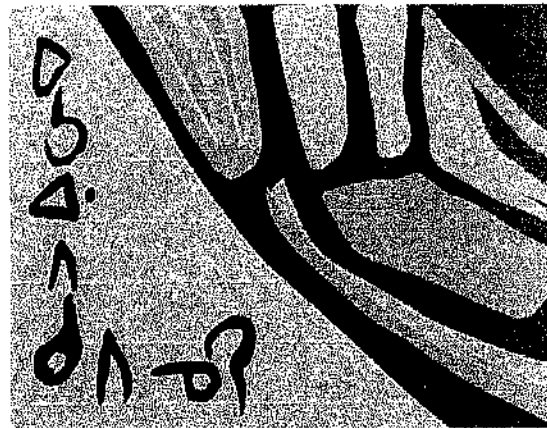


*Untitled (Shaman), 1971*  
Page 128

Fig.3



*Untitled (Child), c. 1971*  
Page 126



*Artist in Union With Mother Earth, 1972*  
Page 127

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Fig.4

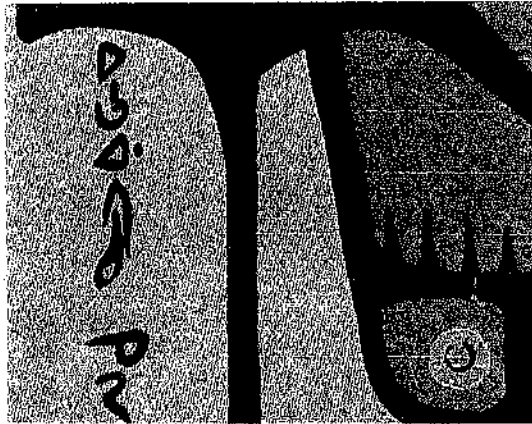
NATIONAL GALLERY OF CANADA CATALOGUE, 2006  
*Norval Morrisseau. Shaman Artist*



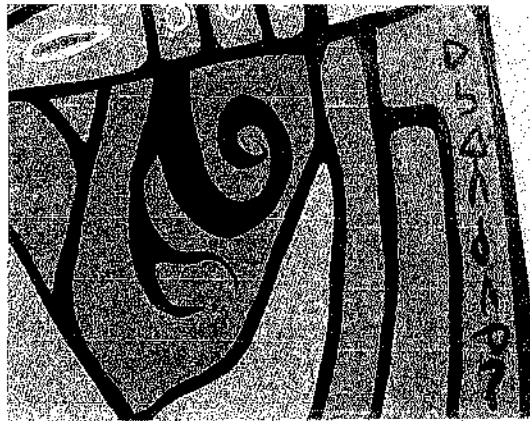
*Power Emanating From Ancient Spirit Vision, 1972*  
Page 128



*Shaman Rider, 1972*  
Page 129



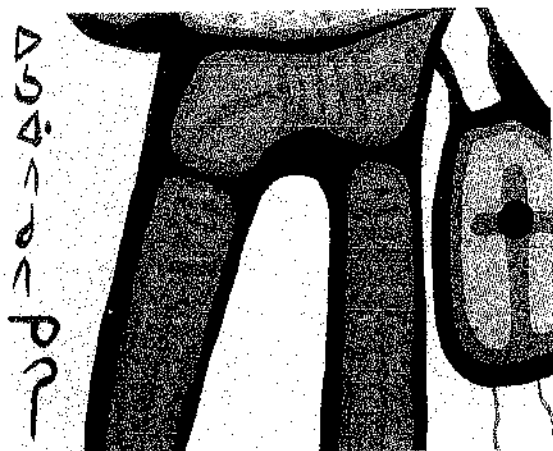
*Lily of the Mohawk, 1974*  
Page 132



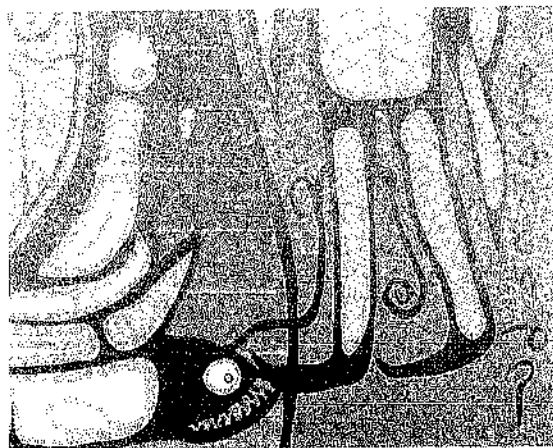
*Indian Jesus Christ, 1974*  
Page 133

Fig.6





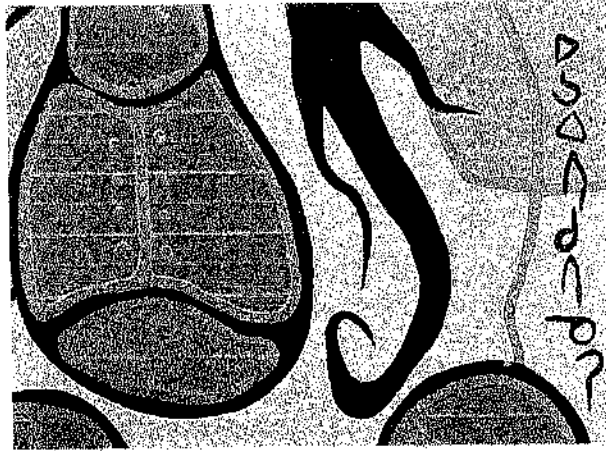
*The Gift*, 1975  
Page 134



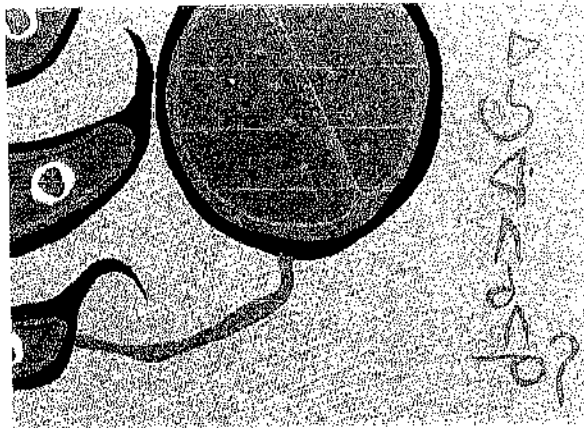
*The Land (Land Rights)*, 1976  
Page 135

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Fig.7

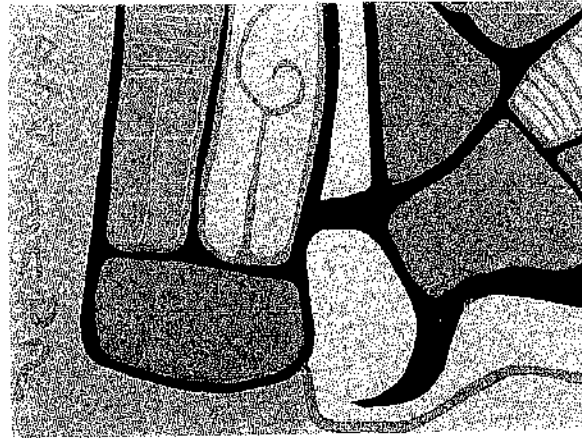


*Man Changing Into Thunderbird (panel 1), 1977*  
Page 136

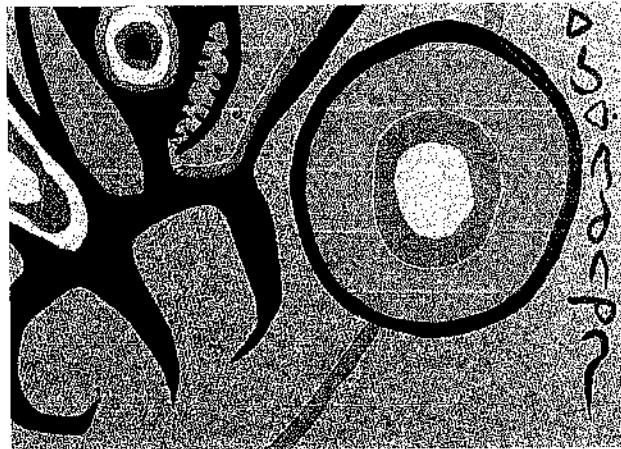


*Man Changing Into Thunderbird (panel 2), 1977*  
Page 137

Fig.8

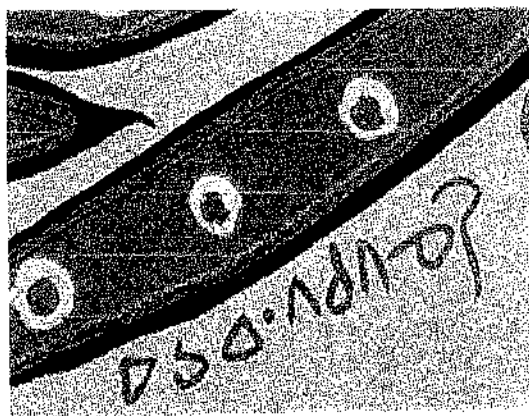


*Man Changing into Thunderbird (panel 3), 1977*  
Page 138

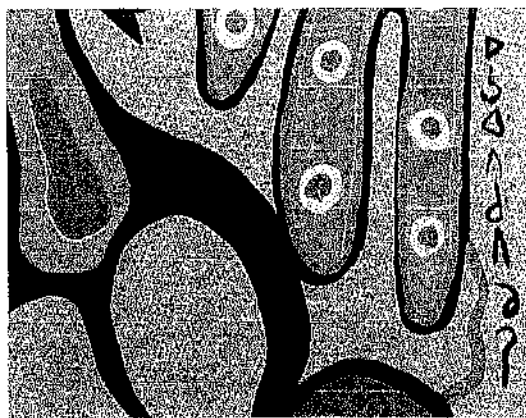


*Man Changing into Thunderbird (panel 4), 1977*  
Page 139

Fig.9

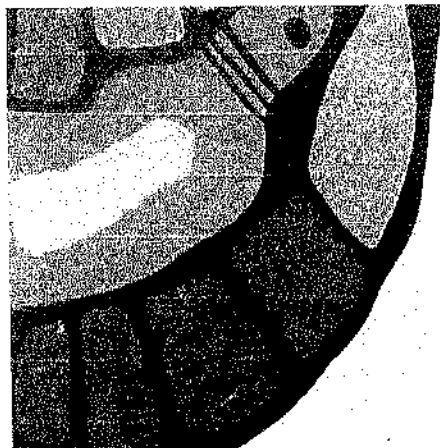


*Man Changing Into Thunderbird (panel 5), 1977*  
Page 140



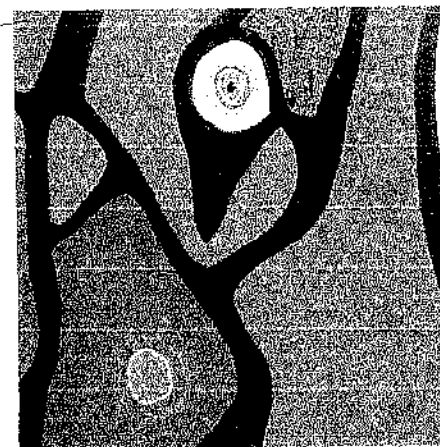
*Man Changing Into Thunderbird (panel 6), 1977*  
Page 141

Fig.10



ASCEOPN

*The Storyteller: The Artist and His Grandfather (1)*, 1978  
Page 143

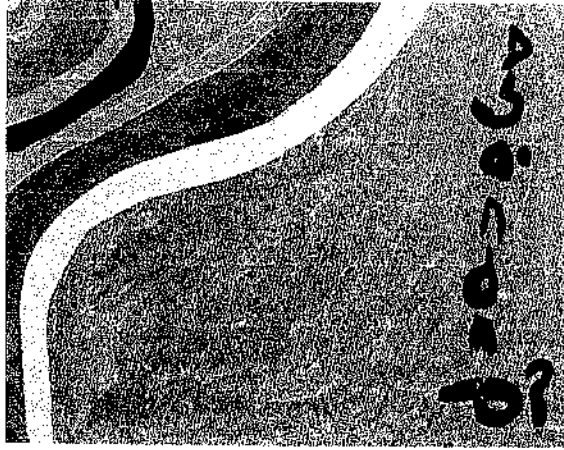


ASCEOPN

*The Storyteller: The Artist and His Grandfather (2)*, 1978  
Page 143

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Fig.11



*Thunderbird and Inner Spirit, c. 1978*  
Page 147

Example of A Space-Constrained Signature  
Fig. 12

Many typical specimen signatures from the NGC Catalogue exhibit as a prominent characteristic, a relatively thin vertical width of characters in proportion to their horizontal size. In the 1970's the artist did not usually use characters that were relatively uniform in width, thickness and height. Many specimen signatures contain highly irregular sized characters and spacing. Sometimes the characters are much smaller or larger, in the middle of the signatures. In any case they are irregular in nature, and almost none are completely uniform from end-to-end.

The syllabic signature on the subject painting has been applied in black paint using a standard wet-brush technique, as opposed to the DB method used on the reverse side of the canvas. The use of a wet-brush technique on the syllabic signature is consistent with Morrissseau's practice (It has been noted elsewhere that Morrissseau did not use the DB technique anywhere on his paintings).

The subject signature on the subject painting exhibits syllabic characters that are all approximately the same proportions. The relationship between the vertical size and thickness of each specimen syllabic on pages 28 to 37 compared to the subject painting syllabics is demonstrably different. In addition, the characters all have approximately similar thickness. There is none of the usual irregularity. This is uncharacteristic for the artist, unless he was running out of space at the edge of the canvas, or ending up close to the painted edge of an image.

The subject painting signature, while not consistent with those of the 1970's decade, is more consistent with some of the published signatures made in later decades. Two signatures on canvases from the 1980's and eight from the 1990's are reproduced in the NGC catalogue. Seven (70%) exhibited increasing and/or thicker characters toward the end. Three (30%) had the same size or smaller but still highly irregular characters toward the end.

The most apparent difference from the specimen signatures is in characters seven and eight. The last two characters on the subject painting do not increase in size, but remain the same vertical height. This is uncharacteristic for the artist. (Note that these comments apply only to the signatures of the 1970's. They do not apply to the constrained circular signatures of the 1960's or many of the later 1980's-1990's signatures). On the subject painting, the painter was not running out of space for the signature. In fact there was a lot of space left for Morrissseau to make his characteristically larger last character. There was no reason for Norval to change his usual signature (used 97% of the time) by making the size of the last character smaller than normal.

The increasing character size may be readily observed on authentic 1970's paintings. It may also be easily quantified. A measurement is particularly useful when the last characters are closer in length to the beginning characters. Sometimes the differences are less readily seen by casual observation. A useful signature ratio can be calculated by using a pair of measuring dividers and a ruler to measure the exact maximum overall length of the eighth (last) syllabic in millimeters. Then divide this measurement by the maximum length of the second (similarly shaped) syllabic. The resulting ratio is always greater than 1.1 in 97% of authentic 1970's signatures when the artist was not running out of room and sometimes even when he was. The signature ratio for the specimens on pages 28-37 is between 1.7 and 2.2. The subject painting has a signature ratio of 1.1 and therefore fails the quantitative test as well as the visual comparisons.

In summary, the syllabic signature on the front of the subject painting is consistent with some but

not most of the signatures found on genuine Morrisscau paintings done in later decades. However it exhibits none of the characteristics found on the 1970's specimen signatures from both sources or on the great majority from the decade of the 1970's. It contains neither the irregularities of character height and width, nor the increasing character size towards the end. Rather it exhibits the same character size for the last two syllabics and relatively uniform character thickness throughout. **This signature is completely inconsistent with Norval Morrisscau's authentic documented signatures from the 1970's.**



## ANALYSIS OF THE HANDWRITTEN (ENGLISH) SIGNATURE

The reverse side of the subject painting contains an alleged full handwritten (English as opposed to syllabic) signature (Figure 2) of Norval Morrisseau, applied by a small brush and paint. The best way to authenticate this signature is to carefully compare it to specimen handwritten signatures obtained from a variety of indisputable authentic sources and written in the same time period as the signature under consideration.

Morrisseau did not sign and title his paintings very often on the reverse side. However some indisputably authentic examples were found and reproduced on the following pages. The titles are always in upper and lower case letters. (For elaboration about this discrepancy with the subject painting, see report section Reverse Side Documentation). Contrary to the signature on the subject painting, the authentic signatures are clearly and cleanly written.

To obtain additional specimen signatures for confirmation and comparison, it was necessary to access signatures on paper documents. Letters were often signed with just his first name, but a number of indisputable full signature examples are readily available.

There are ten authentic signatures handwritten between 1976 and 1978 and published in 1979 in *The Art of Norval Morrisseau*, by Lister Sinclair and Jack Pollock, on reproductions of the artist's Triple K Cooperative prints. A typical example from this source has been chosen and reproduced below as a specimen signature. Another clear signature was obtained from a 1964 letter to The Improvement District of Red Lake asking for funds. Two clear full signatures were obtained from endorsements on the back of cheques from private purchasers of his paintings that Morrisseau signed while living in Cochenour and Red Lake. A 1979 witnessed book dedication signature was also available. All of these signatures are reproduced below as indisputable specimen signatures for comparison purposes. A number of additional signatures were also obtained from the Forensic report which was part of Court File No. CV-07-1776-SR Moniz vs. CTVglobemedia Publishing Inc. and other internet-published Forensic Reports. I also compared other original signatures in my possession.

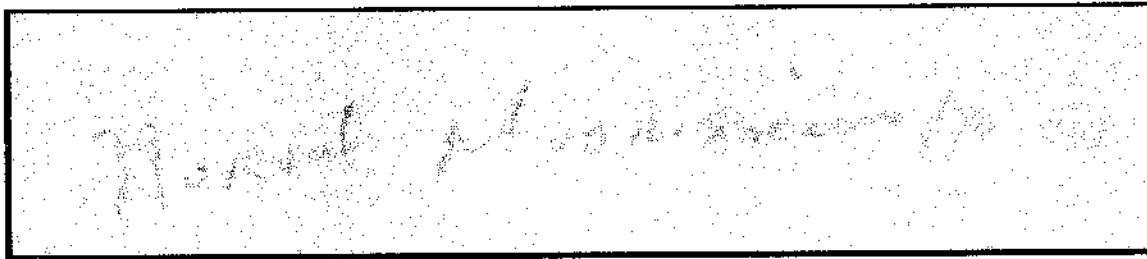


Fig. 13  
1976 Signature

*The Art of Norval Morrisseau*, by Lister Sinclair and Jack Pollock, pg. 168

Red Bank Bank

UL 333

MAR 22 67 174 09312

NORVAL MORRISSEAU

FOR DEPOSIT ONLY IN

~~Handwritten signature~~

NORVAL  
MORRISSEAU

Pocherouk

Fig. 14  
Cheque Endorsement Signatures

Howard Nelson Brown  
Copper Transfer Board  
Indian Head St.

Fig. 15  
1964, Letter to Improvement District, Red Lake

MORRISSEAU

Fig. 16  
Witnessed Book Dedication Signature, 1979

Comparison of his signatures clearly illustrates that the way Morrisseau made the main initials NM in his handwritten signature did not vary significantly from 1964 to 1978. I also compared the later period signatures in my possession. It is interesting to note that the way he made his two main initials was unchanged even in later life. I personally watched him both initial and sign the 1990 exclusive agreement with me (Appendix 2). His initials and signature were still consistent, with the same dominant characteristics, as those made in the 1970's.

Manual Morrisseau

Manual Morrisseau

Manual Morrisseau

M. Morrisseau

M. Morrisseau

M. Morrisseau

Fig. 17

Authentic Specimen Signatures from the Forensic Reports  
Court File No. CV-07-1776-SR Moniz vs. CTVglobemedia  
Court File No. SC-07-51428-00, Otavnik vs. Vadas

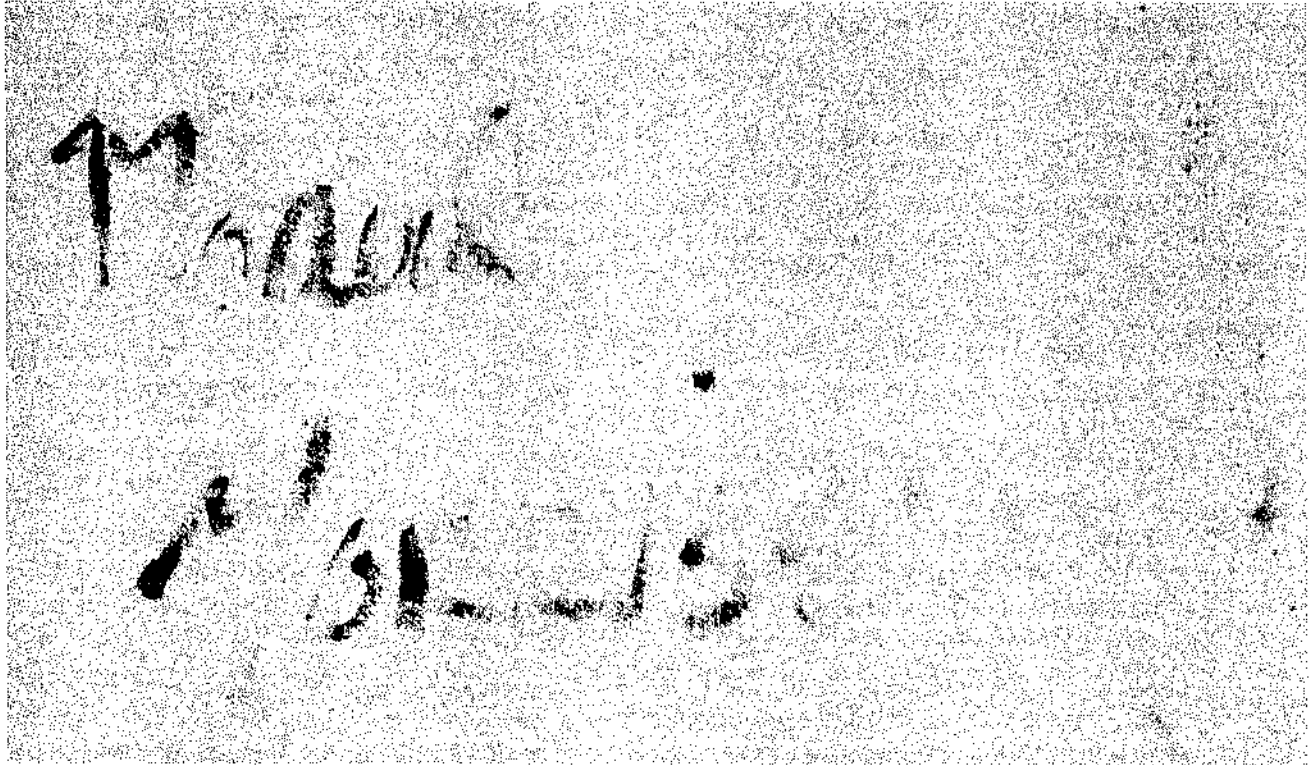


Fig. 18  
Signature on reverse of *Spirit Energy of Mother Earth*

Fig. 18 reproduces the signature as written on the back of the subject painting. An observer does not need to be a handwriting expert to immediately notice the distinctive differences between the subject signature and the specimen signatures.

The first letter *N* in "Norval" on the subject painting is made in a two-stroke design, similar to two sevens not quite joined together, with two separate and distinct strokes.

In all the specimen signatures Morriseau always made his initial *N* in one continuous fluid motion, not in two separate distinct strokes. The first part (left side) of this initial goes up, then down. Then at the bottom of the downstroke, it turns up again, in one continuous motion, to become the second part (right side) of the letter *N*. (A continuous one-stroke initial is entirely consistent with what we should expect of his signature. In drawing, Morriseau was well known for doing simple drawings in one continuous line, never lifting his pencil off the paper, similar to Picasso).

The first letter *M* in "Morriseau" on the subject painting illustrates that it is missing the initial downstroke that normally begins this letter. In all the specimen signatures, in the letter *M*, Morriseau always made an initial downstroke, which then turned upward in one continuous motion. However, the *M* on the subject painting is easily observed to lack the downstroke. Further it is clear that the initial stroke is an upstroke starting at the bottom, with the heavier paint deposit becoming lighter as the brush moved up.

The letters *NM* are Norval's main initials which he used regularly, very often separately without the rest of the signature. It is implausible and hard to imagine that Morrisseau made these irregularities in his own initials. In my opinion the erroneous two-stroke non-continuous design of the *N* combined with the lack of a downstroke on the *M* make it certain that these initials were not made by Norval Morrisseau. I only compared the two main initials "N" and "M" as the differences are obvious and easily recognized by anyone. As there is convincing evidence of a lack of authenticity in both of these largest and clearest main initials, then it follows that the whole signature is not authentic. There is no need to look further at the other letters.

In conclusion, there is convincing evidence that the handwritten signature on the subject painting is not by Norval Morrisseau's hand.

I remind the reader that all of the above analysis assumes that it is even possible that the artist signed any of his paintings on the reverse side with black-painted DB writing. Elsewhere I have noted that I believe this is highly improbable if not impossible. After I realized I had purchased similar paintings disavowed by Norval, all of my investigations and experience have revealed one irrefutable fact for me. Among the hundreds of paintings I handled and examined from all time periods over the past twenty-three years, not one with a credible provenance contains such DB writing. There is no evidence that Norval ever used the DB technique. The great majority of his paintings have no handwritten signatures, titles, or writing of any kind on the reverse side. On the occasions when he did write on the back it was always handwritten in ballpoint pen, pencil, or on rare occasions in marker pen.

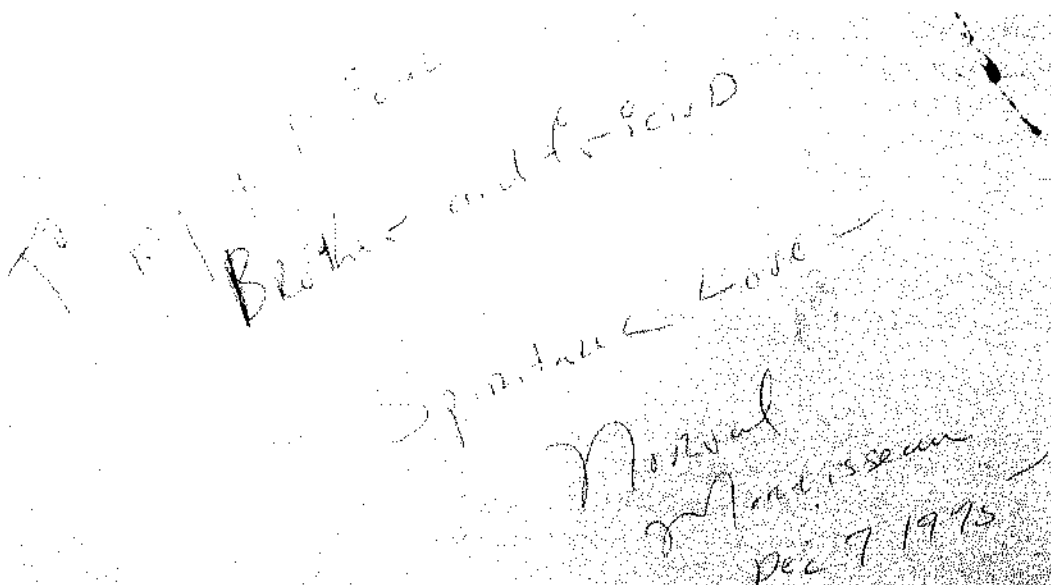


Fig. 19  
Reverse side signature and inscription, 1975

## ANALYSIS OF THE HANDWRITTEN TITLE

The method used here is to compare the handwritten title on the reverse side with known indisputable specimen examples made in the same time period, to see if they match. Since only uppercase capital letters were used in the subject title, only uppercase specimen letters will be used for comparison. Numerous specimen examples are available. A few are reproduced below.

Specimen examples of upper and lowercase letters for comparison were obtained from inscriptions on the back of paintings in the ROM collection from the estate of Dr. Bernard Cinader, and from one painting donated to the ROM by Morrisseau himself. Dr. Cinader was a noted authority and early collector of Norval Morrisseau's art, and bought his paintings directly from Morrisseau or from his dealer Jack Pollock in the same time period, the early 1970's. A careful comparison of the authentic handwriting on the back of the Cinader paintings with Morrisseau's handwriting on paper documents, showed that there is no difference between the two. An alphabetic list (Fig. 20) compares each letter as it is written in the title the subject painting with examples taken from inscriptions on the reverse side of the Cinader paintings.

Numerous other handwriting specimens from the back of paintings and from letters are readily available. In order to verify Morrisseau's repeated use of a specific style of lettering, more specimen examples were required than the ones available from the Cinader source. These additional specimens were obtained from reverse side inscriptions and handwritten letters in the author's file. Several specimen examples have been reproduced herein with the same uppercase letters used in the subject title underlined for ease of observation.

The differences between the specimen letters and those in the subject title are obvious, even to an untrained eye. The most obvious difference is that all the letters in the subject painting's title are in upper case letters. Morrisseau was very consistent in his practice of using a mixture of upper and lower case letters. Numerous examples exist to document this. His verifiable handwriting changed very little over several decades. To the best of my knowledge no example of all uppercase letters has ever been seen on a verifiable letter or handwritten by Morrisseau on the back of any authentic painting.

Another inconsistency is that all the uppercase letters on the subject painting are straight and simple without any flourish in style. Nearly all of Morrisseau's uppercase letters were more ornamental, with flowing curves in the lines.

A good example is the use of the letter "E". The specimen "E"s begin with a flourish at the top end and continue in a rounded fashion, coming in together at the center toward the right, and then finishing again in a rounded fashion. This is in contrast to the four letters "E" in the subject title which mostly use straight lines in their construction.

The letter "I" is another example of the differences. In the specimen letters the letter "I" has a strong horizontal cross stroke both on top and on the bottom of the vertical stroke. In the subject title the cross strokes are missing on the two letters "I".

Another example is the capital letter "G", which in the specimen letters is constructed in a very

unusual old-fashioned manner. The capital "G" in the subject title is constructed in the usual manner which is the more common, but a completely opposite style.

Other letters also show distinctive differences in style. These include the letters "Y", "M", "P", "R", "N", "H" and "T". The only letter where distinctive differences were not readily apparent between the Cinader examples and other specimen reverse-side writings illustrated in this report was the letter "O".

This analysis has not even taken into account the variations in line pressure and strength and directions of stroke that are also a part of traditional handwriting analysis. This was not necessary because thirteen or ninety-three percent of the fourteen different letters used in the subject title exhibit obvious inconsistencies in their style of construction. This is compelling evidence that the subject title was not written by the hand of Norval Morrisseau. More analysis is not required.

In summary, the following problem areas have been identified.

1. The title was written in DB paint. Morrisseau did not write his titles in DB paint.
2. Only uppercase letters were used. Morrisseau used a combination of upper and lowercase letters in his titles. No other documented all-uppercase reverse-side writings by Morrisseau are known.
3. Almost all (ninety-three percent) of the fourteen different uppercase letters used in the title are inconsistent in style and construction compared to authentic specimen uppercase letters.

**In conclusion, the high number of inconsistencies of style and construction of the handwritten letters in the title on the reverse side of the subject painting support the conclusion that the subject title was not written by Norval Morrisseau.**



LETTERS USED ON THE  
REVERSE SIDE WRITING ON THE CINADER PAINTINGS  
IN COMPARISON WITH THE SUBJECT TITLE

Specimen letters

A attached  
B By beautiful being  
C attached could  
D course's demand  
E every day Experience's  
F faith from  
G good went  
H happy have have  
I Inside is it  
J  
K like  
L life all  
M same mother  
N experimental

O

*Other*

P

*Headings*

Q

R

*Representative*

S

*Senses*

T

*Thunderbird*

U

*Thunderbird*

V

*However*

W

*words*

X

*Experiences*

Y

*Quality*

Z

*Symbolize's*

Fig. 20

The first request method  
- request of the serpents to be attached

to the serpents and pleasures of the world  
is like a man who is being deceived  
by serpents which represent the world  
of deceits

The Indian is great pleasure  
by the thunder bird, which the Indian bring in the inside  
of the thunder bird. Symbolic  
distinction from the bird is superior and some  
However the Indian could have the same kind of pleasure  
at every day because and throughout the life  
we see the result of his work being

Fig. 21  
Three Reverse Side Inscriptions  
Dr. Cinader Collection, ROM

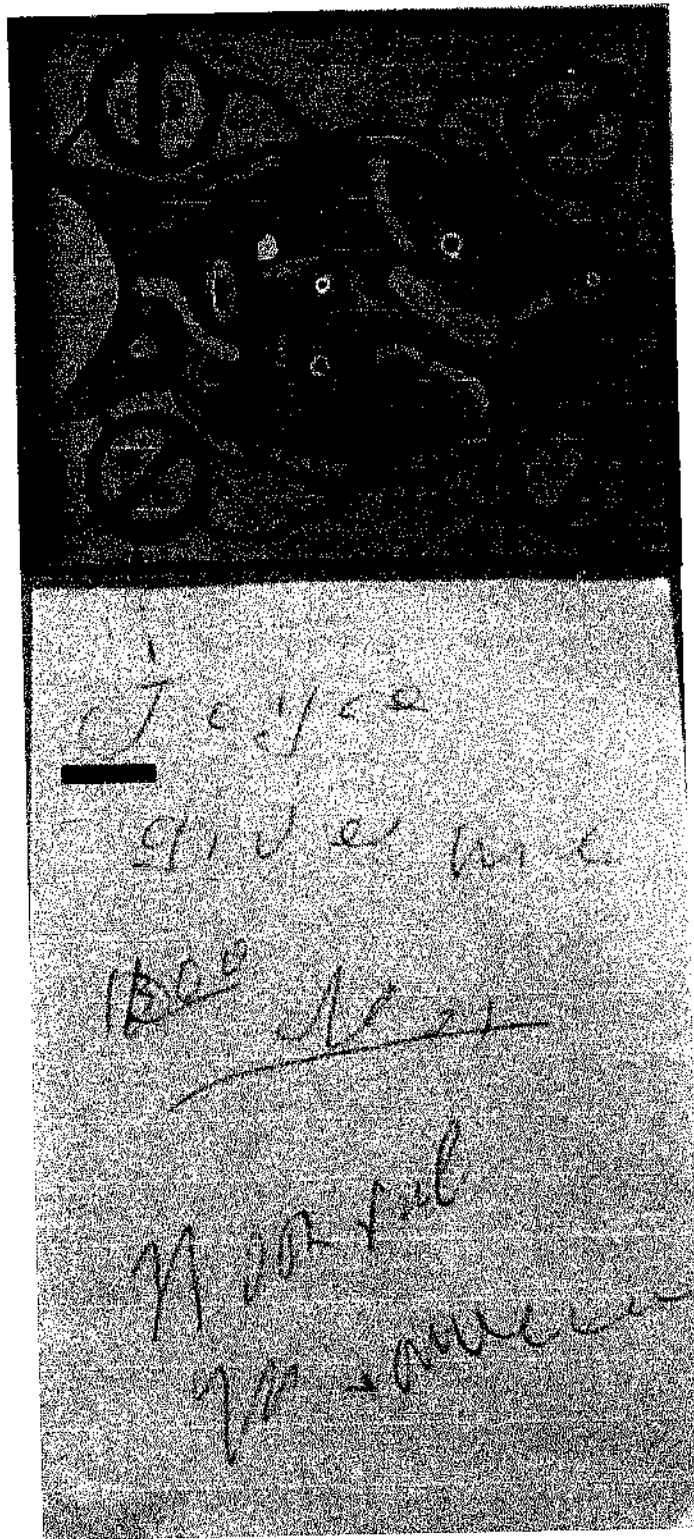


Fig. 22  
Reverse Side Inscription  
Purchased Directly From the Artist; Kenora, 1973  
Courtesy of Steffich Fine Art

The fish Sacred Trout  
was the most respected  
of all fish. The Trout  
gave the Indians life and  
Abundance and. According to  
Epimachus Indians mythology it  
represented his Sacred  
Cabrier, the trout  
Carried the Indians  
Soul through Trout mythology  
into an other  
Existence in the

Fig. 23

Superintendent  
~~John~~ ~~John~~  
Rowland  
all this work  
work for the best  
ment of the land  
for the best  
for the best  
for the best

Fig. 24  
Reverse Side Inscription  
Acquired Directly from the Artist, 1968  
Private Collector, Fort Francis

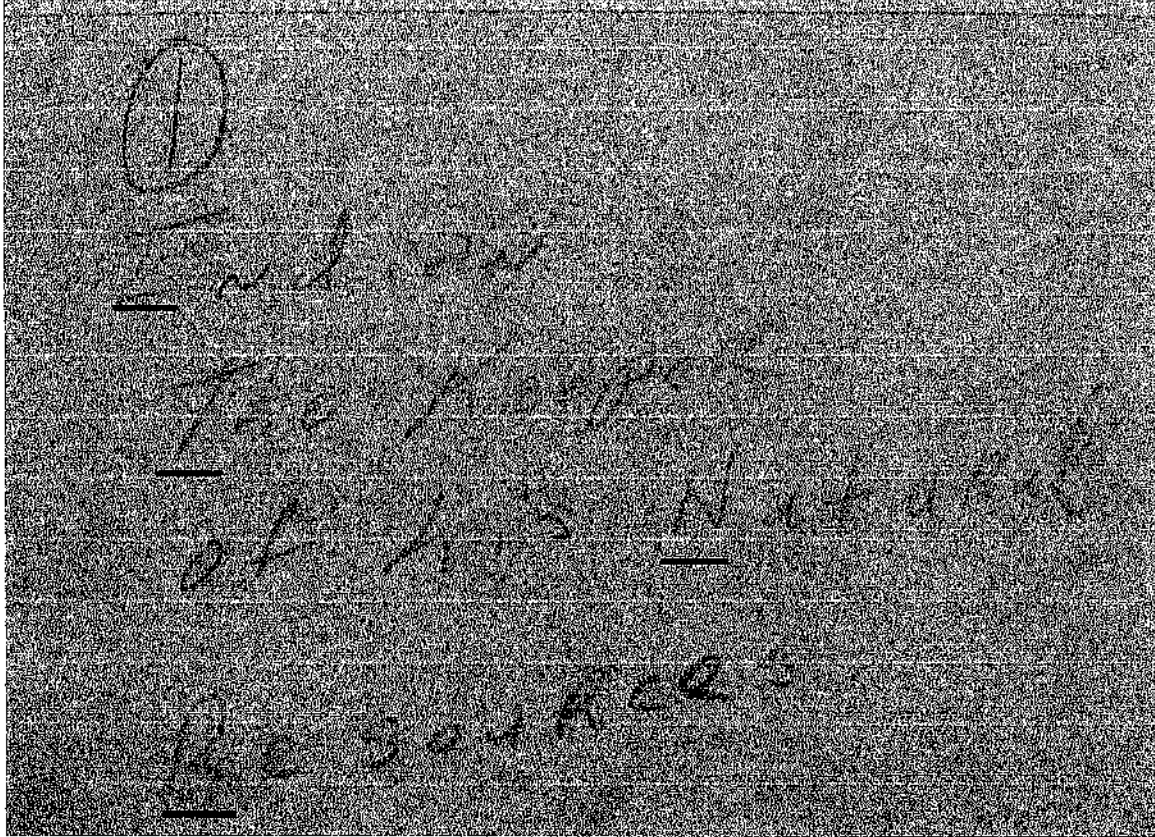


Fig. 25  
Reverse Side Inscription  
Dr. Cinader Collection, ROM

Shaman  
being healed of  
earthly values.  
By the serpent  
spirit of medicine  
and healing.  
m.m

Shaman Being Healed Of Earthly Values

Fig. 26  
Reverse Side Inscription



~~Duckwood~~

Merman. The Ancient  
Half Man and Supernatural  
being who is the Ruler  
of all the waters of  
the World. in his  
Protection and Power  
to the Individual  
both by water and  
land was a Sought  
After Protector of  
the Ojibwa Indian

Fig. 27  
Reverse Side Inscription

Shaman.

for it is said  
that the Mermaid  
owns the Element of  
water in itself  
Very powerful  
to be Channel  
to that Power etc

Maria  
Nimisee

## MORELLIAN STYLISTIC ANALYSIS

This analysis involves examining specific details and images or portions of images to determine whether the artist could have, or would have, painted them. I observed that the following areas on this painting merited comparison to similar indisputable authentic images.

1. The overall composition.
2. The shape and style of individual images.
3. The painting techniques.
4. Theme and mood of the images
5. The colour palette.

Anyone truly experienced in the work of Norval Morrisseau, having observed and handled hundreds of paintings covering more than four decades, would at first glance immediately recognize the subject painting as a fake. There would be no need to inspect the signature or view the back to see if a written title and signature applied with paint were present. The distinctive combination of relatively rare stylistic ingredients, images and colours which are inconsistent with Norval's usual practice in 1974, all present simultaneously in one painting, is what makes the painting readily recognizable as a forgery.

Each specific image in the subject painting can be found, although painted slightly differently, in indisputably authentic Morrisseau paintings such as those in the Pollock book. Each image could just be an anomaly from the usual images, in both authentic and forged paintings. However, it is the presence of a large number of inconsistencies together, which distinguishes the work of the forger.

### 1. THE OVERALL COMPOSITION

The subject painting is well composed, pleasing to the eye, and complex in design. However, it is not composed the way Norval would have done it. Norval's complex paintings usually have a central focus, with images moving in towards or away from that focus. The subject painting has no central focus, but has three separate areas of focus, contrary to Norval's usual practice.

The whole image is not constrained to the core of the painting, but seems ready to "fly off" the canvas, with the power lines connecting the creatures backing off the canvas on three out of four sides. Norval's power lines usually connect the creatures, as they do here, but encircle the images and are constrained by the edge of the canvas, without leading off the canvas.

### 2. SHAPE AND STYLE OF INDIVIDUAL IMAGES

The four bird images in the subject painting are of a type distinctively different from the bird forms found in authentic documented 1970's paintings. All four are similar to each other, in a "teardrop" shape with the forms tapering easily in a gentle curve. Norval's 1970's birds are more atypical, more animated and varied, with individual characteristics.

Morrisseau's bird heads were generally not bulged out around the eyes. They are not "teardrop" shaped. The beaks were more curved, and the heads more separate and distinct from the bodies. In the subject painting the oval-shaped images located inside the beaks is close to the eyes and in

some cases extends to the whole beak area. In all fourteen authentic 1970's illustrations with bird images illustrated in the NGC catalogue these same shapes are smaller and located farther away from the eyes, toward the end of the beaks. Sometimes they are totally non-existent, or the beak is made in an entirely different design. In addition, the pupils of the eyes are all much smaller and more distinctive. Norval Morrisseau did not paint birds in the manner seen in the subject painting in 1974 or anytime in the 1970's.

The teeth and jaw shapes on several of the images, but specifically on the bear image at the bottom of the painting, and the creature at the top, central image, are distinctly different than Norval usually used in the 1970's. The teeth are more widely spaced than usual with fewer of them and with relatively larger gaps between them. The lower jaws are much thinner than Norval's usual images.

### 3. THE PAINTING TECHNIQUES

In the subject painting, the shapes within the various images have clearly defined painted edges and the paint application is consistently thin, unlike Morrisseau's work. In the mid-1970's on complex paintings which had shapes within shapes, rather than ones with wide, flat images, Norval tended to use more paint, applying it thicker, and the edges of the shapes within the specific images have more irregular, rougher looking edges than the subject painting. Norval often used his finger, rather than a brush, to create circular images such as eyes, and other more oblong shapes within images. This technique also resulted in irregular, rougher looking shapes, which could be characterized as "blobs". The subject painting does not have even one such irregular shape inside any specific image. This is exceptional (for examples, see the 1976 images in the Pollock book).

### 4. THEME AND MOOD OF THE IMAGES

The subject painting has an overall dark (not in the sense of colour), underworld - type theme. With the exception of the birds, the presence of so many shark-toothed creatures creates an oppressive feeling, almost demonic and moody image. The inclusion of spirit faces, unlike human faces, adds to the mysterious mood. The creatures all seem to be constrained by, or trying to escape from, the lighter coloured, almost circular background portal representing the inner earth.

No comparable painting of this type can be found in the National Gallery catalogue (of the retrospective exhibition of 2006), or in the Pollock-Sinclair book (Page 34).

This underworld theme is found in a great many of the 1970's-dated alleged Norval Morrisseau forgeries, but was much more rarely used by Morrisseau himself. Any experienced person with a trained eye, having handled and appraised hundreds of Morrisseau paintings from all periods, would readily recognize the subject painting as a forgery in this genre, characterized by its similarities in form, style and subject matter.

### 5. THE COLOUR PALETTE

Norval Morrisseau was a master of colour and design. Even if he had not painted woodland type images, and used only colour in abstract designs, he still would have been a master painter. He knew what colours to combine for the bold, crisp effect evident in his authentic paintings. Different colour combinations work together to create an overall effect. The colour combination used in the subject painting is not the right colour palette for the artist. The colours are more natural and

earthy. The overall effect of colours such as these that are too close in palette is a muddied look compared to the brighter, more sharply distinct colours of authentic works from the 1970's. The colours are flat, not vibrant. It is almost as if black has been added to each colour so that they appear "muddied" compared to Norval's. This colour combination is not typical of Norval's. This can readily be observed by comparing the colours used in the nineteen photographs from the 1970's documented in the National Gallery catalogue and reproduced in this report in Figures 3 - 12.

#### SUMMARY

**The subject painting does not meet the Morelli test.** There are many different design elements in the subject painting that are inconsistent with and stylistically different from indisputably authentic Norval Morrisseau paintings from the 1970's. These inconsistencies are not as small as those that are often examined in traditional Morellian type stylistic analysis, as in the case of paintings that are much more exactly copied. The differences here are large and quite obvious.

It is possible to argue that any one stylistic inconsistency is just an anomaly from that which is normal or expected. However, the existence of a number of inconsistencies both in shapes as well as palette, makes it virtually impossible for this painting to have been created by Morrisseau.

The subject painting is not a copy of a known Morrisseau artwork. Rather, it is an interpretation of a work Norval might have painted. Morrisseau would not have painted these image elements this way in the 1970's. **Any one of these inconsistencies by itself would be enough to cast suspicion on the painting. Together, the large number of inconsistencies found in this stylistic analysis clearly demonstrate, beyond any doubt, from a stylistic point of view alone, that the subject painting was not painted by Norval Morrisseau's hand.**

## REVERSE SIDE DOCUMENTATION ANALYSIS

The reverse side of paintings and their frames often display information that is useful to help determine authenticity. This may include writing or notations by a current or previous owner, or by an artist's agent. Labels from a gallery, a framer or an auction house are often attached to a frame or stretcher. Gallery inventory numbers are very often found written on the back of the frame or canvas. Notes, correspondence, purchase agreements, certificates of authenticity, or even old newspaper clippings are sometimes attached or accompany paintings. Occasionally paintings are dedicated to the recipient by means of handwriting on the canvas or frame. All such information may be genuine, or it may be fabricated. No such documentation has been provided for the subject painting.

Close examination of the subject painting revealed that none of the above documentation exists on this canvas. The subject painting has a handwritten signature, and handwritten title and date in DB paint on the reverse side of the canvas, alleged to be by Norval Morriseau. There are no other markings on it. The painting has no stretcher or frame. Creases and folds in the canvas reveal that it was previously stretched, or had been made to look as if it had been stretched.

Sometimes an artist will sign or initial, title and date a painting by writing on the back of the canvas or frame. Morriseau rarely wrote on the back of his paintings. This was not his usual practice. By far the great majority of his paintings have no writing (title or date) or signature (full or initials) on the back side. Sometimes, however, he did write on the back. When he did so it was always in ballpoint pen, pencil, or ink marker, and never in DB paint.

The previous handwritten signature analysis comparing the main initials NM with indisputable authentic signatures has clearly demonstrated that this signature is not by the hand of Norval Morriseau. Even if the originator had succeeded in duplicating Morriseau's signature, it still could not be considered authentic because Morriseau never used DB paint techniques on the back of his paintings. There are no known examples with documented provenance. Despite repeated attempts over the last seven years, no one has been able to document, among thousands of examples, one single painting with a credible provenance with a DB painted signature or title on the reverse side. Even an authentic title or signature in pen, pencil, or marker pen would be considered relatively rare. Even in these examples, the artist rarely added a date on the reverse side, except in the case of a specific dedication.

Similarly, the printed title and the date in DB paint is also something Morriseau would not have done. He rarely wrote a date on the back of his canvases. In addition however, the title is done in a manner totally inconsistent with Morriseau's method of writing on the back of paintings in those cases when he did write on the reverse side. Figures 19 and 21 to 28 depict several authentic instances of this. Morriseau used upper and lower case letters. He also wrote in a consistent manner differentiating which specific letters of the alphabet he would use in upper case and which ones he would use in lower case. Most importantly, he did not use all upper case letters. He was consistent in this practice throughout his adult life over the four and one-half decades he painted.

There are three independent major inconsistencies occurring concurrently on the subject painting. There is an incorrect signature, an incorrect written title, and both are in a medium (DB paint) not

used by Morrisseau. There is no reasonable probability that Norval Morrisseau would have created all of these concurrent inconsistencies himself.

In conclusion, the complete absence of any form of documentation on the reverse side of the subject painting or accompanying it provides no assistance in establishing the painting's authenticity. **However the presence of multiple simultaneous inconsistencies provides strong evidence that none of the markings on the reverse side are by the hand of Norval Morrisseau.**

## SCIENTIFIC TESTS

Scientific tests are used to confirm that paintings are not authentic and thus exclude them from inclusion in a *catalogue raisonné*. These tests can only “break” a painting, but they can never “make” a painting. Paintings are not authenticated through scientific tests alone, but a wide variety of tests have traditionally been used on questionable paintings, if the painting in all other respects has been accepted by experts. Scientific tests have also been used to differentiate original paintings from later copies. Tests can determine the chemical composition and age of paint and the physical composition and age of canvas. Photographic and x-ray techniques, fingerprint analysis, and DNA recovery methods are also used. Many authentic Morriseau paintings have hairs from the artist embedded in the paint. However, in the special case of Norval Morriseau, the artist's thumbprint embedded in a painting does not mean the painting is genuine, but rather usually means it is not authentic (See Appendix 2). Paintings sometimes have been authenticated through a combination of scientific testing and Morellian stylistic analysis. This is especially useful when the stylistic analysis is not conclusive. This is not the case with the subject painting. The stylistic analysis was conclusive and scientific testing is not required for this painting.

The author is aware of three independent efforts that were undertaken to conduct scientific tests on Norval Morriseau's paintings.

One basic test, the technical analysis of paint, may determine that certain components of paint were not available to the artist at the date of a painting. Occasionally Norval asked me to purchase canvas and paint for him, and I did. Norval preferred to use Liquitex acrylic paint. At times he also experimented with mixing paints of different quality. Commercially available Liquitex water-based acrylic paint using basic colours was invented and first available in 1955. The first high viscosity acrylics with basic colours were available in 1963. The first pre-mixed acrylics with wide ranging colours were marketed by Liquitex in 1971. Some colours were not available until 1980 and further refinements took place in 1984 and 1985. Therefore it is entirely possible that some paints used on Potter-sourced Morriseau paintings may not have been available to the artist in the 1960's and 1970's.

Recent promising developments in the analysis of high resolution images may soon be available to support results obtained using traditional art historical methods to detect art forgeries. Following earlier success with the artworks of Van Gogh, the computerized analysis of high resolution images of brushstrokes has been undertaken on the artworks of Norval Morriseau. Dr. James W. Wang, of Penn State University used curves resulting from brushstrokes to compare the steadiness of the brushstrokes from nineteen known authentic Morriseau paintings to sixteen Potter-sourced paintings. The sixteen Potter-sourced paintings were the ones that were disavowed by Norval Morriseau at an NMHS meeting and donated by KRG to the NMHS. Initial results from Dr. Wang concluded that the authentic Morriseau paintings had a consistently higher level of steadiness of the brushstrokes. Dr. Wang plotted on charts the data from all twenty-five paintings used in the study. His charts clearly demonstrate a highly distinctive and consistent difference between the two groups of paintings. He concluded that the smooth steady flow of the lines and paint showed less hesitancy and more steadiness from Morriseau than from the fabricator of the Potter-sourced paintings. Prof. Wang's research provided data which indicates there is a statistically significant difference between the set of paintings known to be authentic



and the Potter-sourced paintings that Morrisseau himself told the NMHS were counterfeit. This scientific data corroborates the statements made by Norval Morrisseau to the NMHS about this particular group of paintings. A formal scientific paper was prepared and presented to leading world scientists at the 2009 IEEE International Conference on Image Processing. Dr. Wang's paper is also available online.

For the near future these developments will probably remain in the domain of scientific investigations that are expensive and not going to be routinely available for use in authentication disputes or investigations. In addition, scientific methods using groups of paintings may not necessarily be used to authenticate individual works of art with any degree of certainty. They may be useful to collaborate authentications but traditional art historical methods will continue to be the mainstay.

## CONCLUSIONS

1. The claim that the painting the subject painting *Spirit Energy of Mother Earth*, acrylic on canvas, signed and dated 1974, is an authentic work by Norval Morrisseau, is not supported by a large amount of diverse evidence.
2. I used traditional art historical methods to examine the authenticity of this painting, including investigation of its provenance, signature analysis, Morellian stylistic analysis, and reverse side documentation analysis. Each of these areas of investigation revealed major problems with the painting's authenticity.
3. No provenance back to the artist is available for this painting. The provenance provided is unverifiable and not credible. Since provenance is one of the most important considerations in the authenticity of any painting, this lack of provenance is highly significant.
4. Signature analysis revealed that the syllabic signature on the front of this painting is similar in some ways with a number of the later signatures of the artist, but completely inconsistent with documented syllabic signatures from the same 1970's time period.
5. Comparison of the handwritten signature on the back of this painting with indisputable documented handwritten signatures revealed unequivocal evidence that the handwritten signature on the reverse side of this painting is not by Norval Morrisseau's hand. Both of Norval's most often used initials *N* and *M* contain major errors of construction which would not have been made by the artist.
6. Comparison of the handwritten title on the back of this painting with authentic handwritten titles and other handwritten specimens showed that several major types of inconsistencies were present. This is strong evidence that the title was not written by Norval Morrisseau.
7. Morellian stylistic analysis revealed a significant number of pictorial design elements in this painting inconsistent with those used by Norval Morrisseau. Norval Morrisseau did not use these design features as they are painted in the subject painting.
8. Examination of the reverse side of the canvas revealed that the painting lacks any secondary supporting documentation (gallery labels, framer labels, gallery inventory numbers, dedications, previous owner's marks or letters) very often found on the back of older secondary market paintings. No additional documentation such as sales receipts or correspondence accompanied the painting.
9. Reverse side documentation analysis demonstrated that the writing and printing in heavy black dry brush paint on the back of the canvas, alleged to be by the artist, is completely inconsistent with Norval Morrisseau's practice. Morrisseau did not use dry brush paint, or paint of any kind, to sign, title, or date his art in the 1970's, or any other time.
10. Without exception, every specific area of investigation in the traditional art historical analysis conducted on the subject painting revealed major inconsistencies with the authentic works of Norval Morrisseau. There is no part of this painting that appears correct.

11. The results for any one of these area of investigation, by itself alone, would be sufficient evidence to conclude this painting was an imitation. **Taken together, all of the above evidence overwhelmingly supports the conclusion that the subject painting was not painted by Norval Morrisseau's hand. I have reached this conclusion with a one hundred percent level of confidence.**
12. The results of scientific tests would serve as interesting confirmation of these conclusions, but in the case of the subject painting, they are not necessary to establish its lack of authenticity.
13. For appraisal purposes the fair market replacement value of this painting is \$300 unframed.

## EPILOGUE

The subject painting is not an exact copy of an authentic work like the notorious examples in art history. Highly skilled copies of authentic paintings by any artist can be difficult to identify. The history of art is replete with falsely attributed examples of the work of famous artists. There are good imitations and bad imitations. A good imitation made by a highly skilled painter has sometimes, as in the case of Van Gogh and others, fooled the experts, and takes a long time and a high degree of expertise to produce.

This painting is not a good imitation. It is a mediocre forgery. It is filled with inconsistencies in the front side artwork, the reverse side markings and in both signatures. Any one of these inconsistencies would be sufficient cause to reject it as an authentic work.

Rather than being an exact copy the subject painting is a compilation of imitative stylistic elements and sometimes even imagined elements creating a new "Morrisseau work". It was painted spontaneously by a competent woodlands style artist using his/her own recognizable but formulaic style. Other "Morrisseau" paintings done in the same stereotypical manner by this particular artist are not hard to recognize. We may expect this recognition to eventually become more commonplace. As it does, the artistic legacy of Norval Morrisseau may finally begin to achieve the importance it truly deserves.

Other paintings, similar to the subject painting, with similar subject matter and style, have been observed in two Maslak McLeod Gallery catalogues, and on internet sites and blogs.

*Generally, then with the exception of virtue and its workings,  
remember to go straight to the component parts of anything, and  
through that analysis come to despise the thing itself.*

Marcus Aurelius (AD121-180)  
excerpt from "Meditations"

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I would like to recognize Ritchie Sinclair for his efforts to identify Norval's true artistic legacy. He is another person struggling with few resources against organized multi-faceted legal actions.

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I would like to recognize Bryant Ross, Coghlan Gallery, Aldergrove, B.C. and Dr. Jonathan Browne, Ottawa, who have gone on the record and spoke out publicly about the proliferation of Morrisseau fakes. Both Bryant Ross, and Dr. Browne through his website [morriseaubuyersbeware.com](http://morriseaubuyersbeware.com), warned and tried to educate an unsuspecting public.

Finally, I would like to recognize and applaud all the volunteer members of the Norval Morrisseau Heritage Society, some of whom have also faced legal threats. The very existence of the NMHS was Norval's last major wish. They are our hope for the elimination of these poor imitations in the future.

## SECTION 3 - APPENDIX

1. The Author's Curriculum Vitae and Reference Letter re Expert Testimony
2. The Author's Representation Agreement with Norval  
Norval's Continuing Power of Attorney for Art granted to the Author  
Norval's Formal Written Authority for the Author to Authenticate His Art  
Norval's Notice re His Fraudulently Obtained Thumbprints
3. Documents of Provenance Provided for the Subject Painting
4. Blog Post Using the Subject Painting to Promote Fakes  
Statements by the Auctioneer Randy Potter  
Alleged Written Statements by the Consignor David Voss
5. Norval's Letters Sent to Randy Potter re Fakes  
Norval's Letters re Fakes at Maslak McLeod Gallery  
Norval's Letter to ADAC re Maslak McLeod  
ADAC Letter Prohibiting Member Provided Morrisseau Certificates of Authenticity
6. A Concise Summary of Norval's Letters to Galleries and Randy Potter Auctions
7. Examples of Appraisals of 1970's Type Paintings by Joseph McLeod
8. Morrisseau Family Support - "Norval Morrisseau Family Speaks"  
Morrisseau Family - Examples of Certificates of Authenticity  
Authentications of 1970's Type Paintings by David Morrisseau
9. Morrisseau 1970's Type Paintings in 41 Commercial Art Galleries Across Canada
10. Norval Morrisseau Heritage Society Brochure and Letter  
A Concise History of Norval Morrisseau