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Scrimshaw Observer

Fall 2019

A publication of the Antique Scrimshaw Collectors Association

Volume 3, No. 3

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ASCA Response to Humane Society Charge

In response to the September 9, 2019, Humane Society of the United States blog and ABC News print and digital article regarding an effort to influence ivory restriction legislation (Senate Bill 496 and House Bill 772) pending in the Massachusetts legislature, the ASCA board issued the following statement on October 12, 2019.

The Antique Scrimshaw Collectors Association (ASCA) shares in the passionate desire to preserve and protect endangered species. However, we also think it is our duty to identify efforts to influence and enact over-reaching ivory ban laws. Many of these legislative efforts would have no practical impact on reducing poaching that primarily occurs in Africa and Asia or protecting endangered species. There also may be unintended consequences on the legitimate antiques business and priceless collections of scrimshaw in museums such as the New Bedford Whaling Museum and Nantucket Whaling Museum.

On September 9, 2019, the Humane Society of the United States (HSUS) published a blog authored by its President and CEO Kitty Block, coinciding with a scheduled vote on Massachusetts State Bill 496 and House Bill 772. These pieces of legislation propose specific measures to protect elephants and rhinoceros from poaching and to restrict illegal ivory trade in Massachusetts.

The blog purported to show an undercover investigation by HSUS and Humane Society International (HSI), claiming to have unearthed evidence of a thriving market for elephant ivory products in Massachusetts. It was headlined as an expose, positioned and timed to illustrate the position of HSUS and HSI just as Massachusetts lawmakers were about to consider a bill that would ban the ivory trade within the state. The blog was subsequently published in print and digital format by ABC News.

The blog claimed that HSUS investigators visited the New Bedford Whaling Museum's Annual Nautical Antiques Show in May 2019, where they "found sellers from both within and outside Massachusetts peddling ivory objects, including figurines, walking canes, dollhouse furniture, tools and food canisters." The blog further charged that HSUS investigators purportedly asked the sellers if they had anything that verified the age and origin of the items, and "many said they did not." It was further claimed that this "discovery" was concerning because "federal law prohibits interstate trade in ivory items from recently poached elephants and without documentation it is impossible to tell if the ivory was brought into the United States legally."

The HSUS investigators, who indirectly claimed expertise in determining the material and age of the items for sale, said that they found elephant ivory products for sale by five sellers at the show. The images of the artifacts provided in the blog and subsequent ABC coverage are not of high enough quality to determine their age or origin, but the HSUS implication is that these pieces were new and freshly smuggled into the U.S. and Massachusetts and made available for sale at the show. This is simply untrue. ABC News affiliates ran the blog as an expose on September 9, 2019, without fact-checking the HSUS allegations or giving the New Bedford Whaling Museum prior opportunity to respond or to correct misinformation.

So, HSUS and ABC News conveyed unvetted, inaccurate, and potentially harmful disinformation about what they purport is a "thriving ivory trade in Massachusetts," implying that several dealers at the May 2019 Nautical Antiques Show at the New Bedford Whaling Museum were purposefully breaking the law and, by inference, the museum had knowingly allowed this to occur at a museum-sanctioned event.

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Ivory Legislation: Update

by Mark Jacobson

ASCA continues to monitor pending federal and state legislation nationwide to alert its members of possible threats to private and public antiques collections containing ivory. In recent months, several national nonprofits, including the World Wildlife Fund, Humane

Society of the United States, the Center for Biological Diversity, Natural Resources Defense Council, Wildlife Conservation Society, and the National Geographic Society, have joined the effort to elevate public awareness of the impact of poaching on the survival of elephants and rhinoceros.

These lobbying efforts signal a growing national and international concern about the plight of these species. The lobbying has resulted in either full restriction on the sale of legitimate antiques containing all or part ivory from marine mammals (whale, walrus), or having sufficientcontinued on page 7

Scrimshaw Observer

A publication of the Antique
Scrimshaw Collectors Association,
a 501(c)3 organization.

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Our mission: To promote and protect the trade, collection, and study of antique scrimshaw, the historic and culturally important folk art of the whaler.

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To learn more about the organization or to become a member, please visit www.antiquescrimshawcollectors.org or write to info@antiquescrimshawcollectors.org.

Eldred's Auctions and the Antique Scrimshaw Collectors Association invite you to attend a cocktail reception/auction preview on Wednesday, November 20, 2019, at 5pm. Enjoy a gallery tour at 1483 Route 6A, East Dennis, MA, and learn more about how to start and grow your scrimshaw collection.

Tales from a "Skilful Hand": Three Teeth and Documentation by Jonathan Blaney Walton

by Mary Malloy

"If you could speak, what tales you'd tell
Thou tooth, from the jaws of a sperm whale"

So begins an epic poem written by J. B. Walton in November 1848 aboard the merchant ship *Caroline Augusta* of Salem, Massachusetts. Walton's poem not only explores the stories that might come from the whale's mouth, but it also describes the meaning of images that he engraved onto the tooth's surface. A gift for his much-admired captain, James B. Creamer, the tooth—and its explanatory text—are unique in providing documentation in the artist's own words of the meanings of the iconography on a piece of scrimshaw. Both the tooth and its accompanying poem survive today at the Peabody Essex Museum (PEM) in Salem.

Jonathan Blaney Walton (fl. circa 1848-58) was born on 11 March 1827 in Lynn, just south of Salem on the Massachusetts coast. Though Walton is not known to have been on a whaling voyage prior to joining the *Caroline Augusta*, he imagined the whale from which the tooth was extracted: "Perhaps of many a man you've been the death / Before of life, you by man was bereft: / In fancy now, I see your death flurry / While the mate cries stearn all, and stearn in a hurry."

The 406-ton ship *Caroline Augusta* was built in Portsmouth, NH, in 1826. By 1840 it was registered in Salem and made at least four voyages to Sumatra for peppercorns, a specialty trade of Salem merchant David Pingree. On 15 August 1846, the vessel was registered with Pingree and James B. Creamer as owners, and Creamer as master, and sailed for Penang and Singapore, ports on the Malay peninsula across the Malacca Strait from Sumatra, and thence to Canton before returning home in the late summer or fall of 1849.¹

Walton is not listed in the original crew list, but he must have joined the ship enroute. He made at least two teeth with dates that place him on this voyage, and a third undated tooth was probably made then as well. The PEM tooth sits on a wooden stand, also made by Walton, which is inlaid with bone, baleen, darker woods, and mother-of-pearl buttons. On the bottom of the stand is a small baleen plaque: "Engraved and Inlaid / on board the Ship / Caroline Augusta of / SALEM / At sea Nov^r 1848 / BY / J. B. WALTON." The poem is dated "At Sea November 12th 1848." Inscribed on the flat-cut bottom of the PEM tooth is: "CPT^N J. B. CREAMER / SALEM / 1849 / J. B. WALTON, ENG^{VR}." (The "9" in 1849 has been altered, probably from an "8" when the tooth was finished later than the

continued on next page



Figures 1 & 2. Images of Liberty on PEM and Vardeman teeth. Walton front image courtesy of Eldred's Auctions.

Jonathan Blaney Walton, *continued*

poem and the plaque; there is also a later museum catalog number "M. 1834" added in ink.) The second tooth known to have been made on this voyage bears the date "April 4, 1849" and has similar iconographic elements. It was sold at Sotheby's in New York on 25 September 1982 as part II of the Barbara Johnson Whaling Collection (#230), and its current location is unknown. The third undated tooth by Walton's hand was in the collection of Judge Paul Vardeman and was sold at auction at Eldred's on 25 July 2019 (#32).

Patriotic and religious symbols, and pictures of the *Caroline Augusta*, which appear on the PEM tooth, are repeated on the other two. As he writes in the poem:

Its Walton, has polished my once rough face
With ready hand he has o'er me traced,
Symbols many, of which the meaning
From lore is obtained by Carefull reading

What are they? describe them, that I may know
Wheather you tell me false or true?
Describe Each seperate in its proper time
So that you'll make of it, a rhyme.

The central figures on the PEM and the Vardeman teeth are nearly identical figures of Columbia, "the Goddess of Liberty / Who of 'America' is its Holy Queen."

In her right hand is the necter of Love
Of which to drink the Eagle descends from above

In her left the standard of Freedom she rears
Guarded by Cannon—a shield, sword, and spears:
The sword of Faith, Anchor of Hope never will fail
Where her drum sounds, or ships they do sail

Significant religious motifs are depicted on each of the three teeth, intertwined with mythic symbols. Walton describes the specific iconography on the PEM tooth in his poem.

Turn around you see a book, of Faith the Emblem sure
Surmounted by the cross, of Trial quite pure:
By the Anchor of Hope & torch of Love sustained
Cubids quiver, sword of Justice, and trumpet of Fame

At the bottom of the Glas of old Father Time
By the wrath of Truth they are all Entwined:
And over above all, the dove of Peace flies
Surrounded by a rainbow, set by God in the Skies.

The elements of the cross and dove are repeated on the other two teeth, though with variations; they each depict an open book and include verse. On the Vardeman tooth the particular passage on two pages is indicated only in hatch marks, but the Bible is surmounted by an overarching text: "AFTER SUFFERING, AND TRIAL, IF INDUSTRIOUS, AND TRUE / HOPE THAT JUSTICE WILL BE MEETED TO YOU; / THAT ON YOUR FAITH, BLESSED PEACE, WILL DESCEND, / WITH HAPPYNESS, BE CROWNED, TILL LIFE SHALL END."



Figure 3. From PEM tooth.

It retains the anchor, sword, and dove, but it replaces the rest of the PEM imagery with a hive, swarming with bees.



Figure 4. Vardeman tooth. Like the PEM tooth, the polychrome images are in red, green, and blue.

The Johnson tooth is known from the description in the Sotheby's catalog and a black-and-white photo of one side, which appears both there and in Charles R. Meyer's 1976 book *Whaling and the Art of Scrimshaw*. (The image in Meyer on page 236 looks superficially to show both sides of the tooth, but closer scrutiny and a comparison with the description in the auction catalog make it clear that there are two different teeth in Meyer's picture.) According to Sotheby's, the images on the back of the Johnson tooth are "the all-seeing eye, a cross, the Bible opened to *Matthew VII*, (the sermon on the mount), the date *April 4, 1849*, a whaling vessel in full sail, the top sails furlled, with the legend *When the wind blows I will think of thee* and the initial *C*, on the side a monument with nautical flags, the initial *B* on the name *Clara*."

The ship on this tooth may be, in fact, a portrait of the *Caroline Augusta*, because that ship is depicted twice on the PEM tooth, once under full sail labeled "C.A. of S" and "HOME WARD BOUND," and again, with topsails furlled "IN A FRESH BREEZE" on the opposite side. An almost identical picture of the latter appears on the Vardeman tooth.

.....continued on page 4

Jonathan Blaney Walton, *continued from p. 3*

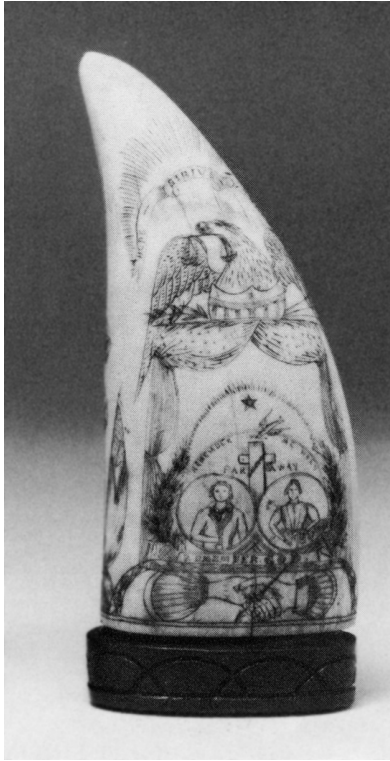
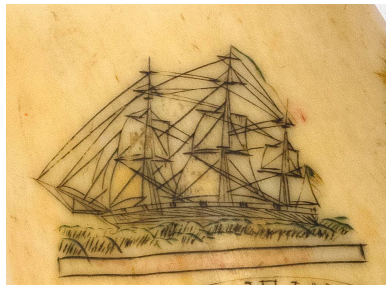


Figure 5. The tooth from the Johnson sale, as depicted in Meyer, p. 236.



Figures 6, 7, & 8. Two images of ships on the PEM tooth, and a third from Vardeman. “The next in rotation, is a ship in a breeze / At which if it’s fair, the Captain is pleased: / For the faster she sails, the sooner in Port / The owner’s are happy, for more fats to their lot.”

The rest of the images on the PEM tooth are scattered across the surface:

The star of “America” trebeled in once
To denote the Unity by our forefathers won:
The Eagle, who with our Emblems doath soar
Above the highest mount, till she sights the pole Star

The Lyre of “Columbia” the next you do see
With her strings of Gold for to sound Liberty:
The wreath of Nature around it doath Grow
Showing the Freedom intended by God heare below.

Walton uses an element at the base of each tooth that includes a trailing vine. The PEM and Johnson teeth include a central figure of clasped hands pierced by an arrow, or “The two hands of Friendship pierced into one,” as described by Walton. The Vardeman tooth replaces the clasped hands with a rose.



Figures 9 & 10. Clasped hands, pierced through, on PEM and Johnson teeth.



Figures 11 & 12. Top shows Vardeman tooth with rose; bottom shows the base of the “front” of the PEM tooth, with entwined hearts; also the cut base of the tooth with Walton’s signature.

The Johnson tooth has a unique set of portaits of a man and a woman, perhaps the artist and the mysterious Clara. (Stuart M. Frank, in his biography of Walton, says that he might have been married to a woman named Mary Ann.) Because the PEM tooth was so clearly designed to be a presentation to Capt. Creamer, this one may have been intended as a gift as well. It would be interesting to see what is on the bottom of the tooth; like the PEM tooth, it sits on a wooden stand. Hopefully the tooth will emerge from its current whereabouts to tell the rest of its story.

Jonathan Blaney Walton was issued a Seaman's Protection Paper in Providence, RI, on 24 December 1852, and signed articles to go on the bark *Cavalier* as steward for a whaling voyage of 1855-58; beyond that we know little about his life.

What we do know is his work. He was the artist of at least three works of scrimshaw, which he imbued with meaning, and the author of a charming poem, crammed with information about his ideas and with affection for his captain.

His poem includes a mention of both provenance and value in the marketplace, though he would certainly be astonished at the attention being paid to him in this article, and to his work at public auctions 160 years after he sat on shipboard, working his complex images into the surfaces of the teeth.

But now through many hands you've past
You are in J.B. Creamer's care at last.
He says with you, he'll not part to man
While of a Good ship, he has Command.

And why is it, he for you now douth care?
But short time since, you was lost heare and there.
What skilfull hand, in you hath wrought?
A Change so great you cant be bought

Captain Creamer obviously treasured the gift he received from the young Walton. A descendant, Augusta Creamer, preserved the tooth and the manuscript poem by donating them to Peabody Essex Museum in October 1914. The museum is in the process of preparing a new installation that will present the tooth and the poem in an "interpretive station" scheduled to open in September 2019.

ENDNOTE

¹ On the previous voyage, the ship carried fourteen mutineers from the whaleship *Hibernia* of New Bedford, put aboard by the American consul at St. Helena (and a possible source for Walton's raw teeth). On the subsequent voyage in December 1849, the ship sailed to California for the Gold Rush and was sold there, like so many New England ships.

A note on names: When I worked at the PEM thirty years ago and first fell under the spell of young J. B. Walton's evocative work, this tooth was called the "Creamer" tooth, acknowledging the Salem captain for whom it and the poem were made. The museum, appropriately, still calls it that. For the purposes of this article, it didn't make sense to refer to one tooth by a name indicating its recipient and the other two by modern collectors who owned them, so I call it the "PEM" tooth here, for the collection that holds it. It really is the "Creamer tooth" though, as all three are "Walton" teeth. MM

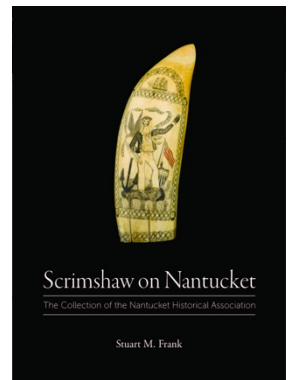
Sources and Acknowledgements: My thanks go first, as always, to Stuart M. Frank. He shared with me the most recent version of his biography of Walton from the unpublished manuscript-in-progress of the *Biographical Dictionary of Scrimshaw Artists* © 2019. Daniel Fenimore and George Schwartz, colleagues and friends in the Marine Department of the Peabody Essex Museum, cheerfully and promptly shared information and a typescript of Walton's poem. Similarly Paul O'Pecko and Dave Caldwell sent me data from the Salem Crew Lists. Information about the career

of the *Caroline Augusta* is from the Salem Ship Registers and from George Putnam's *Salem Vessels and their Voyages* (Salem: Essex Institute, 1924), Vol. I, p. 128 and Vol. II, p. 79. Images and descriptions of auctioned teeth are from Eldred's online catalog at <http://www.eldreds.com/auctions/index/sale/934>; from Sotheby's *Barbara Johnson Whaling Collection: Part II* (New York: September 25, 1982), and from Charles R. Meyer, *Whaling and the Art of Scrimshaw* (NY: 1976).

Mary Malloy taught Maritime History in the Sea Semester program for 25 years and Museum History in the Museum Studies Program at Harvard since 2004. She worked at the Peabody Essex Museum in Salem and is currently an Associate at the Peabody Museum of Archaeology and Ethnology at Harvard.

NHA Scrimshaw on Nantucket Now Available

NANTUCKET, MA—The Nantucket Historical Association (NHA) is pleased to announce the release of *Scrimshaw on Nantucket: The Collection of the Nantucket Historical Association* by Dr. Stuart M. Frank. This beautiful hardcover book features more than 800 scrimshaw artifacts from the NHA's world-class collection, newly photographed in stunning detail by island photographer Jeff Allen. The NHA collection contains about 1,400 examples of scrimshaw.



The NHA is thrilled to have the opportunity to showcase its unique scrimshaw collection. The book is written by Dr. Stuart M. Frank, one of the world's foremost scholars on the subject. "Stuart provides great insight into the extensive and important NHA collection. We believe this publication will be the definitive source for Nantucket scrimshaw for decades to come," states James Russell, Gosnell Executive Director.



1991.101.258. Oval panbone ditty box, with the sides and skirt brightly polychrome-engraved with a house, a barn, a bird, and intricate flower motifs. 2³/₈" x 6" x 5".

Scrimshaw on Nantucket, The Collection of the Nantucket Historical Association is now available on the Museum Shop online store at nha.org and in-store. A limited edition with slipcase is available for \$250 and the regular price is \$65.

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Ivory Legislation Update, *continued from page 1*

lack of clarity, which affects the trade and collecting of antiques including scrimshaw.

However, efforts have been made in states to challenge some existing restrictions that, in the opinion of many in the antiques trade, are injurious to legitimate business interests.

New York State

In August 2019, Porter Wells of Bloomberg Law (pwells@bloomberglaw.com) published an article that provided an important update on a specific challenging lawsuit in New York that illustrated implications of imbalances between federal restrictions on the ivory trade and other far stricter state restrictions.

Wells's article reviewed New York's 2014 highly restrictive ivory ban, which has since been used as model legislation for similar proposed legislation in other states. Although efforts to impose more restrictive covenants on the trade of legitimate antiques containing all or part ivory in other states have failed, restrictive ivory bills similar in scope to New York's have already passed in New Jersey, California, Washington, Oregon, Hawaii, Nevada, New Hampshire, Illinois, and Minnesota.

The 2014 New York law made it illegal to sell, purchase, trade, barter, or otherwise distribute any forms of ivory within state lines. A dealer that trades in ivory in New York without a state-issued permit risks being charged with a felony and significant civil penalties. Even with a permit, stores can't physically display ivory products that aren't authorized for in-state sales.

Wells reviewed the comprehensive federal ban on commercial ivory sales in the U.S. that went into effect in 2016. He highlighted that this 2016 legislation included a "carve-out" for bona fide antiques. But New York's law includes a much more limited set of exceptions than those provided by federal law, allowing exemptions only to antiques that are at least 100 years old and contain less than 20% ivory.

New York-based antique dealers can still sell ivory outside the state, however, provided that they obtain the necessary license from New York and otherwise comply with the federal Endangered Species Act. Not satisfied with these provisions, the Art and Antique Dealers League of America Inc. and the National Antique and Art Dealers Association of America brought a 2018 lawsuit. The suit argued that New York's ivory ban unconstitutionally restricts their commercial speech, alleging that the ban was far more restrictive than the federal statutes that went into force with the Endangered Species Act in the 1970s (and further clarified in 2016). This imbalance fueled the antiques dealers' lawsuit and how it was felt their commercial best interests crossed paths with New York's interest in combating illegally trafficked ivory.

In a 20-page decision following the August 14, 2019, hearing, U.S. District Judge Schofield dismissed a claim by the dealers that the Endangered Species Act pre-empts New York's intrastate rules. Further, Schofield granted New York's motion to dismiss the dealers' lawsuit. Judge Schofield also ruled that although a New York-based antiques dealer can't sell an ivory antique to a fellow New Yorker, it's still legal under federal

law for that dealer to market ivory antiques to out-of-state buyers.

It was judged that the dealers' suit made plausible allegations that the display restriction in the New York law may be unconstitutional as it relates to restricting their ability to conduct lawful sales. Although Judge Schofield denied the state's motion to dismiss the First Amendment claim, she didn't grant the dealers' motion for summary judgment.

The lawsuit further alleged violations of dealers' First Amendment rights, saying New York is not in a position to regulate how dealers display any ivory considered illegal for intrastate sales. To display such merchandise in advertisements, catalogues and online, licensed dealers must post a notice next to the item's picture or description stating, "Cannot be purchased or sold within New York State." Schofield left this claim intact, saying, "The record does not provide a sufficient basis for the court to determine, on summary judgment, whether the Display Restriction 'burden[s] substantially more speech than is necessary to further the government's legitimate interests.'"

So, New York succeeded in dismissing the dealers' claims that the state law was preempted by federal law. "New York's ivory ban only seeks to regulate in-state ivory transfers and federal law has left gaps for states to issue their own regulations in the field of endangered animal products," Schofield said in dismissing those claims.

Following the hearing, Alan Sash, an attorney for the dealers, said he and his clients respect Judge Schofield's decision and are considering their next steps regarding the First Amendment claim.

Minnesota

A bill to prohibit the sale of ivory and rhino horn in Minnesota was signed into law by Governor Tim Walz in May 2019. For more information:

<https://www.humanesociety.org/news/media-statement-governor-walzs-signing-state-law-minnesota-prohibiting-sale-ivory-and-rhino>

Washington State

Two people who allegedly placed online ads to sell elephant ivory carvings were the first to be charged under wildlife trafficking laws passed by Pacific Northwest voters a few years ago. For more information:

<https://www.atg.wa.gov/news/news-releases/attorney-general-ferguson-files-first-ever-charges-under-washington-animal>

How to get updates on pending legislation

1. Go to <https://legiscan.com>.
2. Click on "Search" near the top right corner of the page.
3. When the Search page opens, look at the search box at the left side of the page. Select your state, and enter a search term (e.g., "ivory") in the box entitled "Full Text Search."
4. Click on the Search button below the box.

Summer Scrimshaw Sales, A Sumptuous Feast

Americana Auctions, June 21

by Richard Donnelly

A sumptuous feast of summer scrimshaw sales began with the "appetizer," Americana Auctions sales held on June 21, 2019, at their gallery on Route 44 in Rehoboth, MA. There were about fifty lots of scrimshaw, antique and contemporary, interspersed among a wide selection of nautical and Americana offerings. Eddie Tessier, owner/auctioneer, moved along at a rapid pace, only passing about ten percent of the scrimshaw offerings. The standing-room-only gallery was active, along with a bank of phone bidders, left bids, and two online bidding representatives. There were about fifteen scrimshaw canes selling between \$180 and \$2,000 each (all prices include buyer's premium).



Lot 56, a beefy 7" whale ivory pie crimper, was won by a gallery bidder for \$920 on an estimate of \$2,000-3,000.

Lot 120A, a rather average example of a whalebone and whale ivory swift, sold to a phone bidder for \$1,800 on an estimate of \$2,500-3,500.



Lot 170, a 35.5" cane with a rope-turned whalebone shaft, double-loop whale ivory pommel, and an inlay of baleen and tortoise shell, sold to an online bidder for \$2,000, on an estimate of \$1,600-1,800.

Lot 178B, a nice lot of three bodkins, one each of whale ivory, walrus ivory, and bone, largest 5.5 inches, sold to an online bidder for \$625 on an estimate of \$800-1,200.



Main Course at Eldred's Gimme Shelter

by Andy Jacobson

Two days before the first lot was to appear on the monitors under the striped tent at Eldred's July 25, 2019 Marine Sale, one or more tornados touched down just to the west of East Dennis. There was a 110-mph wind gust in Chatham. Trees and power down, roads blocked, vacationers and locals alike were dazed. Fortunately, power was restored the afternoon before the sale. Things were up and running to a full house by sale time.

We're going to review a few of the "cannot-be-ignored" highpoints and make some comparisons. The remainder is devoted to the headline-missed world of buyer's opportunity.

The sale started with some high-powered material from a variety of sources before moving to the Paul Vardeman and Sam McDowell Collections.



Lot 1 was a previously unrecorded Burdett, signed in script, which descended in the family of Capt. Stephen Porter, master of the whaleship *William Thompson* shown cutting-in on the front of the large 8" tooth. Market-fresh and estimated at \$320-\$380,000, it sold for \$320,000.



Lot 14 was another fresh Burdett that had a family provenance. The 7.75" tooth had the Sag Harbor whaleship *Arabella* engaged with a whale, backed by the homeward-bound *William Tell*. The contrast was sharp and the signature printed. It was estimated at \$150-\$250,000. Bidders were undeterred and it brought \$180,000.

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Lot 7 was the 6.5” signed William A. Gilpin/Ceres Artisan #1 tooth fronted by a hat-waving sailor with a “Free Trade and Sailors Rights” banner and an American eagle perched on his shoulder surrounded by a bevy of patriotic symbols. The back had a three-quarter stern view of a ship under way. Discovered and documented in 2008, the tooth was sold at Sotheby’s New York, Lot 25, on Sept. 26, 2008 for \$98,500. This time around, it blew by all expectations and its \$120- \$160,000 estimate to sell for \$264,000.



Lot 8 was a 35” inlaid, polychrome, coiled snake cane that had a Ralph Esmerian provenance and had been exhibited at the American Museum of Folk Art. The tapered shaft had metal inlaid tassels and a killing lance. Estimated at \$60-\$80,000, it sold for \$78,000. It is related to, if not by, the same hand as one sold by Raphael Osona in Aug. 2017 for \$56,400.

The Paul Vardeman Collection

The Paul Vardeman collection reflected his vision, interest, curiosity, and scholarship. The somewhat familiar monikers for the “Naval Monument Engraver” and The Locket Engraver,” among several others, came from Paul’s research. His most enduring discovery must be the separation of the “Britannia Artist” from Edward Burdett.

A dedicated, multi-decade collector, Paul assembled one of the most delightful and insightful scrimshaw collections. This was done with patience, diligence, and the budget of a normal collector. The dispersal of this collection was a once-in-a-generation opportunity and it provided a chance for all levels of collectors. In the end, that’s what collecting is all about—enjoyment and sharing that pleasure.



Lot 24 was Paul Vardeman’s 7” Naval Monument Engraver tooth polychrome-decorated with a fine rendition of a plate from Abel Bowen’s 1816/1837 book. Its singularity is the opposite side, which is the artist’s only known original work—a cutting-in scene. Estimated at \$60-\$80,000, it sold for \$84,000.

The Sam & Donna McDowell Collection

Once again, another lovingly and patiently acquired collection that reflected its owners somewhat eclectic tastes. There were some “trophies” like the Finney tusks and a Burdett that will be sold in November, but there were plenty of well-chosen offerings where the collectors’ whole vision complemented each piece.

Lot 174 was a 6.5” clenched fist and snake whalebone, baleen-banded fid that was an instant crowd pleaser. Estimated at \$2,000-\$3,500, it sold for \$3,000.



Lot 232 was a polychrome-decorated 6.75” pair of three-quarter bow view ship portraits with Southern Sea whaling titles, signed “J. Robinson.” They are by the same hand as another pair that Eldred’s sold in November 2013 for \$24,780. Estimated at \$18-\$25,000, they brought \$18,000.

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Lot 234 was a large 25.5" signed pair of Nathaniel S. Finney's photo-realistic walrus tusks decorated with multiple vignettes of naked ladies. These were perhaps scandalous even in the wide-open 19th-century Victorian San Francisco. Apparently, those mores linger into the 21st century. The market for even semi-erotic scrimshaw is quite small and that was reflected in the still respectable final price. Perhaps aggressively estimated at \$50-\$100,000, the pair brought \$45,000.

Blinded by the Price

We've been conditioned to view the market through record-breaking, headline-making prices. Those six-figure numbers are disheartening to collectors trying to make mortgage and auto payments. But if you examine the actual sale results, you will discover a different, vastly more reasonable world. Your hard-earned banknotes won't let you take home a Banknote Engraver tooth, but there is plenty to be had for well under \$3,000. The following examples were plucked from Eldred's Marine sale.



Lot 49 Paul Vardeman's swift on an octagonal stand that has an elegant applied whale ivory gallery was a true bargain at \$2,520. At least three other swifts in the sale sold for \$1,200 to \$1,500.

Lot 77 Lyre-form crimper from the Vardeman Collection brought \$1,200. There seems to be a new selectivity in the crimper market that has left the traditional utilitarian models selling for well under \$300 and better examples like the one pictured at more reasonable prices.



Lot 83. Whalebone 5.75" double block and bronze hook \$600. This is another fine example from Paul Vardeman that is in beautiful condition with excellent rope work and a manageable price.



Lot 170. Reticulated 6.75" heart and diamond crimper \$600.



Lot 369 was a panbone 8" diameter basket that sold for \$510. Not the fanciest, but a true utilitarian basket at the most reasonable price in memory.

By Eldred's count there were close to two hundred dedicated scrimshaw lots. This didn't include Inuit or P.O.W. material. Five hundred sixty-three lots crossed the block in a single day. That seemed a lot for the relatively small scrimshaw market and the slightly greater marine markets to absorb. Against clear signs of increasing market selectivity, the vast majority of scrimshaw found new homes. Passed lots in many cases could be attributed to overly optimistic estimates or reserves, condition problems, and the general flukiness of the market.

That the market has been able to absorb and sustain the almost yearly sales of important collections, including Memishian, Mittler, Kobacker, and Vardeman, along with individual blockbuster, single-source material, is quite amazing. The past few years have offered as many market-fresh collections as cropped up in the Barbara Johnson/Cohen Collection 1980s and the Coffin, Gardner, Johnson redux burst in the 1990s. It's reassuring that prices remained solid.

The Feast Continued at Osona

by Andy Jacobson

Rafael Osona stood at the podium in Nantucket's American Legion Hall on August 3, 2019, before a packed house to start his annual Americana and Marine sale.

A prime challenge in this era of reduced attention spans was plowing through 500 lots while holding an audience on a beautiful beach day with the Internet and telephones slowing the pace. The marathon sale began a bit late around 10am and ended near 5pm.

Prices include the buyer's premium; estimates do not.



Lot 9. "Carved and painted Inuit Whale Vertebrae... Gyr Falcon...ca. 1900." This sculptural delight had a 17.5" wingspan and sold for \$7,320 to an Internet bidder. Est. \$1,800-2,200.



Lot 39. A signed 7.75" William Roderick active whaling scene, nice patina and some rubbing near the signature brought \$75,640 against a \$50-\$70,000 estimate.



Lot 47. The Barbara Johnson cane, aggressively estimated at \$30-\$50,000 most likely sold against the reserve to an active bidder in the room for \$32,940.



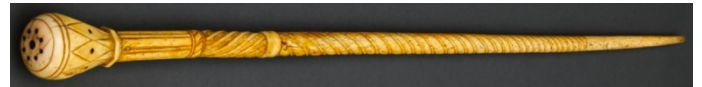
Lot 62. A 33.25" geometric cane extensively inlaid with abalone, mother-of-pearl 5-point stars, diamonds, triangles, circles, and other devices on an exotic tropical wood shaft. Estimated at \$30-\$40,000, it sold for \$23,180 to the buyer of the Barbara Johnson cane.



Lot 83. A 9.75" panbone ditty box with four finely rendered bow-shaped fingers, a mahogany-like top inlaid with a 6-point mother of pearl and abalone star sold for \$6,100 (\$8-\$12,000).



Lot 109. 5" x 7.5" panbone, an active whaling scene, somewhat dark patina, estimated at \$6-\$8,000, sold for \$7,320.



Lot 111. 5-section rope-turned 28.75" seemingly true child's cane with an inlaid knob, brought \$3,050 against a \$4-\$6,000 estimate.



Lot 117. 6.5" inlaid architectural and hand finial crimper that had a deeply fluted wheel sold for \$3,355 against a \$1,400-\$2,200 estimate.



Lot 118. Large 9" open-work diamond and heart cut out example by a very prolific but unidentified hand made \$1,464 against a \$2-\$3,000 estimate.

continued from previous page



Lot 126. 6.25" snake crimper tailing a plain shaft with a fluted wheel sold for \$3,965 against a \$1,500–\$2,500 estimate.



Lot 128. 7.75" polychrome swing-handle basket estimated at \$8–\$12,000 sold for \$8,540.



Lot 170. A 9.5" mahogany and tortoise shell watch tower intricately inlaid with whale ivory and mother-of-pearl geometric devices and decorated with Godey Lady panels and a tintype presumably of the owner's children was estimated at \$5–\$6,000 and sold for \$3,660.



Lot 171. 6" whalebone crimper with tortoise-shell inlays and a deeply fluted wheel was estimated at \$1,200–\$1,550 and brought \$1,220.

Lot 173. 8" open-work panbone swing-handle basket that had a cherry base and a \$5–\$7,000 estimate sold for \$5,490.



Lot 195. 36" fist cane with a knotted collar and a baleen spacer over a fluted to straight shaft was estimated at \$2–\$3,000 and sold for \$2,562.



Lot 246. Highly decorated oval 10" baleen-sewing box, ex-Barbara Johnson, was extensively decorated and for baleen had pretty good contrast. It sold for \$10,980, within its \$8–\$12,000 estimate.



Lot 247 (left). 13 $\frac{1}{8}$ " patriotic busk that had an eagle, shield, a monument, a maiden, and the words "A Gift" in script was estimated at \$2–\$3,000 and sold for \$1,342.

Lot 250 (right). 12.25" polychrome-decorated, heart-topped busk estimated at \$2–\$3,000, sold for \$1,342.

Lot 254. 12.5" intricately turned and inlaid polychrome-decorated spool stand estimated at \$8–\$12,000, sold for \$10,980.





Lot 257. 7.5" sperm whale tooth attributed to William Gilpin, the Ceres Artisan, decorated with a "Hope" portrait within a geometric border beneath a ship under sail and backed by a three-quarter stern view of a double-decked warship under way, was estimated at \$20–\$30,000 and sold for \$18,300.



Lot 261. Assembled, near pair of polychrome-decorated sperm whale teeth attributed to the "Wax Engraver." The teeth varied a bit in size and one was significantly darker. In addition to vignettes of the ship *Columbia*, identified in legend, both are festooned with patriotic motifs: American eagles, flags, and Union shields all highlighted with colored wax. Adding to their charm was an anthropomorphic sun and a balloon. Estimated at \$50–\$60,000, they sold for \$45,750.

The consignor was our late friend, Newbury dealer Paul DeCoste, who passed away on August 20, 2019, after a long illness. Paul was an accomplished, fearless dealer who never lost the kid-on-Christmas-morning thrill of discovery or the joy of sharing that revelation.

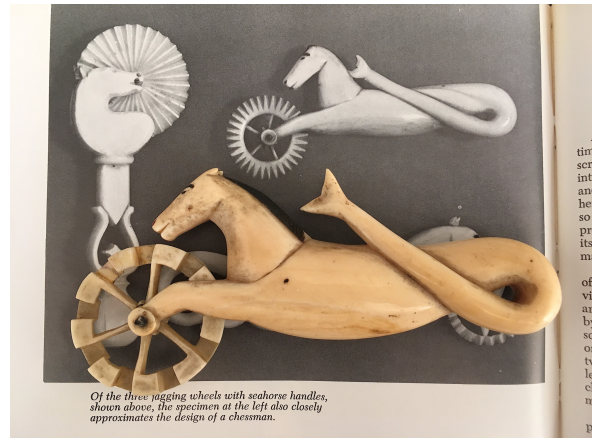
The sale reflected the current market with some strong prices and other trends that seem to indicate a further softening of several categories. The unbroken refrain continued. Buyers paid well for what they desired and the rest fell anywhere from solid to reasonable.

Andy Jacobson is the owner of Andrew Jacobson Marine Antiques in Ipswich, MA, selling a full line of quality marine antiques for more than 40 years. He also provides auction consultation services and qualified appraisals of collections and estates.

Dessert Is Served by Mike Corcoran by Richard Donnelly

Just when we thought the scrimshaw summer feast was over, Gustave J. S. White Co., of Newport, RI, announced that its August 28 auction at the gallery on Route 138 in Portsmouth, RI, would feature the first part of a whaling collection consigned by an unidentified collector from nearby South Dartmouth, MA. The scrimshaw offerings of about three dozen lots included a mix of canes, crimpers, inlaid boxes, two boxed swifts, a handful of teeth, and miscellany. Auctioneer Mike Corcoran was in a selling mood and sold the scrimshaw at a rapid pace, not passing a single lot.

Prices include buyer's premium; no presale estimates were supplied.



Lot 206, a 19th-C. whale ivory hippocanthus pie crimper, was purchased by an astute collector via left bid for \$3,120. This collector had recognized it to be by the same hand as one illustrated on page 188 of Flayderman's *Scrimshaw and Scrimshanders*.



Lot 225, a whalebone pie crimper heavily carved and capped with a hand holding a ball was purchased for \$780 by the same bidder who won the jagging wheel (above).



Lot 331, a cane with whalebone shaft and closed-fist whale ivory pommel, had a crack to the palm of the hand, but the imperfection did not keep it from making \$1,200.

Response to HSUS, *continued*

ASCA does not operate the Nautical Antiques Show. The New Bedford Whaling Museum, an independent non-profit organization where the antiques show was held, has already responded to this expose in written and digital format.

However, many of the dealers and collectors present at the show are current members of ASCA. The Nautical Antiques Show is a prestigious event, held in the highest esteem, well attended and viewed as an event where both dealers and collectors feel confident that items traded there are fully vetted and verified as being authentic and fully within all state and federal restrictions regarding legal sale.

Some ASCA members may have been libeled by the expose, so ASCA has interviewed all dealers cited in the HSUS blog and subsequent ABC News briefs. Each dealer has firmly denied being interviewed as claimed by HSUS and each vehemently denies offering for sale any forms of ivory that are restricted by existing Massachusetts or federal statute.

It is ASCA's position that the New Bedford Whaling Museum and the dealers were defamed to promote an over-zealous animal rights agenda. ASCA agrees with the tenets of nationwide concerns—and legislative efforts—to protect animals that are endangered. We do not think that applying additional layers of restrictions for antiques (100+ years old) does anything to protect species that are today endangered.

It is perfectly legal by federal law to trade legitimately antique elephant ivory; identification of such pieces is not a difficult procedure. Regardless, there is no legal requirement to provide a paper provenance for a piece to a potential buyer.

In ASCA's view, the timing of the HSUS blog and the ABC News coverage of it was no coincidence. Rather, it was a brazen attempt to unfairly influence and broaden the scope of the proposed ivory ban legislation in Massachusetts to negatively affect the collection of legitimate marine mammal antiques.

There have been numerous attempts to pass ivory restriction legislation in the Commonwealth of Massachusetts that provides no exemptions for legitimate and lawfully acquired antiques that contain all or parts of bone and ivory from marine mammals (whale, walrus, etc.). This argument has been brought to the state legislature three times since 2014; each time, bills have not passed because of the failure of each bill to include specific clauses that provide exemptions for legitimate antiques containing marine mammal artifacts that reside in personal and museum collections.

Upon the failure of the last bills, the Massachusetts legislature welcomed a revised bill that focused on the protection of species currently endangered through unscrupulous poaching of elephants and rhinoceros. These bills, originally crafted to address these threats, remain pending. In ASCA's view, the HSUS blog and subsequent ABC coverage of its claims are an attempt to broaden the scope of the legislation, which could have serious negative impact on the collections of legitimate marine mammal antiques.

To date, the Massachusetts legislature has successfully achieved middle ground, providing ample opportunity for the protection of endangered species and priceless collections of lawful and legitimate antiques. To ASCA's best knowledge, many Massachusetts legislators, while being unwilling to pass bills without exemption for proper and vetted antiques, have nonetheless provided a clear path for parties to present bills that are strictly linked to the issue of eliminating poaching of elephants and rhinoceros and any other currently endangered species.

ASCA herein states that no one within its ranks wants to see elephants, rhinoceros, or any other endangered species be further threatened. The exposes referred to herein seem to be yet another effort to overzealously solve a perceived problem in Massachusetts that may not exist. To spread the reach of currently pending legislation into areas that may not protect a single elephant or rhinoceros will only endanger the interpretation of our region's unique history.

ASCA points attention to recent legislative efforts in Connecticut, where legislators have pulled together representatives of both ivory ban bill sponsors and the legitimate antiques trade. Both sides have agreed to work together to craft legislation that achieves the goals of both parties.

To our knowledge, each time ivory ban bills have been concluded in Massachusetts, it has been noted that the Federal Endangered Species Act of 1973 has been largely followed in Massachusetts and elsewhere and that its restrictions provide ample protection for marine mammals. Although such bills may provide some with a sense of protecting innocent animals, restricting the trade of legitimate antiques accomplishes nothing because it has no impact on protecting today's—or even tomorrow's—endangered species.

ASCA is fully behind protective measures that may have a positive impact on further restricting the poaching of elephants and rhinoceros. None of us wishes harm to endangered animals. We believe all legitimate antiques dealers and collectors should work tirelessly to comply with federal and state regulations.

NOTICE: We are now accepting advertising in order to defray costs and to continue to produce and mail printed issues of the *Scrimshaw Observer*.

Advertising Rates

Full page	\$400	Half page	\$225
Quarter page	\$120	Eighth page	\$ 70
ASCA members receive a 25% discount.			

Content: Ads can be for auctions, antique dealers, and collectors buying or selling antique scrimshaw, appraisal services, repair services, auctions, shows, or seminars.

Advertising dimensions and specification are available on request. Ad deadlines will be 30 days prior to publication date. Payment by check is due with ad submission.



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