

Oct. 3
1957.

Mr. Robert F. Shostal,
545 Fifth Ave.,
New York 17, N.Y.

Dear Mr. Shostal:-

It is a long time since I sent you the 8x10 transparency of the Christmas Wreath. Suddenly something has come up, and in connection with this, and I do need your advice. I made this picture as a commission from a Mrs. Peabody of this city. She is a wealthy lady who is an avid gardener and she likes large transparencies. She usually calls me once a year to do something of her garden. She selects one from the four or five I make, and my fee has been \$50. I have asked and received her permission to sell any other transparencies she does not take. This was the case the 5x7 flower picture you sold last year. She wasnt interested in it, and I made it because the subject appealed to me. I showed it to her and she did not want it.

Two days ago, she called me to come to do something at once. It meant telephoning to Los Angeles for fresh film, and I made the transparencies yesterday, but as yet have not processed them. While I was working she informed me she was going to send it to a magazine for a cover. I asked her where and what magazine and she wouldnt tell me. It also developed that a friend of hers for whom she commissioned me to make an 8x10 of her garden, might have sent hers somewhere, she wasnt sure, or that she had had duplicates made without my knowledge. Then I discovered that she has sent the Christmas Wreath trans-

parenity east. I think to TOWN & COUNTRY.
She is all bent on having her garden on a
magazine cover. This could, should she make
a sale, somewhat cut the price on the one you
have for they are similar though not exact.
Just where this leaves me, I don't quite know.
What are her rights and what are mine? I
suppose one should have some sort of contract
for such a situation, where by any magazine
sale would at least bring me in something.

I am stalling on the processing of this
last order, and wait to hear from you before
I deliver anything more. One makes a very
small profit on one sale of this kind. Unless
I find other jobs requiring 8x10, or do
other things with the balance of the box of
film, and this whole procedure seems to
me highly unethical. I do believe that some
one else has put this lady up to it, and my
relationship to her has been on a friendly
basis.

I do want you to know that she has sent
out a similar Christmas wreath, and I want
to protect you as well as myself.

Very truly yours,

June 15-57

Christus deoatem 4x5

landscape

4x5

road in woods.