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July 6, 1940

Mr. David A. Smart
Esquire
919 N. Michigan Ave.
Chicago, Ill.

Dear Mr. Smart:

As I have not heard from you since our phone talk in Chicago early in June when you said you would get in touch with me in New York, I have taken the time to go carefully over the history of Mrs. Dorr's contacts photographically with you and wish to put conclusions before you.

Re: Order for 20 pictures @ $50.00 each - with $1000.00 paid.

As you had already bought and published a large number of pictures from her with no question raised of releases and did not raise the question in placing the order for the twenty, it would seem to me there was no obligation on her part to furnish releases as part of her order from you. The release sent her to be signed by her models was condemned as outrageous by her attorney who has worked many years with moving picture companies. She did, however, send you a general release signed by herself and drawn by her attorney, which he advises protects you fully.

Re: The movie undertaking.

You will remember its origin, your enthusiastic statement of the sixty thousand spent on a studio and your plan to use it for original and artistic experimentation regardless of the box office.

I recall questioning you as to what you would get out of it and you claimed the satisfaction of the discovery of an artiste would repay you.

You wrote me on January 9th:

"Of course I'd be perfectly willing to pay the actual expense of her trip to Chicago and back. And I believe if results justify my claim that Mrs. Dorr has marked producing and directing ability, we can then work out a plan whereby she could participate from a profit standpoint in one or more ways. In other words, there's nothing to lose. I personally am taking the complete experimental gamble, and I'm sure in the meantime that Mrs. Dorr would really enjoy trying her hand at the experiment.

"Of course she could live at my house, where she would have all conveniences and I'd see to it that she definitely did not overwork or spend too long a period at one time in the studio."

To date you have not asked for, nor has she sent her expense account.

I regret to say that from what I can learn from Mrs. Dorr and her diary, as well as from Betty and the Graffs, who wrote me their comment on your letter to me of April 8th, your promise not to overwork her was not kept, and she was pushed for results under a pressure that seemed to me inhuman.

I have had contact with large sums spent on experimental work in other fields and I must say I was aghast at the reports I received as well as Mrs. Dorr's complete exhaustion on her return.

The expenditures that you made of fifteen hundred dollars seem to me trivial for a man of your stature as they would be for me for any kind of new experimental work.

I am not inclined to post mortems by mail, but I feel that when you come over to New York I should be glad to take time to go over the memos and correspondence I have with you, for I hate to feel that an enterprise undertaken with so much enthusiasm and high hopes by all should be productive of grief. Mrs. Dorr is not entirely recovered yet from the eyestrain left by that last week of nigh tension. With a world calamity hanging over us we cannot give smaller things too much weight but must credit all with sincerity.

I hope to see you soon.

Sincerely,

JVND:SJA