July 15, 1940

My agreement with Mr. Smart was:

1. To come to Chicago, use Mr. Smart's studio and staff to make a purely experimental movie along cultural lines, the entire handling of which was to be in my hands, in his words "to show what I would do with a movie."

   What actually happened:

   We were allowed one test to cover everything, color, lighting, set, action, make-up and sound. Considering that the studio, lights, staff and all ideas were new, the results were highly promising showing only three minor problems:

   a. The back-drop was improperly lighted;
   b. The footlights were in evidence; and
   c. The scenes were too dark.

   We were allowed no more experimenting. We were allowed four days to shoot the entire picture. We were allowed no opportunity for retakes. We were allowed no opportunity to see any rushes of our work as it progressed or until the work was entirely finished and set cleared. We were not allowed the most ordinary studio proceedure, to say nothing of experimentation.

2. To make a movie suitable for showing in movies houses and to interest Hollywood producers - see letter of January 22nd. The understanding was to use 32 mm. film, no other size was even mentioned.

   What actually happened:

   When I got there I found that camera and set-up was for 16 mm. film - or home-movie size film.

   I was so shocked at this that I offered to put $1,000 into the picture if we could rent or use regular size film. Mrs. Lehman also offered to put in $1,000, saying that she personally knew that no matter how good a film was no producer would take it seriously on that size film - or even look at it.

3. That all ~~expenses~~ fares were to be paid by Mr. Smart.

   What actually happened:

   None were
   ~~Nothing was~~ paid.

5. That he, "personally" would see to it that I did not over-do.

What actually happened:

By placing the preposterous time limit on us we were obliged to work at terrific tension day and far into the night.

We were obliged also to cut from the original film which had to be run through the small machine, instead of the working print generally allowed.

Results were severe eye strain and exhaustion.

4. I was to furnish my services without money consideration. I agreed to keep my part of the production cost within reason.

What actually happened:

I received not even expense money.

The Graffs - no pay.

The set was designed to require a load of sand and a few leaves of grass. There were no scenario rights. There were no music rights. There were no secretaries or assistants.

The group was paid a minimum of wages for four days.

The colored film was his idea.

The lights, camera man, light man were his choosing.

The location of the studio and its problems of food and commuting also were of his making.

6. To develop a new dance form for the movies to be known as a "Dance Symphony." It was to feature the modern and classic dance with musical accompaniment.

What actually happened:

No time nor opportunity was allowed for the experimentation and work necessary for this to be even partly worked out.

The music was never recorded nor the picture set to music.

The picture was never finished in the laboratory.

I was allowed exactly one hour to photograph all the titles with a motor waiting outside to take me to the train.

7. That we were to have no thought of Hollywood box office, but to develop a new and cultural approach of our own. That a camera and light man were to be mine to command.

What actually happened:

Hollywood ways were considered all important - experimenting in a new field was not believed in or allowed.

Picture judged as "finished picture" before I had even seen it put together, before music was set or lab work done.

The faults which I, better than anyone else would see and know how to correct, and which any fine worker expects, were considered final.

No money, time or cooperation was allowed for the very necessary blending and working over.

Every part of his agreement with me was broken. The picture as it stands is not the result of experimentation but rather of a marathon race against time.

His verdict in no way reflects the true situation, as the above

Under the above circumstances it is impossible to arrive at a verdict which reflects the true situation, yet Mr. Smart claims to have done so, unqualified from lack of a complete pictorial story

The picture is not ready to be judged by Mr. Smart. The above facts prove his lack of faith in doing creative work.