

## CONDITIONS OF USE FOR THIS PDF

The images contained within this PDF may be used for private study, scholarship, and research only. They may not be published in print, posted on the internet, or exhibited. They may not be donated, sold, or otherwise transferred to another individual or repository without the written permission of The Museum of Modern Art Archives.

When publication is intended, publication-quality images must be obtained from SCALA Group, the Museum's agent for licensing and distribution of images to outside publishers and researchers.

If you wish to quote any of this material in a publication, an application for permission to publish must be submitted to the MoMA Archives. This stipulation also applies to dissertations and theses. All references to materials should cite the archival collection and folder, and acknowledge "The Museum of Modern Art Archives, New York."

Whether publishing an image or quoting text, you are responsible for obtaining any consents or permissions which may be necessary in connection with any use of the archival materials, including, without limitation, any necessary authorizations from the copyright holder thereof or from any individual depicted therein.

In requesting and accepting this reproduction, you are agreeing to indemnify and hold harmless The Museum of Modern Art, its agents and employees against all claims, demands, costs and expenses incurred by copyright infringement or any other legal or regulatory cause of action arising from the use of this material.

### **NOTICE: WARNING CONCERNING COPYRIGHT RESTRICTIONS**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is not to be "used for any purpose other than private study, scholarship, or research." If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (S 1,599,216)

This Clipping From  
NEW YORK, N. Y.  
SUNDAY MIRROR

MAR 15 1959

WRITE US A LETTER

## No Monopoly On 'Modern'

Dear Editor: The press recently reported that the Museum of Modern Art has brought suit to prevent Huntington Hartford, art patron, from using the name Gallery of Modern Art for the museum to be built at Columbus Circle.

The museum charges that the use of so similar a name would "dilute the distinctive quality" of its name and might divert donations. The complaint further states that since the museum's incorporation in 1929, it has spent \$29,490,000 on its varied activities.

Scanning through the Manhattan telephone directory, we find under M's and A's over 450 concerns using the term "modern" and 250 others using "art" as part of their names. There are 12 firms listed with "modern art" as part of their identification.

The cities of Paris, Barcelona, Rio de Janeiro and Sao Paulo have institutions called Museums of Modern Art. Dublin has a "Municipal Gallery of Modern Art."

More than one hundred years ago in the city of Florence there was established the National Gallery of Modern Art. This museum may not have spent \$29 million in its century of activity, but what it has done for the advancement of art is immeasurable and at no time has it ever tried to monopolize the word "modern."

The foregoing facts and figures we believe make the Museum of Modern Art's claim absurd.

—Adolph Block, Editor, National Sculpture Review, N.Y.C.

INTERNATIONAL PRESS-CUTTING BUREAU  
LONDON, W.C.2.

Extract from  
Daily Telegraph, London

22 JAN 1959

## "MODERN ART" Name Starts Lawsuit

A legal dispute over the right to use the term "Modern Art" in naming a museum has broken out between the New York Museum of Modern Art and Mr. Huntington Hartford, a businessman. He is building what he proposes to call the Gallery of Modern Art, to cost £700,000, in Central Park.

In a complaint served on him, the museum claims that the use of so similar a name would "dilute the distinctive quality" of its own title and might divert goodwill and donations. Mr. Hartford said he was astounded and would fight the suit.

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 88,500)

This Clipping From  
DAYTON, OHIO  
JOURNAL HERALD

FEB - 9 1959

## Modern Art — What Is It?

What is modern art? We have been asking one another that question for some time now. It has bothered us because we must name Matisse with his odalisques a modernist although he died in his 80's and has been gone five years now.

A New York City court has had the words "modern art" put up to it for definition. Huntington Hartford is planning to build a \$2 million museum in Columbus Circle and call it the Gallery of Modern Art. The Museum of Modern Art has brought suit against Mr. Hartford on the grounds that "Modern Art" is a distinctive part of its title.

There is no doubt that the Museum of Modern Art has been an earnest exponent of the new in art. For 30 years this museum has been eager to set before the public the worthwhile in "avant garde" painting, drawing and sculpture.

It could be that the court will uphold the Museum of Modern Art. In that case we may have to revise our concept of "modern" and make it a synonym for antique.

INTERNATIONAL PRESS-CUTTING BUREAU  
184, STRAND, LONDON, W.C.2

Extract from  
DAILY EXPRESS, London.

22 JAN 1959

## THIS IS AMERICA

New York, Wednesday

THINGS are looking up. Why, I can remember the days when "modern art" was a dirty word. It still is in some of ye olde curiosity shoppe circles of British art.

But in America—wonder of wonders—it is so much in demand that people are fighting a lawsuit for it.

On one side is the Museum of Modern Art, on the other side wealthy Huntington Hartford, who is hoping to found his own 2,000,000-dollar (£714,000) museum, and call it the Gallery of Modern Art.

The Hartford gallery is planned as part of the exciting new Lincoln Centre of the Arts to be built in New York. The museum, long established and internationally known, has gone to court to prevent the new gallery taking its name.

It claims that the use of the words "modern art" would "dilute the distinctive quality" of its name and divert goodwill and donations from it.

Hartford says he is astounded. "I don't see why one museum should have the entire rights to a descriptive term like 'modern art.'"

AS FAST as U.S. police stamp out old rackets, the crooks find new rackets. Now there is a "rotten egg ring"—and a shipment of 216,000 frozen eggs from Lakeland, Florida, has been seized as "adulterated."

IF Mrs. Alice Conway can down a pint of wine in a Garwood, New Jersey, municipal court and remain sober as a judge—she goes free.

If she gets drunk and incapable she will be declared guilty. This 63-year-old nurse was found behind the wheel of her car last November by a patrolman. Beside her was a gallon jar of sherry, with one pint missing.

Mrs. Conway denies being

drunk. The policeman says she was. And magistrate James T. Leonard has suggested a practical test—on Friday.

Mrs. Conway's flesh is willing. She just hopes the spirit is weak.

MOTORIST Willie Burt, of Courtland, Alabama, had a neat, logical explanation for causing an accident by turning left into the path of an oncoming car yesterday: "I have been turning there for a long time and there never has been another car there before."

IF ancient Greece can boast an infant Hercules, Texas, of course, can boast one better.

A garter snake headed for 15-month-old Timmy Ray as he sat on the ground yesterday outside his Dallas home.

The infant Hercules, in a similar situation, started strangling the creature, if you remember. But Timmy, while his father looked on in terror, gurgled, patted the snake, then bent over and bit it in two.

Timmy was teething, you see.

IN her new guise as author, the legendary genius of striptease, GYPSY ROSE LEE, dropped in to a dinner in Philadelphia to autograph her new autobiography.

But the old reputation survived. Photographers asked her to pose while an orchid was pinned to her garter.

"I'll bet Pearl Buck doesn't have to do this," she said.

Nicholas Tomalin



The Museum of Modern Art Archives, NY

Collection:

PI/COMMS

Series.Folder:

IV.A.12

**THE ORIGINAL  
ROMEIKE  
PRESS CLIPPINGS**330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (1,063,281)

*This Clipping From*  
NEW YORK, N. Y.  
NEWSWEEK

FEB 9 1959

**Petty? Vindictive?**

Does New York's Museum of Modern Art have exclusive rights to the title "Modern Art"? The museum claims that it does, and is now seeking to prevent A&P grocery heir Huntington Hartford from calling his projected \$2 million museum the "Gallery of Modern Art." Charging that Hartford's use of so similar a name would divert good will and good dollars from the museum and would "dilute the distinctive quality" of its long established (30 years) name, the mu-

seum went to the Supreme Court of the state of New York with its complaint late last month.

In rebuttal, Hartford's attorneys said last week they will claim that "all Mr. Hartford is doing in naming his proposed New York building is describing it," and added that the museum's action "seems peevish, petty, even vindictive."

Whatever the names, the main difference between the two institutions will be in their attitude toward abstract art. The Museum of Modern Art has featured such works for years, but Hartford, who detests abstracts, plans to devote his galleries to art which may distort nature, but "only up to the point where communication is cut off." Amused by the bickering, one art-circle wag suggested that Hartford compromise and call his building the "Gallery of Art and Painting"—A&P for short.

Cir. (D 50,717) (\$ 60,533)

*This Clipping From*  
CHARLESTON, S. C.  
NEWS & COURIER

FEB - 2 1959

**Battle Of Museums**

Huntington Hartford, whose family owns the A&P stores, is in the middle of hot war over modern art.

Some months ago Mr. Hartford, who has roots in the South Carolina Lowcountry, decided he would build a Gallery of Modern Art in New York City. He is an enthusiastic supporter of contemporary art.

Mr. Hartford discovered, however, that one museum in this country believes it has a copy-right on modern art. The Museum of Modern Art, located in midtown Manhattan, went to court to protest Mr. Huntington's intended use of the words "Modern Art."

Mr. Hartford doesn't believe that modern art need be impossible to understand. He does not concede that it consists mainly of strange blobs of color, dripping lines or a collection of cubes. He appreciates art that is realistic. The Museum of Modern Art has little use for realism.

The New York court has not ruled whether Mr. Hartford has violated the constitutional rights of the Museum of Modern Art. Who knows these days what may happen? Perhaps the court will say that Mr. Hartford has no right to build a separate but equal gallery of modern art.

**THE ORIGINAL  
ROMEIKE  
PRESS CLIPPINGS**330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 361,379) (\$ 576,176)

*This Clipping From*  
NEW YORK, N. Y.  
HERALD TRIBUNE

JAN 30 1959

**Our Readers Speak****Art: Battle of the 'Moderns'**

To the N. Y. Herald Tribune:

Your editorial of Jan. 24 relating to modern art involves a subject which is far more important than the legal decision which may be reached. For nearly thirty years the Museum of Modern Art has consciously or unconsciously been misleading the public by sponsoring only certain aspects of modern art. The pass-word to 53d Street has been novelty rather than quality, and descriptions such as "photographic," "realistic," "accurate," or "unimaginative" have become derogatory or even derisive. Yet there are hundreds of fine American artists, whose work is worthy of almost any American museum excepting the Museum of Modern Art, who accept such terms as compliments. They are proud to be labeled "old-fashioned" because to them this means that they cannot transgress their principles and that they are opposed to change unless it is a change for the better.

The pretentious and pontifical action of the Museum of Modern Art in trying to prevent Mr. Huntington Hartford from using the title "Gallery of Modern Art" is unworthy of a body which has so often boasted of its own tolerance. Strictly speaking, neither title is entirely correct; the two institutions should complement each other and together they will provide a true Museum of Modern Art. ARTHUR U. NEWTON.  
New York.

**THE ORIGINAL  
ROMEIKE  
PRESS CLIPPINGS**330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (2,036,997)

*This Clipping From*  
TIME MAGAZINE  
NEW YORK, N. Y.

FEB 2 1959

Manhattan's Museum of Modern Art, long a showcase for avant-garde painting and sculpture, slapped a court complaint on outspoken A. & P. Millionheir Huntington Hartford, who once wrote of the modern artist: "Engrossed with evil, [he] has wandered off to some streamlined inferno in which he has burned in effigy the normal people of the earth." Purpose of the complaint: to enjoin Hartford from dubbing his proposed \$2,000,000 museum on Columbus Circle "The Gallery of Modern Art."



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. [D 557,244] [51,189,293]

This Clipping From  
NEW YORK, N. Y.  
TIMES

FEB 1 1959

# MUSEUMS GO TO LAW FOR RIGHT TO A NAME

By ALINE B. SAARINEN

**E**VERY now and then, the art world, a world never too stably poised on its axis, gets shaken by one minor earthquake or another. The most recent rumbling concerns a suit instituted by the Museum of Modern Art against Huntington Hartford, which seeks to restrain the latter from calling his projected two million dollar museum on Columbus Circle "Gallery of Modern Art."

The Museum of Modern Art claims that the use of so similar a name would "dilute the distinctive quality" of the Museum of Modern Art, might divert goodwill and donations from the established museum and would surely confuse the public.

Mr. Hartford, grandson of the founder of the Great Atlantic and Pacific Tea Company (better known as A. & P.), a Broad-

## Two Organizations Dispute the Claim To Use of the Title 'Modern'

way producer, a theatre owner, a model agency head, a garage operator and a self-appointed Messiah dedicated to correcting what he calls the "moral and artistic degeneration in modern art, contemporary theatre and in a general way among the intelligentsia in the U. S. A. and particularly in New York," maintains that the Museum of Modern Art has no restrictive and exclusive claim to the words "modern art" and that these words are descriptive of the kind of art he intends to show in his ten-story building.

Mr. Hartford, a well-heeled protector of both God (one of his pamphlets was entitled "Has God Been Insulted

Here?") and of the public (another diatribe was sarcastically called "the public be damned") maintains there is no possibility of confusion for the public between a Gallery of Modern Art and a Museum of Modern Art.

### Question for Donors

Our own subjective opinion is that donors will not be misled into giving their tax-free donations to the wrong institution, for caution in money matters is one of the attributes of the rich. They are as little likely to buy A. & P. stock when they want Standard Oil stock as they are to give money to an institution whose head maintains that Picasso is responsible for single-handedly "wiping out all the gains that have been in the world of painting for the last 500 years" when they want to give it to one which displays Picasso as a great master of "modern art."

But we do believe that the similarity of the two names will indeed confuse the general public. The words "Gallery" and "Museum" are now used almost interchangeably. A New York Times headline above a story of the current contretemps said "What is a Museum of Modern Art? Two Galleries Fight Over Name." Mr. Hartford a while ago in an interview with a reporter of the same newspaper, explained that "he thought of his new venture in Columbus Circle mostly as a Museum, with a curator in charge. But paintings will be sold in the Gallery" (Italics ours).

The Museum of Modern Art, with its thirty-year record of crusading efforts and its 11,000,000 visitors, has so illustrious a reputation that it attracts vast numbers of out-of-town and foreign visitors. Some of these may, indeed, find themselves by mistake at Columbus Circle. (With the projected Lincoln Center nearby it is a potential new art area). If they are abashed by the difference in Mr. Hartford's version of modern art from what, through the reputation and publications of the established museum, they had been led to expect, they will have the wear and tear of a six-block walk to get re-oriented.

### Old Dispute Revised

What is amusing to most of us in the art world, however, is to see the words "modern art" once again become a hornet's nest. How imprecise, undefined and forever elusive these words are—somewhat like beauty—existent only in the mind of the orator, and, like Alice in Wonderland vocabulary, able to mean what anyone wants them to mean.

For the Communists, "modern art" means "capitalist degeneracy"; for many of our conservative Congressmen it represents "a Communist conspiracy."

And we remember back in 1946 how these seemed to be reprehensible, dirty words to an "Institute" in Boston. That institute felt strongly that the Museum of Modern Art in New York had usurped these words unto itself and invested them exclusively with meaning the kind of art it championed. To the Boston group that art was extreme, experimental and tinged with chicanery. Then, with a great deal of fanfare, an expensive manifesto and maximum righteousness, it proudly changed its name from "Institute of Modern Art" to "Institute of Contemporary Art."

### Critic of the "Modern"

Mr. Hartford has not been reticent about his own views on modern art. He explained to a United Press reporter that "it would cost him nothing" since these were educational and therefore tax deductible expenses, but he did spend an estimated \$25,000 in order to express his views in full page advertisements in six New York newspapers. He suggested that changes should be effectuated at "such intellectual magazines as Harper's, Saturday Review and the Atlantic Monthly" and Art News; that the direction of the Museum of Modern Art be altered; that the New York Times rid itself of drama critic Brooks Atkinson and art critics Stuart Preston and Aline Saarinen; and that the Pulitzer Prize Committee's award to Tennessee Williams was "a public scandal."

### The Opposite View

No matter how many full-page advertisements or privately printed pamphlets Mr. Hartford produces, the fact will still remain that the professionally trained and experienced editors, museum men and critics of these organizations have been—and will undoubtedly continue to be—allied with the fresh, personal, imaginative, forward-looking creative expressions which the public has come to accept as "modern art." How odd that Mr. Hartford should want to risk any contamination from these sources or possible confusion with them!

A suggestion: Mr. Hartford stated that he "accepts the artist's right to distort nature as he sees it, but only up to the point where communication is cut off." Since the arbiter of that point is, presumably, Mr. Hartford, why not call the new gallery "The Huntington Hartford Museum" or Gallery? Is Mr. Hartford reluctant to do this out of modesty or because he fears it might stir the nation-wide tempest of a lawsuit by the Huntington Library and the City of Hartford?



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 203,663) (S 621,792)

This Clipping From  
MINNEAPOLIS, MINN.  
MORNING TRIBUNE

JAN 25 1959

Jan 25

1959

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 158,626) (S 165,404)

This Clipping From  
AKRON, OHIO  
BEACON JOURNAL

JAN 25 1959

## Modern Art Problem Stirs N. Y. Tempers

Special From the New York Times

NEW YORK — Resolving in a squabble between the Museum of Modern Art and with Huntington Hartford may hinge on a decision about what makes art "modern."

Hartford, a Broadway producer, theater owner, model agency head, garage operator and heir to the A&P grocery fortune, wants to name his intended two-million-dollar gallery in Columbus Circle the Gallery of Modern Art.

The museum is seeking an injunction to stop him.

The use of so similar a name, the museum maintains, would "dilute the distinctive quality" of the museum's name and might

divert goodwill and donations from established museums.

Hartford declared last week he was astounded by the museum's decision to take the issue to court.

"I did want to use the term 'modern art,'" he said, "because I believe it's descriptive of what I will have in the museum. I don't see why one museum should have the entire rights to a descriptive term like 'modern art.'"

Hartford has a considerably more conservative idea of "modern art" than the museum.

An outspoken opponent of abstraction in art, Hartford said last week he accepted the artist's right to distort nature as he sees it, but only to the point where communication with the viewer is cut off.

The museum, which has considerably more confidence in the viewer's capacity for communication than does Hartford, has for years exhibited the works of scores of abstract artists.

Elsewhere  
in the  
News

## Battle For Sake Of Art!

IN PALM SPRINGS, CAL., city manager Robert Peterson has suggested that City Council replace with golf carts the three-wheel motorcycles used by police to check parking meters. Peterson claims the carts cost less and are cheaper to maintain...

A court battle is brewing in New York over modern art — the words, not the painting. On one side is the Museum of Modern Art, whose chairman



Hartford Rockefeller

Rockefeller. On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum and name it Gallery of Modern Art. Hartford plans to fight the Museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing." Hartford is an heir to the Great Atlantic & Pacific Tea Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator...

Red carnations have fallen victim to a state economy move in Michigan. For more than 20 years, the speaker and clerk of the Michigan House of Representatives have appeared for their legislative duties each day with fresh carnations (courtesy of the state) affixed to their lapels. No more. "Economy begins at home," said Speaker Don R. Pears in ordering the practice stopped...

Eight men serving life for the \$1,219,000 Brinks' robbery have asked the Massachusetts Supreme Court to reverse their convictions. A 285-page brief filed with the court contends the State failed to corroborate the testimony of Joseph "Specs" O'Keefe, who identified the eight men as his partners in the January 1950 robbery. O'Keefe pleaded guilty and became the State's star witness in the August 1956 trial...



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 361,379) (S 576,176)

*This Clipping From*  
NEW YORK, N. Y.  
HERALD TRIBUNE

JAN 24 1959

### Good Old-Fashioned Modern Art

What is modern art? The question has been around for a long time, and still it has no answer. One man's Matisse is another man's Jackson Pollock. But now the issue is coming to court, and the bar in its wisdom will have a chance to set things straight.

The Museum of Modern Art has brought suit against Huntington Hartford, who is planning to build a \$2,000,000 museum in Columbus Circle and call it the Gallery of Modern Art. The suit seeks to prevent Mr. Hartford from using this name. As New York's pioneer in this field since 1929, the Museum feels that "modern art" is a distinctive part of its title. This certainly is true. In its three decades the Museum has won popularity for countless new forms—in painting, sculpture and such designs as the mobile and the functional chair. Still, Mr. Hartford claims, this doesn't give it sole rights to "a descriptive term."

The problem, of course, lies in the word "modern." It means something different every year. When the visionary pharaoh, Ikhnoton, broke with the past in 1375 B. C. and told his artists to paint life as they saw it, not in the rigid postures which had governed Egyptian sculpture since its earliest origins, that was modern art. The results, as in the famous head of Nefertiti and the elongated busts of the young pharaoh himself, were as alien then as abstract paintings are to many people now, and quite a few Egyptians probably went around

grumbling that art was going to the dogs.

Another problem with the word "modern" is that it is applied to almost everything in American life today. It is the darling of advertisers in this land that prizes novelty above almost every other virtue. The word clings as a label to objects that were new twenty years ago and no longer are. "Modern furniture," for instance, as stores use the phrase, is likely to mean bleached wood and tubular metal, though actually these idioms are so old-fashioned now that no decorator would use them in a modern house.

Perhaps the word for Mr. Hartford's museum—and for the art of our times—is "contemporary." It does not fix a work of art to a specific year, but merely reflects our tastes at the moment, while "modern" art, in every field, ceases to be modern in no time at all. Stravinsky's "Firebird" is half a century old, Picasso is almost as clear as Grandma Moses and Frank Lloyd Wright's modern houses look positively baroque next to the severe buildings of 1959.

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 896,471)

*This Clipping From*  
NEW YORK, N. Y.  
DAILY MIRROR

JAN 23 1959

### What Is 'Modern'?

The Museum of Modern Art is suing Huntington Hartford over use in his projected art museum of the name Gallery of Modern Art. The suit is a good thing; it may do more to bring so-called "modernity" in art out in the open than the recent fire at the museum.

The term "modern," especially in art, has little specific meaning. Art is art, ancient or modern. Hartford is right in identifying the place where art goes off the deep end as the place where "communication (with the viewer) is cut off." He has as much right to his interpretation as the next man.

Herbert Read, the great English art critic, once said, "A renewed contact with tradition may have as much significance in art as any originality in style or technique."

In many ways the pre-historic cave paintings are as "modern" as anything Picasso ever did.

Let's drag this so-called "modern" thing right out where it needs a long-wanted airing.



The Museum of Modern Art Archives, NY

Collection:

PI/COMMS

Series.Folder:

IV.A.12

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

MAMARONECK, N. Y.  
TIMES  
1/22/59

Jan 22

1959

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 456,768) (S 490,174)

This Clipping From  
DETROIT, MICH.  
FREE PRESS

JAN 22 1959

# Names And Faces

## What's in a Name?

Mad about modern art?

The Museum of Modern Art and grocery-chain heir  
Huntington Hartford are in New York. It's the words,  
though, not the painting.

Hartford plans a two-  
million-dollar museum at  
Columbus Circle and plans  
to name it the Gallery of  
Modern Art.

The Museum of Modern  
Art claims in court the  
name proposed by Hart-  
ford is so similar it would  
"dilute the distinctive  
quality" of the museum's name and divert donations.

Hartford is an opponent of abstraction. The Museum  
of Modern Art likes abstractionists.



Hartford

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 30,694)

This Clipping From  
JOURNAL-TIMES  
RACINE, WIS.

JAN 22 1959

# Melee Over Modern Art

## But It's the Words, Not the Pictures

NEW YORK — (AP) — A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain  
heir and art patron who plans to build a \$2 million art  
museum at Columbus Circle and name it Gallery of  
Modern Art.

Hartford said he will fight the museum's suit for an  
injunction against the use of the name "Gallery of Modern  
Art" or any other name which he termed similarly  
"confusing."

Hartford has been served with the complaint. In it,  
the Museum of Modern Art charged that "Gallery of  
Modern Art" is so similar that it would "dilute the dis-  
tinctive quality" of the Museum's name and possibly divert  
good will and donations from the established Museum,  
founded in 1929.

The legal maneuvers are being conducted against a  
backdrop of long-standing controversy about modern art.  
Hartford is in the forefront of opponents to abstraction  
in art.

ford, grocery chain heir and art  
patron who plans to build a two-  
million-dollar art museum at Co-  
lumbus Circle and name it Gal-  
lery of Modern Art.

Hartford said yesterday he will  
fight the museum's suit for an in-  
junction against the use of "Gal-  
lery of Modern Art."

The Museum of Modern Art  
changed that "Gallery of Modern  
Art" is so similar that it would  
"dilute the distinctive quality" of  
the museum's name and possibly  
divert goodwill and donations from  
the established museum, founded  
in 1929.

Hartford is in the forefront of  
opponents to abstraction in art.

The Museum of Modern Art has  
exhibited the works of numerous  
abstract artists over the years.

Hartford is an heir to the Great  
Atlantic & Pacific Tea Co. for-  
tune. He also is a Broadway pro-  
ducer, theater owner, model agen-  
cy head and garage operator.

Cir. (D 16,908)

This Clipping From  
NEW ROCHELLE, N. Y.  
STANDARD-STAR

JAN 22 1959

# Millionaire Interests Scrap Over-Of All Things-Art

NEW YORK (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of  
Modern Art—of which Gov. Nelson  
A. Rockefeller is a patron. During  
a spectacular recent fire he rushed  
into the museum to rescue art ob-  
jects.

On the other is Huntington Hart-  
ford, grocery chain heir and art  
patron who plans to build a two-  
million-dollar art museum at Co-  
lumbus Circle and name it Gal-  
lery of Modern Art.

Hartford said yesterday he will  
fight the museum's suit for an in-  
junction against the use of "Gal-  
lery of Modern Art."

The Museum of Modern Art  
changed that "Gallery of Modern  
Art" is so similar that it would  
"dilute the distinctive quality" of  
the museum's name and possibly  
divert goodwill and donations from  
the established museum, founded  
in 1929.

Hartford is in the forefront of  
opponents to abstraction in art.

The Museum of Modern Art has  
exhibited the works of numerous  
abstract artists over the years.

Hartford is an heir to the Great  
Atlantic & Pacific Tea Co. for-  
tune. He also is a Broadway pro-  
ducer, theater owner, model agen-  
cy head and garage operator.



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 569,290) (Sat. 232,097)

*This Clipping From*  
NEW YORK, N. Y.  
WORLD-TELEGRAM & SUN

JAN 19 1959

## Society Today

JOSEPH X. DEVER, *Society Editor*  
CHARLES VAN RENSSELAER, *Associate*

### *Peter Howard Heads Back to Eternal City*

**ALMANACH DE GOTHAM:** Peter Howard left for Paris over the week end en route eventually to Rome where his party featuring a publicity-seeking Turkish striptease artist a few months ago, made world headlines and resulted in a United States Embassy suggestion that he leave the Eternal City. "I can't hide over here while my friends take the brunt of the blame," said Peter, referring to the five young Roman aristocrats who are charged with taking part in what the prosecutor termed an action against public morals.



Bobo Rockefeller

\* \* \*  
Add Bill Amory and Angela Muennehan, the Munich banker's curvy blonde daughter, to the town's more decorative duets. . . . Ditto Louisiana's languid Marguerite Lamkin, playwright Speed Lamkin's sister, and strapping actor-writer Rory Harrity. . . . Bobo Rockefeller, arriving very late at the elegant cocktail party hosted by Marchese and Marchesa Marsigli at their new Park Ave. quarters on Saturday, explained that police swarmed over her house in the 60s when neighbors reported they heard shots. They rushed



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

in to find it was only little Winnie Jr. playing with a toy gun.

\* \* \*

With Bill and Colette Woods and young financier Christopher Lindsey hosting elaborate dances at their respective Park Ave. apartments, Saturday night had an aura of New Year's revelry about it. Between them they entertained



Mrs. Owen R. Cheatham (left) and Mrs. Arthur Alexander Knapp discuss plans for the Feb. 10 dinner dance at the Plaza to benefit the Assn. for the Help of Retarded Children. Mrs. Cheatham is chairman of the committee.

most of fashionable New York. Many attended both festivities. During a lull in the dancing at the Lindsey soiree, a magician, fortunately concentrating on the men, removed everything from dollar bills in pockets to one startled chap's dress shirt.

\* \* \*

Debonair paper heir Mike Butler would feel right at home in Cuba these days with those luxuriant chin whiskers he's sporting. His fair Robin won't recognize him when she gets back from her modeling stint in Paris and Rome. . . . After three furious rounds with light-heavyweight champ Archie Moore the other day at Stillman's Gym, amateur boxer George Plimpton emerged with nothing worse than a slightly dented but still patrician proboscis. Fearless George, who is doing a magazine series on how it feels to pitch to Mickey Mantle, play golf against Sammy Snead, etc., took on the champ before 200 socialite spectators, one of whom described his fighting style as "a cross between John L. Sullivan and a kangaroo."

\* \* \*

Huntington Hartford of the A&P fortune has asked Salvador Dali to paint the "Discovery of North America" mural for the new Gallery of Modern Art he plans to open next year at Columbus Circle. Edward Stone, the architect of the U.S. pavilion at the Brussels Fair, is busy with the designs. The Museum of Modern Art is reported livid at the closeness of names. . . . When Golden Greek Aristotle Onassis ferried Sir Winston and Lady Churchill to Marrakesh in his personal DC-6 the other day for a bit of Moroccan sunshine, Sir Winston carefully supervised the loading of a bit of extra sparkle—a case of Pol Roger. . . . 11-year-old Nicole LeVien, daughter of newsreel exec Jack LeVien, has just lived a young equestrienne's dream. Every day for the past three weeks, she rode the difficult course at the Cavalry School in Mexico City, along with Gen. Humberto Mariles. Mexico's world-renowned horseman met Nicole at this year's National at the Garden and invited her to pay him a visit.



The Museum of Modern Art Archives, NY

Collection:

PI/COMMS

Series.Folder:

IV.A.12

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 176,580)

This Clipping From  
LOUISVILLE, KY.  
TIMES

JAN 21 1959

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 53,178)

This Clipping From  
ALBANY, N. Y.  
KNICKERBOCKER NEWS

JAN 21 1959

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 36,374)

This Clipping From  
CHESTER, PA.  
TIMES

JAN 21 1959

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 28,567) (S 29,246)

This Clipping From  
POUGHKEEPSIE, N. Y.  
NEW YORKER  
JAN 21 1959

## Art

Domingo Gonzales, a Spanish bullring impresario, says Pablo Picasso has promised to design bull-fight posters for the Gonzales family rings . . . Huntington Hartford, an heir to the A.&P. grocery fortune, does not like modern art. So he proposes to build a "Gallery of Modern Art" in New York. The Museum of Modern Art, however, says that name is too similar to its own and is protesting. The case is in the courts.



Pablo Picasso

## Court Battle Brews Over Modern Art

New York (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a \$2 million art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he would fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert good will and donations from the established museum, founded in 1929.

## Fight Brews Over Art

NEW YORK (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of "Gallery of Modern Art."

The Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the Great Atlantic & Pacific Tea Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator.

## Battle Looms Over 'Modern Art'

NEW YORK — (AP) — A court battle is brewing over modern art — the words, not the painting.

On one side is the Museum of Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus circle and name it Gallery of Modern Art.

HARTFORD SAID yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

THE LEGAL maneuvers are being conducted against a backdrop of long-standing controversy about modern art.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artist over the years.

Hartford is an heir to the Great Atlantic and Pacific Tea Co. fortune. He also is a Broad-

way producer, theater owner, model agency head and garage operator.

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir.(D 396,603) (S 487,213)

This Clipping From  
ST. LOUIS, MO.  
POST-DISPATCH

JAN 21 1959

## BATTLE BREWING OVER TWO WORDS — MODERN ART

NEW YORK, Jan. 21 (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art. On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a \$2,000,000

art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name similarly "confusing."

The Museum of Modern Art charges that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert good will and donations from the mu-

seum established in 1929.

Hartford is in the forefront of opponents to abstraction in art. The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

## Firm Must Change Name

TRENTON, N. J., Mar. 17 (AP).—The New Jersey Supreme Court today ordered the A. & P. Trucking Corp. of West New York to change its name. The court ruled, 6 to 0, that the trucking company's name is too easily confused with the A. & P. trademark of the Great Atlantic & Pacific Tea Co.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 134,751)

This Clipping From  
DES MOINES, IOWA  
TRIBUNE

JAN 21 1959

## Hartford, Museum Tangle Over 'Modern Art' Name

NEW YORK, N. Y. (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art. On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle here and name it "Gallery of Modern Art."



HARTFORD

Hartford said Tuesday he will fight the Museum of Modern Art suit for an injunction against use of the name "Gallery of Modern Art."

The Museum of Modern Art charged that "Gallery of Modern Art" is so similar a name that it would "dilute the distinctive quality" of the museum's name and possibly divert good will and donations from the established institution, founded in 1929.

The legal maneuvers are being conducted against a

backdrop of longstanding controversy about modern art.

Hartford is in the forefront of opponents to abstraction in art. The Museum of Modern Art has exhibited works of numerous abstract artists.

Hartford is an heir to the Great Atlantic & Pacific Tea Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator.

Chairman of the Museum of Modern Art is millionaire Gov. Nelson A. Rockefeller.

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 147,099)

This Clipping From  
PROVIDENCE, R. I.  
BULLETIN

JAN 21 1959

## Battle Brews Over Meaning of 'Modern Art'

New York — (AP) — A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art, whose chairman is millionaire Gov. Nelson A. Rockefeller.

On the other is Huntington

Hartford, grocery chain heir and art patron, who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Mr. Hartford said yesterday he will fight the museum's suit for an injunction against the

## Court Battle Looms Over Art Terms

NEW YORK, JAN. 21—(AP)

—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

HARTFORD said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served

with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive

quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

This Clipping From  
BRIDGEPORT, CONN.  
POST

JAN 21 1959

## BATTLE BREWS OVER ART WORDS

NEW YORK, Jan. 21—(AP) A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar

that it would "dilute the distinctive quality of the museum's name and possibly direct goodwill and donations from the established museum, founded in 1929.

The legal maneuvers are being conducted against a backdrop of long-standing controversy about modern art.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the Great Atlantic & Pacific Tea company fortune.

He also is a Broadway producer, theater owner, model agency head and garage operator.

useum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

The legal maneuvers are being conducted against a backdrop of long-standing controversy about modern art.



The Museum of Modern Art Archives, NY

Collection:

PI/COMMS

Series.Folder:

IV.A.12

Cir. (D 557,244) (S1,189,293)

This Clipping From  
NEW YORK, N. Y.  
TIMES

JAN 21 1959

## What Is a Modern Art Museum? 2 City Galleries Fight for Name

The Museum of Modern Art has gone to court to prevent Huntington Hartford, grocery chain heir and art patron, from using the name Gallery of Modern Art for the \$2,000,000 art museum he is planning to build at 2 Columbus Circle.

In a complaint served on Mr. Hartford on Jan. 12, the Museum of Modern Art charged that the use of so similar a name would "dilute the distinctive quality" of the museum's name and might divert goodwill and donations from the established museum.

Mr. Hartford said yesterday that he was "astounded" by the museum's action, and that he would fight the suit.

"I did want to use the term modern art," he said, "because I believe it's descriptive of what I will have in the museum. I don't see why one museum should have the entire rights to a descriptive term like 'modern art.'"

The museum's action seeks an injunction against the use of the name "Gallery of Modern Art or any other name" similarly "confusing."

Mr. Hartford's attorneys, Strock & Strock & Lavan, said that they have not yet offered a reply to the suit. Winthrop, Stimson, Putnam &

Roberts are the attorneys for the Museum of Modern Art.

The museum's complaint describes at length the institution's history and service to the community. Since its incorporation in 1929, the complaint states, the museum has collected more than 1,360 paintings and sculptures that have been visited by nearly 11,000,000 people. It has spent \$29,490,000 on its varied activities.

In the background of the lawsuit and Mr. Hartford's plans to build an art gallery of white marble there exists a long-simmering controversy over modern art.

Mr. Hartford, a Broadway producer, theatre owner, model agency head, garage operator and an heir to the Great Atlantic & Pacific Tea Company fortune, is a leading figure among those who oppose abstraction in art. He said yesterday that he would accept the artist's right to distort nature as he [the artist] sees it, but only up to the point at which communication is cut off.

The Museum of Modern Art is regarded as putting in a more avant-garde place the point at which communication between artist and viewer ceases to exist. The museum has exhibited over the years the work of scores of abstract artists.

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 42,535) (S 30,679)

This Clipping From  
LOWELL, MASS.  
SUN

JAN 21 1959

## Today's Cultural Corner

**NEW YORK**—The Museum of Modern Art has asked the court for an injunction against Huntington Hartford, who plans to name the \$2,000,000 museum he is going to build the "Gallery of Modern Art." The Museum contends the similarity of names would deprive it of possible goodwill and donations. Actually the fight goes deeper than semantics. While the Museum of Modern Art has exhibited the works of numerous abstract artists, Hartford is a leader of the foes of abstraction in art.

PORT CHESTER, N. Y.  
ITEM  
1/21/59

## Millionaire Interests Scrap Over-Of All Things—Art

**NEW YORK** (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art—of which Gov. Nelson A. Rockefeller is a patron. During a spectacular recent fire he rushed into the museum to rescue art objects.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of "Gallery of Modern Art."

The Museum of Modern Art changed that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of

the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the Great Atlantic & Pacific Tea Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator.

Cir. (D 68,151) (S 74,080)

This Clipping From  
CANTON, OHIO  
REPOSITORY

JAN 21 1959

## Abstract Art's Foe To Fight It Out in Courts

**NEW YORK (AP)**—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said Tuesday he will fight the museum's suit for an injunction against the use of "Gal-

lery of Modern Art."

The Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the Great Atlantic & Pacific Tea Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator.



The Museum of Modern Art Archives, NY

Collection:  
PI/COMMSSeries.Folder:  
IV.A.12**THE ORIGINAL  
ROMEIKE  
PRESS CLIPPINGS**330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. [D 408,150] [S 271,019]

This Clipping From  
NEW YORK, N. Y.  
POST

JAN 21 1959

**Museum Says  
'Modern Art'  
Is Its Alone**

Huntington Hartford's plan for a museum may be art, but is it legal?

The question comes from the Museum of Modern Art, which is taking legal action to prevent the grocery chain (A &amp; P) heir from calling his new museum the Gallery of Modern Art.

The objection is the use of the words "modern art" on the \$2,000,000 building scheduled for Lincoln Sq.

Hartford said yesterday that he had as much right to modern art—and to those words—as anybody and would fight the suit.

**THE ORIGINAL  
ROMEIKE  
PRESS CLIPPINGS**330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. [D 569,290] [Sat. 232,097]

This Clipping From  
NEW YORK, N. Y.  
WORLD-TELEGRAM & SUN

JAN 21 1959

**A&P Heir Sued  
Over Art Gallery**

A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a \$2 million museum at Columbus Circle and name it Gallery of Modern Art.

Mr. Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name Gallery of Modern Art.

Mr. Hartford has been served with the complaint. In it, the Museum of Modern Art charged that Gallery of Modern Art is so similar that it would "dilute the distinctive quality" of the museum's name, founded in 1929.

Mr. Hartford is an heir to the Great Atlantic &amp; Pacific Tea Co. fortune.

Cir. [D 29,633]

This Clipping From  
SPRINGFIELD, OHIO  
NEWS

JAN 21 1959

**Court Battle  
Is Brewing Over  
'Modern Art'**

NEW YORK, Jan. 21.—(AP)—A court battle is brewing over modern art—the words, not the painting.

One side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

The legal maneuvers are being conducted against a backdrop of long-standing controversy about modern art.

Hartford is in the forefront of opponents to abstraction in art. The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the great Atlantic &amp; Pacific Tea Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator.

**THE ORIGINAL  
ROMEIKE  
PRESS CLIPPINGS**330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. [D 49,702] [S 49,766]

This Clipping From  
SAGINAW, MICH.  
NEWS

JAN 21 1959

**'Modern Art'  
Name Usage  
Crux Of Row**

NEW YORK — (AP) — A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a \$2 million art museum at Columbus Circle and name it the Gallery Of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery Of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum Of Modern Art charged that "Gallery Of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert good will and donations from the established museum, founded in 1929.

The legal maneuvers are being conducted against a backdrop of long-standing controversy about modern art.

Hartford is in the forefront of opponents to abstraction in art.

The Museum Of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the Great Atlantic &amp; Pacific Tea Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator.

**THE ORIGINAL  
ROMEIKE  
PRESS CLIPPINGS**220 W. 19th St., NEW YORK 11, N.Y.  
Tel. CHelsea 3-8860

Cir. [D 159,679]

This Clipping From  
INDIANAPOLIS, IND.  
NEWS

JAN 21 1959

**PEOPLE IN THE NEWS****What's Modern  
Art? Court to Rule**

By DWIGHT SCANTLAND

A court battle is brewing over modern art. Not the paintings but the words.

On one side is the New York Museum of Modern Art and on the other HUNTINGTON HARTFORD, A &amp; P grocery chain heir and art patron who plans to build a \$2 million museum to be called Gallery of Modern Art.

The museum filed suit to keep him from using the words "modern art," on grounds they might cause confusion—and divert contributions. In the past, Hartford has been a foe of abstract art and the museum has exhibited numerous examples of it.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 29,985)

This Clipping From  
PLAINFIELD, N. J.  
COURIER-NEWS

JAN 21 1959

## Modern Art Stirs Battle

New York (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he would fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

The legal maneuvers are being conducted against a backdrop of long-standing controversy about modern art.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 38,784)

This Clipping From  
YONKERS, N. Y.  
HERALD-STATESMAN

JAN 21 1959

## BELIEVE IT OR RIPLEY

## 2 Millionaires Fight Over Affairs Of Art

NEW YORK (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art—of which Gov. Nelson A. Rockefeller is a patron. During a spectacular recent fire he rushed into the museum to rescue art objects.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an in-

junction against the use of "Gallery of Modern Art."

The Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the Great Atlantic & Pacific Tea Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator.

Cir. (D 107,304) (S 111,148)

This Clipping From  
SOUTH BEND, IND.  
TRIBUNE

JAN 21 1959

## Words Not Painting Stir Art Fight.

NEW YORK (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum

of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

The legal maneuvers are being conducted against a backdrop of long-standing controversy about modern art.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of nu-

merous abstract artists over the years.

Hartford is an heir to the Great Atlantic & Pacific Tea Co. fortune.

## Millionaire Interests Scrap Over - - of All Things - - Art

NEW YORK (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art—of which Gov. Nelson Rockefeller is a patron. During a spectacular recent fire he rushed into the museum to rescue art ob-

jects. On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of "Gallery of Modern Art."

The Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the Great Atlantic & Pacific Tea Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator.



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

This Clipping From  
*Suffolk County Journal*  
1-21-59

### Art Museum And Millionaire In Hassle Over Name

NEW YORK (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

#### To Build Museum

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said Tuesday he will fight the museum's suit for an injunction against the use of "Gallery of Modern Art."

The Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

#### Heir To Fortune

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the Great Atlantic & Pacific Tea Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator.

Cir. (6,936)

This Clipping From  
WILMINGTON, N. C.

POST  
JAN 21 1959

### Art Leaders Argue: What's In A Name?

NEW YORK (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said Tuesday he will fight the museum's suit for an injunction against the use of "Gallery of Modern Art."

The Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 208,264) (S 262,906)

This Clipping From  
MEMPHIS, TENN.  
COMMERCIAL APPEAL

JAN 22 1959

### Art Definition Sets Off Fight Of Big Museums

NEW YORK, Jan. 21.—(AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said Tuesday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum founded in 1929.

The legal maneuvers are being conducted against a backdrop of longstanding controversy about modern art.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the great Atlantic & Pacific Tea Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator.



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

January 21  
1959

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (SM 19,000)

This Clipping From  
ARTS MAGAZINE  
NEW YORK, N. Y.

MAY - 1959

**The Modern versus Huntington Hartford**

To the Editor:

Here in England, the controversy between the Museum of Modern Art and Mr. Huntington Hartford has provoked considerable astonishment, and even some anxiety.

It is a well-known fact that Mr. Hartford's new project, the Gallery of Modern Art, is to house a collection based on a totally different conception from that of the already established Museum of Modern Art.

Surely the words "Modern Art" cannot be considered a registered name by one institution, for if so, the whole basis of freedom of expression must fall to the ground. Moreover, Mr. Hartford's well-known opposition to abstract art must preclude any serious collector from making an error in naming a proposed benefaction.

Finally, it would appear that the Trustees of the Museum of Modern Art can only harm their own future in attempting a groundless opposition to what must be a very welcome addition to the culture of your great city. It is therefore to be hoped that the Gallery of Modern Art be allowed to exist under the democratic principles which are the foundation of your Constitution.

PHILIP M. LASKI  
London, England



The Museum of Modern Art Archives, NY	Collection: PI/COMMS Series, Folder: IV.A.12
---------------------------------------	---

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Clr. (D 185,343)

*This Clipping From*  
NEW YORK, N. Y.  
Morning Wall St. Journal

JAN 22 1959

## Confusion in Modern Art

New York City's Museum of Modern Art has served some papers on Mr. Huntington Hartford in an effort to prevent him from naming a museum he plans to build the "Gallery of Modern Art." The similarity of names would be much too confusing, the Museum says.

Mr. Hartford, patron of the arts, plans to put \$2 million into his building as well as all kinds of modern art except some types of abstract art. Just like any A. and P. patron, Mr. Hartford wants to know what's in the package. It's okay, for example, for an artist to distort nature somewhat, but when communication ceases because the viewer doesn't know what nature has been distorted, the artist can go hang his picture some other place, like Washington Square.

Or in the Museum of Modern Art, maybe. The Museum takes a broader slant at modern art than the three-dimensional use of paint, plaster and stone most people are used to. So long as the work is interesting, an abstract

artist can work in no dimensions at all or maybe eight or nine as well as in flashing lights and feathers, for all the Museum cares.

Well, we don't quite understand what the fight over the name is all about, but then that may be because we don't really understand what the name's all about, either. People have been quarrelling for a long time over what "modern" means and for even longer over what constitutes "art." We question whether anyone has a right to appropriate those terms and to deny them to somebody else just because someone might become confused.

As for the true enthusiasts of modern art, there ought to be room for both a museum and a gallery; the devotees would know which is which and where they are without any trouble. As for us, we're all for progress and so we're delighted to see a second establishment dedicated to up-to-date aesthetics. Even though the effect is likely to make us twice as confused as ever about modern art.

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Clr. (D 134,218)

*This Clipping From*  
CHICAGO, ILL.  
WALL ST. JOURNAL

JAN 22 1959

## Confusion in Modern Art

New York City's Museum of Modern Art has served some papers on Mr. Huntington Hartford in an effort to prevent him from naming a museum he plans to build the "Gallery of Modern Art." The similarity of names would be much too confusing, the Museum says.

Mr. Hartford, patron of the arts, plans to put \$2 million into his building as well as all kinds of modern art except some types of abstract art. Just like any A. and P. patron, Mr. Hartford wants to know what's in the package. It's okay, for example, for an artist to distort nature somewhat, but when communication ceases because the viewer doesn't know what nature has been distorted, the artist can go hang his picture some other place, like Washington Square.

Or in the Museum of Modern Art, maybe. The Museum takes a broader slant at modern art than the three-dimensional use of paint, plaster and stone most people are used to. So long as the work is interesting, an abstract

artist can work in no dimensions at all or maybe eight or nine as well as in flashing lights and feathers, for all the Museum cares.

Well, we don't quite understand what the fight over the name is all about, but then that may be because we don't really understand what the name's all about, either. People have been quarrelling for a long time over what "modern" means and for even longer over what constitutes "art." We question whether anyone has a right to appropriate those terms and to deny them to somebody else just because someone might become confused.

As for the true enthusiasts of modern art, there ought to be room for both a museum and a gallery; the devotees would know which is which and where they are without any trouble. As for us, we're all for progress and so we're delighted to see a second establishment dedicated to up-to-date aesthetics. Even though the effect is likely to make us twice as confused as ever about modern art.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## SPOTLIGHT

### Huntington Hartford

(Continued From Page One)

ever with the theatre. Well-known as an actress, she has starred in such hits as "Sabrina Fair" and "Cat on the Hot Tin Roof."

The Hartfords leave today for New York, where she goes into rehearsal for a new comedy, scheduled to open in March with Richard Krakauer, who did "Affairs of State" as producer.

The couple shares avid interests not only in the theatre but in art. Mrs. Hartford is a painter, has done striking portraits of their children, Cathy and John. The two have been collecting art for five years with the gallery in mind.

Mr. Hartford has made several excursions into the field of motion picture production and playwriting. Last year his dramatization of "Jane Eyre" and "The Master of Thornfield" made headlines, when Erroll Flynn walked out of the title role and, the playwright claimed, his contract.

"I plan to sue him," Mr. Hartford remarked.

With Eric Portman in the lead, "The Master of Thornfield" played six weeks on Broadway with mixed reviews. The author expressed pleasure in garnering favorable notices from three of the major critics.

His next literary effort will center on a subject unusual for a man too young to have read "Indian Love Lyrics" when the first came out in the World War I era.

He proposes to do a biography and then a motion picture on the life of the poet, Lawrence Hope, pseudonym for the woman who wrote the lyric poems that were considered very daring for their era. He feels her story has vast potentialities.

And as if these weren't enough interests for one man, he has the Huntington Hartford Foundation in California, sanctuary for such men as Van Wyck Brooks and Max Eastman, who have spent time and written there; and he is the backer of the Handwriting Institute in New York that encourages research and exchange of ideas in graphology, concentrating now on the relationship between handwriting and certain diseases.

This coming Friday, the Hartfords are slated to appear on Edward R. Murrow's "Person to Person" program. Miss Steele will remain North for rehearsals, but he plans to return to Palm Beach in a few weeks.

(Ed. Note: This is another in a series of interviews designed to acquaint the community better with Palm Beachers who are also prominently identified with the National scene.)

## SPOTLIGHT on PALM BEACH

### HUNTINGTON HARTFORD: Patron of the Arts

By EMILIE KEYES  
FEATURE EDITOR

At first glance, one has the impression that Huntington Hartford II, like the White Knight of "Wonderland" fame, jumps on a horse and starts off in every direction at once.

After prolonged conversation with the gentleman, one realizes that the bewilderingly large number of business and cultural interests under his aegis have something of a common denominator.

Here is a rider with his hand on the bridle that might well bear the name "interest in the creative, whether it be in business or the arts."

Hunt Hartford, scion of the A. and P. Tea Company family, holds the theory that if you inherit money, you have no right to sit idle.

Even when spending a few weeks during the Winter at his home on El Vedado Way, he's in touch with his varied enterprises. The telephone rings constantly. People come and go in a manner reminiscent of "Grand Hotel." There are typewriters, recording machines, memo pads, sheafs of manuscript on virtually every table.

His business interests are mainly three: The family business; a new type of automatic parking garage to be known as "Speedpark"; and the Oil Shale Corporation, still in the experimental stage, designed to produce oil from shale rock instead of from wells.

He also started the Hartford Agency in New York for both men and women models. As apparently it is so successful it's going chiefly on its own momentum, he didn't bother to include it when summarizing his business interests.

"Both the garage and the oil business are outgrowths of revolutionary, creative ideas," he explained, "and that is why they appeal to me so strongly. There's a tremendous kick to doing something entirely new."

Termed the world's first fully automatic parking garage, "Speedpark" is now being built in association with Otis Elevator Company and Columbia University on 42nd Street near Eighth Avenue in New York. The process of automatic parking was developed by a Romanian, Mihai Alimanestiano, President of the company, of which Mr. Hartford is Chairman of the Board.

He's likewise Chairman of the Board of the Oil Shale Corporation, of which Herbert Linden is President, and Henry Littleton Jr., a Board member.

"At present," Mr. Hartford explained, "we are building a small pilot plant which should be in operation within a month, and which will point up the potentialities of the idea from a commercial standpoint. If successful, our price could compete with oil from the Middle East. The research is being done by the Denver Research Institute of the University of Denver."

Since more than 20 years ago, when as a very young man not long out of Harvard, Hunt Hartford first burst upon the Palm Beach scene with his "Joseph Conrad," smallest square-framed vessel in the world, his name has been associated with many adventures into the world of the arts.

At that time, he talked of taking to the Seven Seas in his sailing vessel, but there were too many interests on land.

Since then his writing interests have been channeled into articles on modern art, motion picture scripts and the theatre.

His crusade against what he holds to be the spurious and the hoax type of trends in modern art, voiced in various magazine articles, will come to a climax with publication of a book on his main theories and with the establishment of his Gallery of Modern Art at Columbus Circle in New York City.



HUNTINGTON HARTFORD II

"The Museum of Modern Art in New York is threatening to sue me over the name of my gallery," he reported the other day at his home, but he indicated no intention of changing it. Edward Stone, architect for the United States' pavilion at the Brussels World Fair, is doing plans for the building, which Mr. Hartford said he hopes to open in 1960.

"I plan to show the best in modern art, which I don't feel has yet been shown," he continued. "There's been too much emphasis on abstract expressionism. I'm not against distortion per se. Such artists as Goya, El Greco, Toulouse-Lautrec used it, but it had a meaning with them."

That he is not opposed to controversial artists, provided they are essentially fine painters, is indicated by his choice of Salvador-Dali to paint "Columbus' Discovery of North America" as a focal point of interest for his new gallery.

Mr. Hartford's theatrical interests are multiple. He owns the Huntington Hartford Theatre in Hollywood, completely renovated from the former Lux Radio Theatre, and opened under his name in 1954. Though he began with the idea of originating plays there, he reports he has found established stars or plays that were successes on Broadway are the best bets.

His marriage in 1949, ten years after his divorce from Mary Lee Epling (now Mrs. Douglas Fairbanks Jr.) to Marjorie Steele brought him in closer contact than

(Continued On Page Three)



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

Feb 9, 1958

## ART

## Man From Montmartre

When chronically alcoholic Maurice Utrillo died after 71 years of assiduous brandy-belted and landscape painting he had never had a major retrospective show, which is the artist's symbol of success. Now, three years after his death, 114 of the Montmartre master's 3,000-odd works have finally made it down the hill to a fashionable quarter, and are to be seen this week on the red velvet walls of the plush Charpentier Gallery.

Raymond Nacenta, the owner of the gallery, decided when Utrillo died that Paris owed the painter such an exhibit, and restricted it to privately owned paintings to "open closed doors to the public." For more than a year Charpentier's experts have been racing around Europe examining private collections.

Utrillo, who was self-taught, painted in a style that was uniquely his own, sometimes mixing plaster with white for a true rendition of Montmartre walls in his predominantly white landscapes of Paris. When painter Kees van Dongen spotted Utrillo on a brilliant day at Cannes, he was surprised that Utrillo had appar-

ently taken up seascapes in preference to his usual Parisian scenes. He drew nearer, and realized his mistake: Utrillo was still painting Montmartre—from a postcard pinned to his easel.

Utrillo's mother, Suzanne Valadon, once defended her son thus: "From postcards, Utrillo creates masterpieces. Others, who think they're creating masterpieces, only manage to make postcards." Last week critics agreed with her. Raymond Marquet of the weekly Arts judged that "his work... may well emerge as the healthiest and truest expression of our troubled century."

## Petty? Vindictive?

Does New York's Museum of Modern Art have exclusive rights to the title "Modern Art"? The museum claims that it does, and is now seeking to prevent A&P grocery heir Huntington Hartford from calling his projected \$2 million museum the "Gallery of Modern Art." Charging that Hartford's use of so similar a name would divert good will and good dollars from the museum and would "dilute the distinctive quality" of its long established (30 years) name, the mu-

seum went to the Supreme Court of the state of New York with its complaint late last month.

In rebuttal, Hartford's attorneys said last week they will claim that "all Mr. Hartford is doing in naming his proposed New York building is describing it," and added that the museum's action "seems peevish, petty, even vindictive."

Whatever the names, the main difference between the two institutions will be in their attitude toward abstract art. The Museum of Modern Art has featured such works for years, but Hartford, who detests abstracts, plans to devote his galleries to art which may distort nature, but "only up to the point where communication is cut off." Amused by the bickering, one art-circle wag suggested that Hartford compromise and call his building the "Gallery of Art and Painting"—A&P for short.

## Anti-Dust Campaign

In the brisk, busy atmosphere of Washington, D.C., forever keyed to government officialdom, one of the leading retreats available for the esthete is a two-story gargyle-guarded stone building a few blocks from the White House. This is the Corcoran Gallery of Art,\* which began celebrating its 100th anniversary last week with two special exhibits: A regular biennial show of new American painting in its own spotless, white-walled, 81-room gallery, and a loan exhibit of 55 of the Corcoran's treasures at Wildenstein's in New York.

The Corcoran campaign for the arts, under the direction of Hermann Warner Williams Jr., is waged on three fronts. In the sedate exhibit halls, its extensive collection of American and European painting hangs above the hushed murmurs of visitors (18,000 a month) and the rustling of catalogue pages. In the north wing, government workers, college students, housewives, and retired military officers attend classes in painting and sculpture in large well-lit rooms, forested with easels and abuzz with talk of art and artists. And in the auditorium, twelve lectures a year (by such speakers as Van Wyck Brooks), eight films (by such masters as Eisenstein), and five concerts (by such performers as pianist Paul Badura-Skoda) stimulate the Corcoran Association members.

"Ten years ago, this was a conservative, smug, dusty place," assistant director Henri Dorra said last week, "but today, we're growing tremendously." Plans for the Corcoran's second century: Continued growth of the collection and school, and a new museum, especially for children.

\*Banker William Corcoran, who personally underwrote a \$23 million loan to the government that paid for most of the Mexican War, founded the gallery to promote interest in American art.



Newsweek—Bob Brower

## Why Ask Silly Questions? They're Just Hats

The filigree objects on display at the conservative F.A.R. Gallery on New York's upper Madison Avenue last week were advertised as "Millinery Mobiles and Stables." Which is to say, hats. "Wire construction," their creator, tall and tweedy Franny Whitney, called them. "You see the same things in museums all the time." The difference, of course, was that these constructions would fit pertly on a female head. Mrs. Whitney's close friend, Alexander Calder, the widely acclaimed designer of mobiles, bubbled: "Most excit-

ing... I wish I'd done them myself."

The hats, which bear such titles as "Guggenheim Museum" and "Flora Dora Sex Tête," are the offbeat artistic expression of a woman who is a veteran designer of bridal millinery. Ten years ago, she started tinkering with wire and bicycle clips, and some of her recent results were modeled at last week's F.A.R. opening by song-and-dance girl Carol Channing (see above).

On sale to fashion-conscious ladies who want to shop at the gallery, the hats could be had for \$60 to \$100.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

Page 1

Summary of press comments - MOMA vs Hartford (as of Feb. 9, 1959)

NY Times, Jan. 21, 1959 (2 col. story). Indicates main purpose of complaint is to restrain HH from using name Gallery of Modern Art because "use of so similar a name would 'dilute the distinctive quality' of the Museum's name and might divert goodwill and donations from the established museum." Hartford makes point that phrase modern art is descriptive and is quoted as saying "I don't see why one museum should have the entire rights to a descriptive term like 'modern art.'"

Story describes MOMA's activities and history, and then says "In the background of the lawsuit and Mr. Hartford's plans to build an art gallery of white marble there exists a long-simmering controversy over modern art." Mr. H. is then identified as a leading figure among those who oppose abstraction in art. "He said yesterday that he could accept the artist's right to distort nature as he (the artist) sees it, but only up to the point at which communication is cut off.

The MOMA is regarded as putting in a more avant-garde place the point at which communication between artist and viewer ceases to exist. The museum has exhibited over the years the work of scores of abstract artists."

NY Post, *date* Museum Says 'Modern Art' is its Alone - and specifies that "The objection is to use of the words 'modern art' on the \$2,000,000 building scheduled for Lincoln Square."

Associated Press dispatch. Major and minor papers across the country carried an AP dispatch, the lead of which was "A court battle is brewing over

more....



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

Page 2

modern art--the words, not the painting." Reason for the suit is given as similar name would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

Complete story, only carried in some papers, went on to say that legal manoeuvres were being conducted against a backdrop of long-standing controversy about modern art.

Following papers used (*locally* written) headlines given below:

St. Louis Post Dispatch - Battle Brewing Over Two Words--Modern Art

NY World Telegram & Sun - A & P Heir Sued Over Art Gallery

Albany NY Knickerbocker News - Court Battle Brews Over Art

Saginaw, Mich. News - 'Modern Art' Name Usage Crux of Row

Des Moines, Iowa, Tribune - Hartford, Museum Tangle Over 'Modern Art' Name

Chester Pa. Times - Fight Brews Over Art

Poughkeepsie, NY New Yorker - Battle Looms Over 'Modern Art'

Plainfield, NJ, Courier-News - Modern Art Stirs Battle

Memphis, Tenn. Commercial Appeal - Art Definition Sets Off Fight of Big Museums

Providence, R.I. Bulletin - Battle Brews Over Meaning of 'Modern Art'

Columbus, Ohio, Dispatch - Court Battle Looms Over Art Term

Bridgeport, Conn. Post - Battle Brews Over Art Words

Indianapolis Ind., News, (columnist story but with AP lead) What's Modern Art? Court to Rule

Detroit, Mich., Free Press, (column, but obviously based on AP dispatch) - What's in a Name?

Akron, Ohio, Beacon Journal, (Column, based on AP dispatch) - Battle For Sake of Art!

more....



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

Page 3.

Editorial Comment

Herald Tribune - Jan. 24, 1959. Thinks the problem lies in the use of the word 'modern' which changes continually throughout history, prefers word contemporary. Friendly but confused edit generally.

Wall Street Journal - Jan. 22, 1959. Says people have been quarreling for long time over what is modern and what is art. "We question whether anyone has a right to appropriate those terms and to deny them to somebody else just because someone might become confused." Conclusion - room for both institutions.

NY Mirror - Jan. 23, 1959, - headed What is 'Modern'?

"Let's drag this so-called 'modern' thing right out where it needs a long-wanted airing."

Letter to the Editor - Herald Tribune, Jan. 30, 1959 - signed Arthur U. Newton,

NY. Accuses MOMA of consciously or unconsciously misleading the public for almost 30 years by "sponsoring only certain aspects of modern art." Calls action "pretentious and pontifical". Conclusion - we need both institutions.

Newsweek Magazine - Feb. 9, 1959 - Head: Petty? Vindictive?. Lead: Does New

York's Museum of Modern Art have exclusive rights to the title "Modern Art"? The museum claims that it does... Quotes Hartford's lawyers as saying our action is "peevish, petty, even vindictive." Mentions abstract art differences, concludes with waggish suggestion - "Gallery of Art and Painting" - 'A & P' for short."

NY TIMES - Sunday, Feb. 1, 1959 - by Aline B. Saarinen. Head: Museums go to law for Right to a Name, sub head: Two Organisations Dispute the Claim more....



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

Page 4

to Use of the Title 'Modern'. Agrees that similarity will be confusing to general public (but not to large donors). Recaps old fight.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

Page 1

Summary of press comments - MOMA vs Hartford (as of Feb. 9, 1959)

NY Times. Jan. 21, 1959 (2 col. story). Indicates main purpose of complaint is to restrain HH from using name Gallery of Modern Art because "use of so similar a name would 'dilute the distinctive quality' of the Museum's name and might divert goodwill and donations from the established museum." Hartford makes point that phrase modern art is descriptive and is quoted as saying "I don't see why one museum should have the entire rights to a descriptive term like 'modern art.'"

Story describes MOMA's activities and history, and then says "In the background of the lawsuit and Mr. Hartford's plans to build an art gallery of white marble there exists a long-simmering controversy over modern art." Mr. H. is then identified as a leading figure among those who oppose abstraction in art. "He said yesterday that he could accept the artist's right to distort nature as he (the artist) sees it, but only up to the point at which communication is cut off."

The MOMA is regarded as putting in a more avant-garde place the point at which communication between artist and viewer ceases to exist. The museum has exhibited over the years the work of scores of abstract artists."

NY Post,

Museum Says 'Modern Art' is its Alone - and specifies that "The objection is to use of the words 'modern art' on the \$2,000,000 building scheduled for Lincoln Square."

Associated Press dispatch. Major and minor papers across the country carried an AP dispatch, the lead of which was "A court battle is brewing over

more....



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

Page 2

Page 3.

modern art--the words, not the painting." Reason for the suit is given as similar name would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

Complete story, only carried in some papers, went on to say that legal manoeuvres were being conducted against a backdrop of long-standing controversy about modern art.

Following papers used (newly written) headlines given below:

St. Louis Post Dispatch - Battle Brewing Over Two Words--Modern Art

NY World Telegram & Sun - A & P Heir Sued Over Art Gallery

Albany NY Knickerbocker News - Court Battle Brews Over Art

Saginaw, Mich. News - 'Modern Art' Name Usage Crux of Row

Des Moines, Iowa, Tribune - Hartford, Museum Tangle Over 'Modern Art' Name

Chester Pa. Times - Fight Brews Over Art

Poughkeepsie, NY New Yorker - Battle Looms Over 'Modern Art'

Plainfield, NJ, Courier-News - Modern Art Stirs Battle

Memphis, Tenn. Commercial Appeal - Art Definition Sets Off Fight of

Providence, R.I. Bulletin - Battle Brews Over Meaning of 'Modern Art'

Columbus, Ohio, Dispatch - Court Battle Looms Over Art Term

Bridgeport, Conn. Post - Battle Brews Over Art Words

Indianapolis Ind., News. (columnist story but with AP lead) What's

Detroit, Mich., Free Press, (column, but obviously based on AP

Akron, Ohio, Beacon Journal. (Column, based on AP dispatch) - Battle

of Art and Painting' - A & P for short."

more....

NY Times - Sunday, Feb. 1, 1959 - by Allan R. Marston. Head: Museum to lay

for Right to a Name. sub head: Two Organizations Dispute the Title



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

Page 3.

Editorial Comment

On Use of the Title 'Modern'. Agrees that similarity will be

Herald Tribune - Jan. 24, 1959. Thinks the problem lies in the use of the word 'Modern' which changes continually throughout history, prefers word contemporary. Friendly but confused edit generally.

Wall Street Journal - Jan. 22, 1959. Says people have been quarreling for long time over what is modern and what is art. "We question whether anyone has a right to appropriate those terms and to deny them to somebody else just because someone might become confused." Conclusion - room for both institutions.

NY Mirror - Jan. 23, 1959. headed What is 'Modern'?

"Let's drag this so-called 'modern' thing right out where it needs a long-wanted airing."

Letter to the Editor - Herald Tribune, Jan. 30, 1959 - signed Arthur U. Newton, NY. Accuses MOMA of consciously or unconsciously misleading the public for almost 30 years by "sponsoring only certain aspects of modern art." Calls action "pretentious and pontifical". Conclusion - we need both institutions.

Newsweek Magazine - Feb. 9, 1959 - Head: Petty? Vindictive?. Lead: Does New York's Museum of Modern Art have exclusive rights to the title 'Modern Art'? The museum claims that it does... Quotes Hartford's lawyers as saying our action is "peevish, petty, even vindictive." Mentions abstract art differences, concludes with waggish suggestion - "Gallery of Art and Painting" - 'A & P' for short."

NY TIMES - Sunday, Feb. 1, 1959 - by Aline B. Saarinen. Head: Museums go to lay for Right to a Name, sub head: Two Organisations Dispute the Claim more....







The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

Page 1

Summary of press comments - MOMA vs Hartford (as of Feb. 9, 1959)

NY Times Jan. 21, 1959 (2 col. story). Indicates main purpose of complaint is to restrain HH from using name Gallery of Modern Art because "use of so similar a name would 'dilute the distinctive quality' of the Museum's name and might divert goodwill and donations from the established museum." Hartford makes point that phrase modern art is descriptive and is quoted as saying "I don't see why one museum should have the entire rights to a descriptive term like 'modern art.'" World Telegram & Sun - A & P Hair Good Over Art Gallery

Story describes MOMA's activities and history, and then says "In the background of the lawsuit and Mr. Hartford's plans to build an art gallery of white marble there exists a long-simmering controversy over modern art." Mr. H. is then identified as a leading figure among those who oppose abstraction in art. "He said yesterday that he could accept the artist's right to distort nature as he (the artist) sees it, but only up to the point at which communication is cut off."

The MOMA is regarded as putting in a more avant-garde place the point at which communication between artist and viewer ceases to exist. The museum has exhibited over the years the work of scores of abstract artists."

NY Post. Museum Says 'Modern Art' is its Alone - and specifies that "The objection is to use of the words 'modern art' on the \$2,000,000 building scheduled for Lincoln Square."

Associated Press dispatch. Major and minor papers across the country carried an AP dispatch, the lead of which was "A court battle is brewing over

more....



The Museum of Modern Art Archives, NY	Collection:	Series/Folder:
	PI/COMMS	IV.A.12

Page 2

Editorial Comment modern art--the words, not the painting." Reason for the suit is given as similar name would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

Complete story, only carried in some papers, went on to say that legal manoeuvres were being conducted against a backdrop of long-standing controversy about modern art.

Following papers used (re-written) headlines given below:

St. Louis Post Dispatch - Battle Brewing Over Two Words--Modern Art

NY World Telegram & Sun - A & P Heir Sued Over Art Gallery

Albany NY Knickerbocker News - Court Battle Brews Over Art

Saginaw, Mich. News - 'Modern Art' Name Usage Crux of Row

Des Moines, Iowa, Tribune - Hartford, Museum Tangle Over 'Modern Art' Name

Chester Pa. Times - Fight Brews Over Art

Poughkeepsie, NY New Yorker - Battle Looms Over 'Modern Art'

Plainfield, NJ, Courier-News - Modern Art Stirs Battle

Memphis, Tenn. Commercial Appeal - Art Definition Sets Off Fight of Big Museums

Providence, R.I. Bulletin - Battle Brews Over Meaning of 'Modern Art'

Columbus, Ohio, Dispatch - Court Battle Looms Over Art Term

Bridgeport, Conn. Post - Battle Brews Over Art Words

Indianapolis Ind., News, (columnist story but with AP lead) What's Modern Art? Court to Rule

Detroit, Mich., Free Press, (column, but obviously based on AP dispatch) - What's in a Name?

Akron, Ohio, Beacon Journal (Column, based on AP dispatch) - Battle For Sake of Art!

more....



The Museum of Modern Art Archives, NY	Collection:	Series/Folder:
	PI/COMMS	IV.A.12

Page 3.  
Page 4

Editorial Comment

to Use of the Title 'Modern'. Agrees that similarity will be  
Herald Tribune - Jan. 24, 1959. Thinks the problem lies in the use of the word  
'Modern' which changes continually throughout history, prefers  
word contemporary. Friendly but confused edit generally.

Wall Street Journal - Jan. 22, 1959. Says people have been quarreling for long  
time over what is modern and what is art. "We question whether  
anyone has a right to appropriate those terms and to deny them  
to somebody else just because someone might become confused."  
Conclusion - room for both institutions.

NY Mirror - Jan. 23, 1959. headed What is 'Modern'?

"Let's drag this so-called 'modern' thing right out where it  
needs a long-wanted airing."

Letter to the Editor - Herald Tribune, Jan. 30, 1959 - signed Arthur U. Newton,

NY. Accuses MOMA of consciously or unconsciously misleading the  
public for almost 30 years by "sponsoring only certain aspects of  
modern art." Calls action "pretentious and pontifical". Conclusion  
- we need both institutions.

Newsweek Magazine - Feb. 9, 1959 - Head: Petty? Vindictive?. Lead: Does New

York's Museum of Modern Art have exclusive rights to the title "Modern  
Art"? The museum claims that it does... Quotes Hartford's lawyers  
as saying our action is "peevish, petty, even vindictive." Mentions  
abstract art differences, concludes with waggish suggestion - "Gallery  
of Art and Painting" - 'A & P' for short."

NY TIMES - Sunday, Feb. 1, 1959 - by Aline B. Saarinen. Head: Museums go to lay  
for Right to a Name. sub head: Two Organisations Dispute the Claim  
more....



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

Page 4

to Use of the Title 'Modern'. Agrees that similarity will be  
confusing to general public (but not to large donors). Recaps old  
fight.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

**AMERICAN TRADE PRESS  
CLIPPING BUREAU**

15 E. 26th ST., NEW YORK 10, N. Y.

Phone LExington 2-5969

*This article was clipped from*

VISION - 27  
60 West 55th St.  
New York, N. Y.

BI-W

FEB 27 '59

**Arte**

**Mecenas versus Museo**

**Una demanda por un nombre**

El arte abstracto sigue dando dolores de cabeza. Y ahora, la cuestión ha llegado hasta los tribunales. En Nueva York, donde el expresionismo abstracto casi se ha convertido en el estilo por antonomasia de Estados Unidos, el ambiente artístico está lleno de especulaciones frente a una demanda presentada ante los tribunales por una institución tan acreditada como lo es el Museo de Arte Moderno de Nueva York.

La demanda del museo está dirigida contra Huntington Hartford, millonario heredero de la fortuna de la cadena de tiendas de comestibles, "A & P", patrocinador de las artes, quien detesta el arte abstracto y a quien la mención del nombre de Picasso basta para ponerle los pelos de punta.

Y todo empezó por una cosa tan sencilla como un nombre. Cuando Hartford anunció que planeaba construir una galería de arte por valor de dos millones de dólares en el mismo corazón de Nueva York, todos aplaudieron

a pesar de que las ideas estéticas de Hartford casi nunca concuerdan con las de los museos.

Pero cuando el millonario hizo saber que su institución se llamaría Galería de Arte Moderno, el Museo de Arte Moderno puso el grito en el cielo y procedió con su demanda.

El museo se quejaba de que el empleo de un nombre tan similar podría "diluir la cualidad distintiva" del nombre del museo; además, como resultado de la semejanza de nombres, tanto el público como los patrocinadores de arte podrían equivocarse y por error hacer sus donaciones a la nueva institución.

Hartford que no tiene pelos en la lengua, declaró inmediatamente que estaba "asombrado" ante la acción tomada por el museo. "Quise usar el término 'arte moderno' porque en mi opinión describe la pintura que se exhibirá en mi galería. No veo cómo una institución pueda tener derechos exclusivos de un término descriptivo como 'arte moderno'."

La controversia acerca del nombre de dos museos es sólo un aspecto de la polémica. En opinión de muchos

conocedores, el problema no radica realmente en la construcción de una galería sino en la lucha entablada personalmente por Hartford en contra de ciertos aspectos del arte contemporáneo.

Hartford, que además de Mecenas de las artes, es productor teatral, dueño de teatros, director de una agencia de modelos, propietario de garages, es una de las figuras más destacadas del grupo que se opone al abstraccionismo en arte, y a muchos otros aspectos del arte contemporáneo.

En su panfleto titulado "¿Al demonio con el público?" Hartford llegó a afirmar con toda seriedad que el "norteamericano corriente puede colocarse a la altura de los críticos" en materia de arte. "Si comprendemos la Biblia, y la Magna Carta y la Declaración de los Derechos, también sabremos mucho acerca de las artes, porque en mi opinión estas últimas están basadas firmemente en los mismos principios, los simples preceptos del bien y el mal y del sentido común".

En otros aspectos, da como razón de que los padres norteamericanos no quieran que sus hijos sean artistas, a que "la profesión de pintor... se ha convertido en una actividad degenerada desde el punto de vista estético, moral y hasta... político". Y califica a Picasso como el artista que por sí solo ha hecho más por "acabar con todos los adelantos que se han obtenido en el mundo de la pintura en los últimos cinco siglos".

**Una opinión:** Una persona como Hartford capaz de expresar sus puntos de vista sin reparos de ninguna especie necesariamente ha de crearse muchos enemigos. Principalmente entre los críticos profesionales que han dedicado toda su vida al estudio de las cuestiones de arte. Uno de ellos, hizo el siguiente comentario acerca de la demanda: "En nuestra opinión, es difícil que los patrocinadores de museos se equivoquen y den su dinero por error a la nueva institución, ya que la cautela es una de las características de los ricos. Pero si opinamos que dos nombres tan parecidos muy bien podrán confundir al público".

Otros comentaristas de la situación respaldaban la actitud del Museo, que en sus treinta años de existencia se ha ganado una reputación envidiable, no sólo en Estados Unidos sino en el mundo entero.

Pero la controversia seguía sin decidirse y Huntington Hartford, en su papel de "guardián mesiánico" —así lo llamó un comentarista— tanto de Dios como del público, se preparaba para una batalla que quizás tendrá repercusiones en el ambiente artístico de todas partes del mundo.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

ROUGH TRANSLATION BY M.G.

#### THE BUSINESS MAN AGAINST THE MUSEUM

##### A Claim for a Name

Abstract art continues having headaches. And now the question has reached the courts. In New York, where abstract expressionism has made its style synonymous with the the United States, the artistic world is full of speculations about a claim presented to the courts by such an accredited institution as the Museum of Modern Art of New York.

The Museum's claim is against Huntington Hartford, millionaire heir of a grocery store fortune, "A & P", patron of the arts, who detests abstract art and the mention of the name Picasso is enough to make him hair stand on end.

And it all began with something as simple as a name. When Hartford announced that he planned to build an art gallery worth two million dollars, in the very heart of New York, everyone applauded in spite of the fact that Hartford's ideas almost never coincide with those of the museums.

But when the millionaire made it known that his institution would be called the Gallery of Modern Art, The Museum of Modern Art sent a cry to the heavens and proceeded with its claim.

The Museum makes it clear that the use of such a similar name would "dilute the distinctive quality" of the Museum's name; besides, as a result of the similarity of names the public as well as the patrons of art may make mistakes and through error make donations to the new ~~MUSEUM~~ institution.

Hartford who is outspoken, immediately declared that he was astonished by the Museum's action. "I wish to use the ending 'modern art' because in my opinion it describes the painting which will be displayed in my gallery. I do not see how one institution is able to have exclusive rights over a descriptive term like



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

"modern art."

The sharp controversy over the Museums' names is only one aspect of the controversy. In the opinion of many of those in the know, the problem is not really rooted in the construction of a gallery, but in Hartford's personal fight against certain aspects of contemporary art.

Hartford who besides being Businessman of the arts, is a theatrical producer, theater "angel", director of a model agency, ~~garage~~ proprietor of garages, is one of the most militant of the group which opposes abstraction in art and many other aspects of contemporary art.

In his pamphlet entitled "The Public be Dammed" Hartford affirmed with all seriousness that "the north American current is able to put itself in the critics highest favor" on the subject of art. "If we understand the Bible and the Magna Carta and the Bill of Rights, then we will know much more about ~~art~~ the arts, because in my opinion these things are firmly based on the ~~very~~ same principals, the simple precepts of good and bad and the common ~~good~~ *feeling*."

In addition, he gives as a reason that North American fathers do not want their sons to be artists the fact that "the painter's profession has been changed into a degenerate activity from the esthetic, moral or even the political point of view. And he qualified Picasso as the artist who through himself, alone, has done more ~~to finish~~ "to make an end of all the advances that have been obtained in the world of painting for the last five centuries."



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

page 2. Vision, Feb. 27, 1959

A Opinion: A person like Hartford ~~xxxxxx~~ capable of expressing his points of view without refraining is liable to make many enemies. Especially among professional critics who have devoted all their lives to the study of art. One of them made the following commentary in reference to the claim: " In our opinion it is difficult to believe that museum patrons would mistakenly give their money to the new institution, cautiousness is one of the qualities of the rich. However, yes, we are of the opinion that two such equal names would confuse the public."

Other commentators on the situation endorse the action of the Museum, which in its thirty years of existence has earned an eviable reputation, not only in the United States bxt in the entire world.

But the controversy continues without being decided and Huntington <sup>H</sup>artford in his role as "rich guardian" - as one commenator called him - of the public and of God, is preparing for a battle which perhaps will have repercussions in the artistic environment everywhere



The Museum of Modern Art Archives, NY	Collection:	Series/Folder:
	PI/COMMS	IV.A.12

By Paul Messing

New York, May 27 (United Press) - Mr. Huntington Hartford, scion of one of America's greatest fortunes, who started a press campaign in six New York papers yesterday, developed today in an interview the plan of action of his crusade aiming at the correction of the "moral and artistic degeneration in modern art, contemporary theatre and in a general way among the intelligentsia in the USA and particularly in New York."

The article that opened the crusade, was published in form of full page paid advertisement in the New York Times, the New York Herald Tribune, the Daily News, the Wall Street Journal, the New York Journal American and the New York Post. The aggregate cost of these advertisements is \$25,000.

"They won't cost me anything, of course" said Mr. Hartford with a smile "for I'll deduct the money from my income tax. The article has after all an educational purpose."

The main point of Mr. Hartford is that "if anything is to be done to halt the downward trend of esthetic standards in America today, it must be by the people."

"My article was previously published by the American Mercury, but such a magazine is not read widely enough to get real action. It has a circulation of only about 120,000 and is read in New York itself by not more than some 20,000 people, while the newspapers which carried my article yesterday have a total circulation of more than 4,300,000."

"I think that it is necessary to make personnel changes at the direction of the Museum of Modern Art, the New York Times and Art News so as to eliminate the baneful influence these institutions have at present on American opinion. Another thing needed is a broad educational campaign that would be opposed to the extreme directions in art and the theatre."

Mr. Hartford, who operates a successful model agency in New York received his formal education at Harvard. While in college he eloped with Mary Lee Epling, the daughter of a prominent West Virginia surgeon. The marriage ended in divorce in 1939.

In 1949, Mr. Hartford married Marjorie Steele, a young dramatic student from San Francisco. She scored recently a great artistic success in the London production of "Sabrina" playing the part of Sabrina.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

- 2 -

"One of the worst influences come from certain groups of the New York intelligentsia," Mr. Hartford said. "The book reviewers of the leading papers, for instance. There there is Mr. Brooks Atkinson, drama critic of the New York Herald Tribune, Mrs. Aline Saarinen and Mr. Stuart Preston from the art department of the New York Times." Mr. Hartford thinks that Howard Lawrence first art critic of the New York Times would be much more amenable to his point of view, but "he is obviously under pressure of some kind that makes it difficult for him to write what he thinks."

Mr. Hartford also thinks that it is equally important to "effectuate changes at such intellectual magazines as Harper's Magazine, Saturday Review and the Atlantic Monthly.

"Unfortunately most of the bad influence comes from the radical personal beliefs of playwrights and authors. It is a public scandal that a play like Tennessee Williams' 'The Cat on the Hot Tin Roof' was given the Pulitzer Prize, or that the New York Times book reviewer called James Jones' book 'From Here to Eternity' the greatest American novel."

Asked for a statement on Mr. Hartford's article and interview, Dr. Alfred Frankfurter, Editor and Publisher of Art News declared:

"I question whether it is ethical for a great newspaper to accept advertising from a person without professional training and background that contains personal attacks at the integrity and competence of people widely known and respected in their profession.

"I question whether it is fair to use tax deductible money for such purposes and whether the Internal Revenue Bureau will accept this as a suitable means.

"If such practice is accepted it might lead to irresponsible attacks on Universities, the Press and even at Religion in exactly the same way."

end.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

COPY

By Paul Messersmith

New York, May 17 (United Press) - Mr. Huntington Hartford, scion of one of America's wealthiest fortunes, who started a press campaign in six New York papers yesterday, developed today in an interview the plan of action of his crusade aiming at the correction of the "moral and artistic degeneration in modern art, contemporary theatre and in a general way among the intelligentsia in the USA and particularly in New York."

The article that opened the crusade, was published in form of full page paid advertisement in the New York Times, the New York Herald Tribune, the Daily News, the Wall Street Journal, the New York Journal American and the New York Post. The aggregate cost of these advertisements is \$25,000.

"They won't cost me anything, of course" said Mr. Hartford with a smile "for I'll deduct the money from my income tax. The article has after all an educational purpose."

The main point of Mr. Hartford is that "if anything is to be done to halt the downward trend of esthetic standards in America today, it must be by the people."

"My article was previously published by the American Mercury, but such a magazine is not widely enough to get real action. It has a circulation of only about 120,000 and is read in New York itself by not more than some 20,000 people, while the newspapers which carried my article yesterday have a total circulation of more than 4,300,000."

"I think that it is necessary to make personnel changes at the direction of the Museum of Modern Art, the New York Times and Art News so as to eliminate the baneful influence these institutions have at present on American opinion. Another thing needed is a broad educational campaign that would be opposed to the extreme directions in art and the theatre."

Mr. Hartford, who operates a successful model agency in New York received his formal education at Harvard. While in college he eloped with Mary Lee Epling, the daughter of a prominent West Virginia surgeon. The marriage ended in divorce in 1939.

In 1949, Mr. Hartford married Marjorie Steele, a young dramatic student from San Francisco. She scored recently a great artistic success in the London production of "Sabrina Fair" playing the part of Sabrina.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

- 2 -

"Some of the worst influences come from certain groups of the New York intelligentsia," Mr. Hartford said. "The book reviewers of the leading papers, for instance. There there is Mr. Brooks Atkinson, drama critic of the New York Herald Tribune; Mrs. Aline Saarinen and Mr. Stuart Preston from the art department of the New York Times." Mr. Hartford thinks that Howard Devress first art critic of the New York Times would be much more amenable to his point of view, but "he is obviously under pressure of some kind that makes it difficult for him to write what he thinks."

Mr. Hartford also thinks that it is equally important to "effectuate changes at such intellectual magazines as Harper's Magazine, Saturday Review and the Atlantic Monthly.

"Unfortunately most of the bad influence comes from the radical personal beliefs of play-writes and authors. It is a public scandal that a play like Tennessee Williams' "The Cat on the Hot Tin Roof" was given the Pulitzer Prize, or that the New York Times book reviewer called James Jones' book "From Here to Eternity" the greatest American novel."

Asked for a statement on Mr. Hartford's article and interview, Dr. Alfred Frankfurter, Editor and Publisher of Art News declared:

"I question whether it is ethical for a great newspaper to accept advertising from a person without professional training and background that contains personal attacks at the integrity and competence of people widely known and respected in their profession.

"I question whether it is fair to use tax deductible money for such purposes and whether the Internal Revenue Bureau will accept this as a suitable means.

"If such practice is accepted it might lead to irresponsible attacks on Universities, the Press and even at Religion in exactly the same way."

end.



The Museum of Modern Art Archives, NY

Collection:  
PI/COMMSSeries/Folder:  
IV.A.12

# 'PICASSO IS AN OPPORTUNIST'

**H**OW DO YOU feel about "modern art"?

Could you learn to love Picasso's multi-faced ladies, or say, someone like Leger's "Big Julie"? (she was inspired by the American girl, Leger says!) or do you prefer, over your mantel, a simple seascape in which a ship looks like a ship and a seagull is recognizably a white bird?

It's a fierce argument, of long standing.

One development in it hit the front pages in the form of an announcement from a man who holds such strong feelings about modern painting that he is going to build his own art gallery.

He is Huntington Hartford, wealthy grandson of the founder of the A. & P. grocery store chain.

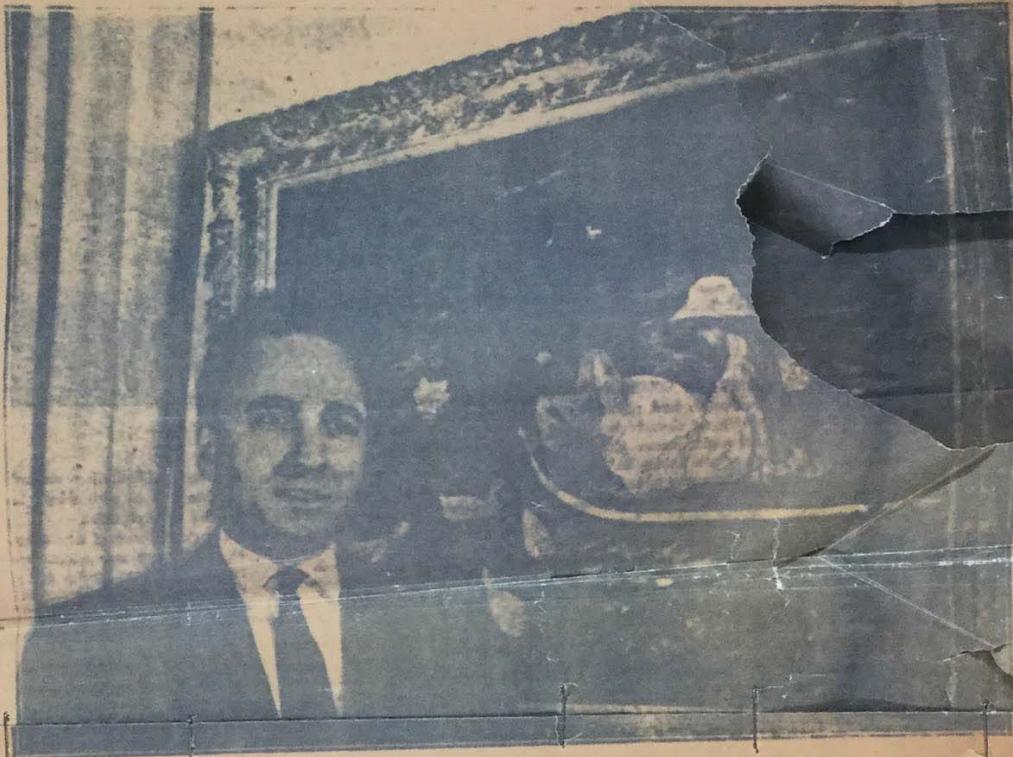
HE DISCLOSED plans to build a 10-story gallery in New York. It will be called the "Gallery of Modern Art," and Hartford frankly hopes art lovers will contrast it with the adventurous and often extravagant Museum of Modern Art.

Hartford is a slim, dark-eyed man of 41 who speaks with great fervor when he talks about painting.

To him, Picasso is "an opportunist who has jumped on one bandwagon after another," contemporary painters are "too much influenced by mathematics, architecture and modern psychology," and "more of the experiments in painting should be done in the studios and less in the art galleries."

YET HE LIKES Salvador Dali, who painted the melting timepieces, and considers cubism and surrealism to have been "healthy attempts at a new way of expression."

These are considerably more temperate thoughts than the ones Hartford set down in 1955. He took full-page advertisements in



HUNTINGTON HARTFORD, the grocery chain heir who has been carrying on a one-man campaign against what he

considers the extremist forms of modern art, stands beside a painting he prefers — a picture by Mary Cassatt.

BY RILMAN MORIN

the New York newspapers to attack expressionists and abstractionists; the critics who like this form of painting, and the comments they have made on it.

"I will give Picasso credit," Hartford wrote. "He has gone an amazing distance toward wiping out, single-handed, all the gains that have been made in the world of painting for the last 500 years."

"The profession of painting, at least, has ethetically, morally, and in certain quarters even politically become a thoroughly degenerate one."

"I BELIEVE the average intelligent American can hold up his head with the best of the critics."

"Don't be afraid to disagree — loudly if necessary — with the critics. When the high priests of criticism and the museum directors and the teachers of mumbo jumbo throughout the country suddenly begin to realize that you mean business, you will be astonished, in my humble estimation, how fast they will change their tune."

Today, Hartford says he wrote with deliberate extravagance, striving for impact.

He feels that great art lies between photographic realism, he says, and pure abstraction.

Therefore, he said, his gallery will strive for that golden mean. "It will give a more accurate impression of what modern art is. Abstractionism is not representative."

"I believe the museum of modern art has gone much too far in the direction of abstractionism."

Moreover, he argues, museums all over the country have followed suit. "So today, the painter who is not non-objective — I don't like to describe him as 'traditional' or 'academic' — doesn't have much chance. He has a hard time getting exhibited and a harder time selling."

WITH THESE LATTER points, Rene D'Harnoncourt, director of the museum, flatly disagreed. D'Harnoncourt is a tall, amiable giant who has been in the fight a long time and knows the arguments and the answers.

"You judge the museum by what we buy," he said. "A cross-section of the permanent collection shows that the museum really believes in quality and excellence rather than any one particular movement."

The collection shows everything from George Bellows' painting of the Dempsey-Firpo prize fight and Edward Hopper's "House by the Railroad," both realistic, to Arshile Gorky's "Agony" an abstraction.

As for the position of the "not non-objective" painter, D'Harnoncourt said, "no really good painter gets lost these days. There are so many people looking for a new talent."

ON THE BROAD subject of the pros and cons of modern art, he said —

"When something new happens, some like it and some don't. Those who don't find something in it, degenerate or sinful or subversive — anything to justify not liking it."

When cubism was still relatively new, Picasso wrote:

"The fact that even today there

are people who cannot see anything in it means nothing. I do not read English. An English book is a blank book to me. Why should I blame anybody but myself if I cannot understand what I know nothing about?"

D'Harnoncourt noted that people frequently look at an abstract painting, the daubs and apparently aimless splashes, and say, "My four-year-old boy can do the same thing."

His answer: "Then he should. It would be wonderful for the family income."

WHAT ABOUT the instances when an abstract painting was hung upside down without anybody noticing?

"Well," he grinned, "some pictures are painted to be seen from several different angles."

The other cliché that usually comes into disputes over modern art goes, "I don't know anything about art but I know what I like."

To which the admirer of the new painters would reply, "What you really mean is that you like what you know."



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

...to ... by Boyd ...  
ments operated by Boyd ...  
Wyckoff.

**Search for New Cadets Urged**  
Former cadets of the United States Military Academy now in civilian life in this area were urged yesterday to seek out suitable future cadets. Theodore H. Halligan, secretary of the West Point Society of New York, told the group at a luncheon meeting in Leone's Restaurant of a special program to select and sponsor youths with outstanding academic and athletic qualifications.

**C.Y.O. Re-Elects President**  
The Catholic Youth Organization of New York re-elected J. Peter Grace Jr. to a fifth consecutive term as president yesterday. He is president of W. P. Grace & Co. William J. Schmitt, a lawyer, was elected chairman of the board, and Murray McDonnell, inventor, banker, was re-elected to a fifth term as first vice president.

... on ...  
... with ...  
... stages ...  
... The board ...  
... student ...  
... However, this ...  
... Father ...  
... first stage ...  
... 1,000 ...  
... two stages ...  
... per cent ...  
... ment of the ...  
... He said the ...  
... provide ...

## What Is a Modern Art Museum? 2 City Galleries Fight for Name

The Museum of Modern Art has gone to court to prevent Huntington Hartford, grocery chain heir and art patron, from using the name Gallery of Modern Art for the \$2,000,000 art museum he is planning to build at 2 Columbus Circle. In a complaint served on Mr. Hartford on Jan. 12, the Museum of Modern Art charged that the use of so similar a name would "dilute the distinctive quality" of the museum's name and might divert goodwill and donations from the established museum. Mr. Hartford said yesterday that he was "astounded" by the museum's action, and that he would fight the suit. "I did want to use the term modern art," he said, "because I believe it's descriptive of what I will have in the museum. I don't see why one museum should have the entire right to a descriptive term like 'modern art.'"

The museum's action seeks an injunction against the use of the name "Gallery of Modern Art or any other name" similar to "confusing."

Mr. Hartford's attorneys, Stroock & Stroock & Lavan, said that they have not yet offered a reply to the suit. Winthrop, Stimson, Putnam &

Roberts are the attorneys for the Museum of Modern Art. The museum's complaint describes at length the institution's history and service to the community. Since its incorporation in 1929, the complaint states, the museum has collected more than 1,365 paintings and sculptures that have been visited by nearly 11,000,000 people. It has spent \$29,490,000 on its varied activities. In the background of the lawsuit and Mr. Hartford's plans to build an art gallery of white marble there exists a long-simmering controversy over modern art. Mr. Hartford, a Broadway producer, theatre owner, radio agency head, garage operator and an heir to the Gross Atlantic & Pacific Tea Company fortune, is a leading figure among those who oppose abstraction in art. He said yesterday that he would accept the artist's right to distort nature as he (the artist) sees it, but only up to the point at which communication is cut off. The Museum of Modern Art is regarded as putting in a more avant-garde place the part of which communication between artist and viewer ceases to exist. The museum has exhibited over the years the work of scores of abstract artists.

## Kansas Is As New F.

**WASHINGTON** (AP) - President Truman nominated an Indian of Wichita to be Federal marshal. Mr. Truman said he was "pleased" and "honored" by the nomination. He was 1. No name. P. recently not. Government of the House. A. H. Major's re. proved by. Mr. E. L. how in W. the house. months a. newspaper. was elected. ward C. of Kansas.

posure!

N.Y. Times - Wednesday, Jan. 21, 1959



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

### Confusion in Modern Art

New York City's Museum of Modern Art has served some papers on Mr. Huntington Hartford in an effort to prevent him from naming a museum he plans to build the "Gallery of Modern Art." The similarity of names would be much too confusing, the Museum says.

Mr. Hartford, patron of the arts, plans to put \$2 million into his building as well as all kinds of modern art except some types of abstract art. Just like any A. and P. patron, Mr. Hartford wants to know what's in the package. It's okay, for example, for an artist to distort nature somewhat, but when communication ceases because the viewer doesn't know what nature has been distorted, the artist can go hang his picture some other place, like Washington Square.

Or in the Museum of Modern Art, maybe. The Museum takes a broader slant at modern art than the three-dimensional use of paint, plaster and stone most people are used to. So long as the work is interesting, an abstract

artist can work in no dimensions at all or maybe eight or nine as well as in flashing lights and feathers, for all the Museum cares.

Well, we don't quite understand what the fight over the name is all about, but then that may be because we don't really understand what the name's all about, either. People have been quarrelling for a long time over what "modern" means and for even longer over what constitutes "art." We question whether anyone has a right to appropriate those terms and to deny them to somebody else just because someone might become confused.

As for the true enthusiasts of modern art, there ought to be room for both a museum and a gallery; the devotees would know which is which and where they are without any trouble. As for us, we're all for progress and so we're delighted to see a second establishment dedicated to up-to-date aesthetics. Even though the effect is likely to make us twice as confused as ever about modern art.

Wall Street Journal, Jan. 22, 1959



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

*Real M*

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

----- X

THE MUSEUM OF MODERN ART,	:	
Plaintiff,	:	
-against-	:	
HUNTINGTON HARTFORD, individually and doing business as HUNTINGTON HARTFORD ENTERPRISES,	:	COMPLAINT
Defendant.	:	

-----X

Plaintiff, complaining of defendant, by Winthrop,  
Stimson, Putnam & Roberts, its attorneys, alleges that:

FIRST: At all the times hereinafter mentioned  
plaintiff was and still is a corporation duly organized and  
existing under and by virtue of the laws of the State of  
New York.

SECOND: On information and belief, defendant is a  
resident of the State of New York and doing business in the  
County of New York under the name of Huntington Hartford  
Enterprises.

THIRD: On or about September 19, 1929, the Regents  
of the University of the State of New York, pursuant to the  
provisions of the Education Law, granted a provisional char-  
ter which incorporated Lizzie Bliss, Josephine B. Crane,  
Frank Crowninshield, Paul J. Sachs, Mary Sullivan, Abby A.  
Rockefeller, A. Conger Goodyear and their associates and



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

successors as "The Museum of Modern Art", plaintiff herein. Said provisional charter was made absolute by said Regents on or about March 19, 1931.

FOURTH: Plaintiff is an educational institution and is one of the most popular tourist attractions in the City of New York. Plaintiff is variously referred to by the public as "The Museum of Modern Art", "The Modern Art Museum", "The Modern Museum of Art", or "The Modern Art". For the twenty-nine years last past, plaintiff has engaged in the activities hereinafter set forth, both in its building located at No. 11 West 53rd Street, City, County and State of New York, and elsewhere, under the name "The Museum of Modern Art", and said activities have been identified by the public as being engaged in by plaintiff:

A. Painting and Sculpture: Since its incorporation in 1929, plaintiff, under and using the name "The Museum of Modern Art", has collected more than 1,360 paintings and sculptures and exhibited the same to the general public; has collected many thousands of drawings and prints, which it has exhibited to the general public; and has borrowed paintings, sculptures, drawings and prints from private and public collections throughout the world and exhibited the same to the general public. During fiscal year 1956-1957 alone, plaintiff's exhibition building was visited by 639,144 persons, and since plaintiff's incorporation in 1929, its exhibition building has been visited by 10,771,616 persons.

B. Architecture and Design: Since 1931,



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

plaintiff, under and using the name "The Museum of Modern Art", has shown to the general public over 150 exhibitions relating to architecture, industrial design, design of household furnishings, and graphic design; has temporarily erected and displayed three full-scale houses in its outdoor exhibition area; has collected several thousand photographs and documents and more than 800 design objects, architectural models, drawings and examples of graphic design and exhibited the same to the general public; and has sponsored design competitions for lamps, furniture, textiles, playground equipment and posters.

C. Photography: Since 1932, plaintiff, under and using the name "The Museum of Modern Art", has shown to the general public more than 65 photography exhibitions and, since 1933, has collected more than 2,500 photographs and exhibited the same to the general public. In 1955, plaintiff, under and using the name "The Museum of Modern Art", staged an exhibition of more than 500 photographs entitled "The Family of Man" which was visited by more than 270,000 persons in plaintiff's building and by countless thousands more when it was subsequently sent on tour throughout the United States and Canada.

D. Motion Picture Film: Since 1935, plaintiff, under and using the name "The Museum of Modern Art", has caused its wholly owned subsidiary, The Museum of Modern Art Film Library Corp., to become the custodian of more than 10,000,000 feet of motion picture film produced throughout the world relating to over 2,500 different subjects, and



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

since 1939, has caused showings of such films to be given twice daily in plaintiff's auditorium. During fiscal year 1956-1957 alone, more than 170,000 persons attended showings of such films in plaintiff's auditorium, and approximately 3,200 bookings of approximately 367 circulating film programs were made to approximately 600 organizations, including 350 other educational institutions.

E. Circulating Exhibitions: Since 1931, under and using the name "The Museum of Modern Art", plaintiff has prepared and circulated 510 exhibitions of paintings, sculptures, designs and photographs to educational and non-profit institutions throughout the United States and Canada, 39 such exhibitions having been circulated in fiscal year 1956-1957 alone.

F. International Program of Cultural Exchange: Since 1952, under and using the name "The Museum of Modern Art", plaintiff has organized and sent more than 50 exhibitions abroad to Latin America, Europe, Asia and Africa; has organized the United States representation at such international art exhibitions as the II and IV Biennials at Sao Paulo, Brazil, the II and IV International Art Exhibitions of Japan, the III International Contemporary Art Exhibition in India, and the Tenth Inter-American Conference in Venezuela; has purchased the American Pavilion at the Venice Biennale, and organized the United States representation at the XXVII and XXIX Biennials at Venice; has prepared exhibitions under contract to, or otherwise for, the United States Information Agency, the Foreign Ministry of Japan and the



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

government of India; and is now completing, at the request of the United States Department of State, the decoration and furnishing of the Executive Board Room in the UNESCO Headquarters Building in Paris.

G. Publications: Since 1929, under and using the name "The Museum of Modern Art", plaintiff has published approximately 200 books on the visual arts, about 100 of which are currently in print, some of which have sold as many as 60,000 copies. During fiscal year 1956-1957 alone, plaintiff sold approximately 79,200 copies of its publications, all of which bore the imprint "The Museum of Modern Art". Plaintiff's publications have been translated into French, German, Spanish, Portuguese, Swedish and Japanese and special exhibitions of plaintiff's publications have been held in Mexico, Colombia, Peru, Chile, Brazil, India, New Zealand, Indonesia, The Netherlands, France, Italy and Japan.

H. Library: Since 1932, under and using the name "The Museum of Modern Art", plaintiff has acquired a library of approximately 15,000 books, periodicals and catalogs, 10,000 clipping files on art, film, and the dance, 25,000 lantern slides, 75,000 units in the photographic archives, and 500 bound volumes of photographs recording plaintiff's collections and exhibitions, all of which are accessible to the public. During fiscal year 1956-1957 alone, plaintiff's library was used by an estimated 10,000 persons and approximately 8,000 slides were lent to lecturers, in connection with all of which activities plaintiff used the



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

name "The Museum of Modern Art".

I. Education: Since 1937, under and using the name "The Museum of Modern Art", plaintiff has operated an education department and, since 1948, an art school for children, young people and amateur adults, with a current enrollment of about 3,500 annually; has serviced art instructors in over 50 New York City public high schools with visual teaching aids; has conducted free classes for teachers in the New York City primary public schools, with a current enrollment of about 100 teachers annually; in 1952 and 1953 produced and sponsored a series of television programs on creative activities for young people and their parents; and aided in the organization of a program of creative activities for the children's wards at New York Hospital. Since 1942, under and using the name "The Museum of Modern Art", plaintiff has annually installed in its building a special workshop-gallery known as the Children's Holiday Carnival, where 45,000 children have played with specially designed toys, painted and made three-dimensional pictures; in 1957, presented said workshop-gallery at the Barcelona and Milan Trade Fairs; and recently presented it at the Brussels World Fair.

FIFTH: Under and using the name "The Museum of Modern Art", plaintiff, in fiscal year 1956-1957 alone, expended the sum of \$2,220,000.00, and since its incorporation in 1929 has expended the sum of \$29,490,000.00 to conduct the activities and purchase the works of art set forth in Paragraph FOURTH, SAME.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

SIXTH: Plaintiff is entirely supported by contributions and dues of members located in every state of the United States and many foreign countries, by contributions from private donors and charitable foundations, by admission fees to its building, by proceeds from the sale of books and reproductions, and by fees from its other services.

SEVENTH: As a result of plaintiff's manifold and widespread activities over the past twenty-nine years under and using the name "The Museum of Modern Art" and the worldwide circulation of its publications and exhibitions under and bearing the name "The Museum of Modern Art", the name "The Museum of Modern Art" and the variations of said name mentioned hereinbefore are well known in the United States and throughout the world by patrons of the arts, art critics, art museum administrators and laymen alike and are known by them to mean and refer only to plaintiff. The good will and reputation which is associated with plaintiff's name is of tremendous value.

EIGHTH: Since its incorporation in 1929, the name "The Museum of Modern Art" has been continuously used by plaintiff in all of its activities, and all the rights thereto and to the use of the same are now, and have been during the time of defendant's acts herein complained of, exclusively owned by plaintiff.

NINTH: On information and belief, defendant has acquired a certain parcel of land at No. 2 Columbus Circle in the Borough of Manhattan, City and State of New York, and



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

is about to erect or cause to be erected on said parcel a building to be used for the exhibition of paintings, sculptures and films, and is about to conduct said activities, or cause said activities to be conducted, under the name "Gallery of Modern Art."

TENTH: Defendant's threatened use of the name "Gallery of Modern Art" as aforesaid, and his continued use thereof in the future, will necessarily tend to deceive and confuse the public and will lead the public and contributors and prospective contributors to plaintiff to believe, contrary to the fact, that the activities of defendant are, or are associated or affiliated with, the activities of plaintiff, or that the activities of defendant are authorized by plaintiff, or that plaintiff is responsible therefor, which confusion will inevitably result in injury to plaintiff and the public.

ELEVENTH: Defendant's threatened use of the name "Gallery of Modern Art" as aforesaid, and his continued use thereof in the future, will necessarily tend to dilute the distinctive quality of plaintiff's name "The Museum of Modern Art."

TWELFTH: On information and belief, by reason of said acts heretofore complained of, defendant threatens to appropriate to himself the reputation, good will and high standing of plaintiff, and threatens to divert to himself the contributions, donations, fees, moneys and other benefits and advantages which would otherwise be received by and accrue to plaintiff.



The Museum of Modern Art Archives, NY	Collection:	Series/Folder:
	PI/COMMS	IV.A.12

THIRTEENTH: The aforesaid threatened acts by defendant constitute infringement of plaintiff's rights in its name and unfair competition, and will cause irreparable damage and injury to plaintiff and the public. On information and belief, defendant will continue said acts of infringement and unfair competition unless restrained by this Court, all to the irreparable loss and injury to plaintiff and the public.

FOURTEENTH: Plaintiff has no adequate remedy at law.

WHEREFORE, plaintiff demands judgment:

1. That defendant, his agents, servants, employees, privies, confederates, successors and assigns, and all persons holding by, through or under him or them, be enjoined during the pendency of this action and permanently from using as the name under which his or their exhibition activities are to be conducted the name "Gallery of Modern Art" or any other name confusingly similar to plaintiff's name "The Museum of Modern Art"; and

2. That plaintiff have such other and further relief in the premises as to this Court may seem just and proper, together with the costs and disbursements of this action.

WINSTON, STIMSON, PUTNAM & ROBERTS  
Attorneys for Plaintiff  
Office and Post Office Address  
40 Wall Street  
Borough of Manhattan  
New York 5, New York



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

STATE OF NEW YORK  
COUNTY OF NEW YORK

} ss.

CHARLES T. KEPPEL, being duly sworn,  
deposes and says, that he is an officer, to wit, the  
Treasurer of THE MUSEUM OF MODERN ART, the  
plaintiff in the above entitled action; that he has read the  
foregoing complaint and knows the contents thereof and that  
the same is true of his own knowledge, except as to the  
matters which are therein stated to be alleged on information  
and belief and that as to those matters he believes it to be  
true.

C. T. KEPPEL

Sworn to before me this  
29 day of October, 1978.

Edna Y. Kane  
Notary Public

Edna Y. Kane  
Notary Public, State of New York  
No. 01-2029915  
Qualified in Bronx County  
Certificate filed in New York County  
Commission expires March 30, 1979



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

Cl. (D 887,244) (S 1,109,293)  
This Clipping From  
NEW YORK, N. Y.  
TIMES

## ARCHITECT PICKED FOR ART MUSEUM

E. D. Stone, Public Building  
Designer, to Plan Gallery  
for Columbus Circle

Edward D. Stone, designer of the United States Pavilion at the Brussels World Fair, has been commissioned architect of the ten-story Gallery of Modern Art to be built at Columbus Circle. The announcement was made yesterday by Huntington Hartford, art collector and philanthropist who is sponsoring the project.

Mr. Stone, who has been widely praised for his design of the Brussels pavilion, is also architect of the United States Embassy in New Delhi, India, and was one of the designers of the Museum of Modern Art.

Both Mr. Stone and Mr. Hartford have been conferring for the last year on the possibilities of the project. Final drawings have not been completed, but Mr. Hartford's approval, which the men are agreed that the building will be of marble and monumental in type.

**A Naked Building**

The new art museum will be a naked building, meaning that it will stand alone, adjoining no other buildings, thus giving it a monumental character. It will be built on a small, irregularly shaped plot bounded by Fifty-eighth Street, Eighth Avenue, Columbus Circle, and Broadway. The longest side of the site, on Fifty-eighth Street, is ninety-seven feet; the shortest, on Eighth Avenue, is forty-eight feet. The two other sides are seventy-five feet long.

The \$2,500,000 gallery will rise 150 feet, with no setbacks. It will be the first vertical type of building to be used as an art museum, Mr. Stone said. The building will have ample fenestration in its marble sides, so that vistas of Columbus Circle and Central Park may refresh the gallery visitor.

The gallery is expected to be completed in 1960. Ground will probably be broken late this year. At present, a five-story building occupies a part of the site. Demolition of this building will begin soon.

**Stairway Scheme Studied**

For the gallery interior, Mr. Stone has been exploring a scheme for having stairways along the walls of the building, leading to a descending system of galleries. In this way, he said, visitors would start their gallery tour at the top of the building (to which they have been taken by elevator), and descend several feet by stairway onto a landing by stairs. After viewing that gallery, visitors would take another stairway to a gallery below, and so on.

This tentative plan is not wholly dissimilar to the plan of the Solomon R. Guggenheim Museum, designed by Frank Lloyd Wright, now being built at Fifth Avenue and Eighty-eighth Street. Visitors to the Guggenheim may get off the elevator at any floor and descend through the gallery by a spiraling ramp.

Mr. Hartford announced that Mr. Stone's office, now working as project manager of design planning for the proposed museum, chose the proposed museum as the subject of his master's thesis while a graduate student at the Massachusetts Institute of Technology.

The director of the new museum will be Winifred Ames of Saunderson, R. I. He is a former director of museums in Connecticut and Missouri.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

220 W. 19th St., NEW YORK 11, N.Y.  
Tel. CHelsea 3-8860

Cir. [D \$18,809] [Sat. 172,502]

This Clipping From  
NEW YORK, N. Y.  
WORLD-TELEGRAM & SUN

## The Case of Mr. Hartford And His Ad Against Art

By ELEANOR ROOSEVELT.

HYDE PARK, July 30.—The other day I received a copy of a speech made in the House of Representatives by Congressman Frank Thompson Jr. (D., N. J.) on the subject of an advertisement that appeared in some newspapers and which contained an editorial by Huntington Hartford.

The advertisement attacked American art criticism, abstract art, the contemporary theater, art dealers and museum officials and the public. Only a man with great wealth could have published this editorial and reached thousands of people with his opinions in an effort to put across his point of view with the hope of preventing the development of such art as he disliked.

President Eisenhower in a recent message congratulating the Museum of Modern Art on its 24th anniversary said, "There is an important principle which we should ever keep in mind—the principle that the freedom of the arts is a basic liberty, one of the pillars of liberty in our land."

• • •  
We may not like or understand some of the experiments

made by modern artists but they have a right to experiment. Art dealers and museums should exhibit their art and the public in the long run will make the decision of whether the art is good or bad.

What the President has said stresses a position that is basic to our freedoms.

Congressman Thompson says, "New ideas and experimentation are essential to art and to democracy. We must guard our freedoms jealously, for it is these very freedoms that differentiate our form of government from communism, nazism and fascism."

Undoubtedly, young Mr. Hartford, in writing his editorial, was expressing a certain reaction, and he had certainly not thought through all the implications in trying to buy public opinion by printing an advertisement of this kind.



The Museum of Modern Art Archives, NY

Collection:

PI/COMMS

Series.Folder:

IV.A.12

## Art Museum at Columbus Circle Planned by Huntington Hartford

Continued From Page 1

will be devoted to art. The space is about equal to that in the Museum of Modern Art.

The remaining floors will be rented as office space at first. But eventually the entire building will be used to display paintings, sculpture, prints, photography and possibly models of modern architecture, Mr. Hartford said.

There will be shops at street level. The entrances will be on Fifty-eighth Street, he said.

Mr. Hartford said he thought of his new venture mostly as a museum, with a curator in charge. But paintings will be sold in the gallery.

"I want to encourage artists, but the emphasis will be on exhibition," Mr. Hartford said.

He considers himself "quite liberal" in his views on art.

"But I don't favor extreme abstract expressionism, or other extreme trends," he said.

Mr. Hartford's exceptions to certain trends in art yesterday

were pitched in a far milder key than other of his public statements on the subject. Last year, in full-page advertisements in New York newspapers, Mr. Hartford defined his views of what art is. These views excluded both photographic realism and abstraction.

The state of art in the nation, he wrote, in "the profession of painting, at least, has esthetically, morally and in certain quarters even politically become a thoroughly degenerate one." Mr. Hartford asserted that Pablo Picasso had gone "an amazing distance toward wiping out single-handed all the gains that have been made in the world of painting in the last 500 years."

Mr. Hartford has a collection of twenty-five paintings, which he will continue to add to, he said. His pictures include work by Reginald Marsh, Frederic Waugh and Edward Hopper, Blakelock, Inness, Monet and Orozco. The collection will be on permanent loan in the new gallery.

## Art Museum at Columbus Circle Planned by Huntington Hartford

A. & P. Heir to Build 10-Story  
Gallery for Modern Works  
at Cost of \$2,500,000

By SANKA KNOX

The burgeoning plans for the Columbus Circle area have grown to include a new art gallery. Huntington Hartford, member of the family that founded the Great Atlantic and Pacific Tea Company, plans to build the gallery.

Mr. Hartford's project, although not yet in the blueprint stage, is planned as a ten-story building that would be a marble showplace of the visual arts. The site, facing the Coliseum, is an island, formed by the juncture of Eighth Avenue and Broadway, between the Circle and Fifty-eighth Street.

The land is occupied by a five-story building housing a shoe store, office space and a large advertising sign. About \$1,000,000 was paid for the building and oddly-shaped lot. The cost of the new building is estimated at \$1,500,000.

An architect has not been selected for the new building. But Mr. Hartford said yesterday, the building will be simple. It will be white or off-white in color.



The New York Times June 11, 1965  
Setting for planned museum

and will be designed to match the Coliseum.

The name of the institution will be the Gallery of Modern Art. Mr. Hartford said he favored a liberal approach to contemporary painting, but opposed extreme trends.

Mr. Hartford wants a garden restaurant at the top of the building. He is tentatively planning a theatre for art films. Six or seven floors, with approximately 4,000 square feet each.

Continued on Page 25, Column 1



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Ch. (D 158,626) (S 165,404)

This Clipping From  
AKRON, OHIO  
BEACON JOURNAL

JAN 25 1959



## Battle For Sake Of Art!

IN PALM SPRINGS, CAL., city manager Robert Peterson has suggested that City Council replace with golf carts the three-wheel motorcycles used by police to check parking meters. Peterson claims the carts cost less and are cheaper to maintain...

A court battle is brewing in New York over modern art - the words, not the painting. On one side is the Museum of Modern Art, whose chairman is millionaire Gov. Nelson A. Rockefeller. On the other is



Hartford Rockefeller

Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum and name it Gallery of Modern Art. Hartford plans to fight the Museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing." Hartford is an heir to the Great Atlantic & Pacific Tea

Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator...

Red carnations have fallen victim to a state economy move in Michigan. For more than 20 years, the speaker and clerk of the Michigan House of Representatives have appeared for their legislative duties each day with fresh carnations (courtesy of the state) affixed to their lapels. No more. "Economy begins at home," said Speaker Don R. Pears in ordering the practice stopped...

Eight men serving life for the \$1,219,000 Brinks' robbery have asked the Massachusetts Supreme Court to reverse their convictions. A 385-page brief filed with the court contends the State failed to corroborate the testimony of Joseph "Specs" O'Keefe, who identified the eight men as his partners in the January 1950 robbery. O'Keefe pleaded guilty and became the State's star witness in the August 1956 trial...

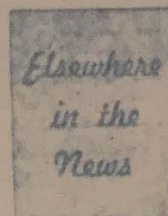
## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Ch. (D 158,626) (S 165,404)

This Clipping From  
AKRON, OHIO  
BEACON JOURNAL

JAN 25 1959



## Battle For Sake Of Art!

IN PALM SPRINGS, CAL., city manager Robert Peterson has suggested that City Council replace with golf carts the three-wheel motorcycles used by police to check parking meters. Peterson claims the carts cost less and are cheaper to maintain...

A court battle is brewing in New York over modern art - the words, not the painting. On one side is the Museum of Modern Art, whose chairman is millionaire Gov. Nelson A. Rockefeller. On the other is



Hartford Rockefeller

Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum and name it Gallery of Modern Art. Hartford plans to fight the Museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing." Hartford is an heir to the Great Atlantic & Pacific Tea

Co. fortune. He also is a Broadway producer, theater owner, model agency head and garage operator...

Red carnations have fallen victim to a state economy move in Michigan. For more than 20 years, the speaker and clerk of the Michigan House of Representatives have appeared for their legislative duties each day with fresh carnations (courtesy of the state) affixed to their lapels. No more. "Economy begins at home," said Speaker Don R. Pears in ordering the practice stopped...

Eight men serving life for the \$1,219,000 Brinks' robbery have asked the Massachusetts Supreme Court to reverse their convictions. A 385-page brief filed with the court contends the State failed to corroborate the testimony of Joseph "Specs" O'Keefe, who identified the eight men as his partners in the January 1950 robbery. O'Keefe pleaded guilty and became the State's star witness in the August 1956 trial...



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## Good Old-Fashioned Modern Art

What is modern art? The question has been around for a long time, and still it has no answer. One man's Matisse is another man's Jackson Pollock. But now the issue is coming to court, and the bar in its wisdom will have a chance to set things straight.

The Museum of Modern Art has brought suit against Huntington Hartford, who is planning to build a \$2,000,000 museum in Columbus Circle and call it the Gallery of Modern Art. The suit seeks to prevent Mr. Hartford from using this name. As New York's pioneer in this field since 1929, the Museum feels that "modern art" is a distinctive part of its title. This certainly is true. In its three decades the Museum has won popularity for countless new forms—in painting, sculpture and such designs as the mobile and the functional chair. Still, Mr. Hartford claims, this doesn't give it sole rights to "a descriptive term."

The problem, of course, lies in the word "modern." It means something different every year. When the visionary pharaoh, Ikhnaton, broke with the past in 1375 B. C. and told his artists to paint life as they saw it, not in the rigid postures which had governed Egyptian sculpture since its earliest origins, that was modern art. The results, as in the famous head of Nefertiti and the elongated busts of the young pharaoh himself, were as alien then as abstract paintings are to many people now, and quite a few Egyptians probably went around

Saturday, January 24, 1959

grumbling that art was going to the dogs.

Another problem with the word "modern" is that it is applied to almost everything in American life today. It is the darling of advertisers in this land that prizes novelty above almost every other virtue. The word clings as a label to objects that were new twenty years ago and no longer are. "Modern furniture," for instance, as stores use the phrase, is likely to mean bleached wood and tubular metal, though actually these idioms are so old-fashioned now that no decorator would use them in a modern house.

Perhaps the word for Mr. Hartford's museum—and for the art of our times—is "contemporary." It does not fix a work of art to a specific year, but merely reflects our tastes at the moment, while "modern" art, in every field, ceases to be modern in no time at all. Stravinsky's "Firebird" is half a century old, Picasso is almost as clear as Grandma Moses and Frank Lloyd Wright's modern houses look positively baroque next to the severe buildings of 1959.

Fidel Castro



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## Good Old-Fashioned Modern Art

What is modern art? The question has been around for a long time, and still it has no answer. One man's Matisse is another man's Jackson Pollock. But now the issue is coming to court, and the bar in its wisdom will have a chance to set things straight.

The Museum of Modern Art has brought suit against Huntington Hartford, who is planning to build a \$2,000,000 museum in Columbus Circle and call it the Gallery of Modern Art. The suit seeks to prevent Mr. Hartford from using this name. As New York's pioneer in this field since 1929, the Museum feels that "modern art" is a distinctive part of its title. This certainly is true. In its three decades the Museum has won popularity for countless new forms—in painting, sculpture and such designs as the mobile and the functional chair. Still, Mr. Hartford claims, this doesn't give it sole rights to "a descriptive term."

The problem, of course, lies in the word "modern." It means something different every year. When the visionary pharaoh, Ikhnaton, broke with the past in 1375 B. C. and told his artists to paint life as they saw it, not in the rigid postures which had governed Egyptian sculpture since its earliest origins, that was modern art. The results, as in the famous head of Nefertiti and the elongated busts of the young pharaoh himself, were as alien then as abstract paintings are to many people now, and quite a few Egyptians probably went around

Saturday, January 24, 1959

grumbling that art was going to the dogs.

Another problem with the word "modern" is that it is applied to almost everything in American life today. It is the darling of advertisers in this land that prizes novelty above almost every other virtue. The word clings as a label to objects that were new twenty years ago and no longer are. "Modern furniture," for instance, as stores use the phrase, is likely to mean bleached wood and tubular metal, though actually these idioms are so old-fashioned now that no decorator would use them in a modern house.

Perhaps the word for Mr. Hartford's museum—and for the art of our times—is "contemporary." It does not fix a work of art to a specific year, but merely reflects our tastes at the moment, while "modern" art, in every field, ceases to be modern in no time at all. Stravinsky's "Firebird" is half a century old, Picasso is almost as clear as Grandma Moses and Frank Lloyd Wright's modern houses look positively baroque next to the severe buildings of 1939.

Fidel Castro



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## Good Old-Fashioned Modern Art

What is modern art? The question has been around for a long time, and still it has no answer. One man's Matisse is another man's Jackson Pollock. But now the issue is coming to court, and the bar in its wisdom will have a chance to set things straight.

The Museum of Modern Art has brought suit against Huntington Hartford, who is planning to build a \$2,000,000 museum in Columbus Circle and call it the Gallery of Modern Art. The suit seeks to prevent Mr. Hartford from using this name. As New York's pioneer in this field since 1929, the Museum feels that "modern art" is a distinctive part of its title. This certainly is true. In its three decades the Museum has won popularity for countless new forms—in painting, sculpture and such designs as the mobile and the functional chair. Still, Mr. Hartford claims, this doesn't give it sole rights to "a descriptive term."

The problem, of course, lies in the word "modern." It means something different every year. When the visionary pharaoh, Ikhnaton, broke with the past in 1375 B. C. and told his artists to paint life as they saw it, not in the rigid postures which had governed Egyptian sculpture since its earliest origins, that was modern art. The results, as in the famous head of Nefertiti and the elongated busts of the young pharaoh himself, were as alien then as abstract paintings are to many people now, and quite a few Egyptians probably went around

Saturday, January 24, 1959

grumbling that art was going to the dogs.

Another problem with the word "modern" is that it is applied to almost everything in American life today. It is the darling of advertisers in this land that prizes novelty above almost every other virtue. The word clings as a label to objects that were new twenty years ago and no longer are. "Modern furniture," for instance, as stores use the phrase, is likely to mean bleached wood and tubular metal, though actually these idioms are so old-fashioned now that no decorator would use them in a modern house.

Perhaps the word for Mr. Hartford's museum—and for the art of our times—is "contemporary." It does not fix a work of art to a specific year, but merely reflects our tastes at the moment, while "modern" art, in every field, ceases to be modern in no time at all. Stravinsky's "Firebird" is half a century old, Picasso is almost as clear as Grandma Moses and Frank Lloyd Wright's modern houses look positively baroque next to the severe buildings of 1959.

the  
H. Fidel Castro

Should Enkano  
Jan 24, 1959



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

by ARTIE AIDALA

## What Is 'Modern'?

The Museum of Modern Art is suing Huntington Hartford over use in his projected art museum of the name more to bring so-called "modernity" in art out in the open than the recent fire at the museum.

The term "modern," especially in art, has little specific meaning. Art is art, ancient or modern. Hartford is right in identifying the place where art goes off the deep end as the place where "communication (with the viewer) is cut off."

Herbert Read, the great English art critic, once said, "A renewed contact with tradition may have as much significance in art as any originality in style or technique."

In many ways the pre-historic cave paintings are as "modern" as anything Picasso ever did.

Let's drag this so-called "modern" thing right out where it needs a long-wanted airing.

NEW YORK MIRROR, FRIDAY, JANUARY 23, 1959  
Published at 235 E. 45th St., New York 17, N.Y. Tel.: MU 2-1000



significance in art as any originality in style or technique."  
In many ways the pre-historic cave paintings are as "modern" as anything Picasso ever did.  
Let's drag this so-called "modern" thing right out where it needs a long-wanted airing.

**JAMES KELLER SAYS:**

## Prepare for Eternity Now

Mozart died at the age of 35, Alexander the Great at 33, Shelly at 30 and Keats at 26.

Because of the great strides made by scientists, doctors and drugs, the average person today can expect to live 20 years longer than those who lived even half a century ago.

The medical profession has made an outstanding contribution to mankind by helping countless millions to live longer and healthier lives.

Take advantage of this extra time by adding meaning and

purpose to your comparatively short stay on earth.

It is a precious opportunity to rise above a self-centered interest in your own physical well-being and reach for the great spiritual fulfillment which is the very reason for your existence.

God made you to know, love and serve Him in this life so that you may be happy with Him forever in the next.

The longest life is all too short to prepare adequately for that eternal reward. Make it a point, therefore, to live better while living longer.

(Released by the Bell Syndicate, Inc.)

NEW YORK MIRROR FRIDAY, JANUARY 23, 1959

Published at 235 E. 45th St., New York 17, N.Y. Tel.: MU 2-1000



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

by ARTIE AIDALA

## Don't Forget Easily?

Today's question by Gary Platt, 347 East 57th  
Brooklyn 3, New York

**JOHN J. WIEGAND**, E. Meadow, L.I.,  
center: "I forgive BUT I NEVER FOR-  
GET! ... I happen to know I fly off the  
handle too quick. That's why I forgive easily.  
My brother, if I've been really hurt MY  
MEMORY IS, AS LONG AS AN ELE-  
PHANT'S!"



Bronx, housewife:  
"It makes life  
living much  
to forgive and  
be appreciated by  
certainly hurt you  
life that way than"

**AM CORSALE**, Bronx, tool and cutter  
center: "I've always forgiven and forgotten  
because at a young age it was  
in my mind that if you're big  
enough to forgive, you'll be big enough to  
—and I'm still growing. Take a look  
"bay window!"



Park, L.I.  
forgive easily if  
sense; but I'll  
done to me  
good nature.  
to anyone

ing around your mind? Send it  
Mirror, 235 E. 45th St., New  
The Mirror will pay \$10.

## QUOTE'

America: "I'm sure I would  
to go as a movie star  
ever. I don't like  
American men"  
on campaign:  
the fact that  
ed down the  
of Prince-  
be more

... forces are in that category.

But when you have taken these into account, you can still note that, on the national level, there are 2,400,000 civilian employees, that the Federal payroll is two and one-half times what it was at the peak of the New Deal, and that state and local payrolls have increased accordingly.

More and more people are riding piggy-back upon fewer and fewer who are producing the nation's wealth and providing its services.

It is an inflationary problem that cannot be solved by an attitude of "wait until next year," or "wait until things get better."

The statesmen, the heroes, the popular idols of this troubled time will be those who act courageously now to stem the tide and preserve the people's substance.

## What Is 'Modern'?

The Museum of Modern Art is suing Huntington Hartford over use in his projected art museum of the name Gallery of Modern Art. The suit is a good thing; it may do more to bring so-called "modernity" in art out in the open than the recent fire at the museum.

The term "modern," especially in art, has little specific meaning. Art is art, ancient or modern. Hartford is right in identifying the place where art goes off the deep end as the place where "communication (with the viewer) is cut off." He has as much right to his interpretation as the next man.

Herbert Read, the great English art critic, once said, "A renewed contact with tradition may have as much significance in art as any originality in style or technique."

In many ways the pre-historic cave paintings are as "modern" as anything Picasso ever did.

Let's drag this so-called "modern" thing right out where it needs a long-wanted airing.

**JAMES KELLER SAYS:**

## Prepare for Eternity Now

Mozart died at the age of 35, Alexander the Great at 33, Shelly at 30 and Keats at 26.

Because of the great strides made by scientists, doctors and drugs, the average person today can expect to live 20 years longer than those who lived even half a century ago.

The medical profession has made an outstanding contribution to mankind by helping countless millions to live longer and healthier lives.

Take advantage of this extra time by adding meaning and

purpose to your comparatively short stay on earth.

It is a precious opportunity to rise above a self-centered interest in your own physical well-being and reach for the great spiritual fulfillment which is the very reason for your existence.

God made you to know, love and serve Him in this life so that you may be happy with Him forever in the next.

The longest life is all too short to prepare adequately for that eternal reward. Make it a point, therefore, to live better while living longer.

(Released by the Bell Syndicate, Inc.)

NEW YORK MIRROR FRIDAY, JANUARY 23, 1959

Published at 235 E. 45th St., New York 17, N.Y. Tel.: MU 2-1000



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## What Is 'Modern'?

The Museum of Modern Art is suing Huntington Hartford over use in his projected art museum of the name Gallery of Modern Art. The suit is a good thing; it may do more to bring so-called "modernity" in art out in the open than the recent fire at the museum.

The term "modern," especially in art, has little specific meaning. Art is art, ancient or modern. Hartford is right in identifying the place where art goes off the deep end as the place where "communication (with the viewer) is cut off." He has as much right to his interpretation as the next man.

Herbert Read, the great English art critic ~~once said~~ "A renewed contact with tradition may have as much significance in art as any originality in style or technique."

In many ways the pre-historic cave paintings are as "modern" as anything Picasso ever did.

Let's drag this so-called "modern" thing right out where it needs a long-wanted airing.

NEW YORK MIRROR, FRIDAY, JANUARY 23, 1959  
Published at 235 E. 45th St., New York 17, N.Y., Tel.: MU 2-1000



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## What Is 'Modern'?

The Museum of Modern Art is suing Huntington Hartford over use in his projected art museum of the name Gallery of Modern Art. The suit is a good thing; it may do more to bring so-called "modernity" in art out in the open than the recent fire at the museum.

The term "modern," especially in art, has little specific meaning. Art is art, ancient or modern. Hartford is right in identifying the place where art goes off the deep end as the place where "communication (with the viewer) is cut off." He has as much right to his interpretation as the next man.

Herbert Read, the great English art critic, once said: "A renewed contact with tradition may have as much significance in art as any originality in style or technique."

In many ways the pre-historic cave paintings are as "modern" as anything Picasso ever did.

Let's drag this so-called "modern" thing right out where it needs a long-wanted airing.

NEW YORK MIRROR, FRIDAY, JANUARY 23, 1959

Published at 235 E. 45th St., New York 17, N.Y. Tel. MU 2-1000



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## THE ORIGINAL ROMEIKF

### Confusion in Modern Art

New York City's Museum of Modern Art has served some papers on Mr. Huntington Hartford in an effort to prevent him from naming a museum he plans to build the "Gallery of Modern Art." The similarity of names would be much too confusing, the Museum says.

Mr. Hartford, patron of the arts, plans to put \$2 million into his building as well as all kinds of modern art except some types of abstract art. Just like any A. and P. patron, Mr. Hartford wants to know what's in the package. It's okay, for example, for an artist to distort nature somewhat, but when communication ceases because the viewer doesn't know what nature has been distorted, the artist can go hang his picture some other place, like Washington Square.

Or in the Museum of Modern Art, maybe. The Museum takes a broader slant at modern art than the three-dimensional use of paint, plaster and stone most people are used to. So long as the work is interesting, an abstract

artist can work in no dimensions at all or maybe eight or nine as well as in flashing lights and feathers, for all the Museum cares.

Well, we don't quite understand what the fight over the name is all about, but then that may be because we don't really understand what the name's all about, either. People have been quarrelling for a long time over what "modern" means and for even longer over what constitutes "art." We question whether anyone has a right to appropriate those terms and to deny them to somebody else just because someone might become confused.

As for the true enthusiasts of modern art, there ought to be room for both a museum and a gallery; the devotees would know which is which and where they are without any trouble. As for us, we're all for progress and so we're delighted to see a second establishment dedicated to up-to-date aesthetics. Even though the effect is likely to make us twice as confused as ever about modern art.

Or in the Museum of Modern Art, maybe. The Museum takes a broader slant at modern art than the three-dimensional use of paint, plaster and stone most people are used to. So long as the work is interesting, an abstract

for us, we're all for progress and so we're delighted to see a second establishment dedicated to up-to-date aesthetics. Even though the effect is likely to make us twice as confused as ever about modern art.

Or in the Museum of Modern Art, maybe. The Museum takes a broader slant at modern art than the three-dimensional use of paint, plaster and stone most people are used to. So long as the work is interesting, an abstract

for us, we're all for progress and so we're delighted to see a second establishment dedicated to up-to-date aesthetics. Even though the effect is likely to make us twice as confused as ever about modern art.

nsions at all  
s well as in  
s, for all the

understand  
name is all  
because we  
what the  
People have  
ng time over  
and for even  
tes "art." We  
has a right  
is and to deny  
just because  
confused.  
siants of mod-  
be room for  
allery; the de-  
h is which and  
my trouble. As  
ogress and so  
second estab-  
up-to-date aes-  
effect is likely  
nfused as ever

Wall Street Journal, Jan. 22, 1959



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

This Clipping From  
SAN FRANCISCO, CAL.  
WALL ST. JOURNAL

JAN 22 1959

## Confusion in Modern Art

New York City's Museum of Modern Art has served some papers on Mr. Huntington Hartford in an effort to prevent him from naming a museum he plans to build the "Gallery of Modern Art." The similarity of names would be much too confusing, the Museum says.

Mr. Hartford, patron of the arts, plans to put \$2 million into his building as well as all kinds of modern art except some types of abstract art. Just like any A. and P. patron, Mr. Hartford wants to know what's in the package. It's okay, for example, for an artist to distort nature somewhat, but when communication ceases because the viewer doesn't know what nature has been distorted, the artist can go hang his picture some other place, like Washington Square.

Or in the Museum of Modern Art, maybe. The Museum takes a broader slant at modern art than the three-dimensional use of paint, plaster and stone most people are used to. So long as the work is interesting, an abstract

artist can work in no dimensions at all or maybe eight or nine as well as in flashing lights and feathers, for all the Museum cares.

Well, we don't quite understand what the fight over the name is all about, but then that may be because we don't really understand what the name's all about, either. People have been quarrelling for a long time over what "modern" means and for even longer over what constitutes "art." We question whether anyone has a right to appropriate those terms and to deny them to somebody else just because someone might become confused.

As for the true enthusiasts of modern art, there ought to be room for both a museum and a gallery; the devotees would know which is which and where they are without any trouble. As for us, we're all for progress and so we're delighted to see a second establishment dedicated to up-to-date aesthetics. Even though the effect is likely to make us twice as confused as ever about modern art.

Or in the Museum of Modern Art, maybe. The Museum takes a broader slant at modern art than the three-dimensional use of paint, plaster and stone most people are used to. So long as the work is interesting, an abstract

for us, we're all for progress and so we're delighted to see a second establishment dedicated to up-to-date aesthetics. Even though the effect is likely to make us twice as confused as ever about modern art.

nsions at all  
s well as in  
e, for all the

understand  
name is all  
e because we  
i what the  
People have  
ng time over  
and for even  
tes "art." We  
has a right  
is and to deny  
just because  
confused.  
siasts of mod-  
be room for  
allery; the de-  
h is which and  
any trouble. As  
ogress and so  
second estab-  
up-to-date aes-  
effect is likely  
nfused as ever

at all  
as in  
all the  
stand  
is all  
we we  
the  
have  
over  
even  
"We  
right  
deny  
cause  
mod-  
m for  
he de-  
ch and  
ple. As



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6900

Ch. [D 134,218]

This Clipping From  
CHICAGO, ILL.  
WALL ST. JOURNAL

JAN 23 1959

## Confusion in Modern Art

New York City's Museum of Modern Art has served some papers on Mr. Huntington Hartford in an effort to prevent him from naming a museum he plans to build the "Gallery of Modern Art." The similarity of names would be much too confusing, the Museum says.

Mr. Hartford, patron of the arts, plans to put \$2 million into his building as well as all kinds of modern art except some types of abstract art. Just like any A. and P. patron, Mr. Hartford wants to know what's in the package. It's okay, for example, for an artist to distort nature somewhat, but when communication ceases because the viewer doesn't know what nature has been distorted, the artist can go hang his picture some other place, like Washington Square.

Or in the Museum of Modern Art, maybe. The Museum takes a broader slant at modern art than the three-dimensional use of paint, plaster and stone most people are used to. So long as the work is interesting, an abstract

artist can work in no dimensions at all or maybe eight or nine as well as in flashing lights and feathers, for all the Museum cares.

Well, we don't quite understand what the fight over the name is all about, but then that may be because we don't really understand what the name's all about, either. People have been quarreling for a long time over what "modern" means and for even longer over what constitutes "art." We question whether anyone has a right to appropriate those terms and to deny them to somebody else just because someone might become confused.

As for the true enthusiasts of modern art, there ought to be room for both a museum and a gallery; the devotees would know which is which and where they are without any trouble. As for us, we're all for progress and so we're delighted to see a second establishment dedicated to up-to-date aesthetics. Even though the effect is likely to make us twice as confused as ever about modern art.

nsions at all  
s well as in  
s, for all the

understand  
name is all  
e because we  
i what the  
People have  
ng time over  
and for even  
tes "art." We  
s has a right  
is and to deny  
just because  
confused.  
siasts of mod-  
be room for  
allery; the de-  
h is which and  
my trouble. As  
ogress and so  
second estab-  
up-to-date aes-  
effect is likely  
nfused as ever



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

339 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 134,218)

This Clipping From  
CHICAGO, ILL.  
WALL ST. JOURNAL

JAN 22 1959

## Confusion in Modern Art

New York City's Museum of Modern Art has served some papers on Mr. Huntington Hartford in an effort to prevent him from naming a museum he plans to build the "Gallery of Modern Art." The similarity of names would be much too confusing, the Museum says.

Mr. Hartford, patron of the arts, plans to put \$2 million into his building as well as all kinds of modern art except some types of abstract art. Just like any A. and P. patron, Mr. Hartford wants to know what's in the package. It's okay, for example, for an artist to distort nature somewhat, but when communication ceases because the viewer doesn't know what nature has been distorted, the artist can go hang his picture some other place, like Washington Square.

Or in the Museum of Modern Art, maybe. The Museum takes a broader slant at modern art than the three-dimensional use of paint, plaster and stone most people are used to. So long as the work is interesting, an abstract

artist can work in no dimensions at all or maybe eight or nine as well as in flashing lights and feathers, for all the Museum cares.

Well, we don't quite understand what the fight over the name is all about, but then that may be because we don't really understand what the name's all about, either. People have been quarreling for a long time over what "modern" means and for even longer over what constitutes "art." We question whether anyone has a right to appropriate those terms and to deny them to somebody else just because someone might become confused.

As for the true enthusiasts of modern art, there ought to be room for both a museum and a gallery; the devotees would know which is which and where they are without any trouble. As for us, we're all for progress and so we're delighted to see a second establishment dedicated to up-to-date aesthetics. Even though the effect is likely to make us twice as confused as ever about modern art.

nsions at all  
a well as in  
s, for all the

understand  
name is all  
e because we  
i what the  
People have  
ng time over  
and for even  
tes "art." We  
s has a right  
is and to deny  
just because  
confused.  
siasts of mod-  
be room for  
allery; the de-  
h is which and  
any trouble. As  
ogress and so  
second estab-  
up-to-date aes-  
effect is likely  
nfused as ever



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

### Confusion in Modern Art

New York City's Museum of Modern Art has served some papers on Mr. Huntington Hartford in an effort to prevent him from naming a museum he plans to build the "Gallery of Modern Art." The similarity of names would be much too confusing, the Museum says.

Mr. Hartford, patron of the arts, plans to put \$2 million into his building as well as all kinds of modern art except some types of abstract art. Just like any A. and P. patron, Mr. Hartford wants to know what's in the package. It's okay, for example, for an artist to distort nature somewhat, but when communication ceases because the viewer doesn't know what nature has been distorted, the artist can go hang his picture some other place, like Washington Square.

Or in the Museum of Modern Art, maybe. The Museum takes a broader slant at modern art than the three-dimensional use of paint, plaster and stone most people are used to. So long as the work is interesting, an abstract

artist can work in no dimensions at all or maybe eight or nine as well as in flashing lights and feathers, for all the Museum cares.

Well, we don't quite understand what the fight over the name is all about, but then that may be because we don't really understand what the name's all about, either. People have been quarrelling for a long time over what "modern" means and for even longer over what constitutes "art." We question whether anyone has a right to appropriate those terms and to deny them to somebody else just because someone might become confused.

As for the true enthusiasts of modern art, there ought to be room for both a museum and a gallery; the devotees would know which is which and where they are without any trouble. As for us, we're all for progress and so we're delighted to see a second establishment dedicated to up-to-date aesthetics. Even though the effect is likely to make us twice as confused as ever about modern art.

Wall Street Journal, Jan. 22, 1959



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. [D 456,768] [S 490,174]

*This Clipping From*  
DETROIT, MICH.  
FREE PRESS

JAN 22 1959

## Names And Faces

### *What's in a Name?*

Mad about modern art?

The Museum of Modern Art and grocery-chain heir Huntington Hartford are in New York. It's the words, though, not the painting.

Hartford plans a two-million-dollar museum at Columbus Circle and plans to name it the Gallery of Modern Art.

The Museum of Modern Art claims in court the name proposed by Hartford is so similar it would "dilute the distinctive quality" of the museum's name and divert donations.

Hartford is an opponent of abstraction. The Museum of Modern Art likes abstractionists.



Hartford



The Museum of Modern Art Archives, NY	Collection:	Series/Folder:
	PI/COMMS	IV.A.12

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 456,768) (S 490,174)

*This Clipping From*  
DETROIT, MICH.  
FREE PRESS

JAN 22 1959

## Names And Faces

### *What's in a Name?*

Mad about modern art?

The Museum of Modern Art and grocery-chain heir  
Huntington Hartford are in New York. It's the words,  
though, not the painting.

Hartford plans a two-  
million-dollar museum at  
Columbus Circle and plans  
to name it the Gallery of  
Modern Art.

The Museum of Modern  
Art claims in court the  
name proposed by Hart-  
ford is so similar it would  
"dilute the distinctive  
quality" of the museum's name and divert donations.

Hartford is an opponent of abstraction. The Museum  
of Modern Art likes abstractionists.



Hartford



The Museum of Modern Art Archives, NY	Collection:	Series/Folder:
	PI/COMMS	IV.A.12

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 173,980) (S 240,520)

This Clipping From  
COLUMBUS, OHIO  
DISPATCH

## Court Battle Looms Over Art Terms

NEW YORK, JAN. 21—(AP)

A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

HARTFORD said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served

with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

This Clipping From

## BATTLE BREWS OVER ART WORDS

NEW YORK, Jan. 21—(AP) A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar

that it would "dilute the distinctive quality of the museum's name and possibly direct goodwill and donations from the established museum, founded in 1929."

The legal maneuvers are being conducted against a backdrop of long-standing controversy about modern art.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the Great Atlantic & Pacific Tea company fortune.

He also is a Broadway producer, theater owner, model agency head and garage operator.



The Museum of Modern Art Archives, NY	Collection:	Series/Folder:
	PI/COMMS	IV.A.12

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Ch. (D 173,980) (\$ 240,520)

This Clipping From  
COLUMBUS, OHIO  
DISPATCH

## Court Battle Looms Over Art Terms

NEW YORK, Jan. 21—(AP)

A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

HARTFORD said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served

with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert goodwill and donations from the established museum, founded in 1929.

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

This Clipping From

## BATTLE BREWS OVER ART WORDS

NEW YORK, Jan. 21—(AP) A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a two-million-dollar art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum of Modern Art charged that "Gal-

lery of Modern Art" is so similar that it would "dilute the distinctive quality of the museum's name and possibly direct goodwill and donations from the established museum, founded in 1929.

The legal maneuvers are being conducted against a backdrop of long-standing controversy about modern art.

Hartford is in the forefront of opponents to abstraction in art.

The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

Hartford is an heir to the Great Atlantic & Pacific Tea company fortune.

He also is a Broadway producer, theater owner, model agency head and garage operator.



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. [D 408,160] [S 271,019]

This Clipping From  
NEW YORK, N. Y.  
POST

Jan 21, 1959

## Museum Says 'Modern Art' Is Its Alone

Huntington Hartford's plan for a museum may be art, but is it legal?

The question comes from the Museum of Modern Art, which is taking legal action to prevent the grocery chain (A & P) heir from calling his new museum the Gallery of Modern Art.

The objection is the use of the words "modern art" on the \$2,000,000 building scheduled for Lincoln Sq.

Hartford said yesterday that he had as much right to modern art—and to those words—as anybody and would fight the suit.



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6900

Cir. (D 408,150) (S 271,019)

This Clipping From  
NEW YORK, N. Y.  
POST

Jan 21, 1959

**Museum Says  
'Modern Art'  
Is Its Alone**

Huntington Hartford's plan for a museum may be art, but is it legal?

The question comes from the Museum of Modern Art, which is taking legal action to prevent the grocery chain (A & P) heir from calling his new museum the Gallery of Modern Art.

The objection is the use of the words "modern art" on the \$2,000,000 building scheduled for Lincoln Sq.

Hartford said yesterday that he had as much right to modern art—and to those words—as anybody and would fight the suit.



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

220 W. 19<sup>th</sup> St., NEW YORK 11, N.Y.  
Tel. CHelsea 3-8860

Cir. (D 169,679)

This Clipping From  
INDIANAPOLIS, IND.  
NEWS

PEOPLE IN THE NEWS

## What's Modern Art? Court to Rule

By DWIGHT SCANTLAND

A court battle is brewing over modern art. Not the paintings but the words.

On one side is the New York Museum of Modern Art and on the other HUNTINGTON HARTFORD, A & P grocery chain heir and art patron who plans to build a \$2 million museum to be called Gallery of Modern Art.

The museum filed suit to keep him from using the words "modern art" on grounds they might cause confusion—and divert contributions. In the past, Hartford has been a foe of abstract art and the museum has exhibited numerous examples of it.



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

220 W. 19th St., NEW YORK 11, N.Y.  
Tel. CHelsea 3-8860

Cir. (D 159,679)

This Clipping From  
INDIANAPOLIS, IND.  
NEWS

JAN 21 1969

**PEOPLE IN THE NEWS**

## What's Modern Art? Court to Rule

By DWIGHT SCANTLAND

A court battle is brewing over modern art. Not the paintings but the words.

On one side is the New York Museum of Modern Art and on the other HUNTINGTON HARTFORD, A & P grocery chain heir and art patron who plans to build a \$2 million museum to be called Gallery of Modern Art.

The museum filed suit to keep him from using the words "modern art," on grounds they might cause confusion—and divert contributions. In the past, Hartford has been a foe of abstract art and the museum has exhibited numerous examples of it.



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

City (D 42,535) (S 30,679)

This Clipping From  
LOWELL, MASS.  
SUN

### Today's Cultural Corner

NEW YORK--The Museum of Modern Art has asked the court for an injunction against Huntington Hartford, who plans to name the \$2,000,000 museum he is going to build the "Gallery of Modern Art." The Museum contends the similarity of names would deprive it of possible goodwill and donations. Actually the fight goes deeper than semantics. While the Museum of Modern Art has exhibited the works of numerous abstract artists, Hartford is a leader of the foes of abstraction in art.

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

City (D 396,603) (S 487,213)

This Clipping From

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

City (D 176,580)

This Clipping From  
LOUISVILLE, KY.  
TIMES

JAN 27 1959

#### Art

Domingo Gonzalez, a Spanish bullfighting impresario, says Pablo Picasso has promised to design bullfight posters for the coming season. Huntington Hartford, an heir to the A&P grocery fortune, does not like modern art. So he proposes to build a "Gallery of Modern Art" in New York. The Museum of Modern Art, however, says that name is too similar to its own and is protesting. The case is in the courts.



Pablo Picasso



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 42,535) (S 30,679)

This Clipping From  
LOWELL, MASS.  
SUN

**Today's Cultural Corner**

NEW YORK--The Museum of Modern Art has asked the court for an injunction against Huntington Hartford, who plans to name the \$2,000,000 museum he is going to build the "Gallery of Modern Art." The Museum contends the similarity of names would deprive it of possible goodwill and donations. Actually the fight goes deeper than semantics. While the Museum of Modern Art has exhibited the works of numerous abstract artists, Hartford is a leader of the foes of abstraction in art.

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

THE ORIGINAL  
**ROMEIKE**  
PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 176,580)

This Clipping From  
LOUISVILLE, KY.  
TIMES

JAN 21 1959

**Art**

Domingo Gonzalez, a Spanish bullfighting impresario, says Pablo Picasso has promised to design bullfight posters for the Gonzalez family rings. Huntington Hartford, an heir to the A&P grocery fortune, does not like modern art. So he proposes to build a "Gallery of Modern Art" in New York. The Museum of Modern Art, however, says that name is too similar to its own and is protesting. The case is in the courts.



Pablo Picasso



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 549,290) (Set. 232,097)

This Clipping From  
NEW YORK, N. Y.  
WORLD-TELEGRAM & SUN

Jan 21, 1959

### A&P Heir Sued Over Art Gallery

A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a \$2 million museum at Columbus Circle and name it Gallery of Modern Art.

Mr. Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name Gallery of Modern Art.

Mr. Hartford has been served with the complaint. In it, the Museum of Modern Art charged that Gallery of Modern Art is so similar that it would "dilute the distinctive quality" of the museum's name, founded in 1929.

Mr. Hartford is an heir to the Great Atlantic & Pacific Tea Co. fortune.

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 549,290) (Set. 232,097)

This Clipping From  
NEW YORK, N. Y.  
WORLD-TELEGRAM & SUN

Jan 21, 1959

### A&P Heir Sued Over Art Gallery

A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a \$2 million museum at Columbus Circle and name it Gallery of Modern Art.

Mr. Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name Gallery of Modern Art.

Mr. Hartford has been served with the complaint. In it, the Museum of Modern Art charged that Gallery of Modern Art is so similar that it would "dilute the distinctive quality" of the museum's name, founded in 1929.

Mr. Hartford is an heir to the Great Atlantic & Pacific Tea Co. fortune.

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 53,178)

This Clipping From  
ALBANY, N. Y.  
KNICKERBOCKER NEWS

### Court Battle Brews Over Modern Art

New York (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a \$2 million art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he would fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert good will and donations from the established museum, founded in 1929.

## THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (D 53,178)

This Clipping From  
ALBANY, N. Y.  
KNICKERBOCKER NEWS

### Court Battle Brews Over Modern Art

New York (AP)—A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art.

On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a \$2 million art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he would fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name which he termed similarly "confusing."

Hartford has been served with the complaint. In it, the Museum of Modern Art charged that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert good will and donations from the established museum, founded in 1929.



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6900

Cl. (D 396.603) [S 487.213]

This Clipping From  
ST. LOUIS, MO.  
POST-DISPATCH

JAN 21 1959

### BATTLE BREWING OVER TWO WORDS — MODERN ART

NEW YORK, Jan. 21 (AP)—

A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art. On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a \$2,000,000

art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name similarly "confusing."

The Museum of Modern Art charges that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert good will and donations from the mu-

seum established in 1929.

Hartford is in the forefront of opponents to abstraction in art. The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.

ST. LOUIS, MO.  
POST-DISPATCH

JAN 21 1959

### BATTLE BREWING OVER TWO WORDS — MODERN ART

NEW YORK, Jan. 21 (AP)—

A court battle is brewing over modern art—the words, not the painting.

On one side is the Museum of Modern Art. On the other is Huntington Hartford, grocery chain heir and art patron who plans to build a \$2,000,000

art museum at Columbus Circle and name it Gallery of Modern Art.

Hartford said yesterday he will fight the museum's suit for an injunction against the use of the name "Gallery of Modern Art" or any other name similarly "confusing."

The Museum of Modern Art charges that "Gallery of Modern Art" is so similar that it would "dilute the distinctive quality" of the museum's name and possibly divert good will and donations from the mu-

seum established in 1929.

Hartford is in the forefront of opponents to abstraction in art. The Museum of Modern Art has exhibited the works of numerous abstract artists over the years.



The Museum of Modern Art Archives, NY	Collection: PI/COMMS	Series.Folder: IV.A.12
---------------------------------------	-------------------------	---------------------------

to tenants in five to  
ments operated by Boyd  
Wyckoff.

#### Search for New Cadets Urged

Former cadets of the United States Military Academy now in civilian life in this area were urged yesterday to seek out suitable future cadets. Theodore H. Halligan, secretary of the West Point Society of New York, told the group at a luncheon meeting in Leone's Restaurant of a special program to select and sponsor youths with outstanding academic and athletic qualifications.

cover  
public to take s  
instructions.

#### C.Y.O. Re-Elects President

The Catholic Youth Organization of New York re-elected J. Peter Grace Jr. to a ninth consecutive term as president yesterday. He is president also of W. R. Grace & Co. William J. Schmitt, a lawyer, was elected chairman of the board, and R. Murray McDonnell, investment banker, was re-elected to a fifth term as first vice president.

for  
on Co.  
Sixtieth  
brary will  
brary with  
nue building.

It is estimate  
stages will c  
plus \$1,000,000  
velopmant.

The third sta  
future growth,  
student union,  
rooms and libr  
tower. This sta  
000.

Father Mc  
first stage wot  
1,000 students  
two stages tog  
per cent incre  
ment of the d  
He said the t  
provide for a

## What Is a Modern Art Museum? 2 City Galleries Fight for Name

The Museum of Modern Art has gone to court to prevent Huntington Hartford, grocery chain heir and art patron, from using the name Gallery of Modern Art for the \$2,000,000 art museum he is planning to build at 2 Columbus Circle.

In a complaint served on Mr. Hartford on Jan. 12, the Museum of Modern Art charged that the use of so similar a name would "dilute the distinctive quality" of the museum's name and might divert goodwill and donations from the established museum.

Mr. Hartford said yesterday that he was "astounded" by the museum's action, and that he would fight the suit.

"I did want to use the term modern art," he said, "because I believe it's descriptive of what I will have in the museum. I don't see why one museum should have the entire rights to a descriptive term like 'modern art.'"

The museum's action seeks an injunction against the use of the name "Gallery of Modern Art or any other name" similarly "confusing."

Mr. Hartford's attorneys, Stroock & Stroock & Lavan, said that they have not yet offered a reply to the suit.

Winthrop, Stimson, Putnam &

Roberts are the attorneys for the Museum of Modern Art.

The museum's complaint describes at length the institution's history and service to the community. Since its incorporation in 1929, the complaint states, the museum has collected more than 1,360 paintings and sculptures that have been visited by nearly 11,000,000 people. It has spent \$29,490,000 on its varied activities.

In the background of the lawsuit and Mr. Hartford's plans to build an art gallery of white marble there exists a long-simmering controversy over modern art.

Mr. Hartford, a Broadway producer, theatre owner, model agency head, garage operator and an heir to the Great Atlantic & Pacific Tea Company fortune, is a leading figure among those who oppose abstraction in art. He said yesterday that he would accept the artist's right to distort nature as he [the artist] sees it, but only up to the point at which communication is cut off.

The Museum of Modern Art is regarded as putting in a more avant-garde place the point at which communication between artist and viewer ceases to exist. The museum has exhibited over the years the work of scores of abstract artists.

#### Kansas Is As New F.

WASHINGTON (AP)—President Truman nominated Julian B. Morgan of Wichita to be Federal Housing Commissioner.

Mr. Zimmerman, general counsel and Home

the over-all housing dep.

He was r  
Norman P.  
recently non  
housing pos  
Government  
of the Hous  
nance Adm  
Mason's no  
proved by

Mr. Zimmerman  
law in Wi  
the housi  
months a  
newspaper  
water, Ka  
was exect  
ward F.  
of Kansas

posure!

N.Y. Times - Jan 21, 1959



The Museum of Modern Art Archives, NY

Collection:

PI/COMMS

Series.Folder:

IV.A.12

# MUSEUMS GO TO LAW FOR RIGHT TO A NAME

By ALINE B. SAARINEN

**E**VERY now and then, the art world, a world never too stably poised on its axis, gets shaken by one minor earthquake or another. The most recent rumbling concerns a suit instituted by the Museum of Modern Art against Huntington Hartford, which seeks to restrain the latter from calling his projected two million dollar museum on Columbus Circle "Gallery of Modern Art."

The Museum of Modern Art claims that the use of so similar a name would "dilute the distinctive quality" of the Museum of Modern Art, might divert goodwill and donations from the established museum and would surely confuse the public.

Mr. Hartford, grandson of the founder of the Great Atlantic and Pacific Tea Company (better known as A. & P.), a Broad-

## Two Organizations Dispute the Claim To Use of the Title 'Modern'

way producer, a theatre owner, a model agency head, a garage operator and a self-appointed Messiah dedicated to correcting what he calls the "moral and artistic degeneration in modern art, contemporary theatre and in a general way among the intelligentsia in the U. S. A. and particularly in New York," maintains that the Museum of Modern Art has no restrictive and exclusive claim to the words "modern art" and that these words are descriptive of the kind of art he intends to show in his ten-story building.

Mr. Hartford, a well-heeled protector of both God (one of his pamphlets was entitled "Has God Been Insulted

Here?") and of the public (another diatribe was sarcastically called "the public be damned") maintains there is no possibility of confusion for the public between a Gallery of Modern Art and a Museum of Modern Art.

### Question for Donors

Our own subjective opinion is that donors will not be misled into giving their tax-free donations to the wrong institution, for caution in money matters is one of the attributes of the rich. They are as little likely to buy A. & P. stock when they want Standard Oil stock as they are to give money to an institution whose head maintains that Picasso is responsible for single-handedly "wiping out all the gains that have been in the world of painting for the last 500 years" when they want to give it to one which displays Picasso as a great master of "modern art."

But we do believe that the similarity of the two names will indeed confuse the general public. The words "Gallery" and "Museum" are now used almost interchangeably. A New York Times headline above a story of the current contretemps said "What is a Museum of Modern Art? Two Galleries Fight Over Name." Mr. Hartford a while ago in an interview with a reporter of the same newspaper, explained that "he thought of his new venture in Columbus Circle mostly as a Museum, with a curator in charge. But paintings will be sold in the Gallery" (italics ours).

The Museum of Modern Art, with its thirty-year record of crusading efforts and its 11,000,000 visitors, has so illustrious a reputation that it attracts vast numbers of out-of-town and foreign visitors. Some of these may, indeed, find themselves by mistake at Columbus Circle. (With the projected Lincoln Center nearby it is a potential new art area). If they are abashed by the difference in Mr. Hartford's version of modern art from what, through the reputation and publications of the established museum, they had been led to expect, they will have the wear and tear of a six-block walk to get re-oriented.

### Old Dispute Revised

What is amusing to most of us in the art world, however, is to see the words "modern art" once again become a hornet's nest. How imprecise, undefined and forever elusive these words are—somewhat like beauty—existent only in the mind of the orator, and, like Alice in Wonderland vocabulary, able to mean what anyone wants them to mean.

For the Communists, "modern art" means "capitalist degeneracy"; for many of our conservative Congressmen it represents "a Communist conspiracy."

And we remember back in 1946 how these seemed to be reprehensible, dirty words to an "Institute" in Boston. That institute felt strongly that the Museum of Modern Art in New York had usurped these words unto itself and invested them exclusively with meaning the kind of art it championed. To the Boston group that art was extreme, experimental and tinged with chicanery. Then, with a great deal of fanfare, an expensive manifesto and maximum righteousness, it proudly changed its name from "Institute of Modern Art" to "Institute of Contemporary Art."

### Critic of the "Modern"

Mr. Hartford has not been reticent about his own views on modern art. He explained to a United Press reporter that "it would cost him nothing" since these were educational and therefore tax deductible expenses, but he did spend an estimated \$25,000 in order to express his views in full page advertisements in six New York newspapers. He suggested that changes should be effectuated at "such intellectual magazines as Harper's, Saturday Review and the Atlantic Monthly" and Art News; that the direction of the Museum of Modern Art be altered; that the New York Times rid itself of drama critic Brooks Atkinson and art critics Stuart Preston and Aline Saarinen; and that the Pulitzer Prize Committee's award to Tennessee Williams was "a public scandal."

### The Opposite View

No matter how many full-page advertisements or privately printed pamphlets Mr. Hartford produces, the fact will still remain that the professionally trained and experienced editors, museum men and critics of these organizations have been—and will undoubtedly continue to be—allied with the fresh, personal, imaginative, forward-looking creative expressions which the public has come to accept as "modern art." How odd that Mr. Hartford should want to risk any contamination from these sources or possible confusion with them!

A suggestion: Mr. Hartford stated that he "accepts the artist's right to distort nature as he sees it, but only up to the point where communication is cut off." Since the arbiter of that point is, presumably, Mr. Hartford, why not call the new gallery "The Huntington Hartford Museum" or Gallery? Is Mr. Hartford reluctant to do this out of modesty or because he fears it might stir the nationwide tempest of a lawsuit by the Huntington Library and the City of Hartford?



The Museum of Modern Art Archives, NY

Collection:

PI/COMMS

Series.Folder:

IV.A.12

# MUSEUMS GO TO LAW FOR RIGHT TO A NAME

By ALINE B. SAARINEN

**E**VERY now and then, the art world, a world never too stably poised on its axis, gets shaken by one minor earthquake or another. The most recent rumbling concerns a suit instituted by the Museum of Modern Art against Huntington Hartford, which seeks to restrain the latter from calling his projected two million dollar museum on Columbus Circle "Gallery of Modern Art."

The Museum of Modern Art claims that the use of so similar a name would "dilute the distinctive quality" of the Museum of Modern Art, might divert goodwill and donations from the established museum and would surely confuse the public.

Mr. Hartford, grandson of the founder of the Great Atlantic and Pacific Tea Company (better known as A. & P.), a Broad-

## Two Organizations Dispute the Claim To Use of the Title 'Modern'

way producer, a theatre owner, a model agency head, a garage operator and a self-appointed Messiah dedicated to correcting what he calls the "moral and artistic degeneration in modern art, contemporary theatre and in a general way among the intelligentsia in the U. S. A.," particularly in New York, maintains that the Museum of Modern Art has no restrictive and exclusive claim to the words "modern art" and that these words are descriptive of the kind of art he intends to show in his ten-story building.

Mr. Hartford, a well-heeled protector of both God (one of his pamphlets was entitled "Has God Been Insulted

Here?") and of the public (another diatribe was sarcastically called "the public be damned") maintains there is no possibility of confusion for the public between a Gallery of Modern Art and a Museum of Modern Art.

### Question for Donors

Our own subjective opinion is that donors will not be misled into giving their tax-free donations to the wrong institution, for caution in money matters is one of the attributes of the rich. They are as little likely to buy A. & P. stock when they want Standard Oil stock as they are to give money to an institution whose head maintains that Picasso is responsible for single-handedly "wiping out all the gains that have been in the world of painting for the last 500 years" when they want to give it to one which displays Picasso as a great master of "modern art."

But we do believe that the similarity of the two names will indeed confuse the general public. The words "Gallery" and "Museum" are now used almost interchangeably. A New York Times headline above a story of the current contretemps said "What is a Museum of Modern Art? Two Galleries Fight Over Name." Mr. Hartford a while ago in an interview with a reporter of the same newspaper, explained that "he thought of his new venture in Columbus Circle mostly as a Museum, with a curator in charge. But paintings will be sold in the Gallery" (Italics ours).

The Museum of Modern Art, with its thirty-year record of crusading efforts and its 11,000,000 visitors, has so illustrious a reputation that it attracts vast numbers of out-of-town and foreign visitors. Some of these may, indeed, find themselves by mistake at Columbus Circle. (With the projected Lincoln Center nearby it is a potential new art area). If they are abashed by the difference in Mr. Hartford's version of modern art from what, through the reputation and publications of the established museum, they had been led to expect, they will have the wear and tear of a six-block walk to get re-oriented.

### Old Dispute Revised

What is amusing to most of us in the art world, however, is to see the words "modern art" once again become a hornet's nest. How imprecise, undefined and forever elusive these words are—somewhat like beauty—existent only in the mind of the orator, and, like Alice in Wonderland vocabulary, able to mean what anyone wants them to mean.

For the Communists, "modern art" means "capitalist degeneracy"; for many of our conservative Congressmen it represents "a Communist conspiracy."

And we remember back in 1946 how these seemed to be reprehensible, dirty words to an "Institute" in Boston. That institute felt strongly that the Museum of Modern Art in New York had usurped these words unto itself and invested them exclusively with meaning the kind of art it championed. To the Boston group that art was extreme, experimental and tinged with chicanery. Then, with a great deal of fanfare, an expensive manifesto and maximum righteousness, it proudly changed its name from "Institute of Modern Art" to "Institute of Contemporary Art."

### Critic of the "Modern"

Mr. Hartford has not been reticent about his own views on modern art. He explained to a United Press reporter that "it would cost him nothing" since these were educational and therefore tax deductible expenses, but he did spend an estimated \$25,000 in order to express his views in full page advertisements in six New York newspapers. He suggested that changes should be effectuated at "such intellectual magazines as Harper's, Saturday Review and the Atlantic Monthly" and Art News; that the direction of the Museum of Modern Art be altered; that the New York Times rid itself of drama critic Brooks Atkinson and art critics Stuart Preston and Aline Saarinen; and that the Pulitzer Prize Committee's award to Tennessee Williams was "a public scandal."

### The Opposite View

No matter how many full-page advertisements or privately printed pamphlets Mr. Hartford produces, the fact will still remain that the professionally trained and experienced editors, museum men and critics of these organizations have been—and will undoubtedly continue to be—allied with the fresh, personal, imaginative, forward-looking creative expressions which the public has come to accept as "modern art." How odd that Mr. Hartford should want to risk any contamination from these sources or possible confusion with them!

A suggestion: Mr. Hartford stated that he "accepts the artist's right to distort nature as he sees it, but only up to the point where communication is cut off." Since the arbiter of that point is, presumably, Mr. Hartford, why not call the new gallery "The Huntington Hartford Museum" or Gallery? Is Mr. Hartford reluctant to do this out of modesty or because he fears it might stir the nation-wide tempest of a lawsuit by the Huntington Library and the City of Hartford?

The New York Times  
Sunday Feb. 1 1959.



The Museum of Modern Art Archives, NY

Collection:

PI/COMMS

Series/Folder:

IV.A.12

# THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Ch. (D 557,244) (S1,189,293)

This Clipping From  
NEW YORK, N. Y.  
TIMES

## MUSEUMS GO TO LAW FOR RIGHT TO A NAME

By ALINE B. SAARINEN

**E**VERY now and then, the art world, a world never too stably poised on its axis, gets shaken by one minor earthquake or another. The most recent rumbling concerns a suit instituted by the Museum of Modern Art against Huntington Hartford, which seeks to restrain the latter from calling his projected two million dollar museum on Columbus Circle "Gallery of Modern Art."

The Museum of Modern Art claims that the use of so similar a name would "dilute the distinctive quality" of the Museum of Modern Art, might divert goodwill and donations from the established museum and would surely confuse the public.

Mr. Hartford, grandson of the founder of the Great Atlantic and Pacific Tea Company (better known as A. & P.), a Broad-

### Two Organizations Dispute the Claim To Use of the Title 'Modern'

way producer, a theatre owner, a model agency head, a garage operator and a self-appointed Messiah dedicated to correcting what he calls the "moral and artistic degeneration in modern art, contemporary theatre and in a general way among the intelligentsia in the U. S. A. and particularly in New York," maintains that the Museum of Modern Art has no restrictive and exclusive claim to the words "modern art" and that these words are descriptive of the kind of art he intends to show in his ten-story building.

Mr. Hartford, a well-heeled protector of both God (one of his pamphlets was entitled "Has God Been Insulted

Here?") and of the public (another diatribe was sarcastically called "the public be damned"), maintains there is no possibility of confusion for the public between a Gallery of Modern Art and a Museum of Modern Art.

#### Question for Donors

Our own subjective opinion is that donors will not be misled into giving their tax-free donations to the wrong institution, for caution in money matters is one of the attributes of the rich. They are as little likely to buy A. & P. stock when they want Standard Oil stock as they are to give money to an institution whose head maintains that Picasso is responsible for single-handedly "wiping out all the gains that have been in the world of painting for the last 500 years" when they want to give it to one which displays Picasso as a great master of "modern art."

But we do believe that the similarity of the two names will indeed confuse the general public. The words "Gallery" and "Museum" are now used almost interchangeably. A New York Times headline above a story of the current contretemps said "What is a Museum of Modern Art? Two Galleries Fight Over Name." Mr. Hartford a while ago in an interview with a reporter of the same newspaper, explained that "he thought of his new venture in Columbus Circle mostly as a Museum, with a curator in charge. But paintings will be sold in the Gallery" (Italics ours).

The Museum of Modern Art, with its thirty-year record of crusading efforts and its 11,000,000 visitors, has so illustrious a reputation that it attracts vast numbers of out-of-town and foreign visitors. Some of these may, indeed, find themselves by mistake at Columbus Circle. (With the projected Lincoln Center nearby, it is a potential new art area). If they are ashamed by the difference in Mr. Hartford's version of modern art from what, through the reputation and publications of the established museum, they had been led to expect, they will have the wear and tear of a six-block walk to get re-oriented.

#### Old Dispute Revised

What is amusing to most of us in the art world, however, is to see the words "modern art" once again become a hornet's nest. How imprecise, undefined and forever elusive these words are—somewhat like beauty—existent only in the mind of the creator, and, like Alice in Wonderland vocabulary, able to mean what anyone wants them to mean.

For the Communists, "modern art" means "capitalist degeneracy"; for many of our conservative Congressmen it represents "a Communist conspiracy."

And we remember back in 1948 how these seemed to be reprehensible, dirty words to an "Institute" in Boston. That attitude felt strongly that the Museum of Modern Art in New York had usurped these words unto itself and invested them exclusively with meaning the kind of art it championed. To the Boston group that art was extreme, experimental and tinged with chicanery. Then, with a great deal of fanfare, an expensive manifesto and maximum righteousness, it proudly changed its name from "Institute of Modern Art" to "Institute of Contemporary Art."

#### Critic of the "Modern"

Mr. Hartford has not been reticent about his own views on modern art. He explained to a United Press reporter that "it would cost him nothing" since these were educational and therefore tax deductible expenses, but he did spend an estimated \$25,000 in order to express his views in full page advertisements in six New York newspapers. He suggested that changes should be effectuated at "such intellectual magazines as Harper's, Saturday Review and the Atlantic Monthly" and *Art News*; that the direction of the Museum of Modern Art be altered; that the New York Times rid itself of drama critic Brooks Atkinson and art critics Stuart Preston and Aline Saarinen; and that the Pulitzer Prize Committee's award to Tennessee Williams was "a public scandal."

#### The Opposite View

No matter how many full-page advertisements or privately printed pamphlets Mr. Hartford produces, the fact will still remain that the professionally trained and experienced editors, museum men and critics of these organizations have been—and will undoubtedly continue to be—allied with the fresh, personal, imaginative, forward-looking creative expressions which the public has come to accept as "modern art." How odd that Mr. Hartford should want to risk any contamination from these sources or possible confusion with them!

A suggestion: Mr. Hartford stated that he "accepts the artist's right to distort nature as he sees it, but only up to the point where communication is cut off." Since the arbiter of that point is, presumably, Mr. Hartford, why not call the new gallery "The Huntington Hartford Museum" or Gallery? Is Mr. Hartford reluctant to do this out of modesty or because he fears it might stir the nationwide tempest of a lawsuit by the Huntington Library and the City of Hartford?



The Museum of Modern Art Archives, NY

Collection:  
PI/COMMSSeries.Folder:  
IV.A.12

## MUSEUMS GO TO LAW FOR RIGHT TO A NAME

By ALINE B. SAARINEN

EVERY now and then, the art world, a world never too stably poised on its axis, gets shaken by one minor earthquake or another. The most recent rumbling concerns a suit instituted by the Museum of Modern Art against Huntington Hartford, which seeks to restrain the latter from calling his projected two million dollar museum on Columbus Circle "Gallery of Modern Art."

The Museum of Modern Art claims that the use of so similar a name would "dilute the distinctive quality" of the Museum of Modern Art, might divert goodwill and donations from the established museum and would surely confuse the public.

Mr. Hartford, grandson of the founder of the Great Atlantic and Pacific Tea Company (better known as A. & P.), a Broad-

## Two Organizations Dispute the Claim To Use of the Title 'Modern'

way producer, a theatre owner, a model agency head, a garage operator and a self-appointed Messiah dedicated to correcting what he calls the "moral and artistic degeneration in modern art, contemporary theatre and in a general way among the intelligentsia in the U. S. A. and particularly in New York," maintains that the Museum of Modern Art has no restrictive and exclusive claim to the words "modern art" and that these words are descriptive of the kind of art he intends to show in his ten-story building.

Mr. Hartford, a well-heeled protector of both God (one of his pamphlets was entitled "Has God Been Insulted

Here?") and of the public (another diatribe was sarcastically called "the public be damned"), maintains there is no possibility of confusion for the public between a Gallery of Modern Art and a Museum of Modern Art.

## Question for Donors

Our own subjective opinion is that donors will not be misled into giving their tax-free donations to the wrong institution, for caution in money matters is one of the attributes of the rich. They are as little likely to buy A. & P. stock when they want Standard Oil stock as they are to give money to an institution whose head maintains that Picasso is responsible for single-handedly "wiping out all the gains that have been in the world of painting for the last 500 years" when they want to give it to one which displays Picasso as a great master of "modern art."

But we do believe that the similarity of the two names will indeed confuse the general public. The words "Gallery" and "Museum" are now used almost interchangeably. A New York Times headline above a story of the current contretemps said "What is a Museum of Modern Art? Two Galleries Fight Over Name." Mr. Hartford, a while ago in an interview with a reporter of the same newspaper, explained that "he thought of his new venture in Columbus Circle mostly as a Museum, with a curator in charge. But paintings will be sold in the Gallery" (Italics ours).

The Museum of Modern Art, with its thirty-year record of crusading efforts and its 11,000,000 visitors, has so illustrious a reputation that it attracts vast numbers of out-of-town and foreign visitors. Some of these may, indeed, find themselves by mistake at Columbus Circle. (With the projected Lincoln Center nearby, it is a potential new art area.) If they are abashed by the difference in Mr. Hartford's version of modern art from what, through the reputation and publications of the established museum, they had been led to expect, they will have the wear and tear of a six-block walk to get re-oriented.

## Old Dispute Revised

What is amusing to most of us in the art world, however, is to see the words "modern art" once again become a hornet's nest. How imprecise, undefined and forever elusive these words are—somewhat like beauty—existent only in the mind of the orator, and, like Alice in Wonderland vocabulary, able to mean what anyone wants them to mean.

For the Communists, "modern art" means "capitalist degeneracy"; for many of our conservative Congressmen it represents "a Communist conspiracy."

And we remember back to 1946 how these seemed to be reprehensible, dirty words to a "Institute" in Boston. That institute felt strongly that the Museum of Modern Art in New York had usurped these words unto itself and invested them exclusively with meaning the kind of art it championed. To the Boston group that art was extreme, experimental and tinged with chicamery. Then, with a great deal of fanfare, an expensive manifesto and maximum righteousness, it proudly changed its name from "Institute of Modern Art" to "Institute of Contemporary Art."

## Critic of the "Modern"

Mr. Hartford has not been reticent about his own views on modern art. He explained to a United Press reporter that "it would cost him nothing" since these were educational and therefore tax deductible expenses, but he did spend an estimated \$25,000 in order to express his views in full page advertisements in six New York newspapers. He suggested that changes should be effectuated at "such intellectual magazines as Harper's, Saturday Review, and the Atlantic Monthly" and Art News; that the direction of the Museum of Modern Art be altered; that the New York Times rid itself of drama critic Brooks Atkinson and art critics Stuart Preston and Aline Saarinen; and that the Pulitzer Prize Committee's award to Tennessee Williams was "a public scandal."

## The Opposite View

No matter how many full-page advertisements or privately printed pamphlets Mr. Hartford produces, the fact will still remain that the professionally trained and experienced editors, museum men and critics of these organizations have been—and will undoubtedly continue to be—allied with the fresh, personal, imaginative, forward-looking creative expressions which the public has come to accept as "modern art." How odd that Mr. Hartford should want to risk any contamination from these sources or possible confusion with them!

A suggestion: Mr. Hartford stated that he "accepts the artist's right to distort nature as he sees it, but only up to the point where communication is cut off." Since the arbiter of that point is, presumably, Mr. Hartford, why not call the new gallery "The Huntington Hartford Museum" or Gallery? Is Mr. Hartford reluctant to do this out of modesty or because he fears it might stir the nationwide tempest of a lawsuit by the Huntington Library and the City of Hartford?

The New York Times  
Sunday Feb 4 1959



The Museum of Modern Art Archives, NY	Collection:	Series/Folder:
	PI/COMMS	IV.A.12

## MUSEUMS GO TO LAW FOR RIGHT TO A NAME

By ALINE R. SAARENEN

**E**VERY now and then, the art world, a world never too stably poised on its axis, gets shaken by one minor earthquake or another. The most recent rumbling concerns a suit instituted by the Museum of Modern Art against Huntington Hartford, which seeks to restrain the latter from calling his projected two million dollar museum on Columbus Circle "Gallery of Modern Art."

The Museum of Modern Art claims that the use of so similar a name would "dilute the distinctive quality" of the Museum of Modern Art, might divert goodwill and donations from the established museum and would surely confuse the public.

Mr. Hartford, grandson of the founder of the Great Atlantic and Pacific Tea Company (better known as A. & P.), a Broad-

### Two Organizations Dispute the Claim To Use of the Title 'Modern'

way producer, a theatre owner, a model agency head, a garage operator and a self-appointed Messiah dedicated to correcting what he calls the "moral and artistic degeneration in modern art, contemporary theatre and in a general way among the intelligentsia in the U. S. A. and particularly in New York," maintains that the Museum of Modern Art has no restrictive and exclusive claim to the words "modern art" and that these words are descriptive of the kind of art he intends to show in his ten-story building.

Mr. Hartford, a well-heeled protector of both God (one of his pamphlets was entitled "Has God Been Insulted

Here?") and of the public (another diatribe was sarcastically called "the public be damned") maintains there is no possibility of confusion for the public between a Gallery of Modern Art and a Museum of Modern Art.

#### Question for Donors

Our own subjective opinion is that donors will not be misled into giving their tax-free donations to the wrong institution, for caution in money matters is one of the attributes of the rich. They are as little likely to buy A. & P. stock when they want Standard Oil stock as they are to give money to an institution whose head maintains that Picasso is responsible for single-handedly "wiping out all the gains that have been in the world of painting for the last 500 years" when they want to give it to one which displays Picasso as a great master of "modern art."

But we do believe that the similarity of the two names will indeed confuse the general public. The words "Gallery" and "Museum" are now used almost interchangeably. A New York Times headline above a story of the current contretemps said "What is a Museum of Modern Art? Two Galleries Fight Over Name." Mr. Hartford, a while ago in an interview with a reporter of the same newspaper, explained that "he thought of his new venture in Columbus Circle mostly as a Museum, with a curator in charge. But paintings will be sold in the Gallery" (italics ours).

The Museum of Modern Art, with its thirty-year record of crusading efforts and its 11,000,000 visitors, has so illustrious a reputation that it attracts vast numbers of out-of-town and foreign visitors. Some of these may, indeed, find themselves by mistake at Columbus Circle. (With the projected Lincoln Center nearby it is a potential new art area). If they are abashed by the difference in Mr. Hartford's version of modern art from what, through the reputation and publications of the established museum, they had been led to expect, they will have the wear and tear of a six-block walk to get re-oriented.

#### Old Dispute Revised

What is amusing to most of us in the art world, however, is to see the words "modern art" once again become a hornet's nest. How imprecise, undefined and forever elusive these words are—somewhat like beauty—existent only in the mind of the orator, and, like Alice in Wonderland vocabulary, able to mean what anyone wants them to mean.

For the Communists, "modern art" means "capitalist degeneracy"; for many of our conservative Congressmen it represents "a Communist conspiracy."

And we remember back in 1946 how these seemed to be reprehensible, dirty words to an "Institute" in Boston. That institute felt strongly that the Museum of Modern Art in New York had usurped these words unto itself and invested them exclusively with meaning the kind of art it championed. To the Boston group that art was extreme, experimental and tinged with chicanery. Then, with a great deal of fanfare, an expensive manifesto and maximum righteousness, it proudly changed its name from "Institute of Modern Art" to "Institute of Contemporary Art."

#### Critic of the "Modern"

Mr. Hartford has not been reticent about his own views on modern art. He explained to a United Press reporter that "it would cost him nothing" since these were educational and therefore tax deductible expenses, but he did spend an estimated \$25,000 in order to express his views in full page advertisements in six New York newspapers. He suggested that changes should be effectuated at "such intellectual magazines as Harper's, Saturday Review and the Atlantic Monthly" and the *Art News*; that the direction of the Museum of Modern Art be altered; that the New York Times rid itself of drama critic Brooks Atkinson and art critics Stuart Preston and Aline Saarinen; and that the Pulitzer Prize Committee's award to Tennessee Williams was "a public scandal."

#### The Opposite View

No matter how many full-page advertisements or privately printed pamphlets Mr. Hartford produces, the fact will still remain that the professionally trained and experienced editors, museum men and critics of these organizations have been—and will undoubtedly continue to be—alleged with the fresh, personal, imaginative, forward-looking creative expressions which the public has come to accept as "modern art." How odd that Mr. Hartford should want to risk any contamination from these sources or possible confusion with them!

A suggestion: Mr. Hartford stated that he "accepts the artist's right to distort nature, as he sees it, but only up to the point where communication is cut off." Since the arbiter of that point is, presumably, Mr. Hartford, why not call the new gallery "The Huntington Hartford Museum" or "Gallery"? Is Mr. Hartford reluctant to do this out of modesty or because he fears it might stir the nationwide tempest of a lawsuit by the Huntington Library and the City of Hartford?

The New York Times  
Sunday Feb 1 1959



The Museum of Modern Art Archives, NY

Collection:  
PI/COMMSSeries.Folder:  
IV.A.12

## MUSEUMS GO TO LAW FOR RIGHT TO A NAME

By ALINE B. SAARINEN

**E**VERY now and then, the art world, a world never too stably poised on its axis, gets shaken by one minor earthquake or another. The most recent rumbling concerns a suit instituted by the Museum of Modern Art against Huntington Hartford, which seeks to restrain the latter from calling his projected two-million-dollar museum on Columbus Circle "Gallery of Modern Art."

The Museum of Modern Art claims that the use of so similar a name would "dilute the distinctive quality" of the Museum of Modern Art, might divert goodwill and donations from the established museum and would surely confuse the public.

Mr. Hartford, grandson of the founder of the Great Atlantic and Pacific Tea Company (better known as A. & P.), a Broad-

## Two Organizations Dispute the Claim To Use of the Title 'Modern'

way producer, a theatre owner, a model agency head, a garage operator and a self-appointed Messiah dedicated to correcting what he calls the "moral and artistic degeneration in modern art, contemporary theatre and in a general way among the intelligentsia in the U. S. A. and particularly in New York," maintains that the Museum of Modern Art has no restrictive and exclusive claim to the words "modern art" and that these words are descriptive of the kind of art he intends to show in his ten-story building.

Mr. Hartford, a well-heeled protector of both God (one of his pamphlets was entitled "Has God Been Insulted

Here?") and of the public (another diatribe was sarcastically called "the public be damned") maintains there is no possibility of confusion for the public between a Gallery of Modern Art and a Museum of Modern Art.

## Question for Donors

Our own subjective opinion is that donors will not be misled into giving their tax-free donations to the wrong institution, for caution in money matters is one of the attributes of the rich. They are as little likely to buy A. & P. stock when they want Standard Oil stock as they are to give money to an institution whose head maintains that Picasso is responsible for single-handedly "wiping out all the gains that have been in the world of painting for the last 500 years" when they want to give it to one which displays Picasso as a great master of "modern art."

But we do believe that the similarity of the two names will indeed confuse the general public. The words "Gallery" and "Museum" are now used almost interchangeably. A New York Times headline above a story of the current contretemps said "What is a Museum of Modern Art? Two Galleries Fight Over Name." Mr. Hartford, a while ago in an interview with a reporter of the same newspaper, explained that "he thought of his new venture in Columbus Circle mostly as a Museum, with a curator in charge. But paintings will be sold in the Gallery" (Italics ours).

The Museum of Modern Art, with its thirty-year record of crusading efforts and its 11,000,000 visitors, has so illustrious a reputation that it attracts vast numbers of out-of-town and foreign visitors. Some of these may, indeed, find themselves by mistake at Columbus Circle. (With the projected Lincoln Center nearby, it is a potential new art area). If they are abashed by the difference in Mr. Hartford's version of modern art from what, through the reputation and publications of the established museum, they had been led to expect, they will have the wear and tear of a six-block walk to get re-oriented.

## Old Dispute Revised

What is amusing to most of us in the art world, however, is to see the words "modern art" once again become a hornet's nest. How imprecise, undefined and forever elusive these words are—somewhat like beauty—existent only in the mind of the orator, and like Alice in Wonderland vocabulary, able to mean what anyone wants them to mean.

For the Communists, "modern art" means "capitalist degeneracy"; for many of our conservative Congressmen it represents "a Communist conspiracy."

And we remember back in 1946 how these seemed to be reprehensible, dirty words to an "Institute" in Boston. That Institute felt strongly that the Museum of Modern Art in New York had usurped these words unto itself and invested them exclusively with meaning the kind of art it championed. To the Boston group that art was extreme, experimental and tinged with chicnery. Then, with a great deal of fanfare, an expensive manifesto and maximum righteousness, it proudly changed its name from "Institute of Modern Art" to "Institute of Contemporary Art."

## Critics of the "Moderns"

Mr. Hartford has not been reticent about his own views on modern art. He explained to a United Press reporter that "it would cost him nothing" since these were educational and therefore tax deductible expenses, but he did spend an estimated \$25,000 in order to express his views in full page advertisements in six New York newspapers. He suggested that changes should be effectuated at "such intellectual magazines as Harper's, Saturday Review and the Atlantic Monthly" and Art News; that the direction of the Museum of Modern Art be altered; that the New York Times rid itself of drama critic Brooks Atkinson and art critics Stuart Preston and Aline Saarinen; and that the Pulitzer Prize Committee's award to Tennessee Williams was "a public scandal."

## The Opposite View

No matter how many full-page advertisements or privately printed pamphlets Mr. Hartford produces, the fact will still remain that the professionally trained and experienced editors, museum men and critics of these organizations have been—and will undoubtedly continue to be—allied with the fresh, personal, imaginative, forward-looking creative expressions which the public has come to accept as "modern art." How odd that Mr. Hartford should want to risk any contamination from these sources or possible confusion with them!

A suggestion: Mr. Hartford stated that he "accepts the artist's right to distort nature as he sees it, but only up to the point where communication is cut off." Since the arbiter of that point is, presumably, Mr. Hartford, why not call the new gallery "The Huntington Hartford Museum" or Gallery? Is Mr. Hartford reluctant to do this out of modesty or because he fears it might stir the nation-wide tempest of a lawsuit by the Huntington Library and the City of Hartford?

The New York Times  
Sunday Feb 1 1959



## SPOTLIGHT on PALM BEACH

### HUNTINGTON HARTFORD: Patron of the Arts

By EMILIE KEYES  
FEATURE EDITOR

At first glance, one has the impression that Huntington Hartford II, like the White Knight of "Wonderland" fame, jumps on a horse and starts off in every direction at once.

After prolonged conversation with the gentleman, one realizes that the bewilderingly large number of business and cultural interests under his aegis have something of a common denominator.

Here is a rider with his hand on the bridle that might well bear the name "Interest in the creative, whether it be in business or the arts."

Hunt Hartford, scion of the A. and P. Tea Company family, holds the theory that if you inherit money, you have no right to sit idle.

Even when spending a few weeks during the Winter at his home on El Vedado Way, he's in touch with his varied enterprises. The telephone rings constantly. People come and go in a manner reminiscent of "Grand Hotel." There are typewriters, recording machines, memo pads, sheafs of manuscript on virtually every table.

His business interests are mainly three: The family business; a new type of automatic parking garage to be known as "Speed-park"; and the Oil Shale Corporation, still in the experimental stage, designed to produce oil from shale rock instead of from wells.

He also started the Hartford Agency in New York for both old and men models. As apparently it is so successful it's going chiefly on its own momentum he didn't bother to include it when summarizing his business interests.

"Both the garage and the oil business are outgrowths of revolutionary, creative ideas," he explained, "and that is why they appeal to me so strongly. There's a tremendous kick to doing something entirely new."

Termed the world's first fully automatic parking garage, "Speed-park" is now being built in association with Otis Elevator Company and Columbia University on 42nd Street near Eighth Avenue in New York. The process of automatic parking was developed by a Romanian, Mihail Alimnesticu, President of the company, of which Mr. Hartford is Chairman of the Board.

He's likewise Chairman of the Board of the Oil Shale Corporation, of which Herbert Linden is President, and Henry Littleton Jr., a Board member.

"At present," Mr. Hartford explained, "we are building a small pilot plant which should be in operation within a month, and which will point up the potentialities of the idea from a commercial standpoint. If successful, our price could compete with oil from the Middle East. The research is being done by the Denver Research Institute of the University of Denver."

Since more than 20 years ago, when as a very young man not long out of Harvard, Hunt Hartford first burst upon the Palm Beach scene with his "Joseph Conrad," smallest square-rigger vessel in the world, his name has been associated with many adventures into the world of the arts.

At that time, he talked of taking to the Seven Seas in his sailing vessel, but there were too many interests on land.

Since then his writing interests have been channeled into articles on modern art, motion picture scripts and the theatre.

His crusade against what he holds to be the spurious and the hoax type of trends in modern art, voiced in various magazine articles, will come to a climax with publication of a book on his main theories and with the establishment of his Gallery of Modern Art at Columbus Circle in New York City.



HUNTINGTON HARTFORD II

"The Museum of Modern Art in New York is threatening to sue me over the name of my gallery," he reported the other day at his home, but he indicated no intention of changing it. Edward Stone, architect for the United States' pavilion at the Brussels World Fair, is doing plans for the building, which Mr. Hartford said he hopes to open in 1960.

"I plan to show the best in modern art, which I don't feel has yet been shown," he continued. "There's been too much emphasis on abstract expressionism. I'm not against distortion per se. Such artists as Goya, El Greco, Toulouse-Lautrec used it, but it had a meaning with them."

That he is not opposed to controversial artists, provided they are essentially fine painters, is indicated by his choice of Salvador Dali to paint "Columbus' Discovery of North America" as a focal point of interest for his new gallery.

Mr. Hartford's theatrical interests are multiple. He owns the Huntington Hartford Theatre in Hollywood, completely renovated from the former Lux Radio Theatre, and opened under his name in 1954. Though he began with the idea of originating plays there, he reports he has found established stars or plays that were successes on Broadway are the best bets.

His marriage in 1949, ten years after his divorce from Mary Lee Epling (now Mrs. Douglas Fairbanks Jr.) to Marjorie Steele brought him in closer contact than

(Continued On Page Three)

## SPOTLIGHT

### Huntington Hartford

(Continued From Page One)

ever with the theatre. Well-known as an actress, she has starred in such hits as "Sabrina Fair" and "Cat on the Hot Tin Roof."

The Hartfords leave today for New York, where she goes into rehearsal for a new comedy, scheduled to open in March with Richard Krakauer, who did "Affairs of State" as producer.

The couple shares avid interests not only in the theatre but in art. Mrs. Hartford is a painter, has done striking portraits of their children, Cathy and John. The two have been collecting art for five years with the gallery in mind.

Mr. Hartford has made several excursions into the field of motion picture production and playwriting. Last year his dramatization of "Jane Eyre" and "The Master of Thornfield" made headlines, when Errol Flynn walked out of the title role and, the playwright claimed, his contract.

"I plan to sue him," Mr. Hartford remarked.

With Eric Portman in the lead, "The Master of Thornfield" played six weeks on Broadway with mixed reviews. The author expressed pleasure in garnering favorable notices from some of the major critics.

His next literary effort will center on a subject unusual for a man too young to have read "Indian Love Lyrics" when the first came out in the World War I era.

He proposes to do a biography and then a motion picture on the life of the poet, Lawrence Hope, pseudonym for the woman who wrote the lyric poems that were considered very daring for their era. He feels her story has vast potentialities.

And as if these weren't enough interests for one man, he has the Huntington Hartford Foundation in California, sanctuary for such men as Van Wyck Brooks and Max Eastman, who have spent time and written there; and he is the backer of the Handwriting Institute in New York that encourages research and exchange of ideas in graphology, concentrating now on the relationship between handwriting and certain diseases.

This coming Friday, the Hartfords are slated to appear on Edward R. Murrow's "Person to Person" program. Miss Steele will remain North for rehearsals, but he plans to return to Palm Beach in a few weeks.

(Ed. Note: This is another in a series of interviews designed to acquaint the community better with Palm Beachers who are also prominently identified with the National scene.)

Jan 12 1959

Palm Beach Daily

News



The Museum of Modern Art Archives, NY

Collection:  
PI/COMMSSeries.Folder:  
IV.A.12

## SPOTLIGHT on PALM BEACH

## HUNTINGTON HARTFORD: Patron of the Arts

By EMILIE KEYES  
FEATURE EDITOR

At first glance, one has the impression that Huntington Hartford II, like the White Knight of "Wonderland" fame, jumps on a horse and starts off in every direction at once.

After prolonged conversation with the gentleman, one realizes that the bewilderingly large number of business and cultural interests under his aegis have something of a common denominator.

Here is a rider with his hand on the bridle that might well bear the name "Interest in the creative, whether it be in business or the arts."

Hunt Hartford, scion of the A. and P. Tea Company family, holds the theory that if you inherit money, you have no right to sit idle.

Even when spending a few weeks during the Winter at his home on El Vedado Way, he's in touch with his varied enterprises. The telephone rings constantly. People come and go in a manner reminiscent of "Grand Hotel." There are typewriters, recording machines, memo pads, sheafs of manuscript on virtually every table.

His business interests are mainly three: The family business; a new type of automatic parking garage to be known as "Speedpark"; and the Oil Shale Corporation, still in the experimental stage, designed to produce oil from shale rock instead of from wells.

He also started the Hartford Agency in New York for both oil and men models. As apparently it is so successful it's going chiefly on its own momentum, he didn't bother to include it when summarizing his business interests.

"Both the garage and the oil business are outgrowths of revolutionary, creative ideas," he explained, "and that is why they appeal to me so strongly. There's a tremendous kick to doing something entirely new."

Termed the world's first fully automatic parking garage, "Speedpark" is now being built in association with Otis Elevator Company and Columbia University on 42nd Street near Eighth Avenue in New York. The process of automatic parking was developed by a Romanian, Mihail Allmanestiano, President of the company, of which Mr. Hartford is Chairman of the Board.

He's likewise Chairman of the Board of the Oil Shale Corporation, of which Herbert Linden is President, and Henry Littleton Jr., a Board member.

"At present," Mr. Hartford explained, "we are building a small pilot plant which should be in operation within a month, and which will point up the potentialities of the idea from a commercial standpoint. If successful, our price could compete with oil from the Middle East. The research is being done by the Denver Research Institute of the University of Denver."

Since more than 20 years ago, when as a very young man not long out of Harvard, Hunt Hartford first burst upon the Palm Beach scene with his "Joseph Conrad," smallest square-rigger vessel in the world, his name has been associated with many adventures into the world of the arts.

At that time, he talked of taking to the Seven Seas in his sailing vessel, but there were too many interests on land.

Since then his writing interests have been channeled into articles on modern art, motion picture scripts and the theatre.

His crusade against what he holds to be the spurious and the hoax type of trends in modern art, voiced in various magazine articles, will come to a climax with publication of a book on his main theories and with the establishment of his Gallery of Modern Art at Columbus Circle in New York.



HUNTINGTON HARTFORD II

"The Museum of Modern Art in New York is threatening to sue me over the name of my gallery," he reported the other day at his home, but he indicated no intention of changing it. Edward Stone, architect for the United States' pavilion at the Brussels World Fair, is doing plans for the building, which Mr. Hartford said he hopes to open in 1960.

"I plan to show the best in modern art, which I don't feel has yet been shown," he continued. "There's been too much emphasis on abstract expressionism. I'm not against distortion per se. Such artists as Goya, El Greco, Toulouse-Lautrec used it, but it had a meaning with them."

That he is not opposed to controversial artists, provided they are essentially fine painters, is indicated by his choice of Salvador Dali to paint "Columbus' Discovery of North America" as a focal point of interest for his new gallery.

Mr. Hartford's theatrical interests are multiple. He owns the Huntington Hartford Theatre in Hollywood, completely renovated from the former Lux Radio Theatre, and opened under his name in 1964. Though he began with the idea of originating plays there, he reports he has found established stars or plays that were successes on Broadway are the best bets.

His marriage in 1949, ten years after his divorce from Mary Lee Epling (now Mrs. Douglas Fairbanks Jr.) to Marjorie Steele brought him in closer contact than

(Continued On Page Three)

## SPOTLIGHT

## Huntington Hartford

(Continued From Page One)

ever with the theatre. Well-known as an actress, she has starred in such hits as "Sabrina Fair" and "Cat on the Hot Tin Roof."

The Hartfords leave today for New York, where she goes into rehearsal for a new comedy, scheduled to open in March with Richard Krakauer, who did "Affairs of State" as producer.

The couple shares avid interests not only in the theatre but in art. Mrs. Hartford is a painter, has done striking portraits of their children, Cathy and John. The two have been collecting art for five years with the gallery in mind.

Mr. Hartford has made several excursions into the field of motion picture production and playwriting. Last year his dramatization of "Jane Eyre" and "The Master of Thornfield" made headlines, when Erroll Flynn walked out of the title role and, the playwright claimed, his contract.

"I plan to sue him," Mr. Hartford remarked.

With Eric Portman in the lead, "The Master of Thornfield" played six weeks on Broadway with mixed reviews. The author expressed pleasure in garnering favorable notices from three of the major critics.

His next literary effort will center on a subject unusual for a man too young to have read "Indian Love Lyrics" when the first came out in the World War I era.

He proposes to do a biography and then a motion picture on the life of the poet, Lawrence Hope, pseudonym for the woman who wrote the lyric poems that were considered very daring for their era. He feels her story has vast potentialities.

And as if these weren't enough interests for one man, he has the Huntington Hartford Foundation in California, sanctuary for such men as Van Wyck Brooks and Max Eastman, who have spent time and written there; and he is the backer of the Handwriting Institute in New York that encourages research and exchange of ideas in graphology, concentrating now on the relationship between handwriting and certain diseases.

This coming Friday, the Hartfords are slated to appear on Edward R. Murrow's "Person to Person" program. Miss Steele will remain North for rehearsals, but he plans to return to Palm Beach in a few weeks.

(Ed. Note: This is another in a series of interviews designed to acquaint the community better with Palm Beachers who are also prominently identified with the National scene.)

Palm Beach Daily  
News  
Jan 12  
1959



FOR STUDY PURPOSES ONLY. NOT FOR REPRODUCTION.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12

*See - H. H.*

*Harold Tuckman*

**Firm Must Change Name**  
TRENTON, N. J., Mar. 17  
(AP).—The New Jersey Supreme Court today ordered the A. & P. Trucking Corp. of West New York to change its name. The court ruled, 6 to 0, that the trucking company's name is too easily confused with the A. & P. trademark of the Great Atlantic & Pacific Tea Co.



The Museum of Modern Art Archives, NY	Collection:	Series/Folder:
	PI/COMMS	IV.A.12

THE ORIGINAL  
**ROMEIKI**  
PRESS CLIPPINGS

330 TOMPKINS AVE.  
STATEN ISLAND 4, N. Y.  
Tel. Gibraltar 7-6800

Cir. (\$ 1,599,216)

This Clipping From  
NEW YORK, N. Y.  
SUNDAY MIRROR

*March 15, 1959*

**WRITE US A LETTER**

**No Monopoly  
On 'Modern'**

Dear Editor: The press recently reported that the Museum of Modern Art has brought suit to prevent Huntington Hartford, art patron, from using the name Gallery of Modern Art for the museum to be built at Columbus Circle.

The museum charges that the use of so similar a name would "dilute the distinctive quality" of its name and might divert donations. The complaint further states that since the museum's incorporation in 1929, it has spent \$29,490,000 on its varied activities.

Scanning through the Manhattan telephone directory, we find under M's and A's over 450 concerns using the term "modern" and 259 others using "art" as part of their names. There are 12 firms listed with "modern art" as part of their identification.

The cities of Paris, Barcelona, Rio de Janeiro and Sao Paulo have institutions called Museums of Modern Art. Dublin has a "Municipal Gallery of Modern Art."

More than one hundred years ago in the city of Florence there was established the National Gallery of Modern Art. This museum may not have spent \$29 million in its century of activity, but what it has done for the advancement of art is immeasurable and at no time has it ever tried to monopolize the word "modern."

The foregoing facts and figures we believe make the Museum of Modern Art's claim absurd.

—Adolph Block, Editor, National Sculpture Review, N.Y.C.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12



FILM DAILY  
NEW YORK, N.Y.  
D. 6,244

JAN 20 1966

## Fairbanks, Rohauer Teamed in Copyright Showdown

By ALLAN C. LOBSENZ

Film industry copyright laws may have some days of revision and/or clarification ahead as moves in two areas, educational and commercial exhibiting, have recently been taken for the purpose of protecting title and copyright owners. The actions were taken by Odyssey Pictures Corporation, owned jointly by Douglas Fairbanks, Jr. and Raymond Rohauer, and by

(Continued on Page 5)

Modern Art and "The Thief Of Baghdad" at the Trans-Lux 85th St. The letters ordered the Museum and the Trans-Lux to cease and desist from their plans to exhibit the films.

Of significance for the industry in the action, are the principles of copyright versus property right entailed in the claims, and the possible emergence of issues relating to public domain questions, which have yet to find clarification through the courts. Also involved is an uncertainty regarding deposit vs. donation of films to film archives, such as the Museum of Modern Art's, especially dating back to the days of the silents when contracts were not as sophisticated as today's.

The notices served on the Museum and the Trans-Lux are reported to presage a continuing effort at rounding up allegedly unauthorized prints for the protection of copyright and property right owners, and a preparation for a new, wide-scale commercial program for silent and early sound films, whose popularity is increasing both in "art" and re-run houses, and on television.

Discussing the current situation regarding rights to early films, Rohauer claimed that numerous films had been duped and sent around the world, being exhibited at times in competition with commercial exhibitors, and expressed surprise that the industry had done nothing about it. Rohauer offered the opinion that many institutions might have the impression that making a copy of a print gave them the right to exhibit that copy, but that this was not necessarily so.

Citing a legal opinion, Rohauer explained that even if copyrights have lapsed and no longer covered a film so that it passed into the public domain, only a legal owner of a print could exhibit or exploit that print. A copy made without permission of the rightful owners would be a violation of personal property rights.

Other industry opinion holds that since rights in a film are not sold but are leased, the films would never fall into the public domain.

At present, copyright holds for a period of 56 years from date of registration, and an increasing number of early films are losing the 56 year cover. Rohauer points out, however, that while Congress

as legal owners attempt to discover and call in unauthorized prints.

In explaining his claim to "The Thief" rights, Rohauer stated that all copyrights, including print and negative property rights, had been sold to the London Film Productions Ltd. company by the Elton Corporation in 1938 and 1945, and these rights were subsequently sold to Fairbanks, Jr. and himself, including a print and negative on loan with the Museum of Modern Art. According to the contracts of sale, Rohauer claims, the deposit was terminable at will and permitted only exhibition of the film on Museum property.

With no permission extant from Fairbanks, Jr. and Rohauer for the exhibition of "The Thief," and no contractual permission extant allowing the Museum to duplicate or circulate a print of the film, Rohauer asserts the probability that the film to be shown, and the exhibition are both illegal.

Sidney Ginsberg, assistant vice-president and general sales manager of Trans-Lux Distributing and Paris Pitt, who is renting the Trans-Lux 85th St. for the showing of "The Thief" and other early films, contend that ownership and exhibition rights have been thoroughly checked with legal advisors who began with the Library of Congress and preceded to other rights holders.

Claiming that all prints and negatives on "The Thief" had been called in upon acquisition of the film rights, Rohauer suggested that the Museum of Modern Art holds responsibility for the protection of films placed on deposit there, and had perhaps been lax in policing protective measures of the rights of the depositors.

In a second move made last week, Odyssey Picture Corporation demanded the withdrawal of "Six Dances Of Pavlova" from a film program offered by the Museum of Modern Art in its auditorium, claiming that the film was "deposited" in the Museum, which was given no right other than that of exhibition on its premises, and that the museum had subsequently, a) altered the film and, b) been notified by Al Gins, attorney for the heirs of choreographers Michel Fokine, that Fokine's heirs owned the copyright to the performance in one of the six segments in the film, and had not given permission for the film to be shown. Odyssey notified the

Museum that if the print could not be shown intact, it should not be shown at all.

In a letter to the Museum, it was claimed that the picture could be shown "intact and silent" and that the deposit was "terminable at will." The ordered deletion of "The Dying Swan" by Fokine's attorney affected the title to the picture, the letter continued, and since then, "a musical score has been added, the material edited and the film circulated in England and France, all without permission."

In a further statement, Al Gins, representing Vatale Fokine, son of the choreographer, alleged that the Museum has made prints of the film, and has circulated them to archives and museums in other countries, all "without permission or authority" from the copyright owners. Gins stated that an unauthorized print of the film was presently being held by the British Film Institute, one print had been shown by the Cinematique Francais, and that investigations were currently being held to discover any other unauthorized prints. Gins maintains that the Museum could be held responsible for all outstanding prints, and if necessary, he would institute legal action for their recovery.

Willard Van Dyke, film curator of the Museum of Modern Art stated that the film was indeed on deposit with the Museum, but that under an agreement with Douglas Fairbanks, Sr., film's creator and original owner, the Museum was given the "irrevocable right to have this shown in our own auditorium." Rohauer has expressed the opinion that by definition, a deposit was terminable at will.

"The Six Dances Of Pavlova" was, according to Van Dyke, "withdrawn temporarily" pending clarification of the Museum's position. Miss Cederbaum, attorney for the Museum, emphasized that the withdrawal was common practice with the Museum when protest was encountered, and did not reflect any statement of the Museum's position regarding their rights in the film.

Relating the film's history, Rohauer stated that it was made in 1924 at the request of Douglas Fairbanks, Sr., a personal friend of ballerina Pavlova. The picture was shot on the set of "The Thief Of Baghdad," and upon the death of Fairbanks, Sr., the rights reverted to his heirs, among them Lady Ashley, the wife of Fairbanks, Sr., his brother Robert, and son Douglas, Jr. At a later date, Rohauer continued, the rights of the heirs, except those of Douglas, Jr., were purchased by Sol Lesser, and were acquired in turn by himself. Rohauer also points out that Fairbanks, Sr. died

before signing the depository agreement with the Museum of Modern Art.

Rohauer, in addition to his connection with Fairbanks, Jr. and Odyssey Pictures is also associated with Buster Keaton and Leopold Friedman, trustee in Buster Keaton Productions, holders of all rights to the films of Buster Keaton. He is also owner of the Mack Sennett Estate and is associated with Jacques Tati in Specta Films.



The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	PI/COMMS	IV.A.12



NEW YORK, N.Y.  
TIMES

D. 603,574 — S. 1,283,785

JAN 22 1966

## 2 OLD FILMS STIR DISPUTE ON RIGHTS

Museum Aide and Keaton  
Protest Public Showings

By HOWARD THOMPSON

The question of who owns old movies and has the right to show them to the public has turned into a modern cliff-hanger, with the copyright law as the villain.

Protests have been made in recent days over showings of two silent-screen classics, one on educational television and one in a commercial movie house.

Raymond Rohauer, film curator of the Gallery of Modern Art, is a party to both disputes. With Buster Keaton Productions, he claims exclusive ownership of the 1927 feature, "The General," shown last month on station WNDT. And he is trying to prevent the Trans-Lux 85th Street Theater from presenting Douglas Fairbanks's 1924 hit, "The Thief of Baghdad."

Obtained From Howard

After "The General" was shown on Station WNDT's "The Art of Film," on Dec. 29, the attorney for Buster Keaton Productions sent a letter to the Museum of Modern Art, from whose archives the film was borrowed. It requested the transfer of all Keaton movies from the museum to the company. Museum officials referred to charges of misuse of the picture as "startling" and are expected to meet with Mr. Keaton's representatives to settle the "misunderstanding."

An official of the museum, which has six Keaton films,

## Music: Corigliano at the Philharmonic

Concertmaster, in Last  
Season, Is Soloist

By HOWARD KLEIN

HEARING John Corigliano play with the New York Philharmonic Thursday night at Philharmonic Hall, it was hard to believe that the violinist is 65 years old and has been with the orchestra for 30 years. He played Lalo's "Symphonie Espagnole" like the thorough professional he is, but there was more to the playing than that. There were some old-school slides into melodic notes, a warm vibrato, an ample sound, and temperament. It was not a dazzling performance, but a musicianly one.

The audience applauded with a warmth appropriate to this familiar figure. Mr. Corigliano was brought to the orchestra by Toscanini in 1935, and became its concertmaster in 1943. Since then he has appeared frequently, playing more than 25 concerts.

William Steinberg opened the program with a gen-



John Corigliano

ial, relaxed performance of Brahms's Variations on a Theme by Haydn, which was a good foil for the brilliant Lalo. After intermission came Strauss's "Ein Heldenleben"

He Plays 'Symphonie  
Espagnole' of Lalo

with Mr. Corigliano playing the solo parts from his seat at the head of the first violins. As before, the playing was knowledgeable and direct, never just showy. He seemed to be enjoying himself thoroughly.

Mr. Steinberg cut a clear path through the great tone poem with passionate yet precise conducting. He seemed to revel in complexity, for the denser the music the more his control over its elements became apparent. This was a really heroic treatment.

Mr. Corigliano is going West at the end of the season, for he has wisely decided to take his retirement with a grain of salt. Next season he will be the concertmaster for the San Antonio Symphony.

New York may well lament the vanishing of another landmark in his going, but Mr. Corigliano is obviously too vigorous to live on his laurels. May he have many more seasons before him.

classic, "The Birth of a Nation."

The recent dispute point up the long - existing confusion over who really owns what film. In addition to actual copyrights, renewed or lapsed, the problem extends to print circulation and duplication, sanctioned and unsanctioned. It opens to question both the terms under which vintage films repose in archives both here and abroad and the legal basis of hundreds of membership societies that rent old movies.

said that the WNDT showing was of a print obtained several years ago from the Harvard Film Foundation and that the foundation had received the picture with the "express approval" of United Artists.

A spokesman for WNDT said yesterday that before the loan agreement was made with the museum, the station had consulted a copyright lawyer who advised that any possible objections to the showing of "The

General" "would be difficult to sustain legally."

The copyright law applies to films as it does to literature. The primary copyright extends to 28 years, with the privilege of renewal for the same period. If at the end of the first 28 years, the copyright is not renewed, the material goes into the public domain.

As for the Fairbanks film, Mr. Rohauer claims exclusive rights in an arrangement made

with the estate of the late actor. The picture is part of a vintage film festival at the Trans-Lux theater.

A spokesman for the movie house said yesterday that the film would play as scheduled on Tuesday. "Our lawyers assure us that the picture is now in the public domain. Why shouldn't we?" he asked.

Last year, Mr. Rohauer began legal proceedings to obtain exclusive rights to the silent-film