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	RDH	II.39

cc: Mr. Nelson A. Rockefeller  
Mr. René d'Harnoncourt  
Miss Dorothy Miller ✓  
Publications Sales Dept.

Mrs. J. E. Nabuco  
February 16, 1949

February 16, 1949

Dear Mrs. Nabuco: great pleasure to have the opportunity to talk with you and to show you something of our museum. Will you let me know what you think of our publications?

May I confirm our conversation of this morning:

We are sending to your hotel immediately all our in-print publications - with the compliments of Mr. Rockefeller. I hope they will reach you in time so that you can make arrangements with the Consulate to have them forwarded conveniently.

As I said, I should be very glad to recommend a painting by Braque for the collection of the Museum of Modern Art in Rio de Janeiro. I understand that some authority from the museum will write me giving me some idea of the amount of money which you can spend and also what period of Braque's work you would be interested in -- whether one of the later more decorative paintings, or one of the earlier and perhaps more important works of the Cubist period of around 1910-12. The price would range between \$5,000 and \$15,000, depending on the size and the quality of the picture. There are a good many recent paintings by Braque which frankly I think are inferior in quality.

I shall take no steps about the Braque until I hear further. I would ask the dealer to send photographs of available works airmail with the understanding that the work would be reserved for three weeks.

At your request we are sending copies of all new publications to the Museum of Modern Art in Rio de Janeiro, sending the bill to you at Avenida Rio Branco 85. We shall also put both you and the museum on our mailing list for all announcements, catalogs, etc.

I understand that Mr. d'Harnoncourt is taking care of all the negotiations for the exhibition which we had prepared for Sao Paulo. We are delighted to know that you are interested in having the show at Rio de Janeiro.

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(Loyal)

This was interrupted at the office so I finished it by hand.

Rio de Janeiro,  
July 7, 1950.

Mrs. J. T. Nabuco  
February 16, 1949

Objects of art (defined as the Brazilian Customs regulations as "painting, sculpture, and statuary") may only be imported if a previous import license has been obtained.

If no foreign exchange is required, the import license probably will be granted. If exchange is required, the license probably will not be granted, although exceptions may sometimes be made.

It was a great pleasure to have the opportunity to talk with you and to show you something of our museum. Will you not present my compliments to your brother-in-law Mr. Nabuco, with whom I had a friendly argument the other night on the subject of modern religious sculpture.

I hope that we shall have a chance to meet again before you leave for Europe.

If a Museum or School of Fine Arts is the importer, intending to use the object for exhibition in Brazil, exemption from duty may be granted, although the Customs House must decide each case. The Escola Nacional de Belas Artes presents a certificate stating that the object is for that purpose. The object would be sent in care of the museum or art school.

If an individual wishes to donate an art object, it can be arranged for the president of Brazil to send a message to Congress to make a special law to exempt that object from duty. Delays are usual, and Congress tends to resist duty exemption laws, but in all probability it would go through.

Antiques probably would be considered art objects, if so described, but it is wise to consult in advance in case of doubt.

**Mrs. J. T. Nabuco**  
**Hotel Barclay**  
**111 East 48 Street**  
**New York City**

Individual's private collection probably will be licensed, they probably would pay full duty. The question is whether the Museum of Modern Art in Rio and the two other museums are private or public; each one probably can clarify its own standing and its own experience of imports, as the case arises.

AHB/ob

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(Legal)

Nelson:

This was interrupted at the office so  
I finished it by hand.

Harry

Copy

Rio de Janeiro,  
July 7, 1950.

If ISEC itself is ever again the importer of an object, it would be wise to have a letter from ME to the Import Dept. of the House of Brazil, explaining the situation, and to have a letter from the Brazilian Consulate in New York.

Re: Importation of Art Objects.

Objects of art (defined in the Brazilian Customs regulations as "painting, sculpture, and similar objects") may only be imported if a previous import license has been obtained.

If no foreign exchange is required, the import license probably will be granted. If exchange is required, the license probably will not be granted, although exceptions may sometimes be made.

Assuming that the license is obtained, then if the object of art is imported in the name of a person or a company, import duty must be paid. This duty is 33% ad valorem, meaning 33% of the value of the object stated on the consular invoice and commercial invoice. If the Customs House has any reason to doubt the declared value, it may demand proof of it.

If a Museum or School of Fine Arts is the importer, intending to use the object for exhibition in its collection, exemption from duty may be granted, although the Customs House must decide each case. The Escola Nacional de Belas Artes must present a certificate attesting that the object is for that purpose. The object would be sent in name of the museum or art school.

If an individual wishes to donate an art object, it can be arranged for the president of Brazil to send a message to Congress to make a special law to exempt that object from duty. Delays are usual, and Congress tends to resist duty exemption laws, but in all probability it would go through.

Antiques probably would be considered art objects, if so described, but it is wise to consult in advance in case of doubt.

Art imports for an individual's private collection probably will not be licensed (because probably exchange would be needed). And if licensed, they probably would pay full duty. The question arises whether the Museum of Modern Art in Rio and the two S. Paulo museums are private or public; each one probably can clarify its own standing and its own experience of imports, as the case arises.

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## THE MUSEUM OF MODERN ART <sup>2</sup>

Date October 10, 1950

If IBEC itself is ever again the importer of an art object, it would be wise to have a letter from NR to the Export-Import Dept. of the Bank of Brazil, explaining the shipment, and to have that letter registered at the Brazilian Consulate in N. Y.

To:

From:

Harry Bagley 7/7/50

Attached page of official gazette shows recent law exempting from duty an organ for a church; not exactly an art object, but a parallel situation.

Here is the draft <sup>H.</sup> of the general agreement, a copy of which I am sending today to Mr. Matarasso.

Francis Kellbenny and I are now working on the specific documents that will go with the agreement. They are:

1. Specific agreement on distribution of publications and reproductions; loan and purchase of exhibitions; designation as representative for membership solicitation
2. Specific agreement on purchases or loans of films

Francis will work on this during the week and if you have any suggestions at this point, please call him.

We are planning to have everything ready to show to Mr. Matarasso on Monday afternoon.

A copy of the material will be in your office by Monday noon.

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## THE MUSEUM OF MODERN ART

**Date** October 10, 1950

**To:** Mr. Rockefeller  
**From:** Rene d'Harnoncourt

**Re:** Agreement between  
Museu de Arte Moderna  
and MOMA

Dear Nelson:

Here is the draft of the general agreement, a copy of which I am sending today to Mr. Matarazzo.

Francis McIlhenny and I are now working on the specific documents that will go with the agreement. They are:

1. Specific agreement on distribution of publications and reproductions; loan and purchase of exhibitions; designation as representative for membership solicitation
2. Specific agreement on purchases or loans of films

Francis will work on this during the week and if you have any suggestions at this point, please call him.

We are planning to have everything ready to show to Mr. Matarazzo on Monday afternoon.

A copy of the material will be in your office by Monday noon.

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ACREEMENT

1. By furnishing between  
the field of the contemporary arts

THE MUSEU DE ARTE MODERNA OF SAO PAULO and  
THE MUSEUM OF MODERN ART OF NEW YORK  
3. By acting as representatives of each other  
for the distribution of publications and other  
reproductions

2. By acting as representatives of each other

The Museu de Arte Moderna of Sao Paulo and The Museum of Modern Art of New York have today entered into an agreement of cooperation and mutual assistance in order to stimulate and further the flow of cultural interchange between the two countries in the field of art. Being, by charter and in purpose, educational institutions, the two museums believe in the essential significance of the arts as a means of enriching the life of the community and as an important factor in the development of mutual respect and understanding between nations. In a world which is increasingly becoming aware of the extent in which the material welfare of the people depends on cooperation in the sphere of economics and politics, it is most important that these efforts be accompanied by an exchange in the field of cultural endeavors.

In order to realize this aim and to serve the public and the cultural institutions of their respective countries, the two museums agree to collaborate with each other as set forth hereafter:

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1. By furnishing exhibitions to each other in the field of the contemporary arts
2. By furnishing films to each other for artistic and educational purposes
3. By acting as representatives of each other for the distribution of publications and reproductions
4. By acting as representatives of each other in the obtaining of memberships

IN WITNESS WHEREOF, The Museu de Arte Moderna, Sao Paulo, Brazil, and the Museum of Modern Art, New York, have caused this agreement to be executed this 19th day of October, 1950.

THE MUSEUM OF MODERN ART  
By \_\_\_\_\_  
President

THE MUSEUM OF MODERN ART  
By \_\_\_\_\_  
President

The Museum of Modern Art of New York and the Museu de Arte Moderna of Sao Paulo designate each other hereby as their representatives in obtaining memberships in their respective institutions. Each museum will also be self responsible for the collection of membership fees and the Museu de Arte Moderna will be given a discount of 10 percent on all such memberships.

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Agreement by the Museu de Arte Moderna for purchase of publications and reproductions, for exhibitions purchased or rented, and facilities for all memberships obtained, under the above three paragraphs of this agreement, shall in all cases be made in United States dollars upon the receipt of the amount of the purchase or rental of such material.

**SPECIFIC AGREEMENT**

In no instance shall the Museum of Modern Art be liable for any charges on such material.  
**PUBLICATIONS AND REPRODUCTIONS, on LOAN AND PURCHASE OF EXHIBITIONS, and on DESIGNATION AS AGENT FOR MEMBERSHIP**  
This agreement to be duly executed this \_\_\_\_\_ day of October, 1950.

WHEREAS, The Museu de Arte Moderna, São Paulo, Brazil, and The Museum of Modern Art, New York, have entered this day into a general agreement providing for cooperation and assistance to each other in various fields of mutual interest,

NOW, THEREFORE, the Museum of Modern Art of New York hereby designates the Museu de Arte Moderna of São Paulo as distributing agent for its publications and reproductions for Brazil. On all purchases the Museum of Modern Art will allow a discount of 40 percent.

The Museum of Modern Art hereby further agrees to furnish the Museu de Arte Moderna, São Paulo, with any of the exhibitions listed in Schedule A attached, for the sales price or rental and under the conditions indicated therein, subject to changes of cost of materials and wages and other expenses over which the Museum of Modern Art has no control, such as insurance rates, etc.

The Museum of Modern Art of New York and the Museu de Arte Moderna of São Paulo designate each other hereby as their representatives in obtaining memberships in their respective institutions. Each museum will make itself responsible for the collection of membership fees and the Museu de Arte Moderna will be given a discount of 10 percent on all such memberships.

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FILMS REQUESTED BY MUSEU DE ARTE MODERNA, SÃO PAULO

Payments by the Museu de Arte Moderna for purchase of publications and reproductions, for exhibitions purchased or rented, and remittances for all memberships obtained, under the above three paragraphs of this agreement, shall in all cases be made in United States dollars upon the receipt of the material by the Museu de Arte Moderna or its agent or at the time of the signing of the membership application. In no instance shall the Museum of Modern Art be liable for shipping charges on such material.

IN WITNESS WHEREOF, The Museum of Modern Art, New York, and the Museu de Arte Moderna, São Paulo, have caused this agreement to be duly executed this \_\_\_\_\_ day of October, 1950.

Griffith - RESCUED FROM AN EARLY'S NEST	10.80	
Griffith - THE BIRTH OF A NATION	170.00	
Griffith - BROTHER SIBBONS	90.00	
Griffith - INTOLERANCE	100.00	
Porter - THE GREAT TRAIN ROBBERY		THE MUSEU DE ARTE MODERNA
Ince - THE LAST CARD	20.00	
Taylor - THE FRENCHMAN	100.00	
Ince - THE LAST OF THE LINE	20.00	
Ince - CIVILIZATION	20.00	
Five Keystone Comedies -	75.00	
DREAM OF A BARRISTY FIRM	6.00	
HIGH AND DRY	20.00	
BERTIE THE DINOSAUR		THE MUSEUM OF MODERN ART
PAUL THE CAT		

By \_\_\_\_\_  
President

By \_\_\_\_\_  
President

FILMS FROM COMMERCIAL COMPANIES - Permission may not be obtainable.

McCary - DUCK SOUP	\$ 90.00
Von Stroheim - GREEN	147.00
- FOOLISH WIVES	100.00
MOVIEZONE 1927, George Bernard Shaw	7.00
Disney - STEAMBOAT WILLIE	10.00
ALL QUIET ON THE WESTERN FRONT -	110.00
Keaton - THE GENERAL	100.00
THE BIG PARADE -	210.00
THE COVERED WAGON -	100.00
UNDERWORLD -	100.00
THE CAT AND THE CANARY -	90.00

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Schedule I

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FILMS REQUESTED BY MUSEU DE ARTE MODERNA, SAO PAULO

SUNRISE	12.29.21
THE GREAT CITY	13.40
FILMS FROM INDIVIDUALS - Permission can probably be obtained.	
Four Essanay Comedies (Chaplin)	17.74
Hans Richter - RHYTHMUS	\$ 3.20
Viking Eggeling - SYMPHONIE DIAGONALE	7.24
Man Ray - EMAK BAKIA	17.57
- ETOILE DE MER	15.52
Bunuel & Dali - LE CHIEN ANDALOU	21.24
Franken & Ivens - RAIN	17.06
Sternberg - SALVATION HUNTERS	85.21
Fred Niblo - THE MARK OF ZORRO	103.54
Raoul Walsh - THE THIEF OF BAGDAD	169.16
Griffith - RESCUED FROM AN EAGLE'S NEST	10.80
Griffith - THE BIRTH OF A NATION	172.91
Griffith - BROKEN BLOSSOMS	90.90
Griffith - INTOLERANCE	169.42
Porter - THE GREAT TRAIN ROBBERY	11.12
Ince - THE LAST CARD	28.04
Taylor - THE FRESHMAN	102.13
Ince - THE LAST OF THE LINE	26.57
Ince - CIVILIZATION	88.78
Five Keystone Comedies -	75.89
DREAM OF A RABBIT FIELD	6.52
HIGH AND DIZZY	28.98
GERTIE THE DINOSAUR	7.78
FELIX THE CAT	9.04
ANIMATED PAINTINGS	1.94
CANNES	13.77
POTEMKIN	73.31

FILMS FROM COMMERCIAL COMPANIES - Permission may not be obtainable.

McCary - DUCK SOUP	\$ 92.38
Von Stroheim - GREED	147.06
- FOOLISH WIVES	106.60
MOVIETONE 1927, George Bernard Shaw	7.60
Disney - STEAMBOAT WILLIE	10.40
ALL QUIET ON THE WESTERN FRONT -	112.93
Keaton - THE GENERAL	106.88
THE BIG PARADE -	210.89
THE COVERED WAGON -	105.16
UNDERWORLD -	109.33
THE CAT AND THE CANARY -	98.53

(over-

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Schedule I - page 2.

FILMS FROM COMMERCIAL COMPANIES - Cont'd.

SUNRISE -	\$129.31
HALLELUJAH -	131.40
Five Sennett Comedies (Chaplin) -	101.74
Four Essanay Comedies (Chaplin) -	87.44
THE NAVIGATOR -	82.04
Newman's LAUGH-O-GRAMS -	3.42
MAD DOG -	10.85

FILMS WHICH ARE UNDER CONTROL OF ALIEN PROPERTY CUSTODIAN

THE GOLEM	\$ 79.69
THE CABINET OF DR. CALIGARI	69.98
METROPOLIS	123.05
THE LAST LAUGH	101.77
DESTINY	105.91
VARIETY	78.84
BERLIN: THE SYMPHONY OF A GREAT CITY	69.84
THE LOVES OF JEANNE NEY	131.54
MAEDCHEN IN UNIFORM	115.56
"M"	132.62
GERMAN PROPAGANDA FILMS	138.47
ANIMATED PAINTINGS	1.94
CARMEN	13.39
POTEMKIN	73.91

The Museo de Arte Moderno, S/A, Mexico, agrees to pay the Museum of Modern Art in United States dollars for each such print, where permission is obtained, the price set forth in Schedule I, plus all shipping charges.

The Museo de Arte Moderno, S/A, Mexico, further agrees that it will be solely bound to use such prints under

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The conditions and restrictions that bind the Museum of Modern Art Film Library in the use, exhibition and circulation of its prints, and any other conditions the owners of the rights in each such film may impose. In general such conditions and restrictions include the following, but are not necessarily limited thereto:

**SPECIFIC AGREEMENT**

That duplicates will not be made and that additional copies will be obtained from the Museum of Modern Art Film Library, which will obtain permission from the owners of the rights in such films.

That the use, WITH ENCLOSURE circulation of such prints shall be limited to non-commercial and educational purposes, that admission charges to individual performances shall not be permitted and that reports of the use to which a film is put shall be submitted.

WHEREAS, the Museu de Arte Moderna, São Paulo, Brasil, and The Museum of Modern Art, New York, have entered this day into a general agreement providing for cooperation and assistance to each other, and whereas the establishment of a Film Library by the Museu de Arte Moderna along the lines of the Museum of Modern Art Film Library is deemed of great importance in the accomplishment of the aims of the two museums, particularly with respect to a more complete cultural interchange between the two countries, this agreement to be executed this 10th day of October, 1954.

The Museum of Modern Art Film Library agrees to use its best efforts to obtain permission from the owners of the rights to the films listed in Schedule I, hereto attached, for the Museu de Arte Moderna to use, exhibit, and circulate prints of said films. When and if the Museum of Modern Art Film Library obtains such permission, and when requested, it will furnish a 16mm print of said film to the Museu de Arte Moderna at the price listed on said Schedule I.

The Museu de Arte Moderna, São Paulo, agrees to pay the Museum of Modern Art in United States dollars for each such print, where permission is obtained, the price set forth in Schedule I, plus all shipping charges.

The Museu de Arte Moderna, São Paulo, further agrees that it will be solemnly bound to use such prints under

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the conditions and restrictions that bind the Museum of Modern Art Film Library in the use, exhibition and circulation of its prints, and any other conditions the owners of the rights to each such film may impose. In general such conditions and restrictions include the following, but are not necessarily limited thereto:

THAT duplicates will not be made and that additional copies will be obtained from the Museum of Modern Art Film Library, which will obtain permission if necessary.

THAT the use, exhibition and circulation of such prints shall be limited to non-commercial and educational purposes, that admission charges to individual performances shall not be permitted and that reports of the use to which a film is put shall be submitted promptly where required.

The Museu de Arte Moderna, São Paulo, further agrees to indemnify the Museum of Modern Art, New York, in the event of any suit brought against the Museum of Modern Art by reason of the use, exhibition or circulation of any print delivered hereunder to the Museu de Arte Moderna, São Paulo.

IN WITNESS WHEREOF, the Museum of Modern Art, New York, and the Museu de Arte Moderna, São Paulo, Brazil, have caused this agreement to be executed this \_\_\_\_\_ day of October, 1950.

THE MUSEU DE ARTE MODERNA

By \_\_\_\_\_  
President

THE MUSEUM OF MODERN ART

By \_\_\_\_\_  
President

THE MUSEUM OF MODERN ART

Date October 16, 1950

To: Mr. Rockefeller  
From: \_\_\_\_\_

Dear Nelson:  
Encs are the two copies of the other publications, plus Mr. Matarazzo will be at the other publications, I hope to discuss the film with our conversation, I am sure two specific agreements if

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Traduction

The Museu de Arte Moderna, São Paulo, Brasil, et le Museum of Modern Art  
The Museu de Arte Moderna et le Museum of Modern Art auhourd'hui  
ont signé un contrat qui a comme but la cooperation mutuelle des

## THE MUSEUM OF MODERN ART

Date October 16, 1950

To: Mr. Rockefeller

Re: SÃO PAULO Museu agreement

From: Rene d'Harnoncourt

Dear Nelson:

Here are the two specific agreements, one covering the films, the other publications, reproductions, exhibitions and membership.

Mr. Matarazzo will be at my office at three when Francis and I hope to discuss the final arrangements with him. In accordance with our conversation, I shall assume that you approve of the two specific agreements if I do not hear from you by three o'clock.

Faithfully yours,

restriction- copyrights sont compris, mais ne se sont pas nécessairement  
toutes les conditions.

Copies ne seront pas faites par le Museu de Arte Moderna mais toutes  
copies seront obtenues du Museum of Modern Art Film Library, qui ob-  
tiendra la permission nécessaire.

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Traduction

The Museu de Arte Moderna, Sao Paulo, Brasil, et le Museum of Modern Art  
The Museum de Arte Moderna et le Museum of Modern Art aujourd'hui  
ont signé un contrat qui a comme but la cooperation mutuelle des  
deux musées dans plusieurs phases de leur activités. Donc le Museum  
of Modern Art designe le Museu de Arte Moderna comme agent distribu-  
teur de ses publications et reproductions dans la Brésil. Le Museum  
of Modern Art donnera une escompte de 40 pour cent.  
Le Museum of Modern Art en outre s'engage de fournir le Museu de  
Arte Moderna les exhibitions indiqués dans la liste ci-jointe aux  
prix de vente ou de location et sous les conditions contenus.  
Le Museum of Modern Art nomme le Museu de Arte Moderna son représentant  
pour obtenir des sociétaires du Museum of Modern Art. Le Museu de  
Arte Moderna serait responsable pour les paiements de ces abonnements  
sous escompte de 40 pour cent. Le Museu de Arte Moderna s'engage de payer le Museum of  
Modern Art les paiements par le Museu de Arte Moderna des achats des publications  
et reproductions, des expositions achetées ou loués et pour les  
abonnements seraient remis en dollars des Etats Unis au reçu des  
matériaux par le Museu de Arte Moderna ou son agent ou au moment  
de l'abonnement. Le Museum of Modern Art d'ailleurs ne serait pas  
responsable pour n'importe quel frais. En general les conditions et  
restriction suivantes sont compris, mais ce ne sont pas nécessairement  
toutes les conditions.  
Copies ne seront pas faites par le Museu de Arte Moderna mais toutes  
copies seront déposées au Museum of Modern Art Film Library, qui ob-  
tiendra la permission nécessaire.

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Le Museu de Arte Moderna, Sao Paulo, Brasil, et le Museum of Modern Art, New York, ont signé aujourd'hui un contrat général qui a comme but la coopération mutuelle et comme l'établissement d'une Cinematèque par le Museu de Arte Moderna est considérée d'une grande importance pour achever les but des deux musées, surtout au sujet d'une échange culturelle entre les deux pays,

Le Museum of Modern Art Film Library va faire les efforts les plus efficaces d'obtenir la permission de ceux à qui appartiennent les droits aux films qui paraissent dans la liste ci-joint pour le Museu de Arte Moderna de faire usage de, et de mettre en circulation les copies de ces films. Lorsque le Museum of Modern Art Film Library obtient cette permission, on fournira une copie de 16mm de tel film au Museu de Arte Moderna au prix indiqué dans la liste ci-jointe. Le Museu de Arte Moderna, Sao Paulo, s'engage de payer le Museum of Modern Art en dollars des Etats Unis pour chaque copie fournis au prix indiqué dans la liste ci-jointe, frais en sus.

Le Museu de Arte Moderna de plus s'engage solennellement de faire usage de ces copies sous les conditions et restrictions dont le Museum of Modern Art est sujet, et telles autres conditions que les propriétaires des droits aux films peuvent prescrire. En general les conditions et restrictions suivantes sont compris, mais ce ne sont pas nécessairement toutes les conditions.

Copies ne seront pas faites par le Museu de Arte Moderna mais toutes copies seront obtenues du Museum of Modern Art Film Library, qui obtiendra la permission nécessaire.

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Traduction

Le Museu de Arte Moderna, Sao Paulo, Brazil, et le Museum of Modern

L'usage, l'exhibition et la mise en circulation des films seraient limités aux buts non-commerciales et éducationnels. Billets d'entrée ne seront pas vendus pour des séances individuelles. Une copie de l'usage dont on a fait d'un film quelconque serait expédié avec promptitude quand les propriétaires des droits l'exigent.

Le Museu de Arte Moderna en outre s'engage d'indemniser le Museum of Modern Art par la suite d'un usage, exhibition ou mise en circulation quelconque d'un film, fournie au Museu de Arte Moderna sous ce contrat.

Museu de Arte Moderna de faire usage de, et de mettre en circulation les copies de ces films. Lorsque le Museum of Modern Art Film Library obtient cette permission, on fournira une copie de l'un de tel film au Museu de Arte Moderna au prix indiqué dans la liste ci-jointe. Le Museu de Arte Moderna, Sao Paulo, s'engage de payer le Museum of Modern Art en dollars des Etats Unis pour chaque copie fournie au prix indiqué dans la liste ci-jointe, frais en sus.

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Traduction

Le Museu de Arte Moderna, Sao Paulo, Brasil, et le Museum of Modern Art, New York, ont signé aujourd'hui un contrat général qui a comme but la coopération mutuelle, et comme l'établissement d'une Cinématèque par le Museu de Arte Moderna est considérée d'une grande importance pour achever les but des deux musées, surtout au sujet d'un échange culturelle entre les deux pays, ~~sur des droits d'auteurs.~~

Le Museum of Modern Art Film Library va faire les efforts les plus efficaces d'obtenir la permission de ceux à qui appartiennent les droits aux films qui paraissent dans la liste ci-jointe pour le Museu de Arte Moderna de faire usage de, et de mettre en circulation les copies de ces films. Lorsque le Museum of Modern Art Film Library obtient cette permission, on fournira une copie de 16mm de tel film au Museu de Arte Moderna au prix indiqué dans la liste ci-jointe. Le Museu de Arte Moderna, Sao Paulo, s'engage de payer le Museum of Modern Art en dollars des Etats Unis pour chaque copie fournis au prix indiqué dans la liste ci-jointe, frais en sus.

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Traduction

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Traduction

L'usage, l'exhibition et la mise en circulation des films seraient limités aux buts non-commerciales et educationnels. Billets d'entrée ne seront pas vendus pour des séances individuelles. Une compte de l'usage dont on a fait d'un film quelconque serait expédier avec promptitude quand les proprièteres des droits l'exigent.

Le Museu de Arte Moderna en outre s'engage d'indemniser le Museum of Modern Art par la suite d'un usage, exhibition ou mise en circulation quelconque d'un film, fournie au Museu de Arte Moderna sous ce contrat.

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I BIENAL DO MUSEU DE ARTE MODERNA DE SÃO PAULO

15 de Março - 15 de Maio, 1951

REGULAMENTO - NORMAS GERAIS

1. O Museu de Arte Moderna de São Paulo, Brasil, institui uma exposição internacional periódica de artes plásticas cujo objetivo é oferecer por via de uma seleção de obras de artistas nacionais e estrangeiros, uma visão de conjunto das mais significativas tendências da arte moderna. Essa exposição denominar-se-á "BIENAL DO MUSEU DE ARTE MODERNA DE SÃO PAULO".

A primeira Bienal do Museu de Arte Moderna de São Paulo, correspondente aos anos 1950-1951, observará as normas constantes do presente regulamento.

2. O Museu de Arte Moderna de São Paulo, que por sua diretoria artística estabelecerá o programa da exposição e cuidará da sua realização, será representado pela sua diretoria executiva no respeitante à administração, financiamento e direção da I Bienal.

Na medida das necessidades e a seu juízo, esses órgãos diretores poderão instituir prepostos, individuais ou coletivos, cujos poderes deverão ser definidos no ato da nomeação e que poderão cessar a qualquer momento.

3. No plano geral de organização da Bienal ficam previstos a Exposição Internacional de Arquitetura e o Festival Internacional de Cinema, além de concursos especiais cuja regulamentação se publicará ao mesmo tempo que a lista dos prêmios.

4. Participação na Bienal:

- Artistas nacionais e estrangeiros, residentes ou não no país, que, independentemente de convite e submetendo-se às normas regulamentares, apresentarem obras e as tiverem aceitas pelo Juri de Seleção.
- Artistas nacionais e estrangeiros, residentes ou não no país, que sejam convidados expressamente pela Direção da Bienal do Museu de Arte Moderna de São Paulo.
- Artistas que integrem representações nacionais cuja organização decorra de solicitação expressa da Direção da Bienal e entidades oficiais ou particulares.

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5. Para efeitos de premiação, excluir-se-ão os artistas já mortos e considerar-se-ão em igualdade de condições com os nacionais os artistas residentes no país há mais de 2 anos.
6. Os artistas nacionais ou estrangeiros que espontaneamente apresentarem seus trabalhos ao exame do Juri de Seleção, poderão fazê-lo com um máximo de 3 obras de qualquer gênero ou natureza, devendo satisfazer as seguintes condições:
  - Os artistas incumbir-se-ão de fazer chegar suas obras à sede ou ao ponto de recepção da Bienal, que só responderá pelas despesas de embalagem e reembalagem.
  - As obras deverão estar em perfeito estado e convenientemente apresentadas ao chegarem à sede da Bienal, que, mesmo prometendo o maior cuidado no manuseio e conservação das peças não assumirá por elas responsabilidade alguma, cabendo aos artistas a faculdade de segurá-las por sua própria conta.
  - As obras de pintura não deverão exceder, em qualquer dimensão, a 120cms., permitindo-se, não obstante, a compensação de tamanho entre as obras de um mesmo artista; em qualquer caso, os trabalhos deverão estar emoldurados convenientemente, tendo os desenhos, guaches e gravuras de serem protegidos com vidro.
  - Cada obra deverá vir acompanhada da ficha de inscrição da obra em três vias e da ficha de identidade do artista.
7. Os artistas convidados individual ou coletivamente pela Bienal, serão por carta da direção da Bienal ou de seus prepostos e na qual se fixará o número de peças que poderão expor, juntando-se as fichas relativas às peças e a identidade do autor, que deverão ser devolvidas, preenchidas, acompanhando as obras.
8. As representações nacionais, organizadas por entidades oficiais ou privadas, serão solicitadas pela Bienal e sempre por elas responderá um comissário nomeado pela entidade organizadora da representação. Em caso de ausência, os comissários poderão subestalecer seus poderes à diretoria da própria Bienal.
9. A Bienal estabelecerá um posto de recepção no porto de Santos, Estado de São Paulo, Brasil, a fim de facilitar a recepção das obras que forem enviadas por via marítima.
10. Das fichas de inscrição das obras, deverá constar, expressamente, se o artista as põe à venda e se com elas concorre aos prêmios sob cláusula de aquisição. Em caso algum essa declaração poderá ser anulada por outra posterior, nem poderá ser aumentado o preço declarado inicialmente. Na Secretaria da Bienal funcionará uma seção especialmente

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destinada à venda das obras e que cobrará uma comissão de 5% sobre o montante líquido das aquisições. As vendas serão realizadas segundo o disposto nas leis, regulamentos e instruções oficiais em vigor.

11. Haverá um Juri de Seleção e um Juri de Premiação.

12. Constituem o Juri de Seleção, o Presidente da Bienal ou pessoa por ele delegada, dois membros escolhidos pelos artistas concorrentes e dois membros escolhidos pela diretoria do Museu de Arte Moderna de São Paulo.

Na ficha de inscrição o concorrente deverá indicar, em ordem de preferência, os nomes de dois artistas que eleje para membros do Juri de Seleção e que serão escolhidos por maioria de votos.

13. Constituem o Juri de Premiação, o diretor artístico do Museu de Arte Moderna de São Paulo, o mais votado dos dois membros do Juri de Seleção eleitos pelos artistas e, no mínimo, três dos maiores expoentes da crítica e da arte internacional nomeados pela presidência da Bienal.

14. Das resoluções dos Juris não cabe recurso.

15. O Juri de Seleção concluirá seus trabalhos antes de 1º de Fevereiro. O Juri de Premiação reunir-se-á três dias antes da inauguração da Bienal, comunicando suas decisões, para a atribuição dos prêmios, 7 dias após a abertura da exposição.

16. Ficam instituídos para a I Bienal, sem prejuízo de outros, os seguintes prêmios:

Melhor pintor	Cr. \$ .....
Melhor escultor	Cr. \$ .....
Melhor pintura de autor estrangeiro	Cr. \$ .....
Melhor pintura de autor nacional	Cr. \$ .....
Melhor escultura de autor estrangeiro	Cr. \$ .....
Melhor escultura de autor nacional	Cr. \$ .....
Melhor gravador estrangeiro (conjunto da obra)	Cr. \$ .....
Melhor gravador nacional (conjunto da obra)	Cr. \$ .....

Salvo os dois primeiros prêmios acima enumerados, todos os demais, bem como quantos posteriormente forem instituídos, se compreenderem como sob cláusula de aquisição, passando as obras adquiridas à plena propriedade do Museu de Arte Moderna de São Paulo.

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17. A I Bienal inaugurar-se-á oficialmente no dia 15 de março de 1951, encerrando-se a 15 de maio do mesmo ano. Os eventuais adiantamentos ou prorrogações, que só poderão ser determinados pelo Presidente da Bienal, não alterarão nem limitarão o vigor deste regulamento.

18. Pela simples assinatura da ficha de inscrição, os artistas submetem-se implicitamente à observância deste regulamento, submetendo-se à irrecorrível decisão dos Juris e conferindo plenos poderes à direção do Museu de Arte Moderna de São Paulo no tocante à colocação das suas obras.

São Paulo, setembro de 1950

Toda a correspondência deve ser  
dirigida à  
SECRETARIA DA BIENAL DO MUSEU  
DE ARTE MODERNA DE SÃO PAULO  
Rua 7 de Abril, 230  
São Paulo - Brasil

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OK to  
File  
but imposed

July 27, 1950

Dear Yolanda and Francisco:

It was such a pleasure to see you both again while we were in São Paulo. I'm only sorry our stay was so short and that we didn't have longer to talk.

Since returning, I have had discussions at the Museum here and we are anxious to go forward with a plan of cooperation with you. Before going into this, perhaps I had better say a word about my conversations in Rio.

The afternoon we arrived Mary and I went to an opening of a show in the galleries of the Museum of Modern Art. Mr. Castro Maya was there and he introduced us to Mr. Hugo Gouthier who he said had just been appointed Executive Director of the Museum. Mr. Castro Maya said he was leaving town that night and that he therefore would not be able to talk to me about plans for cooperation but asked that I discuss them with Mr. Gouthier, which I did the next day. Mr. Gouthier was very enthusiastic, spoke of his great admiration for both of you and stated that the Museum of Rio would like to fit into any plan we worked out with you for the Museum in São Paulo. He stated that the Foreign Office was most anxious to cooperate on problems of shipment and imports of materials. He further stated that Mrs. Paulo Bittencourt was about to become Vice President of the Museum and that he was very hopeful of building up the membership and putting new life into its activities.

The next day I saw Maria Martins and told her of my conversation. She was very concerned regarding these developments and, as she talked to you on the telephone, I guess you know her point of view. As I said to her, frankly we in the Museum of Modern Art in New York must work with whoever is in charge of the work of the Museum in Rio. I have great respect for her judgement and if Maria can be instrumental in bringing in a more active group, nothing would please me more. But naturally I cannot take sides in any situation of this kind.

Mr. and Mrs. Francisco Matarazzo Sobrinho  
Museu de Arte Moderna  
Caixa Postal 2387  
São Paulo, Brazil

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#### 4. Biennial Exhibitions

However, as Mr. Gouthier was ready to follow any plan which was worked out between your Museum in São Paulo and ours in New York, perhaps we can go ahead and work out the plan and then by the time we have everything set between us, the difference of opinions in Rio as to the direction of the Museum will have been worked out. We are of the opinion that we should go ahead and set out the experience of the difficulties we will encounter, we can make more effort. There is no problem as to the Museu de Arte Moderna of São Paulo acting as our agent, as it is the Brazilian member of the International Federation of Film Archives, and the Museum of Modern Art in New York is the North American member. If you will let us know which films you want, and whether 16 mm or 35 mm, we will ask permission from the owners of the films to supply you with copies of the films at print cost. (This will run to approximately \$30 per reel for 35 mm sound and approximately \$10.50 per reel for 16 mm sound; slightly less in each case for silent.)

#### 2. Publications

If you have any information on the situation in São Paulo, would you please let us know. We shall be very happy to work out an arrangement with you whereby you can get a 40% discount on our books and color prints. The details for the basis of such an arrangement are being prepared in the Museum. very best wishes to you both,

#### 3. Exhibitions

It would appear that it is almost impossible to try and send our regular traveling exhibitions to Brazil because of the time element. However, there are a number of possibilities:

We could prepare large exhibitions for you from time to time from works in the Museum's Collection and other public and private collections in this country.

When one of the regular traveling shows has completed its tour of the United States, it might then be sent to Brazil on loan, and those not containing original works of art could be sold outright to you for use as traveling shows to other museums in South America.

All photography, architecture, etc., exhibitions which are composed largely of photographic enlargements could be made in duplicate.

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4. Biennial Exhibit

We will be glad to cooperate with you on this for the coming show next March and, if possible, arrange to have our Director, Rene d'Harnoncourt, come down for the opening.

5. I talked with President Dutra about the problem of importing art. He had not received your letter but said he would give us his cooperation. My impression is that we will be able to make progress slowly in solving the present difficulties. However, it seems to me that we should go ahead anyhow and that out of the experience of the difficulties we will encounter, we can more effectively represent the problems and the need for modifications to the government.

6. It might be that an over-all agreement for a plan of cooperation between our two museums would be a useful thing. It could be the basis of a public announcement and it might help us with our respective governments and also in getting help from airplane and steamship companies. Perhaps you'd let me have your reaction to this idea and in the meantime I'll get something drawn up to send you.

If you have any information on the situation in Rio, would you let me know -- also, what you think I should do.

Again many thanks for your kindness while we were in São Paulo. With very best wishes to you both,

Sincerely,

NELSON A. ROCKEFELLER JUL 27 1950

Nelson A. Rockefeller  
President

NAR:SC:fm

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MUSEU DE ARTE MODERNA  
CAIXA POSTAL 2387 SÃO PAULO BRASIL

30 septembre 1948

M. Nelson Rockefeller  
Museum of Modern Art  
New-York

Cher Monsieur Nelson Rockefeller,

Lors de votre passage, à São-Paulo, par les locaux que M. Francisco Matarazzo Sobrinho a mis provisoirement à la disposition du Museu de Arte Moderna qu'il préside, nous avons eu l'occasion de vous montrer quelques toiles du peintre "naïf" brésilien José Antonio da Silva.

En réponse à notre proposition de faire au Museum of Modern Art de New-York une exposition de cet artiste, vous aviez demandé quelques photos de ses oeuvres. Veuillez bien les trouver ci-jointes. Je les ai prises, pour la plupart, à Rio Preto, petite ville de l'intérieur du Brésil, où habite da Silva, avec sa femme et ses cinq enfants, dans une maison plus que modeste, ainsi que vous pouvez vous en apercevoir sur nos documents. C'est là, d'ailleurs, qu'il peint, sur une table minuscule, dans un coin, distraît constamment par les membres de sa famille, ses poules et ses chats, tous plus maigres les uns que les autres, se nourrissant de riz et de fèves.

Da Silva a fait un peu tous les métiers: gardien de troupeaux, contrôleur des produits dans une ferme, d'autres encore sur lesquels nous sommes mal informés, et, pour finir, veilleur de nuit dans un hôtel de Rio Preto. Il exerçait cette dernière profession quand, au cours d'une exposition collective à Rio Preto, parmi les pompiers effroyables de l'endroit, il fut découvert, en décembre 1946, par Sergio Milliet et Lourival Gomes Machado, deux critiques d'art de São-Paulo. Da Silva, à ce moment, peignait depuis quelques mois à peine.

t.s.v.p.

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M. Nelson Rockefeller  
New-York

30/9/48  
2.

En mai 1948 la galerie Domus, de São-Paulo, lui organisa une exposition particulière. Tout fut vendu, à des prix, il est vrai, fort bas. Mais on craignait que da Silva ne perdît sa fraîcheur d'inspiration du fait de son séjour à São-Paulo, pendant l'exposition, - il n'était jamais sorti de sa région - et du contact avec des peintures anciennes et modernes, que l'on peut voir ici. Heureusement, il n'en a rien été.

J'ai vu, dimanche dernier, les dernières oeuvres de da Silva. Elles ont gagné en vivacité du coloris, sans rien perdre de leur délicatesse, de leur saveur, de leur "naïve" transposition des spectacles campagnards qu'elles représentent. Ces spectacles, da Silva les retrace de mémoire. Ce sont des souvenirs. Da Silva ne peint pas d'après nature.

En plus de leurs qualités purement picturales, les oeuvres de da Silva présentent donc un intérêt folklorique très certain, et très curieux.

Et puis, il y a, dans la moindre de ses productions, une intensité de conviction, une volonté de s'exprimer sans honte et complètement, qui sont vraiment très frappantes, très attachantes.

Personnellement, je crois qu'une telle oeuvre peut être présentée aux amateurs les plus exigeants et les plus avertis, avec les plus grandes chances d'être appréciée pour le bon motif.

Cher Monsieur Nelson Rockefeller, je suis très heureux d'avoir pu faire votre connaissance, j'espère avoir l'occasion de vous rencontrer à nouveau et vous prie de croire à mes très vifs sentiments de sympathie.

*Dégand*

---

Léon Dégand  
Directeur

LD/el

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*Drafts*

In November 1950 the Museu de Arte Moderna in Sao Paulo and the Museum of Modern Art in New York made an agreement to assist and to cooperate with each other in order to further international exchange in the arts. The "Museum of Modern Art" welcomes the opportunity offered by the first Biennale of ~~in~~ Sao Paulo to participate in the realization of this agreement.

At the request of the President of the Bienale our Museum, with the assistance of a jury of experts, <sup>(Distribute)</sup> has selected a group of outstanding works in the fields of painting, sculpture and the graphic arts from the United States to be sent to the exhibition.

In making their selections the juries attempted to represent as many as possible of the diverse art movements now existing in the United States and to choose artists

who are acknowledged leaders in their fields. <sup>Because of limitations of space and</sup> Many artists of equal interest <sup>the juries were unable to include works of all the artists they would have</sup> could not be included in the Museum's group for reasons of space and expense. <sup>wished to be represented.</sup>

~~The jury of selection~~ <sup>was headed by</sup> Andrew C. Ritchie, Director of the Department of Painting and Sculpture of the Museum of Modern Art, organized and acted as chairman for two committees for the selection of the works. The Committee for Painting and Sculpture <sup>and</sup> consisting of Robert Beverly Hale, Associate Curator of American Art, Metropolitan Museum of Art; Lloyd Goodrich, Associate Director of the Whitney Museum of American Art; John I. H. Baur, Curator of Paintings and Sculpture of the Brooklyn Museum; and Dorothy C. Miller, Curator of the Museum Collections, Museum of Modern Art, <sup>and</sup> the Committee for graphic arts consisting of Carl Zigrosser, Curator of Prints, Philadelphia Museum of Art; Hyatt Mayer, Curator of Prints, Metropolitan Museum of Art; Una Johnson, Curator of Prints and Drawings, Brooklyn Museum; and Dorothy Lytle, Custodian of the Print Room, Museum of Modern Art.

~~Each~~ <sup>each</sup> Painters are represented by one to three works, depending on size; sculptors by one work; and printmakers by three. Where more than one work is included for an artist the juries have tried to choose pieces which illustrate the development and variety of the artist's style. In General works included have been completed during the last decade, but in a few case older works had to be used. Besides native artists the jury has included a number born in other countries who have made their homes in the United States or who have done a considerable part of their work there.

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The exhibition includes both American artists born in the U.S. and artists who were born abroad but have made their home in the U.S. and have done<sup>2</sup> considerable part of their work here.

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*To file but unpaid*

cc: Mr. Nelson A. Rockefeller  
Mr. René d'Harnoncourt ✓  
Miss Dorothy Miller  
Publications Sales Dept.

Mrs. J. T. Babuco  
February 16, 1949

page two

February 16, 1949

Dear Mrs. Babuco: It is a great pleasure to have the opportunity to talk with you and to show you something of our museum. Will you not write me giving me some idea of the amount of money which you are interested in — whether one of the later more decorative paintings, or one of the earlier and perhaps more important works of the Cubist period of around 1910-12. The price would range between \$5,000 and \$15,000, depending on the size and the quality of the picture. There are a good many recent paintings by Braque which frankly I think are inferior in quality.

May I confirm our conversation of this morning: We are sending to your hotel immediately all our in-print publications — with the compliments of Mr. Rockefeller. I hope they will reach you in time so that you can make arrangements with the Consulate to have them forwarded conveniently.

As I said, I should be very glad to recommend a painting by Braque for the collection of the Museum of Modern Art in Rio de Janeiro. I understand that some authority from the museum will write me giving me some idea of the amount of money which you are interested in — whether one of the later more decorative paintings, or one of the earlier and perhaps more important works of the Cubist period of around 1910-12. The price would range between \$5,000 and \$15,000, depending on the size and the quality of the picture. There are a good many recent paintings by Braque which frankly I think are inferior in quality.

I shall take no steps about the Braque until I hear further. I would ask the dealer to send photographs of available works airmail with the understanding that the work would be reserved for three weeks.

At your request we are sending copies of all new publications to the Museum of Modern Art in Rio de Janeiro, sending the bill to you at Avenida Rio Branco 85. We shall also put both you and the museum on our mailing list for all announcements, catalogs, etc.

I understand that Mr. d'Harnoncourt is taking care of all the negotiations for the exhibition which we had prepared for Sao Paulo. We are delighted to know that you are interested in having the show at Rio de Janeiro.

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Mrs. J. T. Nabuco  
February 16, 1949

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It was a great pleasure to have the opportunity to talk with you and to show you something of our museum. Will you not present my compliments to your brother-in-law Mr. Nabuco, with whom I had a friendly argument the other night on the subject of modern religious sculpture.

I hope that we shall have a chance to meet again before you leave for Europe.

Cordially,

s/Alfred H. Barr, Jr.

Mrs. J. T. Nabuco  
Hotel Barclay  
111 East 48 Street  
New York City

AHB/ob

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222 EAST SEVENTY-FIRST STREET

Dear Monroe,

Here is the translation I  
promised to deliver to you many  
days ago. It is not very well  
done but I hope you will find  
it useful for your files. It is  
difficult to make a strict translation  
interesting.

Please call on us if you have  
any more translations.  
Hope to see you soon

Sincerely  
Mary

Saudades.

/Ma.

Tuesday.