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	TOMKINS	I. 10

TENNESSEE VALLEY AUTHORITY
KNOXVILLE, TENNESSEE 37902

June 26, 1972

Mr. Calvin Tomkins
c/o New Yorker Magazine, Inc.
25 West 43rd Street
New York, New York 10036

Dear Mr. Tomkins:

We have just had an opportunity to read your review in the June 10 New Yorker of Harry Caudill's book, "My Land is Dying."

We have no wish to detract from Mr. Caudill's effective work in alerting the country to the dangers and destruction which can and do result from strip mining. Only with a public that is aware of these conditions can effective remedies be applied. TVA has sought energetically for such remedies for many years.

There are inaccuracies in your review, however, which lead the reader to believe that easy remedies are available. One supposition which you describe is an example: "Surface mining is safer, quicker, and cheaper than deep mining, but its toll in human misery is even greater. Thousands of miners thrown out of work because the deep mines could not compete with the highly mechanized surface operations have left Appalachia and moved into the urban ghettos of Detroit and other cities."

Cogent studies have demonstrated that the migration from Appalachia has been going on for decades; that its causes, deep and complex, are associated with a culture of isolation, poor health and education, and other factors which you mention, but little, if any, associated with strip mining. All mines in Appalachia are today operating at or near capacity and have for a number of years. No deep mines have been put out of business because of competition from strip mines and few, if any, miners have left their mountain homes on this account. The mining depression of the 1940's and 1950's to which you refer was caused by the loss of markets when railroads and households shifted from coal to oil.

The principal error of omission is the fact that coal is still an essential fuel for the generation of electricity. TVA, for example, entered the winter of 1970-71 with an average coal stockpile of seven to eight days, and one plant was down to two days' supply. No electric power system can long risk such a narrow fuel margin. Yet deliveries were lagging and new supplies were virtually unavailable. Only at great effort and cost have stockpiles been restored, and about 50 percent of

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Mr. Calvin Tomkins

June 26, 1972

this coal has come from surface mines. TVA's situation was and is quite typical of electric utilities in the eastern United States.

The "irony of ironies"--to borrow your phrase--is the supposition that the public power authority advocated by Mr. Caudill would somehow escape these realities, that by some miracle of management it could burrow into seams of coal and still avoid the "sudden death, crippling injury, and slow asphyxiation from the miners' disease called 'black lung' (which) were and still are the horrifying norm," or the slag pile dams like Buffalo Creek. TVA has set its course to remedy these ills as well as those of strip mining, but Mr. Caudill's course--to outlaw strip mining--would only intensify and aggravate them.

TVA's answer seems to us to be the national answer. Strip mining of coal can be conducted in a manner that holds ecological damage to a minimum and permits reclamation to a condition as good or better than before mining. Where such reclamation is not possible, the mining should be forbidden. Reclamation provisions have been included in TVA coal purchase contracts since 1965, and they have been strengthened from time to time as experience dictated. Lacking regulatory authority, this is the most concrete initiative TVA can take and we are puzzled that after seven years no conservation group has given it support or urged its extension to other coal buyers.

We assure you that TVA's "goals of conservation and reclamation" have not been "submerged in the rush to provide more and more cheap electricity from coal-fired generators." We believe TVA's policy of providing low-cost electricity needs no apology. The greater demand for electricity in the Tennessee Valley originates in the needs and drives of an underdeveloped area. Electricity has lifted the drudgery from the farm life of the region. It has helped provide employment for the region's young people. Electric heat has helped rid cities of the pall of smoking chimneys, and electric power will contribute to the recycling of paper, metal, and all the rest. Moreover, the "power crunch" of this decade is very real and those concerned for the environment must realize that the environment of darkened homes and silent factories is fully as grim as a silent spring.

I would point to another error, the significance of which neither of us may know at present. Kentucky did pass a severance tax on coal, but the revenue goes into the State's general fund and is not earmarked for reclamation or for enforcing the reclamation law. Similarly, Tennessee enacted a severance tax, but the revenue goes to county governments. If reclamation under the states' laws is adequately funded and enforced, this circumstance may not be important. On the other hand, given the shortage of government operating funds at both the state and local levels, the taxes as now levied and used may be more of a spur to mining than to reclamation.

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THE NEW YORKER



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Mr. Calvin Tomkins

June 26, 1972

July 28, 1972

I am enclosing TVA's environmental statement on its coal purchasing policies and a question and answer brochure on strip mining which go into some of these matters in more detail.

Director of Information
Tennessee Valley Authority
Knoxville, Tenn. 37902

Sincerely,

Paul L. Evans
Director of Information

Dear Mr. Evans:

I have been away from New York, and returned here to find your letter. It is clearly concerned about the repercussions of strip-mining her had no effect whatsoever on the deep mine operators. A recent survey in the Whitesburg, Kentucky "Mountain Eagle" indicated, however, that almost every deep mine in Letcher County was operating at less than capacity, and that they were closed. The article was entitled "Coal Business Hits Severe Slump." Obviously there were other factors involved in the situation, such as the newly instituted economic plan. Let us say, as you do, that "the deep mines have been put out of business because of competition from strip mines" in order, to say the least, and your conclusion that "yes, if any, mines have left their surface work as they struggle" is a little a piece of twisted logic, as I have heard in a long time. The amount of coal that can be produced in the state for your industry, strip and deep. If you were to talk with the people of Letcher County (or elsewhere in Appalachia), I think you would find that few, if any, would agree with your analysis of their self-sufficiency.

You allege, for example, that "oil mines in Appalachia are today operating at or near capacity and have for a number of years," and that the spectacular growth of strip-mining has had no effect whatsoever on the deep mine operators. A recent survey in the Whitesburg, Kentucky "Mountain Eagle" indicated, however, that almost every deep mine in Letcher County was operating at less than capacity, and that they were closed. The article was entitled "Coal Business Hits Severe Slump." Obviously there were other factors involved in the situation, such as the newly instituted economic plan. Let us say, as you do, that "the deep mines have been put out of business because of competition from strip mines" in order, to say the least, and your conclusion that "yes, if any, mines have left their surface work as they struggle" is a little a piece of twisted logic, as I have heard in a long time. The amount of coal that can be produced in the state for your industry, strip and deep. If you were to talk with the people of Letcher County (or elsewhere in Appalachia), I think you would find that few, if any, would agree with your analysis of their self-sufficiency.

The other points you make, it seems to me, are similarly unconvincing. The economic dismissal of Jerry Brantley's program regional power authority ignores the fact that coal and natural gas in British, German, and Czechoslovakian coal mines are far lower than here. He can be forgiven that coal mining can never be free of danger to the life and health

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THE NEW YORKER



N. Y. 10003

July 30, 1972

Mr. Paul L. Evans
Director of Information
Tennessee Valley Authority
Knoxville, Tenn. 37902

Dear Mr. Evans:

I have been away from New York, and only recently returned here to find your letter. It is interesting to find that TVA is sufficiently concerned about the repercussions of strip mining to draft such lengthy refutations of book reviews (if not of the books that are under review). It would be even more interesting if such refutations were not couched in the weary cliches and obfuscations of traditional coal company apologists.

You allege, for example, that "All mines in Appalachia are today operating at or near capacity and have for a number of years," and that the spectacular growth of strip-mining has had no effect whatsoever on the deep mine operators. A recent survey in the Whitesburg, Kentucky "Mountain Eagle" indicated, however, that almost every deep mine in Letcher County was operating at less than capacity, and that many were closed — the article was entitled "Coal Business Hits Severe Slump." Assuredly there were other factors involved in the situation, such as the newly instituted severance tax. But to say, as you do, that "no deep mines have been put out of business because of competition from strip mines" is naive, to say the least, and your contention that "few, if any, miners have left their mountain homes on this account" is as glib a piece of wishful thinking as I have heard in a long time. The most recent census reports that 80,727 Kentuckians, the majority of whom came from the coal counties, left the state for good between 1960 and 1970. If you were to talk with the people of Letcher County and elsewhere in Appalachia, I think you would find that few, if any, would agree with your analysis of this out-migration.

The other points you raise, it seems to me, are similarly unsupported. Your sarcastic dismissal of Harry Caudill's proposed regional power authority ignores the fact that death and accident rates in British, German, and Czechoslovakian coal mines are far lower than ours. No one is suggesting that coal mining can ever be free of danger to the life and health

Case: Yardfar

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THE NEW YORKER



N.Y. 10003

of the miners. But surely it would not take what you term a "miracle of management" to construct mines that were at least as safe and as efficient as those in Europe. On the other, more important aspects of Mr. Caudill's proposal, you have nothing to say.

Your plaintive assertion, further on, that TVA's own reclamation efforts have gone unnoticed by the conservationists might perhaps suggest that these efforts have been something less than effectual. "Strip mining should be prohibited where adequate environmental steps cannot be assured," the release that accompanied your letter states. But what are the criteria for these "adequate steps.?" How steep must a slope be before stripping on it becomes unreclaimable? How much does TVA advocate spending for reclamation per ton of coal mined, and how does this compare with the required reclamation costs, for example, in England?

Inevitably, your letter emphasizes the energy crisis, which often seems today to justify business-as-usual in the coal and oil industries. The energy crisis, however, is the clear result of appallingly short-sighted and profit-motivated policies on the part of the government and the industries involved, over many years, and it does not exactly build confidence to hear spokesmen for these bodies use their own past mistakes as justification for more of the same.

I would like to know what proportion of TVA's annual budget is devoted to research in the field of alternative sources of energy, such as geothermal, solar, tidal, nuclear power? I would also like to know how this figure compares with the total amount spent annually by TVA on its public relations.

A few specifics of this kind would be more than welcome.

Sincerely,

Calvin Tomkins

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THE NEW YORKER



Y. 10003

July 30, 1972

Mr. Paul L. Evans
Director of Information
Tennessee Valley Authority
Knoxville, Tenn. 37902

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THE NEW YORKER



10003

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Sincerely,

Calvin Tomkins

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E. P. DUTTON & CO., INC. 201 Park Avenue South, New York, N.Y. 10003

DUTTON VISUAL BOOKS
NICOLAS DUCROT, DIRECTOR

December 18, 1973

Mr. Calvin Tomkins
New Yorker
25 West 43rd Street
New York City 10036

Dear Calvin,

We missed you last Sunday at Jack's and you missed a very good luncheon, good company, and a delicious bass dressed in a sensational sauce -- whipped together by none other than Judy.

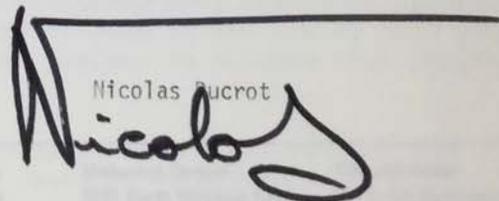
I am delighted to read about your possible profile of Andre Kertesz. If I can be of any assistance do not hesitate to call on me.

As for Klein it is a bit sad, but what about forgetting about a profile altogether and thinking in terms of a book right away? Is this absolutely impossible or is there a chance? And, if there is a chance, what would you need? Why not think and talk about it.

Just before I received your letter I wrote to Georgia O'Keeffe saying that I was ready to come anytime -- let's see what happens now.

Joyeux Noel to all,

Best,


Nicolas Ducrot

NDT:nsk

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BREVARD COMMUNITY COLLEGE

December 5, 1973

Mr. Calvin Tomkins
% Harper and Row, Publishers
10 E. 53rd St.
New York, N. Y. 10022

Dear Mr. Tomkins:

I am writing to you as a common admirer and follower of Eric Hoffer. I had the recent pleasure of reading your biography of him and making reference to it on numerous occasions in my doctoral dissertation, completed August, 1973, entitled "Eric Hoffer's Conceptual Approach to the Development of American Democratic Leadership."

I thought that perhaps you would like to have a copy of the manuscript to add to the mass of material you doubtless now possess on Mr. Hoffer. My paper attempts to systemize and synthesize Hoffer's writings and public pronouncements on American leadership into a coherent whole. You may disagree with my conclusions, but you may be surprised at some of the things that he seems to imply on this vital question.

If you would like to see a copy, please let me know.

Sincerely,

Henry N. Carrier
835 Sycamore
Titusville Center
Titusville, FL 32780

HC/ms

Cocoa Campus Clearlake Road Cocoa, Florida 32922 (305) 632-1111	Melbourne Campus 3865 North Wickham Road Melbourne, Florida 32935 (305) 254-0305	Titusville Center 210 South Washington Titusville, Florida 32780 (305) 269-5664
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The John F. Kennedy Center
for the Performing Arts
Washington, D.C. 20566
Telephone 202-833-9300

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Association of Theatre Owners
Frank Yablans
President, Paramount
Pictures Corporation
Paul Ziffren
Senior Partner, Ziffren & Ziffren



The American Film Institute

December 12, 1973

Mr. Calvin Tompkins
c/o The New Yorker
25 West 43rd Street
New York, NY 10036

Dear Mr. Tompkins:

The American Film Institute will present a Life Achievement Award to James Cagney next March, in recognition of his contribution to American cinema. This is the second award AFI has made (the first went to John Ford). Mr. Cagney will make a rare public appearance to accept the award, at a dinner in Los Angeles March 13, which will be telecast nationally by CBS on March 18.

We are developing a book on Cagney as part of our tribute to him (the book clearly would not be published until late 1974, but we'd like to begin work immediately). We're thinking right now in terms of a profile embracing both the character of his screen performances and their impact on American audiences.

I am writing to inquire whether you would have an interest in working with us on this project. Knowing your splendid profiles on Cage, Cunningham and others, it would be superb to be able to engage your energies on the Cagney book.

We are quite open to considering many different approaches and I would be delighted to come to see you or talk with you by telephone, as you prefer, to discuss this project in more detail.

In preparing the CBS special, we are now pulling together Cagney's films, research materials and also contacting many of the people who worked with him. These resources could quite easily be made available to you.

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Mr. Calvin Tompkins

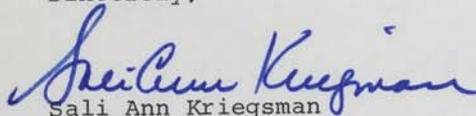
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December 12, 1973

I hope that we may have hit on something which intrigues you. Since we must push ahead as quickly as possible to develop an outline for the project, I would be grateful to have your initial reactions by December 21.

With all best wishes.

Sincerely,



Sali Ann Kriegsman
Executive Editor

SAK/cws

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3200 IDAHO
D C 20016
(202) 363-2114

22 November 1973

Mr. Calvin Tomkins
The New Yorker
25 West 43rd Street
New York, N.Y. 10036

Dear Cal,

As you can see from the obverse of this piece of paper Bucky and I are gradually getting through the galley-proof stage of SYNERGETICS, though the compositors are leaving Macmillan in droves and author's alteration charges may eat up all prospect of further royalties.

Arthur L Loeb, the Harvard crystallographer, has written a contribution and introduction based on Fuller's drawings and models of 1968. No other competent scientist has had any opportunity to evaluate the contents of the work. As Bucky's editorial collaborator I have tried to limit my role to that of suspension of disbelief. It has been my hope that-- during his lifetime-- we would learn that he is not putting us on. In fact, only at this galley-proof stage, has he abandoned some of the more cryptic and private language which at times has made me feel we were recarving the Rosetta stone. Certainly the galleys are a profound psychological ordeal for him, as he is forced to go public with his long-privately-held secrets, paddling his canoe on the brink of Niagara.

May I quote two of your colleagues at the New Yorker?

"...We continue to order almost the entirety of our lives and cognitions as if space were indeed a three-dimensional construct of solid geometry."

-- George Steiner, p.98
New Yorker, 6 Mar'71

"...A wrong solution of a fundamental problem may be incomparably more important than a correct solution of a trivial uninteresting problem."

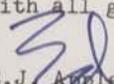
-- Jeremy Bernstein, p.57,
New Yorker, 17 Mar'73

These two quotations are very close to the purposes of Fuller's book. Without making any assertions of whether SYNERGETICS does or does not make an original contribution to science, I am convinced that it presents a powerfully original metaphor providing a system of new models of time and space for a post-Einstein world picture, an alternative to the Euclidean and Cartesian models that still govern the reflexes of this generation.

I shared Bernstein's wonderful Einstein piece of 17 March with Bucky and he was intrigued. When I read Bucky Bernstein's passage contrasting the triangle of Euclid with a triangle "described operationally" on the earth's surface, Bucky wondered-- characteristically-- if Bernstein might not have gotten the simile from Fuller.

Anyway, by next spring Macmillan will have a few bound page proofs with illustrations. I would be grateful, Cal, if you have the opportunity this winter to find out whether either of your above colleagues would be interested in seeing them.

With all good wishes,


E.J. Applewhite

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71 Synergetics-Fuller VB V23557 10 TR 26 1/2-13

Velocity un-restrained in Vacuum

higher velocity. Radiation gets to a maximum and then turns itself inward again—it becomes gravity. Then gravity comes to its maximum concentration and turns itself around and goes outward—becomes radiation again. This is a cycle of import-export, import-export, entropy-entropy, entropy-entropy.

441.10 Coordinate Symmetry: In coordinate symmetry, as the faces of the tetrahedron move in toward the opposite vertex, the volume gets less at a velocity of the third power, its surfaces diminish at a second-power rate of change, and its lines shorten at a covariation rate of the first (exponential) power. When all four of the tetrahedral faces come to congruence with the same common nucleus of the vector equilibrium, then the only variable is size. Only size comes to zero. The conceptuality of the aspect never changes.

cosmically complementary humanly, eternally pulsative evolutionary

all these of these rates of SIB change come to common zero SIB.

441.20 Turbining: In looking at a tetrahedron, we see that there are around any one vertex three faces and three edges in beautiful synchronization; we say that it all looks simple and logical. We find that the inventory of three faces comes out of an inventory of four total that are available in the tetrahedron. The inventory of three edges comes out of an inventory of six total that are available. So the sixness and the fourness are from very different inventories. Somehow, around any one vertex nature has arranged to put them into a neat three-to-three balance from out of their respectively differing inventories.

REGULATION SYSTEM, ALSO locally

441.21 Consider the case of the chess tetrahedron (see Sec. 623.20), where we push one of the faces toward the opposite vertex. We can move that face in until it is congruent with the opposite vertex. There is now no volume, but we have agreed that the conditions of symmetry persist: the sixness and the fourness are all still there, but they are empty. With one face congruent with the opposite vertex, we have all four planes of the tetrahedron going through the same exact point at the same time, or theoretically as close as we can ever get to exactly. We also have six edges of the tetrahedron going through the same point at the same time. We have agreed that this is a condition that can never happen in reality, but in the vector equilibrium, where there is no size, we have the only possible time when this would seem to occur.

the terrestrial biosphere as the ever alternatingly omnidirectional BATHMETRIC HIGH and LOWS of the weather.

constant tetrahedral fourness of faces, sixness of edges, insiderness and outsiderness convexity and concavity. These are the constants of the system.

441.22 So we have the total inventory of four faces and six edges going through the same theoretical point at the same moment. We have said that this is a vector equilibrium and in a zero condition and it is nonreality. Nature would not permit it. But a moment later, those six edges turbine around that point one way or another—and we have seen plenty of models of the lines turbinizing around—but we will have to say that there had to be a moment when this plane went from being a positive tetrahedron to being a negative tetrahedron, and it had theoretically to pass through that point.

total around each vertex

441.23 Very clearly, vector equilibrium is a zero tetrahedron. We have already had tetrahedron as an indestructible phenomenon independent of size. And then we have it getting into its own true zero vector equilibrium. It is a condition that nature apparently does not permit in our life, but what we call reality is always a positive and negative set of the whole.

multi-frequency accommodation vector-equilibrium absolute stability whole.

442.00 Polarization of Vector Equilibrium

442.01 In closest packing of spheres, there are always alternate spaces that are not being used, and so triangular groups can be rotated from their original position 60 degrees to an alternate nestable position. We find that you can take two halves of the vector equilibrium made out of balls and take one of the halves off and rotate it 60 degrees and put it back together again. Instead of having the vector-equilibrium condition of alternate faces being squares and triangles in symmetrical array around it, you will get a square and a square touching each other and a triangle and a triangle touching each other. By rotating the system 60 degrees, you will get a top triangle and a bottom triangle in the same orientation. If you rotate the vector equilibrium to the next nestable position, suddenly it is polarized again.

put a synchronize

On the other hand of the same system

442.02 It is in this polarized condition that a section through it makes the famous chemical hex that the chemists have used for years. The chemists recognized it as a polarized system, but they did not recognize it as the vector equilibrium because they had not had any experience like that. Apparently, then, all the chemical compounding in the organic chemistry relates to polarized systems.

while using them all in a total symmetry despite their being supplied

a polarized system around the equatorial zone of which

443.00 Vector Equilibrium as Equanimity Model

443.01 In order to reduce the concept of vector equilibrium to a single-name identity, we employ the word equanimity as identifying the eternal metaphysical conceptuality model that eternally tolerates and accommodates all the

is a constant of the system

Sphere and space available

alternated

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The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	TOMKINS	I. 10



246 West End Avenue, Apt. 10 B, New York 10023
DR. CARLA GOTTLIEB ~~435 West 57th Street, Apt. 127, New York, N.Y. 10019~~

November 19, 1973

Mr. Calvin Tomkins
c/o The Viking Press Inc.
625 Madison Avenue
New York, N.Y. 10023

Dear Mr. Tomkins:

Please grant me permission to quote the following two passages from your book *The Bride and the Bachelors*, New York, 1965, in a scholarly book on contemporary art to be published by E.P. Dutton & Co., New York, in 1974:

pp. 186-187 "Once I spent all day . . . and changed its shape."
p. 163 "they are handsome pieces . . . by the unaided human hand,"

Sincerely yours,

Carla Gottlieb

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
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3200 IDAHO AVENUE N W
WASHINGTON D C 20016

(202) 363-2114

Y. 10003

23 November, 1973

Dear Cal,

About the biography. At our last meeting Bucky asked me for a fill-in on your reaction to his last proposal. He is satisfied with your position and understands why the 4 October letter from you must still govern. He is glad you have not abandoned the project and says he would like for you to have a look at the chronofile letters.

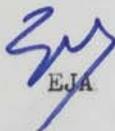
So, it's the status quo ante-- with two things better clarified:

- (a) No RBF participation in royalties of any book by CT; and
- (b) No CT demand for exclusive use of chronofile material.

This should give you the essential latitude to do the only kind of book you would want to do. And as for the Chronofile material, there is so much more than you could possibly use; and I don't see anyone else on the horizon going into the stuff anyway.

OK?

Yrs,


EJA

:Yardfer

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E. P. DUTTON & CO., INC. 201 Park Avenue South, New York, N.Y. 10003

DUTTON VISUAL BOOKS
NICOLAS DUCROT, DIRECTOR

November 26, 1973

Mr. Calvin Tomkins
Snedden's Landing
Palisades, New York 10964

Dear Calvin,

Thank you so much for the good company and for the good advice you offered on Georgia O'Keeffe.

I did call her the next day at eight A.M. She sounded harassed and unsure. I didn't push it. I felt, from her voice, that one more appointment would be a mistake -- no matter what it concerned. Patient perseverance is best.

Do you remember Harry Shunk or his work? A photographer, a real artist who has been working with artists around the world -- Tinguely, Christo, etc. Well, he has a fantastic work on Klein and, as you may know, he is a friend of all he works with. What about the Klein book idea that you mentioned at lunch?

I checked and the only competition is a \$60.00 volume -- a catalogue not very well done published several years ago.

I sincerely would like to do a book with you, and Shunk really knows and likes your work. In my mind he is tops. It could be a great book.

You know, I truly appreciate your dedication in LIVING WELL IS THE BEST REVENGE, thank you.

Best,

Nicolas
Nicolas Ducrot

P.S. I am enclosing the article on KERTESZ from the October, 1973 issue of Intellectual Digest. It's not much more than a tease.

NDT:nsk
enc.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	TOMKINS	I. 10

EDWARD M. KENNEDY
MASSACHUSETTS

FRANKLAND COLLEGE
United States Senate

WASHINGTON, D.C. 20510
November 9, 1973

Mr. Calvin Tomkins
Snedens Landing
Palisades, New York

Dear Mr. Tomkins:

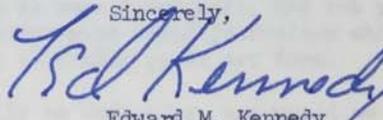
Many thanks for sending me your views on the crisis in Chile. I fully share your concern over the human tragedy in that country, and over the ouster of its democratically elected government in a military coup.

From the earliest reports of civil strife, the Senate Subcommittee on Refugees, which I serve as Chairman, has closely followed developments in Chile. There is little doubt that in recent weeks both Chileans and foreign residents have suffered immeasurable personal tragedy and the violation of their human rights. As you probably know, I have repeatedly urged our government, at the highest levels, to give some public assurance of active concern over the violation of human rights in Chile, and to make strong diplomatic representations to the military government in support of international humanitarian initiatives by the United Nations and the Red Cross in behalf of political refugees and others in need of protection or safe conduct. Also, on October 2nd, the Senate passed my amendment to the Foreign Assistance authorization bill, which, except for humanitarian aid, prohibits American economic or military assistance to the new regime until it respects human rights and fulfills Chile's humanitarian commitments under international law.

In light of your interest, enclosed are some recent statements I have made regarding the situation in Chile. Again, many thanks for writing and be assured I shall continue to do all that I can in behalf of human rights in Chile.

Best wishes.

Sincerely,


Edward M. Kennedy

Enclosures

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KIRKLAND COLLEGE

CLINTON, NEW YORK 13323

DIRECTOR OF DEVELOPMENT

31 October 1973

Mr. Calvin Tomkins
Snedden's Landing
Palisades, New York

Dear Mr. Tomkins:

"My heart leaps up..."

Your letter made my morning -- and it's been a lovely autumnal morning. By all means, I accept your hedging and indeed sympathize. I shall take them one by one:

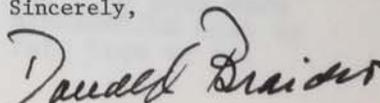
1. Timing: I suggest Wednesday/Thursday, January 9/10. There is only one Allegheny flight from Newark, and that leaves at 7:20 PM. Of numerous flights originating from LaGuardia, the one that would make it possible for you to meet with students on Wednesday afternoon and evening leaves at 12:00, reaching Utica at 12:53. The next leaves at 2:35, arriving here at 3:28. It's about twenty minutes from the airport to the College. By 4:00, almost everyone is run down. But this might be preferable to you. You could meet with a group in the evening and the next morning. Naturally, I prefer the former, but naturally, too, I leave it to you. As for returning, there are flights to LaGuardia at 12:50 and 4:08, arriving there at 1:42 and 5:00 respectively. There is none in the afternoon or evening to Newark. If you let us know, we'll make all the arrangements. A final note about accommodations. My wife and I would very much like to put you up, but I know from experience that one sometimes prefers not to have to be someone's guest. That option is yours, too.

2. & 3. "Informality" is just as you understand it. No formal presentation of any sort. I shall encourage participants to read Living Well (to buy it, which is more important), and ask you simply to respond to their questions and mine about journalism which -- as The New Yorker understands it -- really is an art form.

I'm in the city weekly, usually on Wednesday, and would be delighted to meet you and discuss any aspect of this with you, by way of reassurance.

In the meantime, let me tell you how really pleased I am at the prospect of your coming. Thanks for that nice letter.

Sincerely,


Donald Braider

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3200 IDAHO AVENUE N W
WASHINGTON D C 20016

(202) 363-2114

29 October 1973

DIRE

Mr. Calvin Tomkins,
The New Yorker
25 West 43rd Street
New York, N.Y. 10036

Dear Cal,

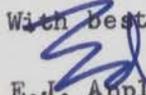
Thank you for your helpful candid letter about the Bucky book. You have identified the problem precisely. Sharing of royalties would inevitably compromise-- or threaten to compromise-- the text. The constraints are not only financial and ethical, but artistically inhibiting. The problem remains: How do you do an authorized biography of one who lives on the brink of the Outlaw Area?

After telephoning you earlier this month I wrote Gerald Dickler that I had conveyed RBF's offer to you, but I feel "the one thing Dickler, Tomkins, and Applewhite all agree on is that nothing should stand in the way of a Fuller autobiography. Bucky said, 'That's all very well, but I don't think people are going to let me have the time todo it.'" Which means that, like most of us, he'd rather talk than write.

I think you are quite right to give up any thought of a biographer-biographee contract. But I am glad you don't want to abandon the project altogether. I would like to keep the thought alive of your interest in a potential book on your own. This might help keep less qualified candidates at bay, and would permit you to honor the more-or-less standing invitation from Bucky to have a firsthand look at the chronofile documentation. I would say that any time you called him, or his secretary Shirley Swansen, or me, he would be very happy to have you take a first look at this virginal material-- which would give you some idea of what's available.

I am sure I will have no trouble explaining to Bucky why your August letter to him remains "operative." Bucky continues to want me to help him do his autobiography-- which would be an exercise in applied myth and metaphor. His life is fascinating, but I am much more interested in his ideas. Until the SYNERGETICS book is out I feel justified in devoting my full time to it.

With best wishes and thanks,


E.J. Applewhite

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KIRKLAND COLLEGE

CLINTON, NEW YORK 13323

DIRECTOR OF DEVELOPMENT

19 October, 1973

Mr. Calvin Tomkins
Sneden's Landing
Palisades, New York 10964

Dear Mr. Tomkins:

I'm not certain whether, as a Kirkland Associate, you've been asked for specific assistance to the College. However, your aid is sorely needed in connection with the Winter Studies program which runs from January 3rd through the 23rd of next year.

The theme proposed for the entire program is "EARNING A LIVING AND LIVING TOO." It will embrace twelve different subjects, one of which is the arts -- a series of informal seminars which I have been asked to coordinate.

The difficulty in recruiting souls to guide the innocents in this particular theme is twofold. The first is that most of the writers and artists I know personally simply will not make what they call public appearances. Berton Roueché was especially plaintive on this subject. I explained that it was going to be very intimate, but he was not beguiled. The second is more serious. We can afford merely carfare (or plane fare), because the small budget we have for actual performances we're reserving for poets -- the assumption being that performance is generally all they ever get paid for.

A writer myself, I hate to importune writers. But since I make my living as a professional mendicant, I have lost my scruples one by one. Would you be willing to come to Kirkland for a day or two during the period cited, or for a weekend? The theme I have proposed is basically one of survival, my impression being that most people get involved in the arts out of a misguided inclination toward them; thus, their problem is how to earn a living while doing what pleases them. I know it's asking a lot, but Kirkland really needs you at that time.

My wife and I were especially taken with Living Well is the Best Revenge. We knew them a bit more than casually when we lived in East Hampton and they occupied their miniature chateau on the dunes. I also liked very much your recent piece about race in Bridgehampton. We knew Dr. Dismond and Bryan Hamlin was our lawyer. About him, as you doubtless know, there are countless anecdotes testifying to his absurd probity. My favorite is that he was nearly evicted from Squadron A in the twenties for suggesting that members' ostensible support for law and order in the country demanded the closing of the bar. He's a marvelous man.

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
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Mr. Calvin Tomkins - 2

He told me once that he hoped to die on the tennis court. More of him and the Murphys, perhaps, when we meet -- at Kirkland, I dearly hope. Please let me know.

I have, incidentally, tentatively roped Tom Guinzburg to speak to the publisher's side of the case. I felt no compunction in telling him he had to pay his own way.

I look forward to seeing you some time, and to hearing from you on this Winter Studies matter at you convenience.

Very sincerely yours,

Donald Braider
Donald Braider

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R. BUCKMINSTER FULLER UNIVERSITY CITY SCIENCE CENTER 3508 SCIENCE CENTER PHILADELPHIA, PA. 19104, USA (215) EV 7-2255 CABLE: "BUCKY"

25 September 1973

Mr. Calvin Tomkins
The New Yorker
25 West 43rd Street
New York, N.Y. 10036

Dear Cal,

I am delighted to get your letter of 14 September. I have been travelling a great deal during the past few months, and had hoped when I returned that there would be word from you.

I am in complete agreement with your thoughts and would like to have you write the "authorized biography" as outlined in the second paragraph of your letter. Obviously, you will have to have a very substantial publishing advance to "cover your time," for much of that will be required.

In relation to my own requirements, needs, and particularly those of my family-- I will point out that I have continually plowed back all monies coming into my hands into carrying on my design science revolution projects. I have nothing on which to build up savings or capital, or any way of insuring income to my family after I die, or should I become unable to carry on while still alive. I have assumed that the "official biography" would be my prime legacy together with what earnings may accrue from the books I have already published. I would therefore need to participate substantially in the book-- both in the advance as well as the subsequent royalties and subsidiary rights.

An agreement between us must, of necessity and very desirably, be formulated by our counsel. I would like to leave these matters to their experienced judgment.

I am confident, Cal, that you will find in the Chronofile patterns of human evolution aboard our planet that you, and others, would not have dreamt could occur, and moreover, could be documented.

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R. BUCKMINSTER FULLER UNIVERSITY CITY SCIENCE CENTER 3508 SCIENCE CENTER PHILADELPHIA, PA. 19104, USA (215) EV 7-2255 CABLE: "BUCKY"

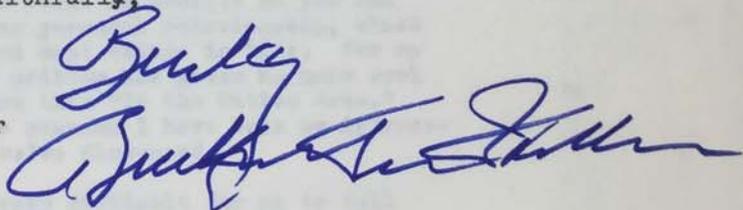
Mr. Calvin Tomkins - 2

I want you to know of my spontaneous pleasure that you are willing to commit so much of your life to this undertaking. As you must know, I've had a great deal of experience with people writing about me and my work. There are approximately 10,000 items in the clipping file alone; and none of them have given me quite the sense of understanding and faithfulness to my own sense of what I am about as did your New Yorker piece "In the Outlaw Area."

This, compounded with the unblemished experience of intimate association with you gives me absolute confidence in your integrity, as I expose for the first time, the intimacies into the lives of others that have been entrusted to me.

Affectionately and faithfully,

R. Buckminster Fuller



Copies to: Robert Lescher
Gerald Dickler

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	TOMKINS	I. 10

THE
NEW YORKER

No. 25 WEST 43RD STREET
NEW YORK, N. Y. 10036



EDITORIAL OFFICES
OXFORD 5-1474

October 4, 1973

Mr. R. Buckminster Fuller
University City Science Center
3508 Science Center
Philadelphia, Pa. 19104

Dear Bucky,

I was greatly touched by your letter, which I found here on my return from New Mexico -- I've been spending time out there with Georgia O'Keeffe, in hopes of doing her profile. It is enormously gratifying to me that you feel as you do about my profile on you and your work, and about our personal relationship, which I value more highly than most things in life. For my own part, nothing I've written has given me more real pleasure or satisfaction than "In the Outlaw Area," and this was one of the reasons I have been so interested in the major book we've discussed.

All of which makes it very difficult for me to tell you that, alas, I can't do the biography under the terms you propose. It's a matter of simple economics for me. I am committed to making a certain amount of money each year, to cover my own expenses and those of three children in school or college. By working full-time for The New Yorker I can just about do that. To do the book, however, I would have to take at least three years off from the magazine. Preliminary soundings show that the most that could be expected as a publisher's advance for this project would be in the neighborhood of fifty thousand dollars. That in itself would not cover my needs, but I had hoped to supplement it by occasional writings for the magazines. If, however, the advance were to be divided into two parts, my share simply would not come close to keeping me afloat.

Please know, dear Bucky, that I fully understand your own wish to provide for your family in this manner. Your life, in a very real sense, is your legacy. And in fact, the more I think about it, the more strongly I feel that you should set down your own story in your own words,

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THE
NEW YORKER

No. 25 WEST 43RD STREET
NEW YORK, N. Y. 10036



EDITORIAL OFFICES

OXFORD 5-1414

if necessary with the help of an editor-collaborator (if I were a suitable candidate for that job I'd gladly volunteer, but it's something I could not do). Your autobiography would surely have a wider appeal than any book about you, and it would also, I'm quite sure, provide substantial income for a long time. But more than that, there are so many things that you alone could say in it. The result could ensure absolutely the continuation of all your work.

One way or another the story will be written, and it will be of immense importance. If you would write it, I'd feel that my own disappointment in having to withdraw had been amply compensated.

Judy joins me in sending warmest wishes to you and Anne.

Affectionately,

Calvin Tomkins

Copies to: Robert Lescher
Gerald Dickler

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	TOMKINS	I. 10

September 12, 1973

September 10, 1973

Mr. Calvin Tomkins
The New Yorker
25 West 43rd Street
New York, New York 10036

Dear Mr. Tomkins:

I would like to compliment you on your article, "The Black People of Bridgehampton". As I am originally from Southampton, New York (having moved to the West Coast only one month ago), I am familiar with most of the people mentioned in your article who are living in the Bridgehampton-Southampton area now, and feel that your descriptions of them and their life styles were excellent.

The eastern end of Long Island is isolated from its more western neighbors and the rest of New York State, and to many of the natives "progress" is a dirty word. They do not want or encourage change and changes involving race relations are no exception. It is easy for me to recall having a very good "negro" friend in junior high school and only being allowed to visit her home in the colored neighborhood accompanied by my mother or having a party during high school and not being allowed to invite my "colored" friends. Unfortunately, the parental attitudes towards blacks that I experienced in the 1960's are the same today.

Although I would like to see my friends and neighbors in Southampton and surrounding villages obtain a more liberal, accepting attitude towards change (and, therefore, race relations, politics, etc.), I doubt that I will live to see that happen. And considering that I have at least another 60 years in my lifetime, it is a crime.

Sincerely,

Pamela C. Aldridge

Pamela.C. Aldridge

Apt. 7
4221 Los Feliz Blvd.
Los Angeles, California 90027

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	TOMKINS	I. 10

TH

Admiralty House
Box 111
Block Island, Rhode Island 02807

Sept. 3, 1973.

Dear Mr. Tomkins,

G
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O
Sept

I was very pleased to get your letter of August 28. My great-grandfather whose portrait I have was Elias Tomkins of Newark who had three brothers, Ambrose, Condit and Calvin. My records show that Calvin and his family founded Tomkins Cove. My old photos of Tomkins Cove show Rebecca my grandmother, daughter of Elias and Niece of Calvin at Tomkins Cove with some of her children. She married Benjamin Baldwin. So apparently we are cousins in the Virginia sense of the word!

We will be delighted to see you if you get down to Block Island later on.

Sincerely,

Sydney Baldwin Self.

Sydney B. Self

c

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THE METROPOLITAN MUSEUM
OF ART

Development Office

Tad -

Brad Kelleher Thinks it's
a fine idea to sell The book
here - so we'll talk more about
that. Also we can arrange
for Diana to see the dress
when she gets back the end
of Sept. Talk to you next week.
Jane, Duke

eum of Art

ust 23, 1973

The Museum will open its major exhibition of the fall season. The show will include extraordinary clothes of the first three decades of the 20th century by such designers as Poiret, Vionnet, Fortuny, Schiaparelli and Chanel to mention a few.

Diana Vreeland, a Special Consultant to the Costume Institute, is organizing the exhibition and would very much like to use the title of your book, Living Well is the Best Revenge, as the title for the show and any catalogue that might accompany it. If this meets with your approval, would you be good enough to secure the permission of your publisher and have them send the Museum written permission as soon as possible.

Many thanks for all your help in this.

With best regards,

Sincerely,

Ashton

Ashton Hawkins
Secretary

cc: Miss Heckel
Mr. Kelleher
Mrs. Vreeland

Let's have lunch
sometime soon! I'll
call you —

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	TOMKINS	I. 10

The Metropolitan Museum of Art

August 23, 1973

Mr. Calvin Tomkins
Sheden's Landing
Palisades, New York

Dear Calvin:

In early December the Costume Institute of the Museum will open its major exhibition of the fall season. The show will include extraordinary clothes of the first three decades of the 20th century by such designers as Poiret, Vionnet, Fortuny, Schiaparelli and Chanel to mention a few.

Diana Vreeland, a Special Consultant to the Costume Institute, is organizing the exhibition and would very much like to use the title of your book, Living Well is the Best Revenge, as the title for the show and any catalogue that might accompany it. If this meets with your approval, would you be good enough to secure the permission of your publisher and have them send the Museum written permission as soon as possible.

Many thanks for all your help in this.

With best regards,

Sincerely,

Ashton

Ashton Hawkins
Secretary

cc: Miss Heckel
Mr. Kelleher
Mrs. Vreeland

Let's have lunch
sometime soon! I'll
call you —

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The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
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298 8th Avenue
Sea Cliff, New York 11579

September 4, 1973

Mr. Calvin Tomkins
The New Yorker
25 West 43rd Street
New York, New York 10036

Atlanta, New Mexico

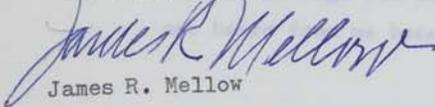
July 13, 1973

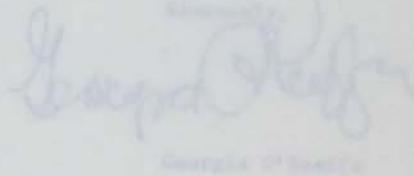
Dear Mr. Tomkins:

I have a biography of Gertrude Stein and her circle coming out next February (published by Praeger.). I wonder if you could tell me the source of the photograph of Fitzgerald, Zelda and young Scottie in the water at Antibes which appears in your Living Well is the Best Revenge? That is, where I might write for a print and permission to reproduce it as an illustration. It's a rather touching photograph in its way and I would very much like to use it.

Thank you for you consideration.

Very truly yours,


James R. Mellow


Gertrude Stein

50-2-1078

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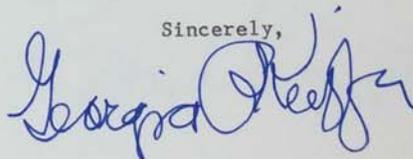
Abiquiu, New Mexico
July 13, 1973

Mr. Calvin Tomkins
THE NEW YORKER
25 West 43rd Street
New York, New York 10036

Dear Mr. Tomkins:

Doris Bry says that the book you mentioned was mailed over a week ago but it has not yet arrived. You have not heard from me because I have been waiting to see it.

Sincerely,



Georgia O'Keeffe

GO'K:vfr

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	TOMKINS	I. 10

207 W. 106 St.
New York City, 10025
July 24, 1973

Dear Calvin Tomkins:

I've just finished my first reading of "The Bride and the Bachelors," and want to thank you for an experience which was wonderful.

I'm at work on a book about "generative situations" in American arts (I lack Mt and too many others) and found your book very useful in trying to figure out if there is any pattern in the way good things happen. My study naturally takes me to the question of masters-and-disciples and authoritative ideas in a "Look Ma, No Hands" culture, and I am both helped and cautioned by the amplitude of your knowledge.

Even more, I enjoyed the way you wrote the book. Your style gives such primacy to the pure, insistent vivacity of the four artists' lives.

So, one fan says, "Thank you".

Fond Compton

The Museum of Modern Art Archives, NY	Collection:	Series.Folder:
	TOMKINS	I. 10

JACOB K. JAVITS
NEW YORK

United States Senate

WASHINGTON, D.C. 20510

May 28, 1973

Dear Calvin:

You may recall that I was originally the author for the National Arts Endowment, a bill which took me many years to see enacted into law. In that connection I have sympathized with the need of the smaller museums and art centers to acquire from the artists original American art works. And, I feel that greater opportunity to see outstanding works in smaller centers in the country would surely advance even further the mission I had in mind---as did Marion who has helped so much---for the National Arts Endowment.

Accordingly, I believe you will be interested in a bill I have introduced in the Senate which would allow artists to deduct seventy-five percent of the market value of their own art works contributed to museums or for educational purposes to other eligible non-profit recipients; and to permit such a deduction to be taken up to the extent that the artist has art-related income. My bill would modify the restrictions imposed by changes in the tax laws in 1969, making such gifts by creative artists non-deductible at their current value from income tax. Because of these restrictions, I feel such gifts have been inhibited.

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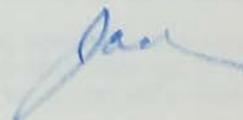
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It would be extremely helpful to me if you would write me promptly your views on this measure, and that you could give me an estimate from your discussions or knowledge of the field as to the gifts such a measure is likely to produce, and an estimate of the money value per annum you would place on such likely contributions. Also, I would appreciate any help that you can give in supporting this bill. I am enclosing introductory remarks detailing the provisions of the bill for your information.

I think you would be interested to know that on May 2, 1973 the Senate passed S.795 of which Senator Pell (R.I.) and I were the floor managers, and which authorizes the National Foundation of the Arts and Humanities, equally divided, \$160 million for Fiscal 1974, \$280 million for Fiscal 1975, and \$400 million for Fiscal 1976. I am hopeful this will become law soon and that the Federal government can continue to act significantly for the arts and humanities in America.

With warm regards, believe me,

Sincerely,



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Doris Bry 11 East Seventy-third Street, New York, N.Y. 10021

July 9, 1973

Mr. Calvin Tomkins
The New Yorker
25 West 43rd Street
New York, New York 10036

Dear Mr. Tomkins:

Thank you for your letter of June 7, and your books. I have mailed these to Miss O'Keeffe in Abiquiu, and she should have them by now.

As I told you when we last spoke, Miss O'Keeffe told me she did not want the New Yorker profile - but in fairness to you, I thought she should have your books before making a final decision.

Your idea is difficult for me personally, as I have been working at my own writing on O'Keeffe and Stieglitz this year - and the "profile" form has been of special interest to me as I go along.

Objectively speaking, I have admired your work for many years. Subjectively speaking, I am interested at this time in my own writing on O'Keeffe rather than yours, which I trust you will understand.

O'Keeffe makes her own decisions about such matters - so you will no doubt be hearing from her directly.

My own feelings in these matters are no ~~more~~ doubt quite irrelevant to anyone but myself - but it seems I should tell you that they exist.

Sincerely,

Doris Bry
Doris Bry

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THE NEW YORKER

No. 25 WEST 43RD STREET
NEW YORK, N. Y. 10036



EDITORIAL OFFICES
OXFORD 5-1414

July 18, 1973

Miss Doris Bry
11 East 73rd Street
New York, N. Y. 10021

Dear Miss Bry:

Thank you for your letter, which arrived while I was out of town for a few days.

I can certainly understand your mixed feelings about my proposal, and I do appreciate very much your generosity on my behalf. If Miss O'Keeffe should decide to agree to the New Yorker profile, though, I really don't think this would conflict with the work you're doing. Perhaps the two things might even complement one another.

In any case many thanks and best wishes,

Sincerely,

Calvin Tomkins

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 93^d CONGRESS, FIRST SESSION

Vol. 119

WASHINGTON, TUESDAY, APRIL 10, 1973

No. 56

Senate

By Mr. JAVITS:

S. 1510. A bill to amend the Internal Revenue Code of 1954 to modify the restrictions contained in section 170(e) in the case of certain charitable contributions of ordinary income property. Referred to the Committee on Finance.

Mr. JAVITS. Mr. President, I introduce legislation to correct certain inequities created by the 1969 Tax Reform Act which disallowed tax deductions for the full market value of charitable contributions of art works by the original artist. As you know, the 1969 reform law was aimed at cutting off tax deductions to politicians who donated their public papers to nonprofit institutions, and to donations of merchandise by large companies. Artists, however, were caught in the broad sweep of the reform act and lost a previously held ability to deduct from their income tax the full market value of work contributed to nonprofit organizations like museums, universities, and libraries.

It is significant, I believe, that prior to 1969 nearly all the works received as gifts by the National Collection of Fine Arts were donated by the original artists; as a result of the 1969 act, contributions by the original artist have virtually ceased, with the additional handicap that gifts promised prior to the act have not been donated. It is well known that the late Igor Stravinsky decided against giving his manuscripts to the Library of Congress as previously intended, and instead put the manuscripts, valued at \$3.5 million, up for public sale largely as a result of the change in the tax law.

The bill I offer today also resolves another anomaly created by the Tax Reform Act of 1969. Under that law, patrons of the arts continue to be able to deduct the full market value of art works they donated to nonprofit organizations while artists may not. I believe that artist-donors should have a similar privilege. My bill, which incorporates safeguards to insure against abuse of the provision by nonartists, would allow artists to deduct 75 percent of the market value of their work, and would require that these deductions be taken only to the extent the artist had art-related income. That last provision will insure that full-time artists are encouraged to donate their work and that others will not be able to take advantage of the provision.

I believe that the value of important contributions of major works of art to our museums, libraries, universities, and other cultural institutions will far outweigh the modest revenue lost—estimated at under \$10 million per year—to the Federal Government.

Congressman BRADEMANS is today introducing a companion bill in the House and I ask unanimous consent that the full text of the bill be printed in the Record at the conclusion of my remarks, together with an article from the Washington Star-News of April 8, 1973, discussing the subject.

There being no objection, the bill and article were ordered to be printed in the Record, as follows:

S. 1510

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 170(e) of the Internal Revenue Code of 1954 (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end thereof the following new paragraph:

"(3) Special rule for certain contributions of copyrights, papers, etc.—

"(A) 75 percent decrease in amount of reduction under paragraph (1)(A).—In the case of a charitable contribution of a copyright, a literary, musical, or artistic composition, a letter of memorandum, or similar property by taxpayer described in paragraph (3) of section 1221 to an organization described in clause (ii), (v), or (vi) of subsection (b)(1)(A), the reduction under subparagraph (A) of paragraph (1) shall be decreased by 75 percent of the amount computed under such subparagraph (without regard to this paragraph) but only if the taxpayer receives from the donee a written statement that the donated property represents material of historical or artistic significance and that the use by the donee will be related to the purpose or function constituting the basis for its exemption under section 501 (or, in the case of a governmental unit, to any purpose or function described in subsection (c)(2)(B)).

"(B) Limitation on deduction to which this paragraph applies.—For any taxable year, the aggregate deduction under this section attributable to contribution to which subparagraph (A) applies shall not exceed the taxpayer's gross income for such year from the sale or exchange of copyrights, literary, musical, or artistic compositions, letters, memorandums, and similar property.

"(C) Decrease not applicable to certain contributions.—The amount of any reduction under subparagraph (A) of paragraph (1) shall not be decreased under subparagraph (A) of this paragraph in the case of charita-

ble contribution of any letter, memorandum, or similar property which was written, prepared, or produced by or for an individual while he held an office under the Government of the United States or of any State or political subdivision thereof if the writing, preparations, or production of such property was related to, or arose out of, the performance of the duties of such office."

(b) The amendments made by this Act shall be applicable to charitable contributions made in taxable years beginning after the date of the enactment of this Act.

[From the Washington Star and News, Apr. 8, 1973]

ARTISTS, TAXES AND THE LAW
(By Jo Ann Lewis)

Between 1964 and 1969, nearly all the contemporary works received as gifts by the National Collection of Fine Arts were given by the artists themselves. These included sculpture by Noguchi, Calder and Chaim Gross, and paintings by Jimmy Ernst, Paul Jenkins, Adja Yunkers and Alexander Liberman, among others.

Since 1969, however, gifts from living artists to the National Collection have virtually ceased. Other works promised by the artists before 1969 have not been donated.

In 1968, 20 authors and artists made gifts of their own manuscripts, illustrations and cartoons to the manuscript collections of the Library of Congress. By 1971 such gifts had stopped entirely. In addition, the library learned that 36 prominent figures, journalists, novelists and poets who frequently had donated very desirable items to the library in the past, with the promise of more to come, abruptly stopped making gifts after 1969.

What happened to dry up this source of

creative art contributions to American museums and libraries—institutions that had become supreme in the world for their contemporary collections through just such gifts from artists and collectors? As any artist, author or composer will tell you, in language that is largely unprintable, it was the Tax Reform Act of 1969.

Before 1969, private collectors and artists alike were allowed to deduct from their income tax 100 percent of the current market value of works of art (or manuscripts, musical compositions, etc.) contributed to charitable institutions, such as public museums of libraries. After the Act of 1969 was passed, collectors could still take that deduction, but the artist could not.

This peculiar inequity developed in large part because of the overreaction of Congress to the discovery that a former President and other high government officials (Lyndon Johnson and Hubert Humphrey and others of both parties were cited at the time) stood to reap huge financial benefits from tax laws which permitted them to give their personal documents, assembled while they held public office, to Presidential libraries or university libraries, and take large tax deductions.

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In what seems, to retrospect, to have been a kneejerk reaction, the Internal Revenue Code was amended to say that letters, memoranda and also copyright, literary, musical or artistic composition, were no longer "capital assets," but rather "ordinary income property" if held by the creator. Thereafter, an artist or writer or composer could deduct only the cost of his materials and supplies, meaning paint and canvas, or pencil and paper, an obviously meaningless deduction.

The gifts from artists, quite understandably stopped, some of them finding their way onto the public market, instead. The unhappy story of the Igor Stravinsky manuscripts, valued at \$3.5 million, which were destined for the Library of Congress but were put up for sale as a result of this 1969 law, is well known. The Congress had, in effect, thrown out the baby with the bath water.

"This has been a tremendous handicap to all museums that collect the work of living artists," says Adelyn Breeskin, curator of contemporary art at the National Collection of Fine Arts. "We feel the pinch very much."

Other Washington institutions have voiced similar concern, though it is the non-government supported museums of contemporary art elsewhere, such as those in Boston, New York, Chicago and Cleveland, that have been hit the hardest. The same is true of libraries. "We're wounded, but we're not bleeding to death," said one Library of Congress official. "It is the smaller university libraries that really get it in the neck."

"The tax laws in America are stocked against the artist," says Washington tax attorney Ira Lowe. "They are written to give the artist no help at all when he's alive, and to go after the estate when he dies. While he lives, he can only deduct materials and supplies. The minute he dies, his estate is taxed at 100 percent of the current market value. It is a most inequitable system." Lowe was attorney for the heirs of sculptor David Smith.

Wednesday's hearing by the House Ways and Means Committee will be held in the main hearing room of the Longworth House Office Building at 10 a.m., and representatives of Artists Equity, the American Association of Museums, the Art Dealers' Association, the Associated Councils of the Arts, the Authors League of America, the National Trust for Historic Preservation and the Council of Creative Artists, Libraries and Museums, an ad hoc committee, will testify.

Pending amendments vary from the proposal of Ogden Reid, D-N.Y., to restore the artist-donor's deduction for gifts to the pre-

1969 level of 100 percent of current market value, to bills introduced by Rep. Wilbur Mills, D-Ark., and Sen. Frank Church, D-Idaho, in the Senate, which would permit the artist to deduct 50 percent of the current market value for gifts to charitable institutions. Rep. John Brademas, D-Ind., is working on a compromise bill which will ask 75 percent.

In each case deductions for donations of political papers or writings generated while holding public office have been expressly forbidden, and other potential loopholes have been closed.

What are the prospects? "If the Ways and Means Committee decides to go over the whole tax situation, it could take a couple of years," says one source close to the committee, "but if they decide to deal with certain aspects now, and do the rest later, it could be done in a matter of days."

"The important thing is that the Treasury Department seems to be willing to ease up on what are called the 'heart issues,' if abuses can be prevented. Missionaries, he added, for example, as well as museums, have been hard hit because free medicine and medical supplies formerly given by drug companies can no longer be deducted at full market value. It is, oddly enough, all part of the same bag."

So now it remains for the artists, notoriously bad organizers, to mobilize themselves on their own behalf. "Artists always fall at rhetoric," says one Washington art official. "They couldn't convince a sex maniac to attack a pretty girl."

Libby Newman, National vice president, Artists Equity, retorts that the artists are ready to battle. But the fact remains that the national climate has never been more sympathetic to the arts, from the White House on down. If the artists fall here they might well have only themselves to blame. Back in 1969, when museums were in danger of losing all their donors because of proposed changes in laws governing charitable deductions, the American Association of Museums, a dinosaur of an organization, managed to pull its membership together and and rescued, just in time, the 100 percent deduction for donor-collectors, without which museums could not survive. Where were the artists then?

Artists Equity should take a page from the AAM's notebook, and would do well to enlist AAM support while they're at it.

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Robert Lescher

LITERARY AGENCY
155 East 71st Street
NEW YORK, NEW YORK 10021
249-7600 Cable: Micawber

May 22, 1973

Dear Tad:

I tried again to reach Mr. Dickler and it seems that he will be abroad until early in June. They don't expect him to be back until the 11th, but I'll give him a call shortly after that.

I'm sorry I don't have something decisive to report.

All best,

Mr. Calvin Tomkins
The New Yorker
25 West 43rd Street
New York, New York 10019

RL/msm

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Hawkins, Delafield & Wood
67 Wall Street, New York 10005

(Area Code 212) Hanover 2-5140
Cable Address: "Hawhdol, New York"

April 3, 1973

April 3, 1973

Mr. Calvin Tompkins
The New Yorker
25 West 43rd Street
New York, New York 10036

Dear Cal:

Thank you for sending me the separation agreement which I enclose as I have now made a xerox copy of it for our files.

After studying it carefully together with your letter and the dentist's letter, I have come to the conclusion that you would lose in a court of law. I am afraid that she has made out a case that would fit under the terms "extraordinary dental expenses" used in the separation agreement. Of course it seems unfair that you should be paying her for support of two children who are living with you, but her answer to this claim would be the following. She would simply say that she was maintaining an expensive way of life in order to be able to have the children with her and that the visits of the children to you do not affect her basic budget. She would say that just because she had been nice enough to let the children spend the winter with you was no reason to penalize her under the agreement.

On the other hand, there is no question in my mind that if you went to court to reform the agreement on the grounds that the children were now living with you, you would be successful. What it boils down to is that you are not automatically entitled to deduct the money which Pat has saved by reason of the children being temporarily with you from her "extraordinary dental expenses."

I do not wish to see you get involved in a lawsuit where you might lose and be stuck with legal bills on top of everything else. What I suggest you do is this. Write Pat a letter pointing out for how long a period of time the children have been with you and ask her if in all

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THE
NEW YORKER
250 WEST 54th STREET
NEW YORK, N.Y. 10019

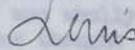
Mr. Calvin Tompkins

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April 3, 1973

fairness and equity an adjustment should not now be made on this by eliminating altogether or substantially reducing the proposed dental bill. If she refuses, I think we had better do something about reforming the agreement by court action so at least you will pick up in the future the money you now lose by paying the dental bill.

Sincerely,



Louis S. Auchincloss

LSA:ts

In Mr. Morgan's fee of \$150.00, I am simply unable to pay it. In the event that you do feel that you must go ahead with the work, however, I can suggest a possible compromise. For the last tax year, since you moved to Tucson, the children have not been living with you. I have continued to pay the full amount of child support due under our agreement, while also undertaking, for a good part of this period, the additional expense of having the children live with me. In this situation even likely to continue indefinitely, I feel that in all fairness an adjustment should be made. A satisfactory adjustment in this case would be, I think, for you to assume the cost of the proposed dental work -- provided, of course, that you are absolutely convinced of the necessity.

Please let us know what you think about this.

Sincerely,

Calvin Tompkins

cc/Leads 10/10/73

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THE
NEW YORKER
No 25 WEST 43RD STREET
NEW YORK, N. Y. 10036



EDITORIAL OFFICES
OXFORD 5-1414

April 5, 1973

Dear Pat,

As you can imagine I was somewhat stunned by the letter from your Tucson dentist. It seems inconceivable to me that this amount of "restorative dentistry" is either necessary or wise. You were George Lyons' patient for many years. Unless you now believe that he was wholly incompetent, I would urge you to give serious thought to asking his advice about the work proposed by Dr. Bergen, before going any further.

As for Dr. Bergen's fee of \$1150.00, I am simply unable to pay it. In the event that you do feel that you must go ahead with the work, however, I can suggest a possible compromise. For the last ten months, since you moved to Tucson, the children have not been living with you. I have continued to pay the full amount of child support due under our agreement, while also undertaking, for a good part of this period, the additional expenses of having the children live with me. As this situation seems likely to continue indefinitely, I feel that in all fairness an adjustment should be made. A satisfactory adjustment in this case would be, I think, for you to assume the cost of the proposed dental work -- provided, of course, that you are absolutely convinced of its necessity.

Please let me know what you think about this.

Sincerely,

Calvin Tomkins

cc/Louis Auchincloss

Calvin Tomkins
S. P. C.

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Kevin Bergen, D.D.S.

712 North Alvernon
Tucson, Arizona 85711

Phone 325-9897

22 March, 1973

Mr. Calvin Tomkins
Sneden's Landino
Palisades, New York

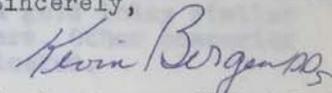
Dear Mr. Tomkins,

This letter concerns dentistry that must be done for Mrs. Tomkins. We have done a complete examination for her and found her to be in need of restorative dentistry. Her bite(occlusion) has shifted to the point where it is destructive in nature and leading to the early loss of her teeth(due to excessive wear). She has already worn away five restorations to the point of decay around them and they must be replaced.

We propose to do an occlusal equilibration-(bite adjustment)to even the forces applied to the teeth to stop this wear. We must also put porcelain crowns on her lower front teeth because they protrude enough to be one of the causes of the bite malfunction. We also must replace five restorations with gold inlays due to the decay around the present restorations. Our fee for this service is \$1150.00.

If you have any questions concerning Mrs. Tomkins needs, do not hesitate to contact us.

Sincerely,



Kevin Bergen, D.D.S.P.C.

KB/bc

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DR. GEORGE V. LYONS
115 EAST 61ST STREET
NEW YORK, N. Y. 10021
—
(212) PLAZA 1-1132

April 30, 1973

Mrs. Lloyd Tomkins
6294 North Campbell Ave.,
Tucson, Arizona 85718

Dear Mrs. Tomkins:

Thank you for your letter of April 15, 1973, and may we take this occasion to extend to you our sincere good wishes in your new surroundings.

In reference to your proposed dental program, I cannot find it compatible with my knowledge of your teeth since our first meeting. Had the possibility existed you might experience the "early loss of her teeth (due to excessive wear)", my professional integrity would be open even to my question had I not recognized it or, recognizing it, not so informed you. In my twenty years of practice I have yet to see my first loss of a tooth (treated or untreated) from excessive wear.

Generally teeth are lost for three main reasons:

1. Periodontal failure - you have excellent bone structure.
2. Decay - you have had no restorations due to decay in my experience.
3. Fragmentation through the pulp chamber - this last condition was the only one that concerned me in your treatment, and my next area of interest was to have been (I believe) the lower right second molar involving a gold inlay similar to those placed on your lower first molars. Other posterior teeth would have been so treated as indicated.

At no time did any of your fillings show signs of decay around them. They may not be as perfect as we would like to see all fillings, but the years service they have rendered and continue to render, in my feeling, adds just that many years to the life of any future restoration when finally placed.

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DR. GEORGE V. LYONS
115 EAST 61ST STREET
NEW YORK, N. Y. 10021
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(212) PLAZA 1-1132

contd - Mrs. Lloyd Tomkins

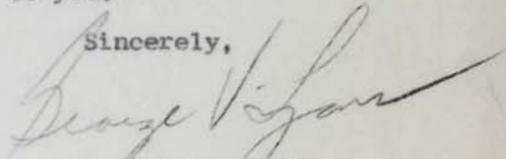
Should you place porcelain jacket crowns on the lower front teeth, you might hasten the wear of any opposing teeth or non-porcelain restorations since porcelain is an inherently abrasive restoration within the dynamics of occlusion. Are you then prepared to crown the upper teeth?

My opinion remains as it was when last I saw you. Treat the need as it arises or seems imminent. With the possible exception of the molar(s) mentioned above, I do not feel the occasion has arrived.

I hope this can be of some help to you in the final decision.

Our warmest personal regards to you.

Sincerely,



George V. Lyons

cc.: Mr. Calvin Tomkins

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ADAMS, RAY & ROSENBERG

9220 Sunset Boulevard, Los Angeles, California 90069 · Telephone CRestview 8-3000

LITERARY AGENTS

April 10, 1973

Mr. Robert Lescher
155 East 71st Street
New York, N.Y. 10021

Dear Bob:

I have neglected to keep you up to date on the negotiations in connection with LIVING WELL IS THE BEST REVENGE. They have only come to a temporary halt because Bruce Paltrow is presently co-producing, for MGM, his original motion picture for television SHIRTS AND SKINS, which has kept him occupied day and night for the past weeks. He assures me, however, that his interest is undiminished and that the basic terms of the deal as originally discussed still stand as far as he is concerned. We will work out all the subsidiary terms as soon as he is free, which will probably be in another two to three weeks.

I assume this is satisfactory with you and Tomkins.

Best regards,

ROBERT J. WUNSCH

RJW/d

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1433 A Walnut, Berkeley

December 30, 1972

STERLING AND FRANCINE CLARK ART INSTITUTE

OFFICE OF THE DIRECTOR

March 9, 1973

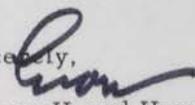
Mr. Calvin Tomkins
The New Yorker
25 West 43 Street
New York, N. Y. 10036

Dear Calvin:

I am so sorry about next Tuesday, but the President of the Museum of Modern Art - who is leaving for Europe on Wednesday - summoned me to an urgent luncheon conference at 12:15. Since she is the boss, I have to obey. I am deeply disappointed, but trust that your investigations will take up so much time that I can see you on my next trip to New York, which may be some time toward the middle of April.

If you have any very urgent questions on your mind, I am not averse to answering them over the telephone, and except for next week when I shall be travelling, I can usually be reached in the evening (413 458-8626).

Sincerely,


George Heard Hamilton, Director

GHH:ss

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1433 A Walnut, Berkeley

December 30, 1972

Dear Mr. Tomkins,

I am coming to New York at the end of January for about a month and would very much like to see the Duchamp interview notes that you offered me. I will call the New Yorker offices. I'm doing more interviews shortly with Bruce Nauman and Ed Ruscha in Los Angeles, in connection with UC dissertation on Duchamp and recent american art. I seem to be using a tape recorder as much as a typewriter these days. But most of it is a pleasure and intriguing.

Look forward very much to meeting you,

Sincerely

Maira Roth

Maira Roth

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1433 A Walnut
Berkeley
California

March 18 1973

Calvin Tomkins
New Yorker
25 West 43rd street
New York, NY

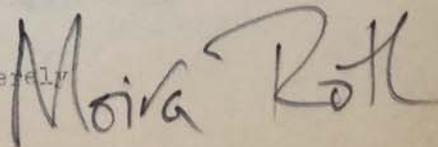
Dear Calvin Tomkins,

I had written you last year about your Duchamp material and you had kindly said that I might use it while I was in New York. This letter is just to let you know that I have visited New York -and I called the New Yorker several times, but somehow missed you. I would, however, very much appreciate being able to see the material when I come to New York again, which will be some time later in the year.

The stay in New York was magnificent. I did some 30 interviews with contemporary artists, critics, dealers and collectors talking about Duchamp's role and image in the 50's and 60's. Among others I did long interviews with Bob Morris, Hans Haacke, Smithson, Acconci, Judd, Sol LeWitt, Castelli, Janis and Scull. My new problem is that I now have too much material, but that is a pleasurable problem to have.

I do hope to meet with you when I come to the east coast again.

Sincerely,



Moira Roth

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595-9748

Agnes Clark
600 West End Avenue
New York, New York 10024

January 22, 1973

Dear Mr. Tomkins:

For a Master's degree I am pursuing at Columbia's School of Journalism, I am working on a project on which I would be grateful for your advice. It is a profile of the Metropolitan Museum under Thomas Hoving's administration.

Your absorbing book on the Metropolitan suggests in foresight the controversy the Hoving administration might create; the attention the museum has received in recent months bears out the prediction. Much of what has been written, however, fails to place recent events at the museum in any sort of historical perspective. Because you are one person who would have a broader, more objective view of the museum's current situation, I would very much like to talk with you about it.

I realize your time is probably limited, but if you are able to spare a bit of it, I would appreciate seeing you during the next week or so--your help will be greatly valued. I will take the liberty of phoning you at your office next week.

Sincerely,

Agnes Clark

Agnes Clark

Mr. Calvin Tomkins
The New Yorker
25 W. 43rd Street
New York, New York 10036

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THE
NEW YORKER
 25 WEST 43RD STREET
 NEW YORK, N. Y. 10036



December 14, 1972

Dear Mr. Tomkins:

We enclose our check to your order for \$100 in consideration of your entering into a "first reading" agreement with The New Yorker on the following terms:

1. You agree to give this magazine first reading (including the right to accept, on our usual conditions of purchase, or to reject) of all fiction, humor, reminiscence and casual essays written by you between July 1, 1973 and July 1, 1974, and that during this period you will not offer any writing of the kinds described above to any other publication unless you have first offered it to us and we have rejected it.
2. We agree that, as a further consideration for the first reading of your work described above, we will pay you for each piece purchased under this agreement twenty-five per cent more than your basic rate of payment, which is 30 cents a word for the first 2,000 words of any piece or for the first half of its wordage, whichever is greater, and 15 cents a word for the remainder of the piece. This twenty-five per cent extra for first reading will be added to each check at the time a manuscript is purchased.
3. The New Yorker may, if it so wishes and in its absolute discretion and if it is legally permissible to do so, make you an additional "Cost-Of-Living Adjustment" payment upon each writing we purchase from you during said period, such payment to be a percentage of its purchase price (excluding the 25% for first reading).

If this agreement is acceptable to you, please sign the attached duplicate and return it to us, retaining this letter for your reference.

Very truly yours,

THE NEW YORKER MAGAZINE, INC.

Milton Greenstein
Milton Greenstein, vice-president

Calvin Tomkins

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The Library of Congress -- Washington

This is to certify that the attached instrument was recorded in the Copyright Office records of assignments and related documents on the date and in the place shown below.

In testimony whereof the seal of this office is affixed hereto.

(s) Abe A. Goldman
~~XXXXXXXXXXXXXXXXXXXX~~
Register of Copyrights

Date of Recordation
19 Oct. 73
Volume 1492
Pages 423-425

(SEAL)

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The New Yorker Magazine, Inc., Assignor herein, does hereby assign, transfer, set over and convey unto the said Calvin Tomkins, Assignee, subject to the condition hereinafter set forth, all the right, title and interest in the copyright registered in the Copyright Office of the United States of America, in and to the following work (herein called the Work) created by the Assignee and first published by the Assignor in an issue (or issues) of The New Yorker, a periodical owned and published by the Assignor, which Work was registered for copyright in the U. S. Copyright Office in the Assignor's name as part of such issue (or issues), to wit:

<u>Title</u>	<u>Date of Issue</u>	<u>Date of Publication</u>	<u>Copyright Reg. No.</u>
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satisfactory to it, as the medium of original publication.

IN WITNESS WHEREOF The New Yorker Magazine, Inc. has caused these presents to be signed by its duly authorized officer, and its corporate seal to be hereunto affixed this 10th day of October, 1973.

THE NEW YORKER MAGAZINE, INC.

By Milton Greenstein
Title: vice-president

(Seal)

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS:

On this 10th day of October, 1973, before me personally came Milton Greenstein, to me known who, being duly sworn, did depose and say that he resides in the State of New York; that he is a vice president of The New Yorker Magazine, Inc., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Edward David Luft
Notary Public

EDWARD DAVID LUFT
Notary Public, State of New York
No. 30-7519600
Qualified in Nassau County
Certificate Filed in New York County
Commission Expires March 30, 1974

(Seal)



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LICENSE

CALVIN TOMKINS to THE NEW YORKER MAGAZINE, INC.

For good and valuable consideration, I, the undersigned, being the assignee and owner of the copyright registered in the United States Copyright Office in and to the following work, herein called the Work, created by me and heretofore published in The New Yorker, a periodical owned and published by THE NEW YORKER MAGAZINE, INC., a New York corporation, herein called the Licensee:

<u>Title</u>	<u>Date of Issue</u>	<u>Publication Date</u>	<u>Copyright Reg. No.</u>
The Black People of Bridgehampton	Sept. 10, 1973	Sept. 5, 1973	B 866461

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- (b) reprint rights therein, upon the Licensee's usual proportionate royalty basis, for any collection of material from The New Yorker published or authorized by the Licensee;
- (c) reprint rights therein for any anthology, however published, unless more than 75% of its contents is material which did not originally appear in The New Yorker;
- (d) reprint rights therein for all advertising, sales promotion and publicity purposes by The New Yorker.

This license is and shall be irrevocable, and except as to the rights specified in subdivision (b) above, shall be wholly royalty-free; and its duration shall be the life of the copyright and any renewals or extensions thereof.

IN WITNESS WHEREOF I have hereunto set my hand and seal this ^{15th} day of October, 1973

Calvin Tomkins (L.S.)

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this _____ day of October, 1973, before me personally appeared Calvin Tomkins, to me known and known to me to be the individual described in and who executed the foregoing instrument, and (s)he duly acknowledged to me that (s)he executed the same.

Edward David Luft
Notary Public

(Seal)

EDWARD DAVID LUFT
Notary Public, State of New York
No. 30-7019600
Qualified in Nassau County
Certificate Filed in New York County
Commission Expires March 30, 1974

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THE
NEW YORKER

No. 25 WEST 43RD STREET
NEW YORK, 36, N. Y.



December 14, 1972

Dear Mr. Tomkins:

It is hereby understood and agreed between us that The New Yorker will pay as follows for Profiles and Reporter At Large pieces that we purchase from you (on our usual terms and conditions) during the twelve-month period beginning January 1, 1973:

For each Profile of one part (in the general range of 10,000 words), \$5,000; for each Profile consisting of more than one part, \$5,000 for the first part and \$2,500 for each additional part. For each Reporter At Large piece of one part (in the general range of 5,000 words), \$2,500; and for each Reporter piece consisting of more than one part, \$2,500 for each of the first two parts and \$1,500 for each additional part.

The New Yorker may, if it so wishes and in its absolute discretion and if it is legally permissible to do so, make you an additional "Cost-of-Living Adjustment" payment upon each writing we purchase from you during said period.

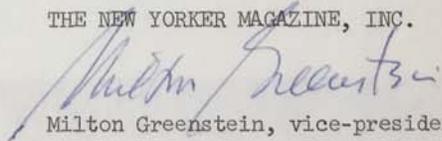
It is agreed that you will use your best efforts to produce Profiles and Reporter At Large pieces for The New Yorker during said period, and in consideration therefor we will credit you (in your account with us) with the sum of \$750 upon your signing this agreement.

The New Yorker reserves the right in its discretion to make advances to you at such time or times as it deems appropriate. Such advances will constitute debts owing from you to us, payable on demand, and may be repaid by crediting amounts owing by us to you for production, or otherwise. You also hereby acknowledge that advances heretofore made by us to you, not yet repaid by production or otherwise, are outstanding debts owing from you to us payable on demand.

If the foregoing agrees with your understanding of our arrangement, and is acceptable to you, please sign the enclosed duplicate of this letter and return it to this office.

Very truly yours,

THE NEW YORKER MAGAZINE, INC.


Milton Greenstein, vice-president

Calvin Tomkins