

EMBASSY OF THE
UNITED STATES OF AMERICA

Paris, July 31, 1936

My dear Mrs. Sutro:

I have your letter of July 21st. I am on the eve of leaving for home because I have not been feeling very well and must, under my physician's advice, get a complete rest. I have, however, placed your letter on file for reference should the matter come up during my absence.

Very sincerely yours,

Signed: Jesse Isidor Straus

Mrs. Lionel Sutro,
115 Central Park West,
New York City

COPY

Sept. 15, 1936. 2

Mr. Arleigh Pelham,
70 Pine Street,
New York, N.Y.

My dear Mr. Pelham:

I do not know whether you have seen the enclosed article which appeared in the Times on Saturday, the 12th. I know the condition spoken of exists, and much worse conditions than this. The President and his wife have done everything in their power to ruin the school and incidentally Mr. and Mrs. Lichtmann. They have entirely eliminated Professor Roerich in connection with the building, going so far as to have the name of Roerich Museum which was carved into the stone obliterated. They had the locks on the doors of the school-rooms and even on Mr. and Mrs. Lichtmann's private offices changed in the middle of the night and they have notified Professor and Mme. Roerich that they are no longer trustees. It is very evident that the President is trying to get the whole thing in his own hands for his own purposes. This certainly won't help the bondholders.

What is your opinion of this?

Very truly yours,
FLORENTINE L. SUTRO (Signed)

FS:R

COPY

Guggenheimer & Untermeyer
30 Pine Street
New York City.
December 6, 1937.

Mrs. Lionel Sutro,
115 Central Park West,
New York City.

Dear Mrs. Sutro:

Your letter of November 22nd has just been brought to my attention.

What concrete thing is it that you would like to have me do in connection with this matter? It seems from your outline that the case has been tried and decided.

Very truly yours,

Sam'l Untermeyer (Signed)
Samuel Untermeyer.

COPY

Feb. 5, 1938

My dear Mr. Ernst:

A real tragedy has come into my life through you, for you have shattered my faith in human nature - you, who publicly post for everything that is fine and noble. You will remember that when we met a year or two ago in the Manhattan Opera House ballroom, you came to me with the words, "You used to like me, but you don't anymore," and I agreed with you, and then you proposed that we should lunch together some day and talk the matter over. I am still waiting for that luncheon appointment. You of course know that I invited Herbert Wolff to lunch with me at the Town Hall Club and told him how the situation stands, from my point of view. He professed entire ignorance of the whole affair, saying it was not in his department and promised that he would look into the matter and report back to me. Since then he has studiously avoided me when we met at the Ethical Trustees' meetings once a month.

Our Secretary of Agriculture, you will remember, issued a slanderous report about Prof. Roerich, which appeared in an evening paper. I happened to meet Arthur Hays Sulzberger at the theatre that night and told him about this report and asked him not to put it into the "Time" until he had investigated further, which promise he acted upon. Mr. Wallace was threatened with a law suit if he did not retract and he retracted in a very small inconspicuous article. The result of the hearings, everyone of which I attended, you of course know. The revelations at those hearings ~~were~~ were so entirely against your clients -- forged papers were accepted as bonafide by the referee, stolen letters written in Russian, not to your client, were translated into English and admitted as evidence. This was palpably a fraud on the face of it because neither your client nor his wife read Russian. The letters were not addressed to them, but to Mr. and Mrs. Lichtmann and they could not have come into possession of your client unless through theft.

Your client borrowed \$5000. from me, as you know, giving his word of honor that even if it was used for the purposes of the Museum and School that he would be personally responsible. He even told that to my representative at the United States Trust Company, and when he was put on the witness stand, he denied that I had ever given him the money. I also put \$2500 into his hands, telling him that this money was to go direct to Professor and Madam Roerich in India. I have proof that that money never reached them and there has been no accounting of what happened to the money. All of these facts are not new to you, and what surprises me is that a man of your standing in the community should be willing to take one side of such a case when you were originally the lawyer for all the litigants.

I again repeat that you have committed a crime in shattering my faith.

This letter requires an answer.

Truly yours,

(Signed) Florentine S. Sutro.

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COPY

GREENBAUM WOLFF & ERNST
285 Madison Ave., N.Y.

Feb. 7, 1938.

Mrs. Florentine S. Sutro,
115 Central Park West,
New York.

My dear Mrs. Sutro:

I am in receipt of your letter. I must decline to take up any matter with you in which you are represented by an attorney. I will be only too happy to meet Miss Rock any time, and as a matter of fact, have talked to everyone interested in any phase of this situation to see if a settlement could not be reached. Only recently I was approached by Mr. Emory Buckner, one of the leading members of the bar, and again suggested that I would be only too happy to have him sit in to see if all the controversies could not be cleared up without the waste of innumerable legal proceedings.

I am sending a copy of this letter to your attorney who, of course, should be kept informed of any steps you take.

Yours sincerely

(Signed) Morris Ernst.

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COPY

Feb. 8, 1938

Mr. Morris Ernst
Greenbaum Wolff & Ernst
285 Madison Ave., N.Y.C.

My dear Mr. Ernst:

You have misunderstood my letter entirely either intentionally or inadvertently. I did not refer to Miss Rock in my letter and only referred to my suit against Mr. Horch in passing. My contention was the handling of the Roerich-Lichtmann-Horch matters, in the way it was handled by your associates.

I still haven't gotten over my loss of faith in human nature - that you, who stand publicly for all that is noble, could so conduct yourself as to permit these people to be hounded. Even Federal authorities have been brought into this situation when you of course know that Professor Roerich never evaded his taxes because Mr. Horch who had his power-of-attorney, paid all the bills for Professor Roerich while he was out of the country. The shoe might very well hit on the other foot as to the evasion of taxes.

I repeat your letter is entirely an evasion and does not at all answer my first letter to you. I would not have written you at all if I did not know you personally, and my letter was a personal one and had nothing to do with any other attorney.

FS:R

Truly yours,

(Signature) Florentine S. Sutro.

(copy of letter written by Mrs. Lionel Sutro to
Mr. Charles Burlingham, 27 William St.)

April 27, 1938

My dear Mr. Burlingham:

I know that some years ago you were interested in the affairs of the Roerich Museum. Since then you may or may not know that Mr. Horch has tried by fair means and foul, principally the latter, to grab the building and all its assets. I have followed and taken part in the proceedings from the beginning and have been tremendously interested, as Professor and Madam Roerich were my friends in England in 1920 before they came to this country. The case has gone from one court to another and has finally been decided against the Roerich interests by the Appellate Division. As far as I can see the proceedings have been political. Morris Ernst, an attorney for Horch, poses as the noble soul helping the oppressed, has hounded Mr. and Mrs. Lichtmann and Miss Grant as well as Professor and Madam Roerich to the extent that they have not been able to make a living. The school which they conducted has been thrown out of the building and they are now penniless. Mr. Herbert Plaut has conducted the case up to this point admirably, but we now feel that someone who is known ought to help in this matter.

I am wondering whether you would be willing after having read the briefs and having noted that forged papers and proven thefts of letters written by Professor and Madam Roerich to Mr. and Mrs. Lichtmann in Russian, which Mr. and Mrs. Horch cannot read, were presented before Referee George Frankenthaler, which facts he glossed over. I have been at every hearing before Referee George Frankenthaler and know of the unfairness of his decision. He is a friend of Morris Ernst, who, as you know has a strong political pull and does not hesitate to use it honestly or dishonestly. Mr. Plaut, of Plaut & Davis, 76 Beaver Street, New York, is bringing the case to the Court of Appeals, but he feels, with us, that the authority which your name would lend to the case would bring justice which certainly has not been given up to this time.

Judge O'Malley's opinion, which I think is the only fair one is as follows:

"The indisputable documentary evidence bearing on the main issue presented was of such a character that a finding in favor of plaintiffs was required (Duryea v. Zimmerman, 143 App. Div. 60, 68, Susquehanna Silk Mills v. Jacobson, 185 App. Div. 378, 383; see also Bernstein v. Keitzer, 253 N.Y. 410, 416). I therefore dissent and vote to reverse and grant judgement for the plaintiffs as prayed for in the complaint and to dismiss the counterclaim."

The other four judges who voted in favor of Horch wrote no opinion.

Would you help in conjunction with Mr. Plaut?

Cordially yours,

(signed) Florentine S. Sutro

COPY OF ANSWER RECEIVED FROM
MR. CHARLES C. BURLINGHAM- April 28^y 1938
to 1st letter.

Mrs. Lionel Sutro
115 Central Park West
New York City, N. Y.

Dear Mrs. Sutro:

I am not surprised to learn that Mr. H. has "gone bad", and I wish I could help you right the wrongs suffered by your friends; but I have retired from practice and cannot join in any case now. Indeed, it would do more harm than good, for it would seem likely that I had been brought in because I am known for my length of years and have the friendship of some of the Judges.

I understand that Mr. Flaut is an excellent lawyer, and I do not believe that Mr. M. E. has any special influence with the Court of Appeals.

(signed) Charles C. Burlingham

9
April 30, 1938

My dear Mr. Burlingham:

Thank you for your letter in response to mine. Naturally I regret very much that you do not feel able to do anything about the Horch-Roerich case.

Since writing you Horch has taken seven hundred of Roerich's paintings out of the Museum and closed the rooms, leaving perhaps three hundred of the very small and minor paintings. The Museum was donated to the Federal Government, so none of us understand what right Horch had to take out these paintings and close the rooms. Of course it has destroyed the Museum.

The case is desperate. Could you advise us in an unofficial capacity what could be done? Taking it to the Court of Appeals means that it would not come before them before next October. No one knows what Horch's next step will be. He has succeeded in putting Mrs. Lichtmann's mother out of the building and is trying his utmost also to get Mr. and Mrs. Lichtmann and Miss Grant out of the building. As yet they have succeeded in obtaining a stay, but they do not know when the ax will fall. Professor and Madam Roerich are in India and cannot come back to America because Horch reported to the Tax Department in Washington that Roerich had not paid his taxes in 1926 and 1927. At that time Roerich had no property in this country and Horch had his power of attorney, so if the taxes were due and were not paid, it was entirely Horch's responsibility. For some reason he has had the assistance of Secretary Wallace in all these nefarious proceedings and through Wallace's influence every move in favor of the Roerichs has been blocked. Wallace has so successfully spread this propaganda in Washington that one cannot mention the name of Roerich without the shrugging of shoulders and a "nole me tangere" attitude. I have tried to enlist the good offices of Dr. Leo Rowe, Director-General of the Pan-American Union, and he told me that nothing could be done about the matter. A friend of the Roerichs, who is an intimate friend of Mrs. Roosevelt's, attempted to talk to her about it and she was immediately silenced. The whole matter is a scandal beyond words.

Could you give me some personal advice as to how to handle the matter further? Do you think a letter to the President would receive any notice? I understand, of course, that you do not want to involve yourself personally, but it involves the existence of five people by an unscrupulous minority, and we, who are interested, are at our wits' end.

Cordially yours,

FS:R

Mr. Charles C. Burlingham
27 William Street,
New York City

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May 2, 1938

Hon. Robert Straus,
Member of the City Council,
City Hall, New York City.

My dear Mr. Straus:

I am told that you have had a bill passed in the Council, exempting the theatre of the Master Institute, otherwise known as the Roerich Museum at 310 Riverside Drive, from being licensed by the License Department, on the basis of its being an educational institution. The facts are these:

It is no longer an educational institution as the school has been thrown out and the space is now being used by W. P. A. workers. The theatre itself is a fire hazard and I have been told that the firemen had been bribed not to say anything about the fact. Mr. and Mrs. Horch claim to be the sole owners or trustees. The others whom they have illegally eliminated are Professor and Madam Roerich who are in India, Mr. and Mrs. Maurice Lichtmann and Miss Frances Grant. The whole situation to my mind is a scandal and I doubt that you would have cared to be involved had you known the facts.

As charter members and donors, my husband and I took a great deal of pride and interest in the institution because Professor and Madam Roerich were personal friends of ours. We contributed a great deal of money to the organization for which we have never been able to get an accounting. If you saw the marble slab in the theatre you would see our names inscribed, unless it has also been removed in the same ruthless fashion as have been seven hundred Roerich paintings from the walls of the Museum.

It seems to me that the theatre should be under the jurisdiction of the License Commissioner which latter Mr. Horch has managed to evade for years for reasons best known to himself. The theatre is on the ground floor of the 27 story apartment hotel.

It is difficult to go into detail in a letter and it might be of mutual interest, could a time be appointed for a talk about this matter, so that you could rectify a mistake that was made inadvertently.

Very truly yours,

(signed) Florentine Sutro

FS:R

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May 2, 1936

Hon. William Stanley Miller,
President of the Tax Commission,
Municipal Building, New York.

My dear Mr. Miller:

It was a pleasure to meet you at the tea at the World's Fair on Saturday, when we were introduced by Commissioner Moss.

There is a serious matter which I should like to bring to your attention. The Roerich Museum, now called the Master Institute at 103rd Street and Riverside Drive, has a tax exemption of \$16,000 annually and it was incorporated under the educational laws. It was that and an excellent school under its principal, Mrs. Sina Lichtmann. Music, painting, sculpture, drama, dancing, etc., were taught there. The trustees were Professor and Madam Roerich, Mr. and Mrs. Maurice Lichtmann, Miss Frances Grant, and Mr. and Mrs. Horch. Each trustee had one share of stock. By chicanery, Horch succeeded in getting all the stock by saying that if it were handed to him, in escrow, it would make the voting simpler as Professor and Madam Roerich were in India. Horch was the President at the time. Subsequently, without consulting the other trustees, he transferred the stock to his wife and now claims it is hers alone. In consequence, he has ousted the other five trustees, has taken the name of Roerich out of the building and substituted Master Institute. Mr. and Mrs. Lichtmann and the school have been thrown out of the building and a few W. P. A. workers substituted in their stead. It is no longer, therefore, an educational institution and no reason exists for tax exemption. It is a 27 story apartment hotel at 310 Riverside Drive and well-filled. There is a theatre on the ground floor which pays no license because Mr. Horch has succeeded in getting Robert Straus to have a bill passed in the Council so that the theatre should not come under the License Commissioner. I have not fathomed the reason for that. The theatre is a fire hazard in my mind.

My interest in the matter is that I have been closely allied with Professor and Madam Roerich and the other trustees since 1922 and have given large sums of money to the Museum and school, which no longer exists, as Mr. Horch has arbitrarily removed 700 Roerich paintings and has closed the galleries, even though the paintings were given to the nation, and there is documentary evidence to that effect. I gave money for the activities of both the Museum and the school, which Mr. Horch is now claiming as his. I have never been able to get an accounting of how the money was used. At one time I gave a check for \$2500 to Mr. Horch to be sent to India to Professor and Madam Roerich, which never reached them, and I have never found out what became of the money.

If you would like to speak to me about this matter, I should be pleased to call at your office for further elucidation.

Truly yours,

(signed) Florentine S. Sutro

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DEPARTMENT OF TAXES & ASSIGNMENTS
MUNICIPAL BUILDING
NEW YORK CITY

May 5, 1938

Mrs. Lionel Sutro
115 Central Park West
New York, N. Y.

My dear Mrs. Sutro:

I have your letter of the 2nd in connection with tax exemption on the Roerich Museum, and it was indeed a pleasure to hear from you.

I have immediately referred the matter to our Committee on Exemption and a complete investigation will be made. I shall be very happy to write you when I receive a report.

With kindest personal regards, I remain

Most sincerely yours,

William Stanley Miller
President

WSM:RM

C O P Y

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City of New York
Tax Department- Borough of Manhattan
Municipal Building, N.Y.
Tel. Worth 2-1800-

May 18, 1938

Mrs. Lionel Sutro,
115 Central Park West,
New York.

My dear Mrs. Sutro,

Following my letter to you of May 5th, I received a report from our assessor regarding the property of the Roerich Museum.

In view of the publicity recently given to this property by Mr. Louis L. Horch, whose name you mention in your letter, and in view of the facts contained in the report from our assessor, we have instructed him to restore the property to the tax roll next October. Undoubtedly an application for exemption will be made, and on the hearing of such application, the Tax Commission will be in a better position to go into the facts regarding the organization, use, etc. of the museum.

I believe that this disposes of the matter for the time being.

We appreciate the interest shown by taxpayers with regard to exempt properties and are always glad to investigate information furnished us in that regard.

Very truly yours,
(signed) William Stanley Miller,
President.

Charles C. Burlingham

27 William Street, N. Y.

June 16, 1938

My dear Mrs. Sutro,

I feel very much ashamed of not having answered a letter of yours about Horch, which came several weeks ago. From all I can learn, Plaut & Davis are competent men. If they would like to talk to me about the case, I should be glad to see them at any time that is convenient, but of course I would not think of butting in.

Sincerely yours,

(signed) Charles C. Burlingham

P.S. Perhaps you know I have had a great sorrow in the death of my younger son.

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June 20, 1938

My dear Mr. Burlingham,

I had read of the death of your son and had meant to write to you, but I felt that possibly letters of sympathy might make the wound deeper, so I was very hesitant about writing to you at the time. You know how much your friends feel for you in this bereavement, and there really are no words that would be of any value, to express their thoughts.

As regards the Horch case, I am very much gratified that you are willing to talk to Plaut & Daviss about the case, but at the moment, there are certain developments which will have to be clarified before anything further can be done. As soon as these matters are cleared up, with your permission, I will communicate with you again.

With kind regards, I am

Cordially yours,

FS:R

Mr. Charles C. Burlingham
27 William Street
New York City.

June 24th, 1938.

Mrs. Florentine Sutro,
115 Central Park West,
New York City.

Dear Mrs. Sutro:

As you know, I was travelling when the Roerich Museum suffered its most recent crushing blow from the vandalistic conspirators, and this letter of appreciation to you as Chairman of the Roerich Museum Committee was born of my mixed feelings at that time of sadness, indignation and temporary helplessness. Please accept it without feeling any obligation to answer.

I am taking it upon myself to thank you for your help, material and otherwise in defense of the Roerich Museum foundation, and for the noble example which you set to other Americans at this time. I have dedicated my life to this work, so of course I thank you personally also.

Perhaps I am not so ill-equipped in my self-appointed task as spokesman for the American public, for I have travelled about a great deal in this country as a musician and have had an opportunity to observe different classes of people. I have seen money squandered in various selfish pursuits, I've seen it hoarded, I've seen it given in large amounts to institutions indiscriminately without any motive of real interest or feeling of responsibility. I happen to know of your many widespread activities in behalf of cultural progress and social improvement, and I know that you are intimately acquainted and keep in touch with everything you support.

When we think of the many grades and varieties of traitors and cowardly numbskulls now showing themselves in true colors in connection with the noble institutions founded here by Professor and Madam Roerich some years ago, we must place a high value on your loyalty, courage and willingness to act at this time by writing, speaking and bringing the strength of your influence in civic affairs to aid Justice.

Of course, as an individual it is not my place to write you a letter of praise, but as a citizen of the United States I am grateful for your valuable support of that which was offered to us at a decisive moment in world history as a foundation upon which to build, - the practical idealism of Roerich and his great art.

Dudley Fosdick.

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Mrs. Lionel Sutro,
115 Central Park West,
New York.

My dear Mrs. Sutro:

In reference to your letter of the 7th instant, referring to the Roerich-Horch case, I wish to say that I would not under any circumstances be willing to take up the case except with the approval of, and through your present attorneys who have represented you in this matter. If **they** wish to see me about the matter, I will talk with them, otherwise please consider me out of the matter.

Very truly yours,

(signed) Samuel Seabury