

COPY (ADDRESSED TO D.F.)

120 East Nineteenth Street

January 13, 1938.

My dear Mr. Fosdick:

I hope you and your brother will pardon my long delay in replying to your letter of January first. I have been absorbed with a piece of imperative work and not so well. The result being I have been obliged to neglect correspondence and appointments.

I doubt whether I can be of the least help to you in the very difficult problem facing you, but of course if you feel that talking with me will lead to something useful I shall be very glad indeed to see you. Would it be possible for you to be at the National Arts Club, 15 Gramercy Park, at four forty five on Monday, the seventeenth? We can have a cup of tea together and talk over your problem.

With renewed apologies for the delay in making this appointment, believe me,

Very sincerely yours

(sig) Ida M. Tarbell

Mr. Dudley Fosdick
227 Riverside Drive
New York City

January 14, 1938

Ida M. Tarbell
120 East 19th St.,
New York City, N.Y.

Dear Mrs. Tarbell:

Your esteemed letter has
~~just been received,~~ and I hasten to assure you
that we are most happy to accept your gracious
invitation to meet you at the National Arts
Club, 15 Gramercy Park, at four forty five on
Monday, the seventeenth.

Very sincerely yours

Gene Fosdick, Pres.

C O P Y.

Confidential

120 East Nineteenth Street

February 9, 1938

Dear Mr. Fosdick:

As I promised I have gone over the three volumes of the Record on Appeal in the case of Roerich and associates against Bouis and Nettie Horch.

I am convinced from the examination I have given the records that the case is so involved that it would take me six months to form an opinion of its merits. The cultural aims of the Roerich undertaking in the fifteen years or thereabouts of their life have become so tangled with financial and legal matters that an outsider is lost without close study. Moreover, one should know much more of the personalities involved than I do before forming a judgement.

You will, of course, have to accept the Appellate Court's decision. I shall be interested to have a copy of that decision. I told you when I met you at tea at the Arts Club, and I tell you now, it is quite impossible for me to give any opinion on the matter without long study, but I am interested enough to want to know what the Appellate Court decides.

I must say that Mr. Horch's apparently sudden change of mind and heart about the enterprise and its founder requires a more convincing explanation than the testimony I have looked over gives. After so long, ardent and generous support of the Roerich ideas to become suddenly and completely contemptuous of them requires explanation.

I sympathize thoroughly with the cultural aims of the undertaking. The complete devotion to these aims which the early correspondence seems to show is heartening in a world so materialistic as ours. But realizing such aims requires long patience and co-operation of all concerned. Practically everybody's patience seems to have broken down along about 1935. Why, I do not understand.

I am leaving town tomorrow for a little time, but as I say I shall be glad to have a copy of the Court's decision when it comes.

This letter is entirely confidential, my dear Mr. Fosdick. Under no circumstances is my name to be used in connection with your suit.

Please believe that you and your friends have my sympathy in this involved affair.

Very sincerely yours,

(Sig.) Ida M. Tarbell

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February 21, 1938.

Miss Ida M. Tarbell
120 East 19th Street
New York City, N.Y.

Dear Miss. Tarbell:

Your very gracious and sympathetic letter of Feb. 9th is at hand. We have delayed this answer to it, knowing that you would be out of the city and also being occupied with a most unhappy task.

On January 29th the Institutions founded by Professor Roerich were evicted from the Roerich Museum building by Mr. Horch and his associates, and since that time the Museum itself has been kept closed to the public four days a week. We will not now burden you with details of the injustice and indignities suffered as an immediate result of this last venomous action, but wish to advise you that we have found a temporary shelter for the evicted Institutions, through the kindness of one of our friends, at 163 West 72nd Street. From here we are continuing the work to which we have dedicated our lives, as ably as its wounded condition permits.

We are grateful to hear from you that you are interested in having a copy of the Appellate Court's decision, but wish to state that, should the decision be as unfair as the previous ones were, due to the tactics of the official of the Administration about whom we spoke, we have no intention of abiding by that decision. We will then have to appeal higher, namely to the Court of Appeals and perhaps to the Supreme Court, if the truth is not brought to light before that time.

You justly state that Horch has not given enough convincing testimony to justify his ignoble acts and malicious attacks upon Professor Roerich and his loyal co-workers. It is as though he and his associates are possessed by some evil force which is not content with a simple disassociation with that which is betrayed, but rejoices in the viscious and complete destruction of the object of their former devotion. However, Judas' betrayal did not stop Christianity, Benedict Arnold's did not defeat America and, likewise, Horch's

will not stop the advancement of Culture. Please understand that what ever happened to Horch's mind and feelings in 1935 did not affect, in any manner whatsoever, the loyalty and devotion to the ideals of Professor Roerich which his co-workers continue to evidence in the most steadfast manner. The work which was begun is being continued, it is only that for the time being efforts must be divided between further advancement and defense of that which has already been accomplished. It is in this defense that we beg your aid. We have reached a point in our legal procedure which seems to indicate that justice cannot prevail because of pressure brought upon it.

Calmly realizing the seriousness of these circumstances, we feel that only by an arousal of righteous indignation in the hearts of the American people, can this hideous outrage to American justice be prevented. But as you say, to one not very close to the facts an opinion cannot be reached without thorough investigation, and we have no right to ask or even to expect such a sacrifice of time as would be required by an investigator who could reveal the truth to the people at large. In the name of the highest principles of humanity, this investigation must be done by one whose voice is unimpeachably accepted when raised in defense of justice. We feel that in America your voice is one which is honored to such a degree, and that you are unanimously and gratefully respected in this country as the guardian of our ethical purity. We know you are besieged with calls for help, and just calls, for no one without a just cause would dare your exhaustive research, but as a last resort we have approached you rather than any big attorneys, praying that your heart would be touched, and that if you found it physically impossible to serve our cause, you would refer us to someone who because of your interest would give it the attention for which it cries to Heaven; and, while we are far from being wealthy, we and our friends shall be glad to make any sacrifices necessary to provide for remuneration.

We firmly believe that a clarion call is needed to reveal the flagrant and brazen abuse of justice, through the intricacies of law, which is being meted out by the courts in this case of Professor Roerich and his co-workers who are selflessly battling in the defense of Culture., and reassuring you that your answer and your interest commands our strictest confidence we beg to remain,

Very sincerely yours,

P.S. We take the liberty of enclosing herewith some recent correspondence between Mrs. Sutro and Mr. Ernst which is self explanatory

120 East Nineteenth Street

May 5, 1938.

My dear Mr. Fosdick:

I have given a hasty examination to the printed documents in the Roerich case. As I told you at the start it has been quite out of the question for me to give any thorough examination to the matter, an examination which would qualify me to have a stable opinion. But I have carried away from the reading that I gave the documents certain impressions. You ask me to put them in writing

First, I felt that the evidence presented by the prosecution is incomplete. It seems to me to be doctored. Certainly the defense is unsatisfactory, that is I feel that they ought to be able to make a better case than they do.

The Roerich case seems to be a struggle of a group of idealists with little or no practical training and no interest in the financial side of the undertaking. All that they asked was the opportunity to work out their ideals.

Mr. Roerich and his associates seem to have believed that they had found in Horch a person who believed in what they were trying to do, believed fully and heartily, and to the point where he apparently asked nothing better than to take care of the financial side. He seemed by his letters to feel it was both an opportunity and an honor for him to make that contribution to the undertaking. Evidence seems to show that Horch supported the enterprise through a number of years. Then suddenly without reasons which seem to me in any way adequate from the testimony presented he turns away from Roerich and his associates and does his best to wreck the undertaking. Why he did this seems to me to be a most important thing to show. It is not adequately shown in the evidence.

Two possibilities occur to me, both of which I should want to follow up if I were in a responsible position in regard to the matter.

First, what was it that so abruptly changed Horch's attitude? Did he discover suddenly some mismanagement which he felt was criminal, or did he suddenly lose faith in the entire enterprise? And if so, why? This certainly is not explained by the evidence.

There is a second possibility which I think should be explored, and that is that Horch saw from the start an opportunity to earn in the long run both honor and profit from the enterprise. When he suddenly saw that his hopes could never be realized he abruptly withdrew his support and broke his contracts with the group and took over the entire physical plant. His dealings in the light of the contract and his repeated assurances seem to me most questionable.

Here in a word, my dear Mr. Fosdick, is the impression that I have carried away from the hasty examination I gave your material. These are the points on which I think your lawyer should satisfy himself. That probably means a much more thorough examination of the whole enterprise than has been given.

I do not know that this letter will be of any use to you, but you asked that I set down what I told you over the telephone and I am glad to do it.

You understand, of course, the letter is for you and your associates and not for public use.

*****Liberty 27

FLANNA LIBERTY INDIANA

313 East Union St.
Liberty, Indiana
May 17, 1938.

Miss Ida M. Tarbell
120 East 13th St.,
New York City, N.Y.

My dear Miss Tarbell:

I wish to acknowledge receipt of your very kind and very valuable letter of May 5th. Its arrival has been delayed due to the fact that we have moved to the address in Indiana which you will note above.

The points which you indicate are so excellently taken that I hasten not only to thank you for them but to beg your permission for their immediate application in our struggle. While you write that you hope your letter may be of some use to us I am not sure that you include the attorneys among our "associates", and since your correspondence commands our complete confidence, I would like to know your wish in this regard.

May we use it to approach the lawyers on these points, in strict confidence, that they may open up new avenues of defense and attack which have been ignored up to this time? Or better still do you know Wm. Seabury, or an equally humanitarian attorney you could recommend, that we might interest in the defense of a public institution which is being destroyed by vandals?

Feeling that our salvation may be found in an understanding and competent lawyer which you might indicate, I shall await most anxiously your reply to this letter.

Gratefully yours,

Gene Fosdick, Pres.