

Greg,

Since you haven't returned my phone call, I thought I'd give email a try, in hopes that we can find an amicable solution to the situation with the Kirby xeroxes.

Back on September 8, 1998, you wrote to the Kirby list:

"The collection [sic] of copies is several thousand pages and can't be copied easily or quickly. I suspect that I'm going to have to pay the bill for the copies, but spend my time making them. I've resolved to get them a set, but I've got a busy schedule and it will take time."

In response to a poster who wrote:

"I would suggest that the copies be copied and return the original set to the estate"

You wrote:

"I have no problem with this, but it must be on my schedule."

To my knowledge, in the four years since you made these posts, you've only returned a handful of the originals to the Kirbys—and undoubtedly, many of the photocopies you've made aren't of ideal quality, since so many of the originals are faded out.

Over the past several months, our production assistant has been scanning the nearly 2000 photocopies the Kirbys have loaned us, and saving them onto CDs. They're full-size, 300dpi grayscale jpegs, which should be around long after the photocopies turn to dust. They're raw scans with automatic tonal adjustments to make them more readable than the originals, and can easily be adjusted further in Photoshop. A sample scan is attached (I downsized it to 72dpi to keep the file size small enough for email transmission; the original is around 6 mb).

To alleviate you copying all the pages you have, you can simply send them here for scanning; we'll burn them onto CDs, send you a set, and return the originals to the Kirbys. I've got the Kirby family's OK for this idea, as a last ditch effort to put the problem to rest in a peaceful manner, so long as you agree that:

- 1) you won't disseminate copies of the CDs or the images on them to anyone
- 2) you will only use them for research purposes, and
- 3) if you want to use any of the images in your own publications, you'll OK it with the Kirbys first

I'd be the one paying for their copying (our employee's time, wear and tear on our scanner, CD expense, shipping them to the Kirbys when done). You'd only have to spring for shipping them here (which should cost less than you shipping them to California anyway). Based on the speed we've been scanning so far, it'd probably take close to a year to complete, but we'd send your CDs out in batches as work progresses, once every two months or so. Once we received the photocopies from you, I'd send you a set of CDs of the scans we've already made, so there'll eventually be two complete sets of everything scanned, housed at different locations.

If you're agreeable to this, we'd want to get everything in writing, so there would be no further misunderstandings on either side.

As I mentioned in my phone message, I'm working on an issue of the KIRBY COLLECTOR dealing with the ins and outs of Jack's art. I will be covering the current state of the xerox archives—that the Kirbys have a sizable batch, but you have the rest (nearly 4000 pages by your count), despite your resolution over four years ago to return them to the Kirbys. Robert Katz has agreed that, if you

return the xeroxes now, he'd be willing to thank you in the article for archiving the stats for the Trust, which I think would go a long way toward eliminating some of the bad blood that's gone on during this dispute. Wouldn't it be better if I were able to report that the dispute was over (or better yet, avoid any mention of the dispute) between you and the Kirbys, and finally resolve the situation to start the new year?

Please let me know your thoughts asap; I'm going to press in January on the issue. I'll take a non-reply as meaning you're not interested, and proceed accordingly.

Best regards,  
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