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Grant Request

THE WRITINGS OF ALBERT EINSTEIN

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Research Proposal Submitted to the National Science Foundation

Proposed Amount \$34,200 Effective Date 1/1/77 Proposed Duration 6 months

Title THE WRITINGS OF ALBERT EINSTEIN

Principal Investigator Herbert S. Bailey, Jr. Soc. Sec. No. 145-16-0461

Submitting Institution Princeton University Press

Address Princeton, New Jersey 08540

Make grant to Princeton University Press (a 501 (c) (3) organization)

Endorsement:

Principal Investigator

Name Herbert S. Bailey, Jr.

Title Director

Telephone Number 609-452-4902

Date 12/1/76

(signed)

THE WRITINGS OF ALBERT EINSTEIN

Introduction

This proposal is to request six-month funding for the planning of a complete edition of the published and unpublished papers, manuscripts and correspondence of Albert Einstein; this will include both his scientific and non-scientific writings, and will thus include material touching upon scientific, philosophical, historical, social and political issues as well as personal aspects of Einstein's life. The edition, which will have to be in a number of volumes to be issued over a period of years, will present all material in its original language; the question of translations into English will be decided at a later stage of the planning. Each volume is expected to include a general introduction, sketching the general cultural and scientific setting for Einstein's work in the period or on the subject covered by that volume. Individual documents or series of documents will be provided with introductory materials giving background information useful for the understanding of the material in question, as well as annotations explaining references to persons, places, etc. not clear from the context. The work on the project will thus provide a summary of the existing state of research on Einstein's work, as well as stimulating further research on the numerous areas of his work. In other words, this edition will not be a mere reprinting of Einstein's papers together with his unpublished manuscripts; it is hoped that it will meet the standards of scholarship appropriate to make it the standard edition of Einstein's works for the foreseeable future.

The Editor's Role

The Editor, appointed by the Trustees of the Einstein Estate and the Press, will be Professor John Stachel of Boston University. His vita has been submitted to NSF with an earlier application.

Among the responsibilities of the Editor of Professor Einstein's works will be:

1. To begin a detailed analysis and catalogue of the holdings of the Einstein Estate with the assistance of Miss Helen Dukas, Professor Einstein's secretary from 1928 until his death, who has agreed to collaborate on the project; and to institute a systematic search for any further relevant material which may be or become available, to assure that the edition be as complete as possible at the time of its publication.
2. To draw up a plan of organization of the material for its eventual publication. This will involve such questions as: whether to arrange for publication by subject matter or chronologically, whether papers and correspondence should be published in the same or separate volumes, how to deal with successive drafts of the same paper, the style and extent of annotations, etc.
3. To aid in making these and similar decisions, the Editor has been authorized to set up a small editorial committee to advise him, particularly in areas to which his own expertise does not extend. This committee will include physicists, historians of science, philosophers of science, political

and cultural historians. The selection of this committee will be part of the planning of the project.

4. In particular, it is felt by all involved that an associate editor should be found who is primarily trained as a historian of science, and who would work in close collaboration with the editor. A person with such a background in the internal and external aspects of the history of science in the late nineteenth and twentieth century would complement the editor's background of research in special and general theory of relativity and the foundations of quantum mechanics, and philosophy of science generally. The search for such an associate editor will be part of the planning of the project.

5. It is felt to be most important that a complete typescript of all manuscript materials be prepared as soon as possible. This work will be done in collaboration with Miss Dukas, who has already started work on it. Her aid in the annotation of the material, particularly the correspondence, is invaluable. It is also most desirable that all living correspondents of Professor Einstein be promptly contacted for their help in annotating their portion of the correspondence. An editorial assistant with fluency in German, as well as some scientific and/or publishing experience, will be needed. The search for such a person will be part of the planning of the project.

6. The editor and associate editor will be responsible for setting up a timetable for work on each volume, including decisions on such questions as: whether work can proceed on more than one volume simultaneously, what additional editorial, consulting and secretarial help is needed for particular volumes, etc.

7. The editor will be responsible for the preparation of the completed manuscript for each volume, including all introductory materials and annotations which he may himself write, or which may be written by the associate editor or any other persons specifically employed to work on particular portions of the material.

8. The editor will be consulted on the format and layout of the volumes, and will be responsible for proofreading of each volume; no volume may be issued without his approval.

Legal matters.

The Trustees of the Einstein Estate control all literary rights as specified by Professor Einstein's will (copy enclosed, Annex A). The Trustees have made a contract for publication of THE WRITINGS OF ALBERT EINSTEIN (copy enclosed, Annex B). This contract is binding upon the Trustees and their successors, as indicated by legal opinions (Annex C). Thus, although the Hebrew University in Jerusalem is the final heir and will become owner of the physical papers themselves when the Trusteeship ends, it will be bound by the present contract and Princeton University Press will be able to continue publication. Moreover it appears that the Hebrew University wishes to cooperate with publication in every way, though it is unable to help significantly at this point. A representative of the Hebrew University is a member of our Editorial Advisory Committee. Even if the Hebrew University should decide to take the original Einstein Papers to Jerusalem before the project is finished, publication could proceed through the use of our microfilms, transcriptions, and photoduplicates. Occasionally, when necessary to see an original, that might be arranged through a visit to Israel or by sending a document here for

inspection.

Contents.

The Einstein archives may be divided into three categories:

1. Scientific papers and correspondence
2. Non-scientific papers and correspondence
3. Notebooks and diaries

Lists of the principal items in these categories are attached (Annex D). It should be said that the notebooks go back to 1896; the scientific and non-scientific correspondence are sparse before 1910 but become voluminous afterward.

Freedom of the Editor.

The Trustees, the Press, and the Editor wish to produce a scholarly edition that will satisfy the need into the indefinite future. We plan a comprehensive edition, including all aspects of Einstein's life and work, with the fullest coverage possible. However, in carrying out their personal responsibility to Professor Einstein the Trustees have reserved the right to withhold material from publication on grounds of privacy only. The Trustees affirm that at present they have no plans to withhold anything, but they feel that they must reserve the right to protect Professor Einstein's privacy because they do not know what may be discovered. Letters of Professor Einstein to his first and second wife are owned by Einstein's daughter and by his son's widow; we do not know whether or when these might become available. If they do, they would be subject to the privacy rule if exercised by the Estate. If there were a difference of view between the Trustees and the Press on any document, arbitration procedures are provided by the contract. It should be emphasized that the right to withhold extends to matters of privacy only, and we do not anticipate difficulties in this regard.

There are a few other reasons why some material might not be printed. Material that is libellous to living persons (if any) may not be printed. We seek to include letters from various people to Professor Einstein; in such cases we must get permission of the authors of the letters or their heirs. Except for these points we do not know of reasons why material would need to be withheld from publication.

The Planning Stage.

Professor Stachel will begin as Editor on January 1, 1977. During the initial months he will immerse himself in the material and work out a preliminary plan for the development of the series as a whole, concentrating especially on plans for the first five years. Such plans will include the employment of staff, organization of the work, and needs for searches, special consultants, travel, and the like. At first Professor Stachel will use offices at the Institute for Advanced Study and in the Physics Building at Princeton University. It is expected that within a year the Einstein

Offices will be established at Princeton University Press. The Editor will have general responsibility to work out detailed plans which will form the basis of an application for five-year funding.

We are applying for a six-month planning grant. We understand that the NSF Panel on the History and Philosophy of Science might be willing to meet with us in May 1977 in Princeton, to discuss long-range plans. That would be most desirable from our point of view. We expect to satisfy NSF with a long-range application and plan to be submitted in the spring, but we realize that NSF may refuse further funding. If so, we expect to proceed in any case, and we would hope that your decision would be made in time for us to develop alternate sources of funding.

Copyright and related matters.

We have discussed the legal requirements of NSF with the legal department (Mr. Raubitschek) and we understand that acceptance of our NSF grant will not affect the copyright in the Einstein Papers. On the basis of those discussions we also understand that NSF will make no claim for reimbursement of this planning grant, since it will not result in any income-producing product. We also realize that if there is a later NSF grant for the long-term editorial project, as expected, the Foundation may require reimbursement from a proportion of the income after the Press has recovered its full costs.

We believe that this great project cannot be postponed longer. We are confident of our ability to do it justice in performance, and we think that it will justify the support that is needed to carry it out.

Princeton University Press
THE WRITINGS OF ALBERT EINSTEIN

Budget for a six-month planning grant.

Editor: salary	\$17,500	}	\$20,650
fringe	3,150		
Secretary: salary	\$5,000	}	5,600
fringe	600		
Travel ¹			1,500
Telephone, office supplies, postage ²			3,000
Indirect costs at 5% of salaries			<u>3,450</u>
		Total	\$34,200

¹The Editor will need to consult experts on various aspects of Einstein's life and writings, including historians and experts on documentary publication. It may be desirable to bring such experts to the Einstein archives for consultation, and we will probably need a meeting of the Editorial Committee (yet to be appointed).

²There will be a large amount of international correspondence and possibly telephoning in the early stages, partly to locate additional Einstein materials and partly to check known materials with Einstein correspondents who are still living.

Annex A

LAST WILL AND TESTAMENT

of

ALBERT EINSTEIN

Deceased

WILL DATED MARCH 18, 1950

DATE OF DEATH APRIL 18, 1955

MAASS, DAVIDSON, LEVY, FRIEDMAN & WESTON

Attorneys

100 Park Avenue, New York 17, N. Y.

IN THE NAME OF GOD, AMEN:

I, ALBERT EINSTEIN, of Princeton, New Jersey, being of sound and disposing mind and memory, and mindful of the uncertainty of life and the certainty of death, do hereby make, publish and declare this to be my Last Will and Testament, in manner following, to wit:

FIRST:

I direct that all my just debts and funeral and testamentary expenses be paid as soon as practicable after my decease.

SECOND:

I give and bequeath all of my furniture and household goods, chattels and effects, of every kind or nature, to my step-daughter, MARGOT EINSTEIN.

THIRD:

I give and bequeath my books and all of my personal clothing and personal effects, except my violin, to my secretary, HELENA DUKAS.

FOURTH:

I give and bequeath my violin to my grandson, BERNHARD CAESAR EINSTEIN. If he shall be not of legal age, then I authorize and empower my Executors to deliver the same to his father, my son ALBERT EINSTEIN, Jr., in his behalf, to be turned over to my said grandson when he shall attain majority.

FIFTH:

I give and bequeath to my step-daughter, MARGOT EINSTEIN, the sum of TWENTY THOUSAND DOLLARS (\$20,000.00).

SIXTH:

I give and bequeath to my secretary, HELENA DUKAS, the sum of TWENTY THOUSAND DOLLARS (\$20,000.00).

SEVENTH:

I give and bequeath to my son, EDUARD EINSTEIN, the sum of FIFTEEN THOUSAND DOLLARS (\$15,000.00).

EIGHTH:

I give and bequeath to my son, ALBERT EINSTEIN, JR., the sum of TEN THOUSAND DOLLARS (\$10,000.00). If he shall predecease me, then I give and bequeath the said sum to my grandson, BERNHARD CAESAR EINSTEIN.

NINTH:

If my sister, MARIE WINTELER, shall be living at my death, I give and bequeath the sum of TEN THOUSAND DOLLARS (\$10,000.00) to my step-daughter, MARGOT EINSTEIN, IN TRUST, NEVERTHELESS, to hold, invest and reinvest the same, and to pay over or to apply for the use and benefit of my said sister the income and principal thereof, to the extent and in the manner which my said step-daughter shall deem proper, for the care, comfort and welfare of my said sister, for life. If my said sister shall survive me but shall die before said fund shall be exhausted,

then the balance of income and principal remaining at her death shall pass and be paid over by my said step-daughter, MARGOT EINSTEIN, to herself, for her own use and benefit. If my said step-daughter shall die or for any other reason fail or cease to act as Trustee of this fund, then I designate my secretary, HELENA DUKAS, as substitute in her stead.

TENTH:

If any of the legatees hereinbefore named shall predecease me, the bequest, legacy or fund provided for his or her benefit shall lapse, except as otherwise specifically hereinbefore provided, and the property or fund in question shall pass as part of my residuary estate.

ELEVENTH:

If the amount of my estate shall be inadequate to provide for the payment or setting up, in full, of the legacies and trust fund provided for in paragraphs FIFTH through NINTH hereof, then there shall be no priority, but the same shall abate proportionately.

TWELFTH:

After the foregoing legacies, bequests and trust fund shall have been paid, delivered or set up, and out of my then remaining estate, other than the specific property allocated by me to the trust fund next hereinafter provided for, I direct my Executor to pay all transfer, estate or inheritance taxes which might otherwise be chargeable or apportionable upon or with respect to the foregoing bequests, legacies and trust fund, to the end

that if the amount of my estate shall permit, the same shall be paid, delivered or set up in full as hereinbefore directed.

THIRTEENTH:

I give and bequeath all of my manuscripts, copyrights, publication rights, royalties and royalty agreements, and all other literary property and rights, of any and every kind or nature whatsoever, to my Trustees hereinafter named, IN TRUST, NEVERTHELESS, to hold the same for a term measured by the lives of my secretary, HELENA DUKAS, and my step-daughter, MARGOT EINSTEIN, and during such term to administer the said trust in manner following, to wit:

(A) To sell, publish, license or otherwise dispose of any or all of the said property and rights so bequeathed to them as Trustees as aforesaid, and also any and all property received in exchange therefor, and any investments or reinvestments at any time held in this trust fund, in such manner, and upon such terms and conditions, as they, in their sole and absolute judgment and discretion, shall jointly determine from time to time.

(B) To pay and turn over to my secretary, HELENA DUKAS, all of the net income received or collected from time to time, and as well any sum or sums of money whatsoever which shall constitute principal of this trust fund, and which may be received, collected or held hereunder by my Trustees, at any time or from time to time, all to the extent and in the manner to be solely determined by the said HELENA DUKAS in her own absolute discretion, and which may be required by her, during her lifetime, in writing delivered to the Trustees then acting hereunder, other than herself if she shall then be one of the Trustees.

(C) After the death of the said HELENA DUKAS, to pay and turn over all such net income to my said step-daughter, MARGOT EINSTEIN, and similarly to pay and turn over to her any sum or sums of money out of the principal thereof to the same extent and in the same manner as provided in the foregoing subdivision (B) hereof.

(D) To deliver and turn over to HEBREW UNIVERSITY any funds or specific property held in this trust, at any time, upon the written direction of the said HELENA DUKAS during her lifetime, and thereafter upon the written direction of my said step-daughter, MARGOT EINSTEIN, during her lifetime.

(E) Upon the death of the said HELENA DUKAS and the said MARGOT EINSTEIN, this trust shall terminate, and thereupon all funds or property, if any, still held in this trust, including all accrued, accumulated and undistributed income and all literary rights and property, shall pass and be distributed to HEBREW UNIVERSITY, subject only to the expenses or liabilities of the trust.

(F) In the interpretation of this provision of my will, it is to be borne in mind that my primary object is to make further provision for the care, comfort and welfare of my said secretary, HELENA DUKAS, during her lifetime; my secondary object is to make such further provision for the care, comfort and welfare of my said step-daughter, MARGOT EINSTEIN, during her lifetime; and my final object is that any such property which may then remain (whether it consist of original manuscripts, or literary rights or property still owned by my estate, or the proceeds from the disposition of any such property or rights) shall, to the extent that the same shall not have been distributed or paid over to my said secretary and my said step-daughter, pass to HEBREW

UNIVERSITY and become its property absolutely, to be thereafter retained or disposed of by it as it may deem to be in its best interests. To these ends, I direct that if the said HELENA DUKAS during her lifetime, or the said MARGOT EINSTEIN thereafter, shall require that any moneys be paid to them out of this trust, and there shall be inadequate funds available for the purpose, then property or assets of the trust shall be sold or otherwise dealt with as may be necessary to produce such funds, but the Trustees of this fund shall jointly determine what shall be sold or otherwise disposed of, and the time, terms and manner of such sale or other disposition, and no such disposition may be made except upon such joint consent.

FOURTEENTH:

All of the rest, residue and remainder of my estate, of every kind or nature, whether real or personal, and wherever situate, I give, devise and bequeath to my step-daughter, MARGOT EINSTEIN, or if she shall predecease me then to my son, ALBERT EINSTEIN, JR., for her or his own use and benefit.

FIFTEENTH:

Without limitation of the absolute nature of the bequest of my residuary estate, if my sister, MARIE WINTELER, shall survive me and the trust fund for her benefit under paragraph NINTH hereof shall be thereafter exhausted, then I request my said step-daughter, or if she shall predecease me, then my said son, to make other or further provision, as may be necessary from time to time, out of my residuary estate to be received by them as aforesaid, for the care, comfort and welfare of my said sister, as long as she shall live.

SIXTEENTH:

I direct that there shall be apportioned to and charged against the trust fund under paragraph THIRTEENTH hereof that proportion of all federal or state transfer, estate or inheritance taxes imposed upon my estate which the value of the property allocated to said trust shall bear to the amount of my net taxable estate before exemptions, all such values to be taken as they shall be determined in the respective tax proceedings. The amount of such taxes to be apportioned against such fund shall be a charge thereon, and the assets and property allocated thereto hereunder may be sold or otherwise disposed of either by my Executor alone, or by the Trustees of said fund, as may be necessary to provide funds to meet such taxes.

SEVENTEENTH:

(A) I nominate, constitute and appoint my friend, DR. OTTO NATHAN, as sole executor hereof.

(B) I further nominate, constitute and appoint the said OTTO NATHAN and my secretary, HELENA DUKAS, jointly, as trustees of the trust under paragraph THIRTEENTH hereof.

(C) I further nominate, constitute and appoint my attorney, DAVID J. LEVY, Esq., of the Borough of Manhattan, New York City, as substitute executor hereof, and substitute trustee of the trust under paragraph THIRTEENTH hereof.

(D) I direct that my said executor, trustees and substitute shall be permitted to qualify and act hereunder, at any time and in any jurisdiction, without giving bond or other surety.

EIGHTEENTH:

I do hereby confer upon my executor, trustees, and any substitute, the power, authority and discretion, without application to any court, and in addition to the rights and powers otherwise provided by law: (1) To hold and retain any assets or property received hereunder, and any property received in exchange therefor, either permanently or temporarily, as they in their sole judgment and uncontrolled discretion shall determine; (2) to sell, exchange or otherwise dispose of same, either for cash or upon credit, secured or unsecured; (3) to mortgage, lease or sell any and all real estate on any terms and conditions; (4) to grant options, and to participate, as to assets or property held by them, in any reorganizations or rearrangements, upon any terms; (5) to borrow money, without personal liability, and upon any terms and conditions deemed advisable, and to secure repayment thereof; (6) to adjust, compromise or arbitrate any claims or demands of or against my estate, including tax matters; (7) to hold securities or property of my estate in the names of nominees, or in such form as to pass by delivery; (8) to maintain a custody account or accounts, and to employ investment counsel or accounting services, charging the cost thereof to my estate; (9) to make distributions either wholly or partly in kind, and for that purpose to fix values; (10) to determine and allocate income and principal and charges thereto; (11) to pay or apply income or principal for any minor beneficiary hereunder either directly to such beneficiary or to his parent or legal or natural guardian, or to any person standing in loco parentis, or otherwise; and (12) to do, generally, any and all

things with respect to my estate as they in their good judgment shall deem wise and proper and in the best interests of the beneficiaries hereof, it being my intention that all of the foregoing shall be construed so as to give my said executor, trustees and substitute the broadest and widest latitude in the administration and management of my estate, so long as they shall act in good faith.

LASTLY:

I hereby revoke any and all wills or codicils by me at any time heretofore made.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 18th day of March, in the year one thousand nine hundred and fifty.

ALBERT EINSTEIN (L. S.)

SIGNED, SEALED, PUBLISHED and DECLARED by ALBERT EINSTEIN, the Testator above-named, to be his Last Will and Testament, in our presence, and we, at his request, and in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses, this 18th day of March, 1950.

KATHERINE RUSSELL

Residing at Winant Road, Princeton, N. J.

KURT GÜDEL

Residing at 129 Linden Lane, Princeton, N. J.

DAVID J. LEVY

Residing at 1092 East 21st St., Brooklyn, N. Y.

Memorandum of Agreement

made at Princeton, New Jersey, this 22nd day of February 1971

B E T W E E N

THE ESTATE OF ALBERT EINSTEIN acting through of Helene Dukas and Otto Nathan Trustees under the Will of Albert Einstein
(hereinafter called the Proprietor and designated by the masculine singular pronoun)

2. The work will be performed with the editorial cooperation of the Institute for Advanced Study, which houses the Einstein archives. See also Paragraph 8.

3. To assure the scientific and scholarly quality of the editorial work, the Proprietor and the Publishers agree jointly to appoint, in consultation with the Institute for Advanced Study, an Editorial Advisory Board of not less than seven persons or such larger number as may be agreed upon by the Parties from time to time. Vacancies on the Board will be filled in the same way as the original appointments to the Board.

4. On the advice of the Editorial Advisory Board, the Proprietor and the Publishers will jointly appoint the Editor, who will have the primary responsibility of organizing and preparing the material for publication, including any necessary copyright clearances. The Editor may appoint, with the consent of the Proprietor and Publishers, associate editors or assistant editors for individual volumes or series of volumes.

5. The Work is understood to include the complete writings of Albert Einstein, published and unpublished, scientific and non-scientific, including correspondence, except for such papers as the Proprietor finds it necessary to withhold for reasons of privacy. Standards of editorial selection shall be determined by the Editor in consultation with the Editorial Advisory Board.

6. All documents included in the basic edition of the Work shall be incorporated in their original languages. Other editions will be published at the discretion of the Publishers after consultation with the Editorial Advisory Board and the Proprietor. The publishers agree to grant a royalty-free license to The Hebrew University, Jerusalem, Israel, to publish a Hebrew-language edition at their own expense.

7. Publishing costs after preparation of manuscripts suitable for the printer will be borne by the Publishers. Editorial costs for preparation of manuscripts will be paid from funds raised especially for the purpose and deposited with, and administered by, the Publishers (a non-profit corporation, to which contributions are tax-deductible); the Proprietor and the Publishers agree jointly to seek contributions for this purpose. An annual budget for the editorial work will be drawn up and mutually approved by the Proprietor and the Publishers. During the budget year the Publishers will have authority to approve changes in the provisions of the budget for editorial expenses. The Publishers shall prepare an annual accounting of income and expenditure and shall submit a copy of that accounting to the Proprietor. Any surplus of the funds raised that may be left after completion of the editorial work will be used to further the ideas and ideals of Albert Einstein upon joint decision by the Proprietor and the Publishers, but such use will be restricted to tax-exempt purposes.

8. Other institutions or individuals may be enlisted in the effort to carry out this project, as sponsors of otherwise, by mutual agreement of the Proprietor and the Publishers.

H.O. as

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H.D. C. JS

Annex B

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Memorandum of Agreement

made at Princeton, New Jersey, this 22nd day of February 1971

B E T W E E N

THE ESTATE OF ALBERT EINSTEIN acting through of Helene Dukas and Otto Nathan Trustees under the Will of Albert Einstein
(hereinafter called the Proprietor and designated by the masculine singular pronoun)

A N D

PRINCETON UNIVERSITY PRESS, of Princeton, New Jersey (hereinafter called the Publishers)

relating to a work now entitled

THE PAPERS OF ALBERT EINSTEIN

ARTICLE
FIRST

1. The Proprietor hereby grants and assigns to the Publishers the full and exclusive right during the term of copyright and renewals to publish or to cause others to publish the said work in all forms and in all languages throughout the world.

the Proprietor's

The Proprietor authorizes the Publishers to take out copyright in their name in the United States, and in other countries if they deem advisable. The Proprietor promises full and seasonable cooperation in effecting copyright renewal, which he agrees to assign to the Publishers.

Insert Paragraphs 2 - 8.

ARTICLE
SECOND

9. The Proprietor represents and guarantees that he is the sole author and proprietor of the said work and that he has full power to make this agreement and grant; that the said work does not infringe the copyright or other proprietary right of any other person; and that the said work contains no libelous or other unlawful matter, and makes no improper invasion of the privacy of any other person. The Proprietor undertakes to hold harmless the Publishers from any claim, suit, or proceeding asserted or instituted on the grounds that the said work infringes such rights or contains such hurtful matter, and to indemnify the Publishers for such reasonable expenses as may be incurred in defense against such claim, suit, or proceeding.

ARTICLE
THIRD

10. The Publishers agree to publish the said work at their own expense (unless otherwise specifically provided in this agreement) within a reasonable period in such form as they deem most suitable. Provided however that in the case of any work in substantially the same form as the said work, the Publishers shall be bound to publish the same in the same form as the said work, unless the Publishers shall be able to show that it is in the public interest to publish it in a different form. The Publishers shall be bound to publish the said work in the same form as the said work, unless the Publishers shall be able to show that it is in the public interest to publish it in a different form. The Publishers shall be bound to publish the said work in the same form as the said work, unless the Publishers shall be able to show that it is in the public interest to publish it in a different form.

ARTICLE
FOURTH

11. The Proprietor may continue to publish, or permit to be published, those of Albert Einstein's writings which were published before the date of this agreement, and translations thereof.

12. The Proprietor agrees that he will not, without the consent of the Publishers, publish any other edition of the work or any book of a similar character tending to interfere with the sale of the work covered by this agreement.

H. D. D. R. B.

5. XXXThe Proprietor agrees to deliver the complete manuscript, together with all illustrations, maps, charts, drawings, or other material (except index) to be included in the work, not later than . If the Proprietor shall fail to make delivery by that date, the Publishers shall be released from all obligations under this agreement unless they have advised the Proprietor in writing of their willingness to postpone the delivery date; but the Proprietor shall not be free to cause publication of the said work elsewhere until he shall have reoffered it to the Publishers under the terms of this agreement.

6. The manuscript of the work as submitted to the Publishers consists of:

In any revision which he may undertake before the work goes into production the Proprietor shall not add to the size of the manuscript or number of illustrations without the written permission of the Publishers.

7. The Proprietor agrees to present a legibly typed manuscript and illustrations, charts, etc., suitable for reproduction. If submitted in such form that editing (aside from routine "copy-reading" customary among publishers) is required, or that retyping of manuscript or redrawing or other processing of illustrations is necessary, such work shall be done by the Publishers and charged to the Proprietor's account. Unless a special request as to spelling, capitalization, punctuation, and typographic style shall be made by the Proprietor, and unless a manuscript consistently following such style shall be furnished, the Publishers are authorized to make the manuscript conform to the style which they believe to be most suitable for the work, provided, however, that the Publishers shall not be free, in the process of editing, to make substantive changes in the manuscript without the express approval of the Proprietor. The Proprietor agrees that if the book is to include an index he will prepare it promptly after page proof has been submitted, or, if he fails to do this, will compensate the Publishers for their expense in preparing the index. The Proprietor agrees to pay all permission fees (if any) for the use of text or illustrations controlled by others, and upon request to furnish the Publishers with written evidence of the copyright owner's authorization to use the material.

EDITING

INDEX

PERMISSIONS

8. The cost of Author's Alterations (i.e. changes from the original manuscript submitted by the author, exclusive of the cost of correcting printer's errors) made by the Proprietor in type and/or plates shall be borne by the Publishers to the extent of 10% of the cost of original composition, but beyond that amount shall be charged to the Proprietor's account. The cost of Author's Alterations in illustrations, exclusive of correction of printer's or platemaker's errors, shall be borne by the Publishers to the extent of 10% of the cost of making the original plates or negatives, as the case may be, but beyond that shall be charged to the Proprietor's account.

9. The Proprietor agrees to revise the first and subsequent editions of the work and to supply any new material necessary from time to time to keep the work up to date as may be desired by the Publishers; and in the event that the Proprietor shall neglect or be unable to make such revision or to supply such new material then to permit the Publishers to engage some other person or persons to revise the said editions or to supply such new material and to deduct the expense thereof from royalties accruing to the Proprietor on such revised and enlarged editions.

12. Proprietor

10. The Publishers shall take the same care of any manuscript, illustration, or other material placed in their hands by the Author as they would of their own property, but they shall not be responsible for its loss or damage beyond the amount (if any) for which the Author requests in writing that it be insured at his expense.

13.

11. Six months after first publication of the work, the Publishers shall prepare a royalty statement covering sales of the work to that date, and within 60 days thereafter shall pay the Proprietor the amount due. Thereafter the Publishers shall pay the Proprietor in the months of March and September of each year the royalty payable as of the preceding February 1 and August 1, respectively, covering sales during the preceding six months. Provided, however, that annual rather than semi-annual payments may be made if a semi-annual payment would be in an

H. D. O. V. 5432

of each volume

REGNUM
DOMINICUM
XXXV

10% on the first 5,000 copies sold, 12-1/2% on the next 5,000 copies sold, 15% beyond 10,000 copies sold. This royalty scale will apply separately to each individual volume published.

FORNEX
LADEN

XXXXXXXXXX

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XXXXXXXXXX

ROYAL/FAIR/EX
COPES

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XXXXXXXXXX
XXXX

PRINCETON
PAPERBACK
EDITION

on the first 10,000 copies sold, 7-1/2% beyond 10,000 copies sold.

XYXKX
YXQMX

(a) Translation, first and second serial rights, selection, abridgment, paperback, condensation, digest, adaptation, syndication, omnibus volumes, receipts from a license to another publisher to reprint in whole or in part, or from a license to a book club to manufacture its own edition for distribution to its members—50% of the net amount actually received by the Publishers.

(b) Dramatization, public reading, radio, television, and motion picture rights (sight and sound) or the right of reproduction by other mechanical devices—85% of the net amount actually received by the Publishers. The Publishers will make decisions on all the rights mentioned in this paragraph after consultation with the Proprietor.

XYNYOZK
XOMEX

VERSINATON
OX
VERSATON

W. B. A. N. 2123

of the said work to the Proprietor; thereupon all the then existing rights granted to the Publishers under this agreement shall revert to the Proprietor.

~~OPTIONAL~~
~~AUTHOR'S~~
~~REMARKS~~

~~15. The Proprietor agrees to make the Publishers the first offer of publication of his work~~
~~full-length book. But if the Publishers fail to exercise this option by executing a publishing~~
~~agreement within 90 days of receipt of the completed manuscript, then the Proprietor shall be~~
~~under no further obligation under this option, and shall be free to cause its publication elsewhere.~~
~~The Proprietor is not obliged to accept the Publishers' offer under this option.~~

~~ADDITIONAL~~
~~EXTENSIONS~~

17. In case of disagreements between Proprietor and Publishers for which they cannot find a solution themselves, the controversial matter will be submitted to the American Arbitration Association whose decision will be binding upon both parties.

18. The Proprietor makes and enters into this agreement in the fiduciary capacity as above described and not personally, and accordingly no liability or obligation arising hereunder shall attach or may under any circumstances be enforced against the individuals personally, but only in their trustee-ship capacity. This agreement may not be changed or terminated orally.

~~DISCUSSION~~
~~REMARKS~~
~~XXXXXXXX~~

19. This agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, and assigns of both parties.

This agreement may be assigned by either party with the written consent of the other, which consent must be obtained in advance, and the assignee thereof shall have all the rights and remedies of the original parties insofar as the same are assignable. But this agreement shall be assigned only as a whole and not as a part, nor as to any part interest therein.

IN WITNESS WHEREOF, the Proprietor has hereunto placed his hand and seal, and the Publishers have caused this agreement to be executed and their seal to be affixed by authority of their Board of Trustees.

Jaqueline Burnett

WITNESS TO PROPRIETOR'S SIGNATURE

Helene Dubois

Ch. Urban

(L.S.)

PROPRIETOR SIGN HERE

PRINCETON UNIVERSITY PRESS

Emma G. Brown

WITNESS TO PUBLISHER'S SIGNATURE

by

A. Bailey Jr.

(L.S.)

MEMORANDUM

OF

AGREEMENT

THE ESTATE OF ALBERT EINSTEIN

AND

PRINCETON UNIVERSITY

PRESS

THE PAPERS OF

ALBERT EINSTEIN

Annex C, part 1

20

JACKSON, NASH, BROPHY, BARRINGER & BROOKS

HARRY B. CLARK
PAUL H. DeCOSTER
DAVID L. FROTHINGHAM
ROBERT A. HACK
GORDON T. HALL
HENRY A. LOWET
EDWARD MAGUIRE, JR.
LAWRENCE P. McGAULEY
WILLIAMSON PELL, JR.
B. HOLLY ROSE, JR.
ROGER D. SMITH
CHARLES W. UFFORD, JR.

330 MADISON AVENUE

NEW YORK, N. Y. 10017

PAUL B. BARRINGER, JR.
WALTER V. BERWICK
GERALD FINSEN
JOHN G. JACKSON, JR.
COUNSEL

March 5, 1971

CABLE ADDRESS "SUMMONS"
TELEPHONE (212) 867-4090

Mr. Herbert S. Bailey, Jr.
Director
Princeton University Press
Princeton, New Jersey 08540

RE: Estate of Albert Einstein

Dear Mr. Bailey:

In your letter of October 29, 1970 addressed to Roger D. Smith of this firm, you requested our opinion whether a contract between Princeton University Press and the Trustees of the residuary Trust created under the Will of Albert Einstein for the publication of the late Dr. Einstein's "collected papers" would be binding on Hebrew University, the remainderman of the Trust. Pursuant to such a contract, Princeton University Press would undertake to obtain copyright on the "papers" in connection with their publication. We understand that the "papers" in question have not heretofore been published or copyrighted and also understand that royalties accruing under the proposed contract will be payable to the Trust. The Trustees of the residuary Trust are presently Helena Dukas and Otto Nathan. Helena Dukas is the first life income beneficiary. Margot Einstein, the second life income beneficiary, is still living.

You have furnished to us for review a pro-forma contract, entitled "Memorandum of Agreement", which we understand will be the basic form of contract to be entered into by the Trustee. Paragraph 16. of the contract provides as follows:

"BINDING ON
HEIRS AND
ASSIGNS

16. This agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, and assigns of both parties."

Mr. Herbert S. Bailey, Jr.

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March 5, 1971

Article THIRTEENTH of Albert Einstein's Will provides in part as follows:

"I give and bequeath all of my manuscripts, copyrights, publication rights, royalties and royalty agreements, and all other literary property and rights, of any and every kind or nature whatsoever, to my Trustees hereinafter named, IN TRUST, NEVERTHELESS, to hold the same for a term measured by the lives of my secretary, HELENA DUKAS, and my step-daughter, MARGOT EINSTEIN, and during such term to administer the said trust in manner following, to wit:

(A) To sell, publish, license or otherwise dispose of any or all of the said property and rights so bequeathed to them as Trustees as aforesaid, and also any and all property received in exchange therefor, and any investments or reinvestments at any time held in this trust fund, in such manner, and upon such terms and conditions, as they, in their sole and absolute judgment and discretion, shall jointly determine from time to time.

(B) To pay and turn over to my secretary, HELENA DUKAS, all of the net income received or collected from time to time, and as well any sum or sums of money whatsoever which shall constitute principal of this trust fund, and which may be received, collected or held hereunder by my Trustees, at any time or from time to time, all to the extent and in the manner to be solely determined by the said HELENA DUKAS in her own absolute discretion, and which may be required by her, during her lifetime, in writing delivered to the Trustees then acting hereunder, other than herself if she shall then be one of the Trustees.

(C) After the death of the said HELENA DUKAS, to pay and turn over all such net income to my said step-daughter, MARGOT EINSTEIN, and

Mr. Herbert S. Bailey, Jr.

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March 5, 1971

similarly to pay and turn over to her any sum or sums of money out of the principal thereof to the same extent and in the same manner as provided in the foregoing subdivision (B) hereof.

(D) To deliver and turn over to HEBREW UNIVERSITY any funds or specific property held in this trust, at any time, upon the written direction of the said HELENA DUKAS during her lifetime, and thereafter upon the written direction of my said step-daughter, MARGOT EINSTEIN, during her lifetime.

(E) Upon the death of the said HELENA DUKAS and the said MARGOT EINSTEIN, this trust shall terminate, and thereupon all funds or property, if any, still held in this trust, including all accrued, accumulated and undistributed income and all literary rights and property, shall pass and be distributed to HEBREW UNIVERSITY, subject only to the expenses or liabilities of the trust.

(F) In the interpretation of this provision of my will, it is to be borne in mind that my primary object is to make further provision for the care, comfort and welfare of my said secretary, HELENA DUKAS, during her lifetime; my secondary object is to make such further provision for the care, comfort and welfare of my said step-daughter, MARGOT EINSTEIN, during her lifetime; and my final object is that any such property which may then remain (whether it consist of original manuscripts, or literary rights or property still owned by my estate, or the proceeds from the disposition of any such property or rights) shall, to the extent that the same shall not have been distributed or paid over to my said secretary and my said step-daughter, pass to HEBREW UNIVERSITY and become its property absolutely, to be thereafter retained or disposed of by it as it may deem to be in its best interests. To these ends, I direct that if the said HELENA DUKAS during her lifetime, or the said MARGOT EINSTEIN thereafter, shall require that any moneys be paid to them out of this trust, and there shall be inadequate funds available for the purpose, then property

Mr. Herbert S. Bailey, Jr.

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March 5, 1971

or assets of the trust shall be sold or otherwise dealt with as may be necessary to produce such funds, but the Trustees of this fund shall jointly determine what shall be sold or otherwise disposed of, and the time, terms and manner of such sale or other disposition, and no such disposition may be made except upon such joint consent."

Article EIGHTEENTH of the decedent's Will provides in relevant part as follows:

"I do hereby confer upon my executor, trustees, and any substitute, the power, authority and discretion, without application to any court, and in addition to the rights and powers otherwise provided by law:

(2) to sell, exchange or otherwise dispose of same, either for cash or upon credit, secured or unsecured;

(12) to do, generally, any and all things with respect to my estate as they in their good judgment shall deem wise and proper and in the best interests of the beneficiaries hereof, it being my intention that all of the foregoing shall be construed so as to give my said executor, trustees and substitute the broadest and widest latitude in the administration and management of my estate, so long as they shall act in good faith."

Based upon the foregoing facts and provisions of Dr. Einstein's Will, it is our opinion that the Trustees of the residuary Trust may enter into a binding contract with Princeton University Press, without the consent of the remainderman, for the copyright and publication of Albert Einstein's manuscripts, papers and other literary property over which he acquired no copyright during his lifetime.

Mr. Herbert S. Bailey, Jr.

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March 5, 1971

However, since Article THIRTEENTH (D) of the Will provides that the Trustees must deliver to Hebrew University any specific property held in the trust upon the written direction of Helena Dukas during her life and thereafter upon the written direction of Margot Einstein, we believe that the written consent to the contract for publication must also be obtained from the life income beneficiaries of the Trust.

Once having obtained such written approval, the Trustees may contract for the copyright and publication of such literary property in a manner solely within their discretion, provided that the Trustees use reasonable care and skill in avoiding any unreasonably low rate of royalties to the Trustees under the contract. Pursuant to the terms of the Will, both Trustees must enter into and execute the publication contract.

17 United States Code Annotated, Sec. 9 provides in part as follows:

"The author or proprietor of any work made the subject of copyright by this title, or his executors, administrators, or assigns, shall have copyright for such work under the conditions and for the terms specified in this title:***"

Under this Section, no one may have a valid copyright except by virtue of authority from the author. A proprietor is the equivalent of an "assign" and must trace title from the author. Quinn-Brown Publishing Corp. v. Chilton Co., Inc., 15 F.Supp. 215 (1936). The Trustees trace their title to Dr. Einstein's manuscripts, papers and other literary property over which he acquired no copyright during his life to the author, Dr. Einstein himself. They acquired title and actual possession of the property by virtue of the provisions of his Will. The Trustees are therefore "proprietors" of his manuscripts, papers and other literary property within the meaning of 17 U.S.C.A. Sec. 9.

Under present New Jersey law, Trustees have power and discretion with respect to the investment, management, conversion, sale or other disposition of the trust estate, whether real or personal, as given by the Will or other instrument creating the trust. N.J.S.A. 3A:6-16.2 (Eff. Sept. 4, 1968).

Mr. Herbert S. Bailey, Jr.

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March 5, 1971

Prior to the enactment of N.J.S.A.3A:6-16.2, case law established that the powers and duties of trustees were those which were conferred upon the Trustees by the terms of the Will. So long as a fiduciary acts in good faith, and within the scope of his powers, his acts cannot be assailed. Heisler v. Sharp, 44 N.J. Eq. 16 (1888). Articles THIRTEENTH (A) and EIGHTEENTH (2) and (12) of Dr. Einstein's Will give ample power to the Trustees to enter into the proposed contract. The Trustees have the duty and responsibility to manage the trust property and to consider the best interest of all the beneficiaries and in performing such duty they must act with the skill and care which a man of ordinary prudence would exercise under the circumstances. In re Bayles' Estate, 108 N.J. Super. 446, 261 A.2d 684 (1970). In our opinion, the execution of a contract by the Trustees in the basic form of the pro-forma contract submitted to us would not of itself constitute a failure of the Trustees to meet the standards of fiduciary duty required of them by law. Assuming such a contract does not provide for an unreasonably low rate of royalties to the Trustees, the terms of the contract will be binding on Hebrew University.

Hebrew University is not at this time an "assign" of the Trustees within the meaning of paragraph 16. of the pro-forma contract. Hebrew University may become an "assign" at such time in the future as Trustees shall assign any rights under the contract to Hebrew University, either during the continuance of the trust or upon and after the termination of the trust. At such time, assuming all the terms of the contract are reasonable, the contract will be binding on Hebrew University by virtue of the provisions of Dr. Einstein's Will and the exercise of the powers conferred on the Trustees thereunder.

If you have any further questions with regard to this matter, please do not hesitate to communicate with us.

Very truly yours,

Jackson, Nash, Brophy, Baringer & Brooks

CWU:epj
PRI03101

COPY

Annex C, part 2 26.

MAASS, LEVY, FRIEDMAN & WESTON

100 PARK AVENUE, NEW YORK, N. Y. 10017

HERBERT H. MAASS
(1900-1957)
DAVID J. LEVY
MONROE L. FRIEDMAN
DAVID C. WESTON
KENNETH I. GREENSTEIN
JOSEPH SPANIER
BENJ. F. SCHREIBER
COUNSEL

TELEPHONE
(212) 686-2676

November 11, 1970

Dr. Otto Nathan
24 Fifth Avenue
New York, N. Y. 10011

Re: Albert Einstein Estate

Dear Otto:

I refer to your request for my opinion as to the authority and duty of the trustees in relation to a project for the publication of the collected works pursuant to an arrangement to be entered into between the trustees and the Princeton University Press. In this connection I have seen the draft of the proposed Memorandum of Agreement dated November 3, 1969 among the Estate, the Israel Academy of Sciences (purportedly "acting for and jointly with the Hebrew University") and the Press, which you have informed me was never completed; also the inconclusive correspondence ensuing between you and President Avraham Harman of the Hebrew University between June 12, 1970 and September 18, 1970; and of course I have studied the last will of Dr. Einstein, particularly Article Thirteenth thereof relating to the trust of literary property.

The project would involve the organizing, editing and publishing of the Papers, including previously published and unpublished writings (technical and otherwise) and correspondence, and would provide machinery for determination as to what should be included or excluded, and at least

MAASS, LEVY, FRIEDMAN & WESTON

Dr. Otto Nathan

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November 11, 1970

principles and policies to be observed in the final formulations. Financial considerations would also be taken into account and provided for, to the end that on the one hand the papers would be made accessible to the world at large, and on the other the interests of estate beneficiaries would be fairly and reasonably dealt with.

The questions submitted for consideration may be formulated in broad terms, namely (1) do the trustees of the estate have the authority to make such an arrangement; (2) if within such power, would the transaction be valid and binding as to beneficiaries; and (3) would the arrangement be binding, so as to protect the interests of the Press, notwithstanding termination of the trust.

The pertinent Article Thirteenth of the will gives and bequeaths all of the decedent's "manuscripts, copyrights, publication rights, royalties and royalty agreements, and all other literary property and rights, of any and every kind or nature whatsoever" to the trustees, in trust during the lives and for the benefit of the two designated successive beneficiaries, with direction that upon the death of both and the consequent termination of the trust "all funds or property, if any, still held in this trust * * * and all literary rights and property, shall pass and be distributed to Hebrew University, subject only to the expenses or liabilities of the trust".

The payments to the successive life beneficiaries are directed

MAASS, LEVY, FRIEDMAN & WESTON

Dr. Otto Nathan

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November 11, 1970

to consist of all net income and any moneys constituting a part of the principal at any time, to the extent determined by the beneficiaries at their sole discretion and required by them in writing.

The final subdivision (F) expresses the concept that the entire provision is to be read in the light of the primary object of providing for the care, comfort and welfare of the first designated beneficiary during her lifetime; the secondary object of making similar provision for the second life beneficiary; and the final object that "any such property which may then remain (whether it consist of original manuscripts, or literary rights or property still owned by my estate, or the proceeds from the disposition of any such property or rights) shall * * * pass to Hebrew University and become its property absolutely". This is followed by direction that if the respective life beneficiaries require payment of moneys, and there should be inadequate funds available, then "property or assets of the trust shall be sold or otherwise dealt with as may be necessary to produce such funds", and the trustees jointly are to determine all things pertaining to any such sale or other disposition.

As to the first question, I am of the opinion that the trustees jointly have the authority to make an arrangement of the character described, pursuant to the broad phraseology empowering them to sell, publish, license or otherwise dispose of any or all of the described literary property and rights given to them in trust. The project, although its

MAASS, LEVY, FRIEDMAN & WESTON

Dr. Otto Nathan

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full terms have not been defined, does not seem to involve a sale of any of the property or assets of the trust but only arrangement for publication, and accordingly the restrictions on sale set forth in the latter part of subdivision (F), i.e., that this is to be done when necessary to produce funds required for payment to the beneficiaries, would not apply. No outright transfer of title to the physical embodiment of literary property, e.g. manuscripts, is contemplated, and these would be retained for ultimate delivery to the University. On the other hand, the broad authority given in subdivision (A) to publish "any or all" of the literary property and rights, and this "in such manner and upon such terms and conditions" as the trustees jointly determine, would have little or no meaning if interpreted to preclude publication during the lifetime of the individual beneficiaries, since it would be all but impossible to conclude publication arrangements without appropriate degree of exclusivity, or if the arrangement could be pretermitted by termination of the trust and after substantial investment made by a publisher.

As to the second question, the binding effect of the transaction upon the beneficiaries, the interests of both the income beneficiaries and of the University must be considered, as the trustees must act impartially and in the interests of all, except as subdivision (F) creates a self-explanatory order of priority of objectives; but the trustees have the further duty of acting fairly, reasonably and prudently as to the publica-

MAASS, LEVY, FRIEDMAN & WESTON

Dr. Otto Nathan

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November 11, 1970

tion terms, financially and otherwise.

Finally, as to the third question, I am of the opinion that the proposed arrangement would be binding notwithstanding its continuation beyond the termination of the trust, for if this were not so the broad authority given in subdivision (A) would be frustrated, this upon the reasonable assumption that publication could not, in a realistic sense, be practicable otherwise.

Now, with these questions dealt with, I deem it proper to note the following further observations:

1. In view of the highly unusual -- if not unique -- circumstances taken in entirety, the trustees should endeavor to obtain the prior approval (or even the collaboration) of the University in the carrying out of the project, for it is in the last analysis the principal party in interest and in essence the heir to unique literary property, given to it because of the deep interest of the deceased both in Israel and in the University.

2. The specific written approval of the individual beneficiaries should, if feasible, be obtained prior to consummation, so as to foreclose any possible question by them or their successors in interest (of course, one of the beneficiaries will have given such approval by her trusteeship participation).

3. The publication agreement should be carefully formulated

MAASS, LEVY, FRIEDMAN & WESTON

Dr. Otto Nathan

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November 11, 1970

and approved by counsel, and should expressly relieve the trustees from any individual liability.

4. The agreement should exclude any representations or warranties and limit the publication license to the right, title and interest of the trustees in the literary subject matter, and provision should be made for reviewing or clearing conflicting rights under other agreements made by the decedent or the estate or otherwise residing in third persons.

5. Consider further the suggestion, in the interests of all parties including the University, that the agreement be made subject to approval of the court in proceedings to which the University would be made party, along with the trustees, the individual beneficiaries and the Press, since such court approval would foreclose future question or any uncertainties of a nature which might thwart the project or its purposes.

Yours sincerely,



David J. Levy

DJL:JG

Annex D

THE WRITINGS OF ALBERT EINSTEIN

Contents of the Archive

NSF has asked for a description of the contents of the Einstein archive. The most useful description is the "target sheets" of the complete micro-film of the archive made in 1976; it runs to 59 pages and one copy is being sent with this application to Dr. Overmann. What follows is an excerpt and condensation.

Part I. The Scientific Papers.

A. Scientific manuscripts and notebooks.

Manuscripts of books and articles, 14 notebooks kept by AE from 1896 to 1930, 4 books of notes on lectures given by AE, typescripts of articles, obituaries of eminent scientists written by AE, various identified and unidentified scientific drafts and notes, travel diaries with scientific observations.

Five folders of published scientific manuscripts.

Manuscripts for Autobiographical Notes and replies to critics.

Two folders of unpublished scientific manuscripts.

B. Scientific correspondence.

Letters to and from (with gaps) about 400 scientists from Friedrich Adler to R. Zaycoff, dating from 1901 to 1955.

Part II. The Non-Scientific Papers.

Holographic and non-holographic manuscripts from 1915 to 1955.

Travel diaries and personal documents 1879-1955, including birth certificate, documents relating to education, marriage, academic, and family correspondence.

Correspondence relating to the Nobel Prize, honorary degrees, and birthday convocations.

Verses, limericks, poems, "curiosities," press clippings.

Correspondence with persons of note (Freud, Ghandi, Mann, Roosevelt, Schweitzer, Shaw, etc.).

Correspondence with political figures (Hoover, Lie, Litvinov, Masaryk, etc.)

Correspondence with Writers and Artists (Adler to Zweig).

Correspondence on the League of Nations.

Correspondence with Musicians (Bloch, Casals, Verdi, etc.).

Correspondence with Jewish Leaders and Organizations.

Correspondence regarding patents.

Personal correspondence (friends, children, publishers, regarding lectures, intellectual freedom, etc.).

THE INSTITUTE FOR ADVANCED STUDY
PRINCETON, NEW JERSEY 08540
Telephone-609-924-4400
EINSTEIN PROJECT

April 30, 1977

Dr. Harry Woolf
Director
Institute for Advanced Study
Princeton, New Jersey 08540

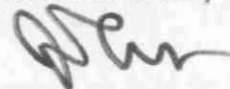
Dear Harry:

I tried to contact you midweek, but Miss Labrutte told me you had just left for Washington, and wouldn't be back until Monday. I had wanted to leave the draft of the draft enclosed with you, to get suggestions before even submitting the preliminary version. However, I will have to be content with your comments at this stage, which still leaves plenty of time for changes in the final revision.

Herb told me about his talk with you; I think we should look at the space you suggested for the Einstein Project in the near future, so that we can start making some decisions about where to settle. By the way, I have that young Harvard graduate, Peter Galison, about whom I wrote you earlier, coming to help out this summer. Is there any chance we could have space for him for the three months June-August?

I've been hearing tantalizing rumors about Kaysen, and am dying to know if ~~you~~ they are true. It's more fun observing social scientists than doing social science!

All the best,



John Stachel

JS:fsb
enclosure

Princeton University Press PRINCETON, NEW JERSEY 08540 (TEL. 609-452-4900)

President, HAROLD W. MCGRAW, JR. *Trustees*, CYRIL E. BLACK, JOHN TYLER BONNER,
WILLIAM G. BOWEN, ALFRED G. FISCHER, AARON LEMONICK, RICARDO A. MESTRES, EARL MINER,
JOHN F. PECKHAM, CARL E. SCHORSKE, CHARLES SCRIBNER, JR., ARTHUR H. THORNHILL, JR.,
EDWARD R. TUFTS, THOMAS H. WRIGHT

April 30, 1977

TO: The Editorial Advisory Board, THE WRITINGS OF ALBERT EINSTEIN
FROM: Herbert S. Bailey, Jr.
SUBJECT: Status Report and NSF Proposal

Much has happened during the past year, and no doubt I should have given you a status report earlier. On the other hand, some of our progress has been gradual and not particularly reportable, while at other times we have had to act quickly without time to consult. In any case, the Einstein project is now in a much better position than it was a year ago.

As you all know, Professor John Stachel of Boston University has accepted appointment as Editor of the Einstein Papers. In order to receive funds by January 1, when it was expected that Professor Stachel would begin work, we had to act quickly last summer to place a long-range proposal with the National Science Foundation. In late fall we heard from NSF that they did not want to accept our proposal, but wished us instead to apply for a six-month planning grant, to work out details of the project more carefully. Again we quickly put together a proposal which in due course was granted, and under which we are now operating. Professor Stachel started in Princeton in January, and we are now at the point of presenting a new long-range proposal to NSF and NEH.

Meanwhile there has been one other major development, as you will see from the enclosed draft NSF proposal. A donor (for the time being anonymous) has promised to give a professorship at Princeton University to be held by the Editor of the Einstein Papers. This professorship will not become available until 1978, but it solves one of our long-range problems and essentially insures that the project can go ahead. This professorship will not be publicly announced until next December, so I must ask you to keep it to yourselves, but it is clear that you must know about it, since it affects our plans.

2. Enclosed you will find a draft of our application to the National Science Foundation, on which we would like your advice. You will see that the draft consists of separate statements from the Editor and from the Publisher. A statement from the Einstein Estate, along with the budget,



To the Editorial Advisory Board

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April 30, 1977

will follow shortly. We would be grateful for your comments or suggestions on any of these matters. Such comments, which could be in the form of a letter or of a marked copy of the application, should be sent as soon as possible to me at Princeton University Press. We shall do our best to take account of them in our final revision of the application. We will need such comments quickly, by May 8 if possible, since we must meet a deadline in distributing the application for consideration by the NSF and NEH panels on the history and philosophy of science. I hope this urgency will not be too inconvenient for any of you. Please don't hesitate to telephone (collect) if you wish. Stachel: 609-924-4400 ext. 225. Bailey: 609-452-4902.

3. In the process of working on the NSF application, Professor Stachel has of course been familiarizing himself with the Einstein Archives and thinking of the form that the edition will take. He has already made a few interesting minor discoveries, and although his training is in physics he is increasingly familiarizing himself with the problems of historical editing. He plans to attend a seminar on historical editing conducted by the National Historical Publications and Records Commission in July, and of course we are aware of the need to engage a professional historian of science as a staff member in the project. We would be glad to have suggestions of people who might be suitable.

4. There have been some changes in the membership of the Editorial Advisory Board. We are happy to announce that Dr. Harry Woolf of the Institute for Advanced Study and Professor Banesh Hoffmann of Queens College, Flushing, New York, have been appointed to the Editorial Advisory Board. We regretfully report that Professor Thomas Kuhn has resigned from the Board, though he has generously said that he would be available for consultation when needed. Also you will note in the application that we expect to form a smaller board of scholars who would be available for frequent consultation, and this board could be a subcommittee of the larger Advisory Board. We would be glad to have your views on that. In any case we are grateful to the Editorial Advisory Board for its continued interest, and we shall hope to hear from you.

H. I. Bailey Jr

THE COMPLETE WRITINGS OF ALBERT EINSTEIN
NATIONAL SCIENCE FOUNDATION PROPOSAL
FIRST DRAFT - NOT FOR QUOTATION

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THE COMPLETE WRITINGS OF ALBERT EINSTEIN
NATIONAL SCIENCE FOUNDATION PROPOSAL
FIRST DRAFT - NOT FOR QUOTATION

I. INTRODUCTION

The aim of this Project is the publication of a complete printed edition of the published and unpublished writings and correspondence of Albert Einstein. It is all to be published in the original language, with introductory material, supplementary documents, annotations and indices in about twenty volumes.

Albert Einstein lived from 1879 to 1955. His life span thus encompassed the major scientific upheavals of the first half of the twentieth century: development of statistical mechanics, of relativity and of quantum theory. He also lived through or witnessed such social upheavals as: two World Wars, the German Revolution, and Weimar Republic; the pacifist movement between the wars, the rise and fall of facism; the growth of anti-Semitic propaganda; the growth of Zionism and self-awareness among the Jewish people, and the founding of the State of Israel; the invention of nuclear weapons and the threat of global destruction from nuclear war. In all of these happenings, Einstein played a role, as actor or commentator.

In the scientific transformations which changed the structure of classical physics, a structure which had been erected and elaborated in the preceding three centuries, Einstein's role was pre-eminent. As Melba Phillips has put it:¹

Einstein was creative in a unique way. This statement is probably appropriate to every great man, but Einstein's insights and contributions are more nearly analogous to those of Shakespeare than to those of many scientists: he was not so much inventive as profound.

His earliest work showed an ability to penetrate to the deepest levels of theoretical physics--the conceptual underpinnings of the structures which most physicists are content to elaborate--and to expose the tensions and contradictions among these foundational concepts. He had a profound feeling for missing symmetries: his unhappiness with the asymmetry of an explanation when the phenomena manifested a symmetry, for example, played a large role in his development of the special theory of relativity.

But beyond this profound critical sense, which made him receptive to philosophical issues at an early stage in his career, he had the ability to utilize these tensions and contradictions creatively, to play one conceptual scheme against the other in such a way as to yield new points of view; new concepts which could be elaborated into new theoretical structures. To quote from the Diary of Count Kessler:²

I talked for quite a while to Albert Einstein at a banker's jubilee banquet where we both felt rather out of place. In reply to my question what problem he was working on now, he said he was engaged in thinking. Giving thought to any scientific proposition almost invariably brought progress with it. For, without exception, every scientific proposition was wrong. That was due to human inadequacy of thought and inability to comprehend nature, so that every abstract formulation about it was always inconsistent somewhere. Therefore, every time he checked a scientific proposition his previous acceptance of it broke down and led to a new, more precise formulation. This was again inconsistent in some respects, and consequently resulted in fresh formulations, and so on indefinitely.

Thus, it seems that his simultaneous concerns with the foundations of statistical concepts as applied to ensembles of particles, with Maxwell field theory, and with the relativity principle in Newtonian mechanics exerted a cross-fertilizing influence upon each other.

Out of this process arose the concept of the photon--the first full appreciation of the need to assume a particulate structure for electromagnetic

radiation. Einstein's resulting skepticism about the ultimate validity of Maxwell theory led to his desire to found his relativistic considerations on as fundamental a set of assumptions as possible; this led him to the postulate of the constancy of the velocity of light. Out of the need to reconcile this postulate with his profound conviction that the relativity principle could be extended from mechanical to electromagnetic phenomena arose his critical study of the simultaneity concept, and ultimately the new special relativistic kinematics and dynamics. Out of his realization that Boltzmann's association of entropy with probability could be read in the reverse sense arose his ground-breaking studies of fluctuation phenomena, which reinforced his belief in the particulate structure of the radiation field. This list could be continued indefinitely through the course of Einstein's scientific career, but perhaps enough has been said to indicate the importance of studying Einstein's work as a whole.

While he worked in relative isolation from the scientific community during the crucial period in which he was elaborating his first work in all of these areas, after 1905 he came into increasingly closer contact with the leading figures in that community. During his years in Berlin he played an important role in a number of German scientific institutions, both formally and informally. He maintained an extensive correspondence with leading scientists and philosophers about the issues raised by his work and that of others. Thus, in addition to the almost 300 scientific papers published in his lifetime, his correspondence--in vast majority unpublished--promises to shed much light on the evolution of physics and its philosophy during the first half of the twentieth century. Its publication, together with unpublished manuscript drafts, will also be of importance to scholars in many fields besides the history of physics, such as the study of scientific creativity, the evolution of the physics community in this century, the emergence

of the scientist as a public figure, as well as for a much more detailed and profound investigations of Einstein's unique role.

On social and political issues, it seems to have been the First World War which prompted Einstein to his first public interventions: an attempt to counter the war hysteria among German intellectuals. It will be interesting to see what earlier material exists in the private papers leading up to his pronouncements on such issues. At any rate, from World War I on, and especially after the world-wide publicity given to the confirmation of his general theory of relativity by the famous 1919 English eclipse expedition, Einstein was increasingly called upon--or felt himself called upon--to correspond with many public figures on these issues, as well as to make numerous statements on current events. He was well-known in the 1920's for his work on international reconciliation, through the League of Nations, and for resumption of intellectual cooperation between the former enemy nations; to awaken a sense of selfhood among the Jewish people through Zionism; as well as for the pacifist cause. In the 1930's, after the rise of Hitler to power, he made his voice heard in defense of world Jewry, and in warning against the fascist peril, which led him to revise his pacifist credo. He spoke up for socialism as a solution to the world economic crisis while voicing his skepticism about the Soviet experience. In the 1940's his support of the Grand Alliance against facism led to the famous letter to Roosevelt on the danger of a German atomic-bomb project. The actual development and use of atomic weapons by this country caused him to throw his support to the atomic scientists' efforts to educate and mobilize public opinion here and throughout the world to the dangers of a nuclear arms race, and to issue frequent calls to develop some form of world government to bring the arms race to a halt. The advent of the cold war and McCarthyism in the late forties and early fifties led

him to repeatedly urge American intellectuals to resist pressures for conformity and abdication of their rights. The holocaust and its tragic post-war aftermath--the fate of the Jewish survivors--led him to see the establishment of the State of Israel as the only realistic answer to the plight of the Jewish people, while urging the need for some form of accommodation with the Arab peoples.

Einstein concerned himself with many other public issues: education, civil rights, religion to name just a few. In a rough breakup of his correspondence and published papers, the non-scientific material stands in a ratio of about three to two to the scientific material.

Among the famous non-scientists with whom he corresponded were Sigmund Freud, Ghandi, Thomas Mann, Jawaharlal Nehru, Romain Rolland, Bertrand Russell, Albert Schweitzer, George Bernard Shaw and Chaim Weitzmann--to make an almost arbitrary selection.

Thus, it is to be expected that this edition will make available material that will be of value not only to physicists and philosophers, sociologists and historians of science, but also to general historians, especially of twentieth-century German and American history, political scientists, Judaica experts, and others.

In addition, the publication of the correspondence, notebooks, and drafts of his papers will provide material of value for psychologists and others interested in the phenomena of creativity at the highest level.

It may also be added that no large-scale, really adequate biography of Einstein has yet been written, nor will one be possible without access to his complete writings.

II. HISTORY OF THE PROJECT

Einstein stipulated in his last Will (see Appendix A) that the literary property contained in all his published and unpublished writings be vested in a Trust to be established after his death and to be administered by two Trustees, Dr. Otto Nathan and Miss Helen Dukas. The Trustees have considered it one of their foremost obligations to make the Einstein material available to competent scholars, and, eventually, to provide for the publication of a complete edition of Einstein's writings and papers.

In the years since Einstein's death, the Einstein Archive at the Institute for Advanced Study has been organized for the use of scholars under the supervision of Miss Dukas, who has acted as the Archivist. Her service since 1928 as Professor Einstein's secretary gave her unique familiarity with the material which enabled her to undertake this immense task. She has had the advice and help of a number of physicists and historians of science, notably Professors Gerald Holton, who advised on setting up the Archive, and Martin Klein, in this work. In addition to the work of organizing and partially indexing the collection, the Trustees have carried out an extensive search for additional material to add to the Archive, and have been able to acquire a large number of documents for the collection. Through extended correspondence with scholars, libraries, and dealers in rare documents in different parts of the world, it was possible to obtain originals or copies of letters or other writings of Einstein, particularly from his earlier years when he wrote letters and papers in longhand, without retaining copies. Arrangements were made, frequently with some difficulty, to exchange Einstein material for copies of material owned by the Archive, and this has produced important additions to the Archive.

The nature and extent of the current holdings will be discussed in the next section.

In 1971 the Trustees entered into an agreement with Princeton University Press to assume responsibility for the publication of Einstein's Writings in book form (see Appendix B). The edition is to be a complete, printed edition of the collected papers, published and unpublished, the correspondence and such other documents and editorial material as may be deemed important for the understanding of these writings. It is estimated that this edition will comprise on the order of twenty volumes. (See attached Publisher's Statement for additional details.)

*Not mentioned
but responsible
for general
policy*

An Editorial Advisory Board was established, appointed jointly by the Trustees and the Press, to assure the scientific and scholarly quality of the editorial work. (See Appendix C for a list of Board Members.) This Board was active in the search for an editor, and will continue to be consulted during the course of the project, on matters of general policy.

In June 1976, Dr. John Stachel was appointed Editor of the Papers of Albert Einstein, by the Trustees and the Press, with the advice of the Advisory Board. (See Appendix D for letter of appointment.) He has primary responsibility for the collecting, organizing and preparation of the material for publication of The Papers of Albert Einstein, comprising the complete works of Albert Einstein, published and unpublished, scientific and non-scientific, including correspondence. He is guaranteed normal editorial freedom for such a project, including determination of material to be included in the volumes--such normal exceptions as infringement of rights of privacy, copyright and libel being understood. He is also guaranteed complete freedom of editorial annotation and comment on the documents to be published. (See statements by Trustees and Publishers.)

Dr. Stachel started work on January 15, 1977, taking leave for 18 months from his post as Professor of Physics at Boston University to move to Princeton.

Within six months of this time, he is required to prepare and submit to the Trustees, Press and Editorial Advisory Board a preliminary plan and description of the intended edition for discussion with them.

A smaller, working Editorial Committee is also being set up. It will consist of about half a dozen persons who will be expected to contribute expertise on various topics needed for the editorial work on a fairly regular basis, and also to consult on many detailed editorial questions. It is planned to include Professors Peter G. Bergmann (theoretical physics, especially relativity), Gerald Holton and Martin Klein (history of twentieth century physics), Fritz Ringer (German intellectual and cultural history), and Robert S. Cohen (philosophy of science). An American cultural and intellectual historian, and someone with senior editorial experience also will be included.

III. DESCRIPTION OF THE COLLECTION

The Einstein Archive consists of 28 file drawers filled with manuscripts, printed papers, correspondence, memorabilia, etc. There does not exist a complete catalogue or index to the entire collection; however, the collection has been separated into two sections, Scientific and Non-Scientific (note that this division will not be reflected in the published edition) and an index prepared for the Scientific Correspondence. There is also an index of the Scientific Manuscripts, both published and unpublished. The Scientific Correspondence, ranging from post-cards to lengthy letters, includes about 4000 items, dating from 1901 to 1955. Although the rest of the collection is not indexed (there does exist a small index of the correspondence with some well-known public figures), and no count of the total number of documents has yet been made, an idea of its extent can be gathered by comparison with the microfilm. The entire collection, except for the published papers, has been put on microfilm, and takes up 61 reels. There are about 1000 frames per reel; thus, the entire collection--excluding printed versions of published papers, but including all extant manuscripts of these papers--contains about 50,000 pages of material (allowing for some duplications, blanks, prefatory notes, etc. on the microfilms). These 61 reels break down into:

52³/₄ reels of correspondence

5 reels of published and unpublished manuscripts

3¹/₄ reels of notebooks, travel diaries, personal documents, etc.

(For a slightly more detailed breakdown of the contents of the microfilm, see page 10.)

Typewritten explanatory notes identifying published versions of manuscripts, identifying correspondents, giving cross-references and bibliographical information

CONTENTS OF MICROFILM OF EINSTEIN ARCHIVE

SCIENTIFIC PAPERS

<u>Item #</u>	<u>Reel #</u>		<u># of Reels</u>
1.	1	Published scientific manuscripts, 1914-1955	1
2.	2	Ms of Meaning of Relativity, with appendices, Autobiographical Notes & Replies to Critics (Schilpp), unpublished ms.	1
3.	3-4 ¹ / ₂	Notebooks of Einstein and two students' lecture notebooks.	1 ¹ / ₂
4.	4 ¹ / ₂ -5 ¹ / ₂	Typescripts & non-holographic versions of scientific ms.	1
5.	5 ¹ / ₂ -end	Obituaries of scientists by Einstein, identified and unidentified drafts and notes, transcripts of travel diaries.	1 ¹ / ₂
6.	6-24	Scientific correspondence: 1. Correspondence with colleagues, alphabetical listing.	19
	25-27	2. Miscellaneous scientific correspondence, Berlin series (less than one reel) & Princeton Series	3

NON-SCIENTIFIC PAPERS

1.	28	Holographic ms on non-scientific subjects, 1918-1955	1
2.	29	Non-holographic ms, 1915-1948	1 ¹ / ₆
3.		Travel diaries - originals plus transcript.	1 ¹ / ₂
4.		Personal documents, 1897-1950	1 ¹ / ₃
5.	30	Correspondence relating to Honorary degrees, Nobel Price, and 50, 60, 70 & 75th birthdays	1
6.	31-32 ¹ / ₄	Verses and limericks by Einstein, 1919-1954, poems to Einstein, curiosity file, press clippings, etc.	1 ¹ / ₄
7.	32 ¹ / ₄ -61	Non-scientific correspondence	29 ³ / ₄

Totals

Correspondence: 52³/₄ reels
 Published and unpublished ms: 5 reels
 Miscellaneous: 3¹/₄ reels

Complete microfilm: 61 reels

have been prepared by Miss Dukas for a large number of the documents and filed with them. These have been used as the basis for the index to the scientific correspondence (about 4000 letters), arranged alphabetically by correspondent and chronologically by year of the letter, and the index to the scientific manuscripts.

It is felt that there is a great need for a complete catalogue and index of the entire collection. A preliminary card catalogue will be prepared this summer, based on the descriptions that accompany most of the documents written by Miss Dukas, as soon as a full-sized duplicate set of the Archive, now being made from the microfilm, is available. However, it is our consideration, based on consultation with the Editors of the Joseph Henry Papers,³ that a computerized cataloguing and indexing procedure will make for the ultimately most efficient utilization of the information stored in the index. A preliminary survey is under way now to determine the most feasible method by which this may be done. It is hoped to index each document by category, date, names mentioned, and subjects mentioned.

III.A. THE PUBLISHED WRITINGS

The Readex Microprint edition of the Collected Writings of Albert Einstein (Readex Microprint Corporation, New York, 1960) is the most complete edition available of the published writings. All articles are reproduced in the original language, as well as in English, French and German translation if one of these was not the original language; and selected translations into other languages. It is divided into 274 Scientific Writings, 307 General Writings, and 25 Selected Interviews, for a total of 607 items (not counting translations as separate items). Since its appearance Miss Dukas has uncovered about a dozen additional items, and a small number of errors of attribution, etc.

In addition, a number of uncollected speeches, letters, statements, etc., on public questions have appeared in the collection Einstein on Peace, edited by Otto Nathan and Heinz Norden (Simon & Schuster, New York, 1960); the German edition: Albert Einstein über den Frieden (Herberg Lang & Cie AG, Bern, 1975) has independent value for the publication of German texts in the original language.

There exist no manuscripts for published papers before 1914. From that date on there is a fairly extensive, but by no means complete, collection of autograph manuscripts and typescripts of published papers, or photocopies of such manuscripts and typescripts.

A rough estimate of the extent of the published papers has been made, based upon counts of items in the published bibliographies where page numbers were listed; and upon inspection of the Readex edition where they were not. It indicates over 7,000 pages of material, about equally divided between scientific and non-scientific items. If anything, this estimate probably errs on the high side.

III.B. THE CORRESPONDENCE

The scientific correspondence, comprising almost 4,000 letters (a chronological breakdown is found on page 14) takes up 22 reels of microfilm; while the non-scientific correspondence occupies $29\frac{3}{4}$ reels. If we assume the letters to be of roughly equal average length in both categories, this would lead to an estimate of about 5400 non-scientific letters. Thus, the correspondence comprises almost 10,000 letters to and from Einstein.

So far, there have been four major publications of Einstein correspondence: the letters to Solovine,⁴ the Born-Einstein correspondence,⁵ the Sommerfeld-Einstein correspondence,⁶ and the Besso-Einstein letters.⁷ In addition, a number of Einstein letters have appeared in a book of letters on the early history of wave mechanics⁸; various biographies, and other books and articles, reproduce a small number of additional letters or excerpts from letters (see bibliography). The four major publications, especially the Einstein-Besso correspondence have been greeted as a major contribution to the understanding of the development of modern physics, as well as of Einstein's career. For example, Boris Kuznetsov and A. Frenk, the Russian historians of science, have stated in their review of the Einstein-Besso correspondence⁹:

The correspondence of Einstein will undoubtedly occupy, in the eyes of succeeding generations, a place in the front rank of the scientific and literary heritage of the first half of our century. By its mixture of scientific thoughts (expounded spontaneously in their new-born form), of moral and political opinions, it gives a vivid image of one of the greatest geniuses of human culture.

Alfred Brunner, in a review of the Einstein-Sommerfeld correspondence in the Neue Zuericher Zeitung,¹⁰ stated:

It is amazing that up until now there has been no edition of Einstein's letters, the letters of certainly the most important natural scientist of the century. The letters of great scientists are, like their original articles, cultural documents of the first order; they often take us more directly than works already corrected for publication, to the sources of new ideas, theories and discoveries; and can provide information about the difficulties, the errors that even the greatest minds are not spared; but also about the sensations of joy, of satisfaction when a great stroke succeeds.

Paul Forman, in his review of the Einstein-Sommerfeld letters,¹¹ makes some comments which apply to the correspondence as a whole: he first notes the importance of correspondence during the period 1900-1930:

. . . social and technological developments had not yet proceeded so far as to short-circuit the written word. Exchange of letters was still a most important mechanism of interaction, and in this period was of unique frequency and intensity. . .

He goes on to say:

. . . insofar as intellectual history is the history of the intellectual, the correspondence here published is, as a whole, of those known to me, one of the best exemplifications of this point; that is, the correspondence of these two giants of conceptual development is one of the densest sources of information about scientific life in physics in the German academic world during the twenty-five years 1912-1937, and most especially during the crucial five years 1918-1922, from which over half the letters stem. . . .

But this book is more than an important addition to the literature and sources of the history of science. It is--or ought to be for every reader--an edifying vicarious experience of a man who is fully conscious of the inescapable ethical content of all social life and determined to face that situation not by reliance upon conventional models and consensual values, but rather by eliciting the true ethical implications of alternative courses of action. And that Einstein's foil here is a very decent man in the conventional sense, serves rather to sharpen than to blur this distinction.

Yet the four published correspondence include only about 450 letters, or less than 5% of the total. While not all of the correspondence can be expected to be of equal importance, it should be pointed out that there has been little or no publication of the correspondence with Niels Bohr, Elie Cartan, Paul and Tatiana Ehrenfest, Marcel Grossman, David Hilbert, Jacob Laub, Paul Langevin, Max von Laue, H.A. Lorentz, Wolfgang Pauli, Max Planck, Hans Reichenbach, Erwin Schroedinger, Moritz Schlick, Hermann Weyl--to name only some of the scientists and philosophers with whom Einstein maintained an extensive correspondence, which is in the Archive.

The publication of an annotated edition of the complete correspondence will finally make available the materials from which a more complete and detailed picture of Einstein's development and interaction with other scientists can emerge.

III.C. UNPUBLISHED MANUSCRIPTS

There is no catalogue yet of the non-scientific papers, but there are at most a handful of unpublished, non-scientific articles since they were almost always written for a specific purpose.

The Archive has autograph manuscripts of 33 complete or incomplete drafts of scientific papers which have, so far, not been identified as drafts of published articles. These date from 1911 to 1952, and number somewhat over 200 pages.

In addition, we know there exists a 72¹/₂ page complete manuscript of a review article for the Handbuch der Radiologie, edited by Professor Erich Marx. This was written about 1912, but was not published because the volume in which it was to appear was delayed by the First World War, and Professor Einstein refused to allow its unrevised publication after the war. The projected revised version was apparently worked on by Dr. J. Grommer, at Professor Einstein's suggestion; but it is not known whether the version was ever completed. At any rate, it was never published. We now know who is holding the original manuscript, and efforts are being made to secure a copy. This is the only major unpublished work known to exist which is not in the Archive.

There are also a number of autograph notebooks kept by Professor Einstein. These include:

- 2 notebooks of lectures by Professor Weber at the ETH,¹² dating from 1896 to 1900;

- 4 notebooks of notes for lectures by Professor Einstein at the University of Zürich dating from 1909-1911;

- 1 research notebook from Zürich dating from the same period;

- 2 notebooks of notes for lectures given at the University of Berlin,

one from 1914-1915, one from 1918-1919;

1 research notebook on unified field theory, probably from Berlin, 1928;

1 research notebook on unified field theory and general relativity, from Princeton, 1937;

1 pad containing his last notes, Princeton, 1955.

There is also a memo book from 1911-1914, containing scientific notes, personal memoranda, addresses, etc; and a memo pad used about 1930 during sessions of the League of Nations Committee on Intellectual Cooperation, with later scientific notes.

There are copies of eight notebooks kept by Walter Dällenbach, a student, of Einstein's lectures at the ETH between 1912-1914; and also four notebooks of notes kept by Walter Bloch, a student, of lectures in Berlin, 1916-1918.

There is a transcript of the stenogram made by Karl Korsch of a lecture on causality given by Einstein in Berlin in 1930.

There are seven travel diaries kept by Professor Einstein, which often contain scientific notes, as well as travel notes and notes on conversations:

1 for 1922-23 trip to Japan, Palestine and Spain

1 for March-May 1925 trip to South America

1 for November 1930-January 1931 trip to United States

1 for April-June 1931 trip to England

1 for December 1931-February 1932 trip to United States

1 for December 1932 stay in Pasadena, California

1 for January-February 1933 stay in Pasadena, California

There are also copies of two school essays and a set of three exercises in geometry of Einstein as a student at the Kantonsschule of Aargau, Switzerland, for 1895-1896.

IV. SEARCH FOR ADDITIONAL MATERIAL

The Trustees have carried out an extensive search over the years since Einstein's death, which has resulted in a large volume of material being added to the Archive. This search will continue, based upon personal contacts, perusal of auction catalogues of rare manuscript dealers, advertisements, etc. For example, it is known that certain members of the Einstein family hold some private letters, and efforts are being made to secure copies for the Archive. There is also an effort being made to get a copy of the 72¹/₂ page scientific manuscript mentioned in Section III.C.

However, it is felt that a systematic search of archives and libraries in this country and abroad should be made. A study of the National Union Catalogue of Manuscript Collections in the United States¹³ is being made, and letters will be written to all libraries listing holdings of Einstein material asking for permission to examine those holdings. In addition a list of libraries and archives in this country and abroad, particularly in Switzerland, Germany and France, is being compiled and letters will be sent to them enquiring about possible holdings. It is anticipated that several thousand such letters may ultimately be sent.

The Editor has been in contact with the American Institute of Physics Center for the History of Physics (Dr. Spencer Weart and Ms. Joan Warnow), and will have their help in compiling the list, and receiving information from them on any new sources which they may come across. He has also been in contact with Dr. Bruce Wheaton, Project Director for the Inventory of Primary Sources for 20th Century Physics, sponsored by the National Endowment for the Humanities; Dr. Wheaton has promised to be on the lookout for, and keep us informed of, any Einstein material in the extensive archive survey they will be conducting.

An on the spot examination of the archives of especially likely sources of new material in this country and in Europe is planned. For example, the records of the Swiss Patent Office will be examined for documentation of Einstein's early patent opinions; and the archives of the German Academy of Science will be examined for documentation of Einstein's role there.

The coming centennial of Einstein's birth in 1979 is likely to facilitate this search, since many institutions are known to be currently examining their archives to find Einstein material. For example, the German Academy of Science is planning to publish all of the materials they can find to document Einstein's relations with the German academic world. We are in contact with this project, and hope to receive copies of any new documents found.

V. CURRENT ACCESSIBILITY TO SCHOLARS

As mentioned above (see Section III.A), there exists an almost complete edition of the published papers of Einstein, the Readex edition, which is available in many libraries. In addition, there are three bibliographies of his published papers (see bibliography) which facilitate locating them in the original journals.

The published editions of the correspondence, as well as various collections of published and unpublished material, such as Einstein on Peace, mentioned above (see bibliography for details) also are readily accessible.

As previously mentioned (see Section III above) the entire Archive has been microfilmed (except for the published papers), and the negative is stored in the Princeton University Library, along with one positive. Another positive is in the Library of the Institute for Advanced Study, and a third positive is housed in the Editor's office. As additional material is accumulated in the Archive, supplementary microfilms will be made and similarly deposited. The copy of the microfilm in the Princeton University Library has been made accessible to scholars by an agreement between the Library and the Trustees. The papers are divided into two major categories: scientific and non-scientific. Access to the scientific papers by responsible scholars is at the discretion of the Librarian or his deputy. Access to the non-scientific papers is by approval of the Trustees. Permission for photocopies of unpublished documents must be obtained from the Trustees, as well as separate authorization for the publication of such documents. A complete index to the collection is in preparation as part of the Project, and a copy will be made available to the Princeton University Library when it is ready.

VI. GENERAL PRINCIPLES AND PLAN OF THE EDITION

The Editor is mandated by his letter of appointment, as well as the agreement between the Press and the Trustees, to prepare a complete collection of the writings of Albert Einstein, to be published in printed edition by the Princeton University Press. This edition is to include all published papers, scientific and non-scientific, all unpublished manuscripts, all correspondence by Professor Einstein; and as much of the correspondence to him as is deemed important, and for which permission can be secured to publish from the present legal owners of the rights. The only grounds on which material may be withheld from publication by the Trustees are those of personal privacy, in case of reference to intimate family affairs (see attached Statement of the Trustees).

In addition to the material mentioned above, additional documentary material, letters not to or from Einstein, but referring to him, excerpts from published or unpublished memoirs, dairies, etc., referring to Einstein, will also be included, if they serve to add important information about his life or activities, or report conversations not otherwise recorded.

In addition, there will be general introductions to various sections of the Writings; as well as introductory notes to some of the documents, which will provide background information to aid in the understanding of the documents, or refer to published sources of further information. Reference to individuals, places, incidents, etc., in the documents will also be annotated to facilitate their comprehension.

All material included in the Writings will be published in the original language, while all additional material will be published in English. There

may have to be certain exceptions to this rule if the original language is not English, French or German: for example, a book recording the texts of certain of Einstein's lectures during his visit to Japan in 1922 was compiled by Dr. Jun Ishiwara (see bibliography), his former student and the translator of the talks at the time they were given. As this record in Japanese of these talks is the only one available, and they are of some importance, it is planned to publish an English translation of them.

We can give some idea of the level of annotation at which we are aiming by discussing some existing editions of Einstein's writings: the Einstein on Peace volume, and the four volumes of correspondence (see bibliography, and Section V for a discussion of these). The Solovine letters include a photo-reproduction of Einstein's letters to Solovine with a French translation. There is no annotation at all, although there is a valuable introduction discussing Solovine's early friendship with Einstein. The Born correspondence contains the Briefwechsel, with annotations by Born himself, as well as a running commentary on the correspondence. This has the charm of personal recollections, as well as the advantage of personal insight into the significance of certain allusions; but is not a serious historical annotation (see review by Paul Forman)¹⁴. The Sommerfeld and Besso Briefwechsel were edited by historians of science, Armin Hermann and Pierre Speziali, respectively. Both print the correspondence chronologically; Speziali divides the correspondence into three periods, but has no commentary; while Herman subdivides the much smaller number of letters, covering a shorter span of time, into seven periods, and introduces each with a commentary. Speziali, however, prefaces his volume with a long introduction in which he discusses Besso's life, as well as a number of the themes developed in the correspondence. Both give a fairly complete annotation of the letters,

Speziali's tending to be more detailed and ranging farther afield. Although he had technical scientific help, it must be said that the only unsatisfactory feature of the Speziali edition lies in some of the scientific annotations. In addition to some erroneous statements, some of the notes tend to editorialize about rather subtle scientific issues.

The Nathan-Norden edition of the Einstein writings on public issues contains introductory notes on practically all the documents, as well as annotations, explaining many obscure references to people and events, and bibliographical indications.

We hope to achieve a level of annotation somewhat along the lines of the Speziali, Hermann and Nathan-Norden editions. Naturally, the larger scope of this edition will provide opportunity for more general discussions covering extended periods or topics; and we hope to take advantage of this opportunity to acquaint the reader with the state of existing scholarship on the issues involved. But where controversies still exist, we shall try to present a summary of various viewpoints, if important to the understanding or interpretation of the documents; or at least references to the literature from which the interested reader can acquaint him/herself with the issues. We shall try to avoid undue editorializing, preferring to let the documents speak for themselves--or rather, providing the background material which will enable the reader to form his/her judgment as to their significance.

We have started to look over other editions of the collected writings of various eminent figures, scientific and non-scientific, to get some guidance on this question. While no figure is exactly comparable to Einstein--nor any collected edition exactly comparable to any other, for that matter--it became clear that there is a wide range of degrees of editorial comment and annotation,

ranging from editions of "The Scientific Papers of X," which do no more than reprint--or photocopy--the papers as printed, perhaps with an introduction and bibliography, to those editions where up to one-half of the volume consists of editorial matter. We hope to follow a course avoiding bare reproduction of texts on the one hand, and the imposition of an interpretation of the material on the other. Our aim will always be to keep in mind the scholarly reader anxious to deal with the writings themselves, but grateful for reasonable guidance through the intellectual museum they form by those who have been taking care of the collection--so long as the guides do not become tiresome and distract attention from the exhibits themselves.

We plan to reproduce the printed writings photographically from the first published edition. This will both avoid the problem of introducing new misprints into the material, as well as serve to give the reader some feelings of contact with the original publications.¹⁵ It is anticipated that we can develop a scheme of indicating misprints in the original in the margins of the page. Where a draft or drafts of the article exists, this will be indicated, and significant changes, omissions, etc., will also be indicated. If a German draft of a paper exists which was published originally in a translation, we shall give the German text as well. Drafts differing in a major way from the final printed version will be reproduced in their entirety, or in the portions so differing. Although a certain number of photographs of original manuscripts will be reproduced in each volume, to give some feeling of the originals, all handwritten documents will be published in transcription, with notation of all words changed or crossed out, marginal annotations, etc.

The material in the Archive falls basically into three categories: published papers and articles, together with drafts of these works; unpublished manuscripts; and the correspondence (see Sections III.A,B,C). It is possible to divide the published and unpublished papers into scientific and non-scientific ones fairly easily.

However, the correspondence is not so divisible. One and the same letter will often range over scientific, political, social and personal questions, and it hardly seems proper to chop up a letter into portions in order to fit them into one category or another--particularly since delimiting the boundaries of these categories would create a new set of problems if such a division were seriously be to attempted. Neither would a mere count of the number of lines devoted to various topics--nor even a less subjective decision-- seem a proper way to decide what the major interest of a letter was, in order to classify it, particularly since the need for elaborate cross-references to all the other topics in the letter would not thereby be avoided. Since any classification scheme will not be able to avoid the need for a number of indices, involving cross-referencing, it seems most appropriate on balance to choose the chronological order for the publication of the letters. This will have a number of advantages, as well as some drawbacks. Among the advantages are: the principle of classification is immediately accessible to anyone; the totality of issues occupying Einstein at any period of his life, in so far as they are reflected in the correspondence, will be obvious; varying discussions of the same issues with different persons at the same period of time will be available in close proximity. Some drawbacks: letters to the same person will be spread through a large number of volumes, as will letters on similar topics. On balance, it seems to the Editor that the advantages outweigh the drawbacks; and that the drawbacks can be sufficiently overcome by good indexing.

Once it has been decided that the correspondence should be arranged chronologically, there remains the problem of how to arrange the rest of the material. It could be published in two or more series: for example scientific

papers, non-scientific papers and correspondence. But, since the largest part of the material is correspondence, and especially since a republication of the published works would be made so much more useful to scholars if the correspondence from the same period is made simultaneously available, it seems better to publish all of the material from the same period within the same volume(s). Within these chronological volumes, the material will be divided into published papers, unpublished manuscripts, and correspondence. Again, a division into scientific and non-scientific papers within the volumes would be possible, and may ultimately be preferred. But, at the moment, we favor letting them appear chronologically in order of submission or publication (in the main) in order to give some impression of the interweaving of Einstein's concerns at a given period. It might be preferable to print them in order of composition; but since a record of their dates of composition does not exist, it seems that the date of submission, or of publication, will have to be used. Unpublished manuscripts are not very numerous, but are of course of special interest, and will often present special problems of dating; so that it seems best to publish them in a special section of the volumes in which they belong chronologically.

We shall be working as far as possible from photoreproductions of the entire archive, currently being made from the microfilm negative, plus copies of the printed papers, consulting the original manuscripts when necessary. While a certain portion of the manuscript material has been transcribed in type-script by Miss Dukas, no accurate estimate of what fraction of the total is already transcribed has yet been made. It is probable that it is a good deal less than half. All of this transcribed material will have to be rechecked against the original manuscript; and transcriptions of the remaining material made, and checked against the original. Then we shall have to work out a system for

preparing these transcriptions for publication, indicating changes, cancellations, additions, etc., by some standard method. In the work of establishing our text, we shall be mindful of the words of Whiteside in his Editorial Note to the Newton manuscripts¹⁶:

An 'accurate' text is, of course, a literary fiction: such a text is perhaps that which best accords any given time with current, contingent scholarly and typographical criteria of manuscript reproduction and can at best hope to set a standard for future scholarship. These criteria in turn are imbedded in our capacity to comprehend a sequence of irregularly patterned ink-marks absorbed not always legibly into a thickness of paper, and upon them we raise a complex structure of hypothesis which combines a not completely consistent mass of external documentary knowledge with our interpretative assessment of authorship and dating of handwriting, speed and sequence of composition and, not least, the significance of cancellations. At a more sophisticated level we dare to restore fragmented phrases and amend syntactical inconsistencies and then seek to place each piece of text as a component in a higher-order structure of explanation, guessing at the previous existence of documents needed to fill gaps in our scheme, revising first interpretations as our knowledge of context widens and continuously checking our understanding against simplifying canons of logical consistency and historical reasonableness. Ineluctably, each stage of the editing process imposes its compromises on the naïve ideal of unaltered facsimile reproduction of the original manuscript filled out with pertinent objective comment.

VII. PLANS FOR PERIOD OF THE GRANT REQUEST (5 YEARS)

Einstein's career seems to fall into three main sections--each capable of further subdivision, of course:

1. the pre-Berlin years, 1879-1913
2. the Berlin years, 1914-1932
3. the Princeton years, 1933-1955

The first period includes:

- a. childhood and early schooling, 1879-1895
- b. student years at the ETH, 1896-1900
- c. years at the Patent Office, 1902-1908
- d. early academic career in Bern, Zürich, Prague

This was the period in which Einstein laid the foundations of his work in a number of fields, and developed an approach and style of his own, which were to characterize his entire scientific career. His involvement with philosophical and epistemological considerations as intimately associated with his concerns in theoretical physics; his search to grasp the essence of physical problems rather than master a mass of detailed data; his mastery of the foundations of statistical reasoning; his feeling of profound unease with the bases of classical physics and sense of the need for introducing radically new concepts to solve the problems with which theoretical physics was confronted; his attempt to bring together the foundations of mechanics and of Maxwell's theory, which led to the special theory of relativity; his attempts to extend this theory to the realm of gravitation which led him to the general theory of relativity: all of these themes of his life-work are to be first found in this period.¹⁷

Most of the work that has been done so far by historians of science on Einstein's development, and on the development of his work, has been concentrated

on this period. In addition, there has been a growing number of studies of the growth of the German physics community, of the development of national styles in science, on the reception of the theory of relativity in various countries, on the early history of the quantum theory, which will all be of great help in the preparation of the editorial material for the volumes covering this period. Thus, there is already in existence a large literature on which the editors of the Collected Works can draw for the preparation of introductory material and annotation of the works of this period.¹⁸ The work of this period is also simpler to handle for another reason. Although Einstein's reknown within the scientific community grew tremendously within this period--indeed the documentation of the rise from obscurity of the patent clerk of 1905 to the Academician of 1914 will form one of the leitmotifs of this section of the Works--still, this reknown was by and large confined to the scientific community, and in this respect Einstein's career was still comparable to that of several other physicists of eminence. It was only after the first World War and the enormous publicity given to the results of the eclipse expedition, confirming Einstein's prediction of the deflection of light by the sun's gravitational field, that Einstein the public figure--and the myth--started to develop. Thus, the problems presented by materials from the first period will be more similar to those presented by the papers of other scientists than can be expected to be the case for later periods. Of course, in view of the later developments, it will be important to point out signs indicating the future course of events where they occur. For example, Einstein's relationship with Felix Adler as fellow student and then as a professor assumes special significance in view of the later efforts by Einstein to help Adler after the latter was sentenced to death for the assassination of the Austrian Prime Minister in 1916.

It is proposed during the next three to five years, while completing the necessary preliminary work on the whole Archive (see Section III), to concentrate on preparing the material from the first period for publication. Since a large amount of material on the history of the Einstein family, and on Einstein's student years exists, it may prove advisable to collect this into a volume of Juvenalia, and postpone its publication until later, in order to concentrate on the material from the ETH days onward, which can be presumed to be of interest to a much larger body of scholars.

What material exists from this period?

1. There are 58 published scientific papers from the period 1901-1913, comprising about 650 pages. There is one major unpublished paper, of which a manuscript is known to exist: a review article on special relativity prepared about 1912 for the Handbuch der Radiologie, but never published. Efforts to secure a copy of this manuscript are still under way. There are no other manuscripts for these early papers known to be in existence. At that time, Einstein usually discarded the manuscript after publication. The papers range over the subjects of statistical mechanics, quantum theory, the special theory of relativity, and early attempts at a relativistic theory of gravitation. There are no non-scientific papers from this period.

2. There are seven notebooks from Zurich, dating from 1896 to 1911. Of these, 2 are student notebooks of Weber's lectures on physics at the ETH between 1896 and 1900. Four appear to be lecture notebooks prepared for courses given by Einstein from 1909-1900 at Zurich University; and 1 a research notebook dating from 1909-1911. There is also a pocket memorandum book, dating from 1911-1914, containing scientific and personal notes, memoranda of appointments, etc.

3. There are photocopies of eight notebooks kept by Walter Dällenbach, a student of Einstein's at the ETH between 1912-1914, covering Einstein's lectures on:

1. Analytical Mechanics	180 pages
2. Analytical Mechanics and Mechanics of Continua	180 pages
3. Physics Seminar	130 pages
4. Thermodynamics	180 pages
5. Statistical Mechanics	100 pages
6. Electricity and Magnetism	180 pages
7. Theory of Relativity	<u>90 pages</u>

total 1040 pages

4. There are 204 letters in the scientific correspondence; if we accept the estimate that was made above of the ratio of non-scientific to scientific letters as applicable to this period, there should be about 270 non-scientific letters, for a total of almost 500.

5. In addition, there are a number of biographical reminiscences by friends and acquaintances of the period. Some of these may be included in the collected works, others summarized or excerpted, and all known to us will be listed in the bibliography of the Writings.

6. Since the documentation for this early period is comparatively scarce, and so important, a special attempt to locate documents and letters referring to Einstein from this period will also be made; and some of these may also be included in the published edition.

It is anticipated that this material will comprise at least two volumes of the total.

VIII. PERSONNEL

It is anticipated that the staff of the Project will ultimately include: The Editor, an Associate Editor, two Assistant Editors and the Archivist, as well as several consulting editors from time to time. In addition, there will be two secretaries, and several student assistants. The function of each of the staff members is envisioned as follows:

Editor: coordination of the entire project and ultimate responsibility for decisions about the project; primary responsibility for editing those aspects of the material concerned with scientific and philosophical problems; share in writing of editorial notes and annotation; setting up indexing system and initiating search for new material.

Associate Editor: assume major share of the decision-making about the Project as a whole; primary responsibility for editing those aspects of the material concerned with historical and social problems; primary responsibility for the search for additional material not in archives; share in writing of editorial notes and annotation.

Assistant Editor: primary responsibility for cataloguing of material, continual indexing of material; supervise transcription of handwritten materials, share in writing of editorial notes and annotations, supervise preparation of index for the volumes.

Assistant Editor: transcription of handwritten materials in form suitable for editing, management of office, checking accuracy of final copy against original documents.

Archivist: the Project is in a uniquely favorable position in that Ms. Helen Dukas, Secretary to Professor Einstein from 1928 until his death, and who has served as Archivist of the Einstein Papers since then, has agreed

to continue in this post and cooperate in the preparation of the edition. Her personal knowledge of the papers, as well as many of the people and incidents involved in Einstein's career, has proved and will continue to prove invaluable. She will also help train the Assistant Editor in the decipherment of the manuscripts. Luckily, Professor Einstein's handwriting is fairly easy to read, and he hardly ever used Gothic script, so that no major problems are anticipated here.

Consulting Editors: from time to time, it is planned to invite scholars with expertise in certain areas to work on particular aspects of the papers where it is felt that sufficient research has not been done. This will both stimulate work in these areas for its own sake, as well as help to prepare the ground for editing this material.

In addition, Professor Valentine Bargmann, Professor Emeritus of Mathematical Physics at Princeton University, a co-worker of Professor Einstein's for a number of years, and a member of the Editorial Advisory Board, has expressed the desire to work part-time on the project. It is expected that his scientific expertise, language skills, and familiarity with Professor Einstein and his milieu will substantially benefit the Project.

VIII.A. THE EDITOR (see attached vita)

Dr. John Stachel was educated at the City College of New York and Stevens Institute of Technology. He has worked at Lehigh University, University of Pittsburgh and Boston University, where he currently is a Professor of Physics, and Director of the Institute of Relativity Studies. He is on leave for the remainder of the current and next academic year from Boston University, to work on the Einstein Project.

Dr. Stachel's training was in theoretical physics; he completed his doctorate on the Cauchy Problem in the General Theory of Relativity at Stevens in 1961. Since then, he has worked mainly in the field of general relativity, publishing a number of articles in this field (see Vita). He has also done work in the field of philosophy of science, largely as a result of his association with the Boston Center for the History and Philosophy of Science (see Vita).

Dr. Stachel is also interested in the wider social relations of contemporary science, and has taught a course on "Modern Physics and Current Political Problems" for several years at Boston University.

He has done wide reading on the history of relativity theory, and the development of modern physics generally, as well as on the career of Albert Einstein. This work resulted in his offering a course on "Albert Einstein: The Man, the Times, the Achievement" at Boston University for the first time last year. He has also commented on a number of papers about Einstein's work at the Boston Colloquium for the Philosophy of Science.

Dr. Stachel has had experience in organizing both large and small scientific conferences, including two smaller ones (about thirty participants each) sponsored by the Institute of Relativity Studies on "Gravitation and Quantization," and "Absolute and Relational Theories of Space and Space-Time"; and

had the major responsibility for organizing the Eighth Texas Symposium on Relativistic Astrophysics (850 participants) held in Boston last December. He is currently organizing a session of the 1978 AAAS meeting for Section L on Topics in the History of General Relativity.

He has had some editorial experience, starting as a graduate student when he edited the notes of Professor C. Møller's lectures at the Brandeis summer school for publication. He also helped edit the proceedings of the Conference on Relativistic Theories of Gravitation held at Jabonna in 1972, and the proceedings of the aforementioned conference on "Absolute and Relational Theories of Space and Space-Time." He helped edit the Festschrift for Dirk Struik on the occasion of his eightieth birthday, and is currently editing, with Professor Robert S. Cohen, the posthumous collection of the papers of Leon Rosenfeld. (See Vita for detailed references.)

Dr. Stachel has not had any previous editorial experience on a project of the magnitude of the Einstein Papers. Therefore, he has been visiting other projects, such as the Wilson Papers, the Jefferson Papers, and the Joseph Henry Papers and talking with archivists, such as those at the National Historical Publications and Records Commission and the American Institute of Physics Center for the History of Physics, to get more expert advice. He has also been accepted for the two-week summer school for historical editors being held this June by the National Historical Publications and Records Commission at the University of South Carolina. He expects to continue his on-the-job training over the next few years.

He is currently Principal Investigator on a Grant from the National Science Foundation, SOC 75-20179 entitled "Quantum Logical Approaches to the Interpretation of Quantum Mechanics: Their Relation to Logical Theory, Space-Time Structures and Quantization of the Gravitational Field," to expire September 1, 1977.

He is drawing no salary from this grant this year. He is also Co-investigator on a Grant from the Cooperative Science Program in Latin America of the National Science Foundation, INT 76-05769, expiring October 31, 1977. He draws no salary from this grant.

VIII.B. ASSOCIATE EDITOR

Since the training and background of the Editor have been primarily in the fields of theoretical physics and philosophy of science, especially relativity theory and the foundations of quantum mechanics, it is desired that the Associate Editor have training and experience primarily in history of science. It would be especially helpful if that experience were in late nineteenth and early twentieth century science, both its internal and external aspects, and included work with German language materials. It is also desired to find someone at a senior level, so that major overall responsibility could be shared with the Editor. People with all these qualifications are not easy to find, nor are they usually uncommitted to other work, so that it may ultimately be necessary to compromise on some of these qualifications. Just to give an idea of the type of person being sought, we are looking for someone of the caliber of Paul Forman, Martin Klein and Russell McCormmach. However, it may well turn out that we shall have to turn to someone considerably less senior, such as Arthur I. Miller or Lewis Pyenson--or look outside the United States. A number of historians of science have been asked to suggest names, and Professor Roger Stuewer, Secretary of the History of Science Society, has agreed to assist with the search.

VIII.C. ASSISTANT EDITOR

Since the Editor has not had previous experience on a large editing project, nor is it anticipated that the Associate Editor will have, we should like to have an Assistant Editor who has had such experience as a major part of his/her background, and who would therefore be able to supply expertise with the "nuts and bolts" aspects of such a project. It is anticipated that such a

person would be of relatively junior status. We have been in contact with the National Historical Publications and Records Commission, which maintains a roster of persons looking for such positions, and hope to find someone with their help.

VIII.D. ASSISTANT EDITOR

Although the person taking this job may not necessarily have an academic background, it will be a position requiring very special qualifications. The person will assume major responsibility for the transcription of the German language handwritten documents, and later on for the checking of the final typescript against the originals, etc. Thus, we shall need a person who is completely bilingual, preferably with a German and English education, sensitive to cultural nuances in German, with good secretarial skills and experience in the preparation of manuscripts for publication. As it is also anticipated that this person will take charge of day-to-day operations of the office, experience in office management will be desirable. We have several candidates for the job already. A sample vita, that of Mrs. Brigitte Hirschfeld, is included as an Appendix. Mrs. Hirschfeld has expressed a willingness to work on the Project when and if funding is available.

NOTES

1. Melba Philips, review of Einstein: The Life and Times, by Ronald W. Clark, Science and Society, 37 (1973), pp. 94-98.
2. Harry Kessler, In the Twenties: The Diaries of Harry Kessler (New York: Holt Rinehart, and Winston, 1971).
3. Gratitude is expressed to Dr. Nathan Reingold for showing us the system used by the Joseph Henry Papers, and for making available a written description of the system, by James M. Hobbins.
4. M. Solovine, Albert Einstein: Lettres à Maurice Solovine (Paris: Gauthier-Villars, 1956). (Hereafter referred to as Einstein/Solovine Letters)
5. Max Born, ed, The Born/Einstein Letters (New York: Walker and Company, 1971). (Hereafter referred to Born/Einstein Letters).
6. Armin Hermann, ed., Einstein/Sommerfeld Briefwechsel (Stuttgart: Schwabe and Company Verlag, 1968). (Hereafter referred to as Einstein/Sommerfeld Briefwechsel.)
7. Pierre Speziali, ed., Albert Einstein/Michele Besso: Correspondance, 1903-1955 (Paris: Hermann, 1972). (Hereafter referred to as Einstein/Besso Correspondence.)
8. Karl Przibram, ed., Schrödinger-Planck-Einstein-Lorentz: Briefe zur Wellenmechanik (Vienna: Springer, 1963). Translated by Martin Klein, Letters on Wave Mechanics: Schrödinger, Planck, Einstein, Lorentz (New York: Philosophical Library; London: Vision Press, 1967).
9. Boris Kuznetsov and A. Frenk, review of Einstein/Besso Correspondence, in Revue Hist. Sci. Applic., 27 (1974), pp. 77-82.
10. Alfred Brunner, review of Einstein/Sommerfeld Briefwechsel, in Neue Zuercher Zeitung (24 Mai 1969), pp. 73-74.
11. Paul Forman, review of Einstein/Sommerfeld Briefwechsel, in Isis, 61:2:207 (1970), pp. 287-288.
12. The Eidgenössische Polytechnische Hochschule, or Federal Polytechnic in Zürich.
13. National Union Catalog of Manuscript Collections, compiled by the Library of Congress with the Advisory Committee on the National Union Catalog of Manuscript Collections (Ann Arbor, Michigan: J.W. Edwards, Publishers, 1962).
14. Paul Forman, review of Born/Einstein Letters, in Isis, 61:4:205 (1970), pp. 553-555
15. See "Editorial Method" in Julian P. Boyd, ed., The Papers of Thomas Jefferson, I. (Princeton: Princeton University Press, 1950), pp. xxv-xxvi:

. . . scientific devices that produce such efficiency and such accuracy exact their price, generally a twofold levy. The first is esthetic and has never been so well stated as by Nathaniel Hawthorne. . . . " . . . in truth, the original manuscript has always something which print itself must inevitably lose. An erasure, even a blot, a casual irregularity of hand, and all such little imperfections of mechanical execution, bring us close to the writer, and perhaps convey some of those subtle intimations for which language has no shape."

16. D.T. Whiteside, ed., The Mathematical Papers of Issac Newton, I: 1664-1666. (Cambridge, England: Cambridge University Press, 1967) pp. x-xi.
17. A number of studies in recent years by Gerald Holton, Martin Klein, Russell McCormmach, Tetu Hirosige and others have discussed Einstein's works during this period and detailed their unity. See Section of the Bibliography for references.
18. See, in addition to works mentioned in the previous note, those by Stanley Goldberg, Lewis Pyenson, Forman, Heilbron and Weart, Armin Hermann, Brigitte Schroeder, mentioned in the Bibliography.

BIBLIOGRAPHY

This list does not pretend to completeness, nor even to inclusion of all material of importance. It represents the present stage of an attempt to compile a working bibliography, and assemble a working library for the Project. It is based upon the personal collections of the Editor and the Archivist; and has been supplemented by a review of the Isis critical bibliographies. The three-volume index to the first 90 critical bibliographies was used for this period [Magda Whitrow, ed., Isis Cumulative Bibliography: A bibliography of the history of science formed from Isis Critical Bibliographies, 1-90. (London: Mansell)], and then each subsequent critical bibliography was reviewed for relevant items. In addition, a number of well-known scholars working on Einstein or related topics, such as Russell McCormmach, Paul Forman, Lewis Pyenson, Brigitte Schroeder, Gerald Holton, Martin Klein, etc., have been asked to contribute copies of their own articles and suggest other titles. The work of assembling the bibliography and collection will continue, and it is hoped that at some stage, when it is sufficiently complete to be of wider use, that the bibliography can be published.

(We have compiled, so far, approximately 700 titles.)

D R A F T

April 30, 1977

Application to the National Science Foundation for Support for

THE PAPERS OF ALBERT EINSTEIN

Statement of Princeton University Press

1. A professorship for the Editor, the search for funds: A private donor has promised to provide funds for a professorship in Princeton University for the Editor of the Einstein Papers (the professorship and the name of the donor will be announced in December 1977). Thus the salary and fringe benefits of the Editor will be supported from this source, and we are applying only for other project expenses. At this time we have no other guarantee of support for the editorial research for the Einstein Papers. We hope that primary support will come from the National Science Foundation. However, we are hoping for coordinated support from the National Endowment for the Humanities, in consideration of the potential importance of Professor Einstein's papers for humanistic studies. We have discussed the project in a preliminary way with the National Historical Publications and Records Commission, which seems favorably inclined, and might provide some modest support. We have kept the Sloan Foundation informed of our plans, and they are interested in principle, but we have not made any formal request to them. On our behalf some preliminary explorations have been made with regard to the possibility of help from the Technion-Israel Institute of Technology. In addition we are studying the possibility of seeking endowment funds from private and corporate sources for operating expenses.

2. The completeness of the Edition: It is our intention to publish an edition of the Einstein Papers, in the original languages, as

complete and accurate as possible. The agreement between the Einstein Estate and Princeton University Press provides that the Estate can withhold material from publication for reasons of privacy only. The Estate also affirms, understandably, that it cannot agree to the publication of material which it has not seen and which it may regard as invading the privacy of Professor Einstein or living persons. We do not regard the restriction on the grounds of privacy as a significant bar to the project. It should be added that the editorial content (introduction, notes, and the like) will not be censored by the Estate or by the Press; the Editor will have the usual editorial freedom and responsibility accorded to editors of scholarly editions.

3. Publishing arrangements: It is our intention that the publishing costs will be carried by Princeton University Press, but that the editorial research will be paid for by foundation grants. In fact, however, Princeton University Press has already incurred costs exceeding \$10,000 in efforts to make arrangements for the research, and it may be necessary for the Press to make further expenditures in support of the research, depending on the timing and amount of grants, though we hope that would not be necessary.

It is impossible at this time to say how the published volumes will eventually be priced, since it will be three to five years before any volumes can be published, and we do not even know how many pages there will be in each volume. For reference, however, we can say that if the volumes run to approximately 500 pages, under present costs we would expect to charge \$30 to \$35 per volume. The pricing will depend to some extent on whether the edition is recognized by the National Historical Publications and Records Commission, so as to be eligible for publication support. If publication support is available from NHPRC, the price

could be lower. Also we expect to provide a ten percent discount for subscribers.

The only publication in addition to the complete edition already planned is a selected volume of scientific papers in English translation. Plans for this volume are preliminary and have not been approved by the Estate. It seems likely that there will be other ancillary volumes developed as the project progresses, such as selected correspondence in English, but it is impossible now to be more specific.

4. The choice of Princeton University Press as publisher: Princeton University Press was the first Einstein publisher in America, having published THE MEANING OF RELATIVITY in 1922. The Press was also Einstein's last publisher, having published his "Generalized Theory of Gravitation" as an appendix to the fifth edition of THE MEANING OF RELATIVITY; Professor Einstein died shortly before the fifth edition was published. Shortly after Einstein's death the Director of the Press and the Estate discussed the possibility of publishing Einstein's writings. For various reasons no definite plan emerged immediately, but there were intermittent discussions over the years, and in 1971 a contract was signed between the Estate and the Press for publication of the complete writings of Albert Einstein. The contract provides for royalties to the Estate in accordance with the responsibilities of the Estate under Einstein's will. The reasons of the Estate for choosing Princeton University Press include the Press's long association with Einstein, its location in Princeton near the Archives, the Press's reputation as a publisher (especially of such editions as WILSON and JEFFERSON), and the Press's demonstrated seriousness and commitment to the project.

Apparently NSF has not previously made research grants to publishers, though there is no legal bar to such grants, and there are precedents. For example, between 1967 and 1976 the Press administered a series of grants from the National Endowment for the Humanities supporting the editorial research for the PRINCETON ENCYCLOPEDIA OF CLASSICAL SITES, which was published in July 1976. At present the Press is administering a grant from NEH for the translation and editing (including the preparation of introductions and bibliographies) of four important modern works on the Middle East. In addition the Press administers the research for several major editions in the Bollingen Series, with funds provided by the Bollingen Foundation, including THE COLLECTED WORKS OF S. T. COLERIDGE, THE COLLECTED WORKS OF C. G. JUNG, THE SELECTED WRITINGS OF UNAMUNO, and others. In short, there are precedents for this kind of grant, and we are not inexperienced in the management of such projects.

Princeton University Press PRINCETON, NEW JERSEY 08540 (TEL. 609-452-4900)

President, HAROLD W. MC GRAW, JR. *Trustees*, CYRIL E. BLACK, JOHN TYLER BONNER,
WILLIAM G. BOWEN, ALFRED G. FISCHER, AARON LEMONICK, RICARDO A. MESTRES, EARL MINER,
JOHN F. PECKHAM, CARL E. SCHORSKE, CHARLES SCRIBNER, JR., ARTHUR H. THORNHILL, JR.,
EDWARD R. TUFTE, THOMAS H. WRIGHT

June 17, 1977

Dr. Ronald J. Overmann
Assistant Program Director for
History and Philosophy of Science
National Science Foundation
1800 G Street, NW.
Washington, D. C. 20550

Dear Dr. Overmann:

Ref: Grant #SOC-76-81181

This grant, as you will recall, is the planning grant to enable us to put together a long-range plan and application for NSF support for editorial preparation of the Einstein Papers. The original grant was for six months beginning January 1, 1977, but it has been extended through December 30, 1977. The original grant funds will run out shortly, and we are therefore applying for a supplementary grant to carry us through the remaining period, expecting to submit a complete revised application for the project in September, with hope for action by NSF by the end of the fall. The details of the supplementary application are given in the attached budget. You will see that our primary need is for a special meeting of an enlarged editorial committee, and in this regard we are eagerly waiting for your suggestions regarding possible new members of that committee. We would hope that the meeting could take place during July, and we have allowed for a meeting of ten persons for two days, with an honorarium of \$100 per day and travel at \$300 per person, for a total cost of the meeting of \$5,000.

We anticipate no major travel for the Editor during this period, though there may be short trips on the East Coast, for which we have included a modest sum. The secretarial expenses for six months include fringe benefits. We have included the employment of Mr. Gallison, the Assistant Archivist and Indexer, who will work for ten weeks during the summer to organize and catalogue the photo duplicates in a way that will help with long-range planning; planning is difficult without digging into the documents, and we want to minimize the handling of the originals.

It should be noted, in accordance with our telephone conversation, that our efforts to revise the long-range application will be concentrated on Sections 2 and 6. That is, we will be addressing ourselves to the question of governance, most specifically with respect to the sharing of responsibilities between the Institute for Advanced Study and Princeton University Press under the basic contract between the Press and the Estate of Albert Einstein. A preliminary draft of this arrangement is already under discussion, but it will need considerable further discussion and redrafting during July. In this regard we are anxious to have your comments and those of your legal department and of the grants office. Secondly, we shall be addressing the question of the plan of work in the



Dr. Ronald J. Overmann

Page 2

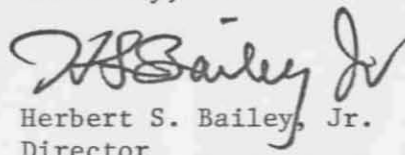
June 17, 1977

light of comments and criticisms provided by the Panel of NSF. Again, we are anxious to have a statement of those comments and criticisms so we can address ourselves directly to them.

It should also be noted here that some of the expenses of the project to be incurred during the six-month extension are not covered in our application for a supplementary grant, most notably the salary and fringe benefits of Professor Stachel. This expense and other expenses for which we have not applied will be carried by Princeton University Press. One grant of \$5,000 from an interested individual has been supplied for this purpose. Additional monies will be supplied from other Press funds.

With many thanks for your interest and concern,

Sincerely,


Herbert S. Bailey, Jr.
Director

/ba

Enclosure: budget

cc: Harry Woolf
John Stachel

National Science Foundation, Ref: Grant #SOC-76-81181

Request for Supplementary Grant

PRINCETON UNIVERSITY PRESS

The Einstein Papers

June 20, 1977

Meeting of the Editorial Committee	
10 persons for 2 days, honorarium of \$100/day	\$2,000
Travel at \$300 per person	3,000
Travel for Editor for consultation	500
Secretarial expenses, 6 months	6,000
Assistant archivist and indexer (Gallison)	2,000
Duplication of new application	300
Telephone	150
Supplies and equipment (general)	200
Xeroxing	280
Postage	120
Special card supply for indexing*	400
	<hr/>
	\$14,950

*8,000 triplicate cards, so they can be filed in different categories (chronological, alphabetical, and contract file).

Princeton University Press PRINCETON, NEW JERSEY 08540 (TEL. 609-452-4900)

President, HAROLD W. MC GRAW, JR. *Trustees*, CYRIL E. BLACK, JOHN TYLER BONNER,
WILLIAM G. BOWEN, ALFRED G. FISCHER, AARON LEMONICK, RICARDO A. MESTRES, EARL MINER,
JOHN F. PECKHAM, CARL E. SCHORSKE, CHARLES SCRIBNER, JR., ARTHUR H. THORNHILL, JR.,
EDWARD R. TUFTE, THOMAS H. WRIGHT

June 17, 1977

Dr. Ronald J. Overmann
Assistant Program Director for
History and Philosophy of Science
National Science Foundation
1800 G Street, NW.
Washington, D. C. 20550

Dear Dr. Overmann:

Ref: Grant SOC-76-80135


You will recall that we were awarded this grant of \$5,000 in fall of 1976 to enable us to get started with work on the Einstein Papers. The grant budget had only two lines, \$500 for travel and \$4,500 for photo-duplication, telephone, supplies, etc. We will be sending our formal report within 90 days, since the grant runs out on June 30, but my purpose now is to ask for a supplementary grant to cover an overrun on photo-duplication and related expenses.

Our costs for photo-duplication and related expenses came to \$8,000, \$3,500 over the original \$4,500 budget. The main part of the overrun was photo-duplication, which came to a total of \$7,400, whereas the other expenses (telephone, stationery, etc.) came to \$600. The photo-duplication cost was exceedingly difficult to estimate because of the varying numbers of documents on the different reels of microfilm. We now have full-size duplicates, which are being arranged into the form of a duplicate archive, so that the originals need not be handled so frequently.

Since the costs in the second line of the budget therefore ran to \$8,000, as compared with \$4,500 budgeted, we are asking for a supplementary grant of \$3,500 to cover these additional costs.

We shall be grateful for whatever consideration you can give to this application.

Sincerely yours,


Herbert S. Bailey, Jr.
Director

/ba

cc: Harry Woolf
John Stachel



Princeton University Press PRINCETON, NEW JERSEY 08540 (TEL. 609-452-4900)

President, HAROLD W. MC GRAW, JR. *Trustees*, CYRIL E. BLACK, JOHN TYLER BONNER,
WILLIAM G. BOWEN, ALFRED G. FISCHER, AARON LEMONICK, RICARDO A. MESTRES, EARL MINER,
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EDWARD R. TUFTE, THOMAS H. WRIGHT

June 17, 1977

Dr. Ronald J. Overmann
Assistant Program Director for
History and Philosophy of Science
National Science Foundation
1800 G Street, NW.
Washington, D. C. 20550

Dear Ron,

I hope these two letters are what is needed. Please telephone if there are any questions. At this point I want to express my own very great appreciation for your interest and help during the interim period between the end of the original planning grant and the possibility of a new grant in support of the project itself. As you know, I had expected that Princeton University Press would have to carry the burden of the project during the interval, by itself, from Press funds that are ordinarily needed for other things. I was willing to undertake that responsibility because of my very great commitment to this project. We shall need to use Press funds in any case, but the amount will be substantially diminished by the extent to which we are able to receive supplementary grants from NSF.

I would like to add that I think that our interaction with NSF is indeed helping us to prepare a better plan and that the project will be more successful in the long run on account of the efforts we are going through now. It is a magnificent project; can one think of another in the history of science that would be more important? I feel that it is a great privilege for us to help to bring it about, and I feel that it is especially fitting that the United States Government, through the National Science Foundation, should be a prime sponsor. Thank you again for all your help.

Sincerely,



Herbert S. Bailey, Jr.

/ba

Enclosure

cc: Harry Woolf
John Stachel



PUBLISHERS OF BOLLINGEN SERIES

Princeton University Press PRINCETON, NEW JERSEY 08540 (TEL. 609-452-4900)

President, HAROLD W. MC GRAW, JR. *Trustees*, CYRIL E. BLACK, JOHN TYLER BONNER,
WILLIAM G. BOWEN, ALFRED G. FISCHER, AARON LEMONICK, RICARDO A. MESTRES, EARL MINER,
JOHN F. PECKHAM, CARL E. SCHORSKE, CHARLES SCRIBNER, JR., ARTHUR H. THORNHILL, JR.,
EDWARD R. TUFTE, THOMAS H. WRIGHT

May 19, 1977

TO: The Editorial Advisory Board

FROM: H. S. Bailey, Jr.

SUBJECT: Application to NSF for support for editing the
Einstein papers

Enclosed is a copy of the final form of the application, for your information. Professor Stachel and I wish to thank you all for your prompt responses to our request for advice and comments. We have done our best to incorporate your (sometimes conflicting) advice in the final version.

I would like to comment on one change with respect to the promised professorship. In order not to anticipate the formal procedures of Princeton University we have referred to it as a fund to support the Editor of the Einstein papers.

We are hopeful for a favorable outcome. In early June we will meet with the NSF panel and officials to discuss the project, but we shall probably not know their decision until somewhat later. Meanwhile we want to thank you again for your help.



JS

THE INSTITUTE FOR ADVANCED STUDY

PRINCETON, NEW JERSEY 08540

Telephone-609-924-4400

EINSTEIN PROJECT

May 16, 1977

Dear Colleague:

Now that I have just finished the final revision of the grant applications to the NSF and the NEH, I want to thank you for your response to the draft proposal. I also want to tell you how much help the collective response to the draft was in revising it--extensively, as you will see from the copy being sent to you. I could not follow every suggestion--in some cases they were even antithetical--but I did think over every one.

I will send each of you who sent detailed comments an individual response next week, when I return from a trip to the Midwest. However, I didn't want to postpone any longer my acknowledgement of your help.

Comments and suggestions on the final version are still useful. First of all, the NSF has agreed to let us make revisions after the panel meeting of the Division of History and Philosophy of Science here in Princeton on June 4. Secondly, the work is more important than any proposal, so comments directed to the substance of the editorial work will always be useful.

With thanks and best wishes,

John Stachel

John Stachel

JS:fsb

NATIONAL SCIENCE FOUNDATION

WASHINGTON, D.C. 20550

July 20, 1977

Dr. John Stachel
Department of Physics
Princeton University
Princeton, New Jersey 08540

Dear Dr. Stachel:

I hope the NHPRC course on editing proved to be as useful as I've heard it to be. If you are down here sometime, I'd like to hear your reaction to it. Perhaps I should refer other prospective editors in the history and philosophy of science to it.

I realize that it is essential that I report to you in writing on the requirements for the revised proposal. I have not yet received all of the reports from our Panel, but I do not wish to delay any longer.

First, I want to emphasize what I told you over the phone after the Panel meeting: we all feel that, with some revision, this proposal is very likely to be successful. This is due, in large part, to the excellent impression you made at the Panel meeting, plus the obvious abilities you displayed in the preparation of the last proposal. In addition to this, we were pleased with the role of the Institute for Advanced Study as a sponsoring agency and found the discussions with Herb Bailey and Miss Dukas to be very helpful and reassuring. I should add, however, that neither the Panel nor I have the final say in this matter. Legal and technical matters must be resolved before the Division of Grants and Contracts can approve an award. These issues are listed in detail in the enclosed memorandum written by Mr. Redecke in consultation with Mr. Elmer Havens and Mr. Martin Lefcowitz. The National Science Board will have final review and approval. We feel the prospects are good, if you can satisfactorily resolve the issues raised in this letter and in the memorandum from the Grants Office.

As I told you in our telephone conversation after the Panel meeting, the proposal should be revised in two general areas: the governance of the project and the general principles and plan of the edition. These are essentially Parts II and VI of the proposal.

The governance of the project is of great concern to the Program. It is essential that the relationships between the Trustees of the Einstein Estate, the Press, the Institute and the Editor be clarified. In our view,

Dr. John Stachel

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July 20, 1977

these relationships should all focus on what you have called the Editorial Advisory Board. Despite Herb Bailey's insistence that this Board as presently constituted is not simply "window dressing," one cannot help but get this impression. The Board must have real policy-setting powers. It was suggested that the Board should meet at least once a year. Representatives of the Press (and possibly the University), the Institute, and the academic community should serve on it. They should have the authority to hire or dismiss staff, to supervise the quest for funds for the project, to establish the policies governing the project, and to supervise the progress of the project. Furthermore, it is essential that the Editor have direct access to the Board because it is the Editor who will propose staff members, propose policy for approval of the Board, and nominate for approval of the Board the members of the Advisory Committee. The Editor may also wish to seek support from the Board in any disagreement with the Estate on issues of privacy. While the Board would not have final say here, they may be able to resolve issues without need to go to arbitration. We feel that these powers must be vested in the Editorial Board to guarantee adherence to the highest standards of academic excellence. The appearance and the reality now seems to be that the Trustees of the Estate have complete control over all of these issues. While the Trustees do own the literary rights of the Einstein Papers, they should not have complete control of this project. The purpose of the project is the promotion of scholarly research, not the benefit of the Estate.

Because of the importance of this Board, the membership should have considerable standing in the academic community. It has been suggested that the Board have about fifteen members. I do not know if this is an optimum number or not. At any rate, names suggested to date are:

Richard Hewlett, ERDA Historian
Thomas Hughes, University of Pennsylvania
Thomas Kuhn, Princeton University
C. Vann Woodward, Yale University
Robert Merton, Columbia University
Lawrence Stone, Princeton University
Frederick Seitz, Rockefeller University
William Goetzmann, Texas University
Murray Gellman, CIT
Arthur Chandler, Harvard (Editor of Eisenhower Papers)
Harry Woolf

The Advisory Committee is the second part of project governance that is a matter of concern. The relationships between the Committee and the Board should be clarified. As we see it, the Committee should be a working group which advises the Editor on actual details of the project. It should be chosen by the Editor with the approval of the Board. It is essential that

Dr. John Stachel

-3-

July 20, 1977

this Committee be sufficiently small to be of real help, but sufficiently broad to provide competent advice on matters outside the areas of expertise of the Editor and his associate. A "suitable" board would require a "real" philosopher or two, a historian of American culture, a historian of German culture, and an experienced editor. Members proposed to fill out the Committee are:

For philosophy of science:

Carl Hempel
Ernest Nagel
Adolph Grunbaum
Wesley Salmon
Patrick Suppes
Peter Achinstein
Ernan McMullin

For general philosophy:

Stephen Toulmin
Alan Donagan
Roderick Chisholm
G.H. von Wright
Jaako Hintikka

For history, these were proposed:

Fritz Ringer, Boston University
Mack Walker, Johns Hopkins
Peter Gay, Yale
Fritz Stern, Columbia
John Higham, Johns Hopkins
Ernest May, Harvard
Neil Harris, Chicago
Arthur Chandler, Harvard
Paul Forman, Smithsonian
Margaret Gowing, Oxford
Daniel Kevles, CIT
Nathan Reingold, Smithsonian

I emphasize that you need not feel bound to select from the suggestions for members either of the Board or the Advisory Committee. Rather, you should recognize concerns broader than the ones reflected in your original choices and you must select individuals whose work demonstrates high standards of rigour. I must also state that you should not feel any special pressure to choose Thomas Hughes for the Board or Nathan Reingold for the Committee because they are members of our Panel. I am simply passing on to you suggestions made for membership. If you should select one or both for memberships, however, they will no longer participate in the review of your proposal for NSF.

Dr. John Stachel

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July 20, 1977

The primary purpose of the supplement to the current planning grant was to provide funding for selecting and convening this Committee to advise you on revisions of the general principles and plans for the project. This brings us to the second part of the proposed revision of the proposal.

There are several substantive and procedural issues that you and the Advisory Committee should address. It is important in the revision that you provide a clearer rationale for the decisions you make concerning scheduling, annotation, chronological breakdown, organization, etc. First, there is a considerable variance in the estimates of the size of the edition and, consequently, the duration of the project. Estimates range from twenty to forty volumes, with consequent time estimates of 18 to 35 years. Can you clarify this at all?

Second, there was some disagreement concerning the organization of the project. It is fair to say that the History and Philosophy of Science Panel is, in general, sympathetic to the chronological organization you propose, though not with the way you had it broken down. I must also say, however, after listening to the NEH Panel, that there is serious question as to whether the chronological organization is optimal both for efficiency of organizing the project and for salability of the volumes. Therefore, I hope this issue is not closed. I hope you, Herb, and the Advisory Committee will rethink the organization of the volumes and come up with the best argument you can for whatever you decide. I suggest that you contact George Farr for the pros and cons of alternative organizing principles.

Third, the annotations and editorial apparatus are still unclear. A concern was expressed by the Panel that you should avoid as much as possible getting involved in interpretations of areas which are now in dispute. I am sure that there is a certain lack of understanding about what you and the Panel are saying to each other in this regard, and I hope you and the Committee can clarify what you intend to do.

Fourth, you should clarify the working procedures of your staff: who will do what and how. Again, George Farr should be consulted on this matter--his Panel went into considerable detail on procedures.

Fifth, the organization of the search for new materials should be reexamined. There was a feeling expressed that the search will be much more difficult than you suppose.

Finally, we do not think that the role of "consulting editors" as you have it outlined in the proposal is appropriate. If someone wants to do research on Einstein and requires support for this research, he or she should come directly to the NSF or NEH for funds. We do not want to delegate authority to your project for the dispersal of research funds on

Dr. John Stachel

-5-

July 20, 1977

Einstein. This does not mean to say that there is no role for consultants. It would be appropriate for us to include consultants' fees in the proposal, if you want to query an expert at length about some particular aspect of the project. This does not mean, however, that the person would have long-term support via the grant as seems to be envisioned in your proposal.

While these were the major areas of concern, there are still other aspects that must be addressed in the revisions. One is the problem of the Associate Editor. If an associate cannot be named by the time the revisions are complete, you should state explicitly that you are searching for an associate of such-and-such a type. The final decision will be subject to approval of the Editorial Board and continuing support from the NSF will be made contingent upon its approval of the appointee. These provisions in the proposal are not only necessary for our purposes, but should improve the general acceptability of the project in the research community.

Second, we will need a clearer idea from Herb of the size of the publication. How many copies of each volume are going to be printed? What are the expected sales?

I hope I have been sufficiently clear in this letter about what we need and why. If you or Herb require any clarification, please feel free to give me a call. Concerning the matters in the attached memorandum, please contact directly either Mr. Havens (202-632-5938), or Mr. Lefcowitz (202-632-4398).

Good Luck!

Sincerely,

Ronald J. Overmann
Assistant Program Director for
History and Philosophy of Science

Enclosure

Copy to: Dr. Clark
Dr. Costner
Dr. Farr
Mr. Havens
Mr. Lefcowitz
HPS Panel members
Mr. Bailey
Dr. Woolf

UNITED STATES GOVERNMENT

memorandum

DATE: JUL 12 1977

REPLY TO
ATTN OF: Deputy Director, Division of Grants and Contracts

SUBJECT: Publication of Einstein Papers - Princeton University, Princeton Press
and Institute for Advanced Study

TO: Dr. Ronald Overman, SOC

The History and Philosophy of Science Program is currently considering a proposal from the Princeton Press to publish a series of volumes to be called the "Complete Papers of Albert Einstein". The same proposal is being considered by the National Endowment for the Humanities. It is contemplated that the project may be funded, in part, by NEH and NSF, although the precise mechanism for this joint venture has yet to be determined. Following a panel site visit in Princeton on June 3-4, 1977, several discussions were held by NSF staff from SOC, OGC, and DGC in an attempt to try to lay out issues that would require the Institute for Advanced Study to address in the preparation of a proposal which would supplant the present proposal from the Princeton Press.

Under conditions contained in Einstein's will, the two present beneficiaries are to receive all income derived from the disposition of any or all of the estate. Managing the will are two trustees who are empowered to make all decisions. The trustees have entered into an agreement with Princeton Press which, among other things, provides for royalties from sales of the intended volumes to go to the two beneficiaries. It seems to us that provisions should be made with the trustees, beneficiaries and Princeton Press to insure that some portion (perhaps 50%) of such royalties be returned to the Government in view of the very large investment of Federal funds that would possibly be involved.

Further, in the event of the demise of the two present beneficiaries, the trusteeship will terminate and the remainderman would inherit all of the remaining estate. While it is not totally clear whether the agreement between the Trustees and Princeton Press would continue in effect with the remainderman (Hebrew University in Israel), it has been implied that the agreement will remain in effect. If such is the case, we feel that the remainderman should be requested to waive all royalty rights and that all royalty income should be returned to the Government.

Also, some form of assurance should be obtained from the remainderman (Hebrew University) that they would allow the project to be continued "as is".

Attachment A, with some modification, provides the basic "Income clauses" that should be included in the award document if the Foundation does decide to fund the project. Attachment B is a copy of NSF Circular 106, dated 1/25/72 which outlines NSF policy with regard to "Income Under



Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

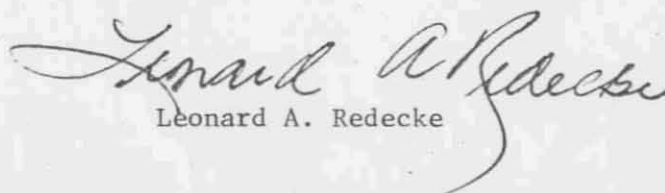
OPTIONAL FORM NO. 10
(REV. 7-76)
GSA FPMR (41 CFR) 101-11.6
5010-112

Foundation Grants and Contracts".

Additional considerations need to be addressed in the Institute's proposal in order to resolve several other situations. In the event the Trustees (or the remainderman) or Princeton University, or the Institute decide to replace the present editor of the series, it would seem to us that NSF (and/or NEH) approval should be obtained. In this connection someone from NSF should be permitted to read over Dr. Stachel's employment agreement (but not to copy it). This point raises several other issues which need formal clarification. Dr. Stachel's employment agreement is between he and Princeton Press. However, Dr. Stachel will occupy a "chair" at Princeton University, be paid by them with funds being provided to Princeton University by an "anonymous donor." Such funds will also be used to contribute to the Press's (now to be the Institute's) cost sharing! We are of the opinion that NSF should be provided with sufficient information to satisfy ourselves that any possibility of a conflict of interest is clearly ruled out.

The Institute should also provide NSF with a clearer definition of the "Privacy Determination" section in the agreement between the Trustees and Princeton Press.

Finally, to meet some of the concerns expressed by the H & PS Panel, would it be possible to request that an additional set of the microfilm, now housed at the Princeton University Library, be reproduced (at NSF expense, of course) and placed in the Library of Congress where it would be more easily accessed by scholars? After all, Washington, D. C. is not quite as difficult to reach as Princeton.


Leonard A. Redecke

CLAUSE

31

Curriculum Income (PES and HES)

- 1.a. Income, as used herein, means gross revenues received by the grantee, except royalties as defined in 2 below, including any interest earned thereon, except interest earned on advances of grant funds. Income may include but is not limited to proceeds received by the grantee from the sale, lease, rental, or other disposal of books, monographs, reports, films and other materials and properties, except inventions developed or produced with NSF support. Income accruing to the Government means the Government's share of income which will be in proportion to the Government's share of the costs of the activity as determined by the Government and the grantee.
- b. Income generated as a result of the activities supported by this grant, will be accounted for and maintained in a separate account which shall be interest bearing to the extent practical. Such income, to the extent practicable shall be used to offset costs otherwise allowable and chargeable to the grant. Income receipts and disbursements will be reported to the Foundation semi-annually during the grant period and for _____ years following the expiration of the grant. Income accruing to the Government not used for the above purpose will be remitted to the Foundation's Grants and Contracts Office with such reports.
- 2.a. Royalties, as used herein, means moneys received by the grantee from a publisher or distributor for the right to manufacture, sell or distribute materials developed or produced with NSF support, including payments to the grantee based on sales and any interest earned thereon. Royalties accruing to the Government means the Government's share of royalties which will be in proportion to the Government's share of the costs of the project as determined by the Government and the grantee.
- b. Royalties generated as a result of the activities supported by this grant, will be accounted for and maintained in a separate account which shall be interest bearing to the extent practical. Royalties will be reported to the Foundation semi-annually during the grant period and for _____ years following the expiration of the grant. Royalties accruing to the Government will be remitted to the Foundation's Grants and Contracts Office with such reports.

ATTACHMENT 3

NATIONAL SCIENCE FOUNDATION

Office of the Assistant Director for Administration

WASHINGTON, D.C. 20550

NSF CIRCULAR NO. 106

GRANTS AND CONTRACTS

January 25, 1972

Subject: Income Under Foundation Grants and Contracts

1. **Purpose.** This Circular establishes Foundation policy and delegates responsibilities governing the management and disposition of income generated under Foundation grants and contracts.

2. **Cancellation.** This Circular cancels O/D Staff Memorandum 61, Disposition of Foundation Receipts, dated October 22, 1964.

3. **Definition of Income.** As used throughout this Circular, income refers to that portion of gross revenues, including royalties, received by or accruing to a Foundation grantee or contractor through activities undertaken in the performance of its grant or cost-reimbursement type contract whether received during or after the grant or contract period. Income includes but is not limited to proceeds received by a Foundation grantee or contractor from the sale, licensing, lease, rental, or other arrangement for the use, release, dissemination, or other disposal of books, monographs, films, and other material and properties, except inventions, developed or produced with Foundation support. Income also includes any interest earned on all such revenues and proceeds, but interest earned on grant or contract funds is not included.

4. **Policy.** Prior to making a grant or contract award, the Foundation will consider the nature of the project, the purpose of Foundation support, the amount and source of expected income, and other relevant factors and determine what provisions the award should contain regarding the disposition of anticipated income. In the event that realized income is in excess of the estimated amount or unforeseen circumstances should arise, the grant or contract may be amended to provide for other appropriate disposition of such income.

a. *Grants.*

(1) All income will be accounted for and, normally, grants will provide that (a) income received by a grantee during the life of a grant will, to the extent practicable, be used by the grantee to offset costs otherwise allowable and chargeable to the grant and (b) income will be used to cover reasonable expenses associated with the administration of the income producing activity.

(2) Normally, where total income is estimated to be less than \$10,000, the grant may provide that income not used as provided in the grant shall be retained by the grantee to be used for science or science education purposes, provided, however, that any remaining income in excess of \$10,000, or such lesser amount as may be specified in the grant, shall be remitted to the Foundation.

(3) Where appropriate, grants may specify other uses for income such as (a) in certain deficit support type grants, income may be permitted to be used to cover reasonable expenses associated with the project during the grant period and thereafter which were not reimbursed from other sources, or (b) in certain grants where the purpose is to make an activity self-sustaining, income may be permitted to be used to continue the activity.

(4) Where total income is estimated to exceed \$10,000, the grant will provide that all income not used as provided for in the grant will be remitted to the Foundation.

(5) All income required to be remitted to the Foundation will be kept in a separate account and will be reported on and remitted semiannually for ten years or such other period as may be specified in the grant, provided, however, that should such income fall below \$2,500 per year, for any two successive calendar years, the requirement for further reporting and remittance may be waived.

b. *Contracts.* The disposition of all income in which the Foundation may have an interest shall be provided for in the contract and, to the extent appropriate, shall be consistent with grants policy.

(1) *Use of Income During Life of Contract.* Normally, income received by a contractor during the life of a cost-reimbursement type contract will be accounted for and to the extent practicable, unless otherwise provided by the contract, be used to offset costs chargeable to the contract.

(2) *Return Unused Income.* To the extent that income received or accrued during the life of the contract is not used as provided by (1) above,

from John Stucky
JEL

THE INSTITUTE FOR ADVANCED STUDY
PRINCETON, NEW JERSEY 08540
Telephone-609-924-4400
EINSTEIN PROJECT

MEMORANDUM OF CONVERSATION WITH RON OVERMANN OF NSF
June 6, 1977

He started by stating that he had presented the Advisory Panel (on History and Philosophy of Science of the NSF) with four alternatives; 1) recommend approval with some revisions of the application; 2) request complete re-writing of the application; 3) I can't remember, but less desirable for us; 4) complete rejection. He stated panel had adopted first recommendation. The sections of the Proposal where revision will be required are two:

- 1) GOVERNANCE OF THE PROJECT (Section II)
- 2) GENERAL PRINCIPLES AND PLAN OF THE EDITION (Section VI)

He stated that the panel recommended a continuation of the planning grant to cover the period of preparation of the revisions. However, the NSF staff members, discussing this on the trip back to Washington, did not see any money available to cover my salary until at least November 15. After that, money for my salary may be available, too. He is not going to send us any written notification of the decisions, or discussion of the nature of the revisions, until after the NEH panel meeting next weekend, so that both recommendations may be coordinated. However, he did say that they were going to suggest a list of additional names from which I could choose for my Editorial Committee. They did not object to present names, and it is up to be whether I wish to keep them or not; but felt they were not broadly representative enough. However, there would be enough leeway in their list so that I would not feel that names were being forced upon me. They will not have contacted the persons suggested, so that it is not certain that they would accept. I mentioned my interest in having Nathan Reingold on the Committee, as the person with editorial experience closest to our problems, and the question of his membership on the panel. Overmann thought this a good idea (mentioned that one reviewer had asked why Reingold was not on list), and said he would look into how to overcome conflict of interest problem.

Overmann said that one of the problems with writing up the decisions of the panel meeting was that he got conflicting advice, and that he will have to integrate this into overall recommendations. He also strongly implied, in response to my question of just what final approval of the revisions by the NSF meant, that he would be making that decision.

On the problem of Associate Editor, he said that NSF was willing to let us proceed on search, with advice of the revised Committee; but might make its grant conditional on approval of the person chosen--i.e., a right of veto.

Memorandum of Conversation with Ron Overmann, NSF
June 6, 1977

Page 2

I asked how long we might have to wait for final O.K. after submitting revised proposal, and he said about three months, unless NSF Science Panel (i.e. the overall advisory board of the NSF) decided to review it in detail, which might add a couple of months. He feels project will take 25 years and cost NSF \$2 million; such a commitment is new for NSF and cannot be made without informing the Science Panel. He will write them a short note, and then it is up to them to decide whether they need to make a final review of the decision.

He stated that lawyers were now satisfied there was no legal problem hindering award of a Grant.

He said that he is much more optimistic about the project than he was even a week ago, and that the panel members had been very impressed with my responses. He still felt that there was a lot of work to be done on the proposal, but was confident it could be successfully done.

JS:fsb
June 8, 1977

TO: HERBERT BAILEY, Director, Princeton University Press
✓ HARRY WOOLF, Director, Institute for Advanced Study
OTTO NATHAN, Trustee, Estate of Albert Einstein
HELEN DUKAS, Trustee, Estate of Albert Einstein

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June 2, 1966

Dr. Otto Nathan
Estate of Albert Einstein
55 East 10th Street
New York, New York 10003

Dear Dr. Nathan:

I was pleased to receive your letter of March 7, though I am sorry that there appears to be some confusion as to the relations of the four parties interested in publication of Professor Einstein's scientific papers, namely the Estate, the Institute for Advanced Study, Professor Valentine Bargmann, and Princeton University Press. I should like to elaborate on these relationships as I see them.

Professor Bargmann has, out of his own interest in the material and his respect for Professor Einstein, undertaken to collect, select, and edit Professor Einstein's scientific papers for publications. In doing this he has not changed the text except for obvious typographical errors which cause difficulties for readers. I know that he has been scrupulous about this, since he has discussed problems with me occasionally. It is a fact that many of Professor Einstein's papers do contain superficial typographical mistakes that should be rectified in a definitive edition. I remember that when we published the third (or possibly the fourth) edition of THE MEANING OF RELATIVITY we took the opportunity to correct many typographical errors in the main body of the work, and I recall at the time asking Professor Einstein how there happened to be so many mistakes. He laughed and remarked that, once he had written a work, he just didn't like to read proof. In effect, much of what Dr. Bargmann is doing constitutes very sophisticated proof reading, and occasionally he is adding footnotes or other explanatory material clearly identified as his own. In other words, his aim is to present a clear and accurate text of Professor Einstein's scientific papers.

Dr. Otto Nathan

page 2

The Institute's position is that it wants to see the papers properly published, for their own sake and for the sake of the memory of Professor Einstein, and it has been willing to help in this regard by acting as a kind of sponsor. In particular, the Institute has provided a qualified assistant for Dr. Bargmann. Dr. Bargmann is not being paid for his work, but his assistant is on a stipend from the Institute.

The interest of Princeton University Press is to publish a clear, accurate and definitive edition of Professor Einstein's scientific papers. We are proud to have published his book THE MEANING OF RELATIVITY, and we would like to be the publishers of this edition, which we would regard as a project of major importance. We would expect to publish the papers at our own expense, and to pay appropriate royalties to the Estate.

I believe that all of us are willing to do whatever is necessary to cooperate with you to bring about publication of Professor Einstein's scientific papers. There is no problem of your seeing the manuscript when it is completed, and I am confident that you will not find that anything has been improperly changed. A formal contract would give everyone confidence in proceeding, and since we have already given you a complete list of the contents, I don't see why such a contract cannot be made. I would be glad to have your views as to the form of such a contract; I am confident that an agreement can be worked out if you are willing to do so. The main thing is to get agreement on what is to be accomplished; then a contract expressing that agreement can be drawn.

In your letter you say that the Estate has never been consulted about any of the pertinent problems and decisions, but in fact we have kept you informed of our intentions as to the purpose of the publication, its inclusiveness, and our methods of proceeding. Or at least we have tried to do so, and we have hoped that you would concur with our purposes. We would be glad to have your suggestions, and we would be receptive, for example, to the idea of a statement from the Estate about the project, to be printed in the volumes. I hope that you can be persuaded to work with us to push this project to a successful completion. A formal agreement at this point would be helpful, and I don't see why such an agreement could not fully protect the interests of the Estate, by providing for review of the manuscript and the like.

Please let me know your further thoughts on this matter.

Sincerely,

Herbert S. Bailey, Jr.

HSBJr:eb

Copies:

Professor Valentine Bargmann

~~Dr. Robert Oppenheimer~~

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March 9, 1966

Dr. J. Robert Oppenheimer
The Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

I'm enclosing a copy of a letter just received from Dr. Nathan, along with a draft of a possible reply.

You will be annoyed by Dr. Nathan's letter, as I was, since so much in it is completely unfounded and is purposefully obfuscating. There is nothing in your address in Paris to indicate that "essential changes have been made in Einstein's papers," and since we have informed him completely as to the contents of the proposed work, there is no reason to delay in making an agreement.

I continue to hope that we can persuade him to cooperate with us. It appears to be a question of pride; he was not consulted as to the "pertinent problems and decisions." Perhaps we can assuage his pride by letting him make an introductory statement on behalf of the Estate.

Ordinarily I am a very trusting soul, but his position in insisting on seeing the manuscript before agreeing to anything gives me pause. I think we should do everything possible to get an agreement in advance, and at some point we should explicitly make him aware that the work of Dr. Bargmann and his assistant in determining an accurate text is itself protected by common law copyright; that is, Dr. Nathan cannot simply decide to appropriate that work and have the papers published elsewhere. If Dr. Nathan does not respond favorably to my proposed letter, or some variation of it, I think we should point this fact out to him very plainly. That is, as long as the papers are protected by copyright we cannot proceed without him; but also he cannot proceed without us.

called 5/16/66 but
said OK
no need for AS
to be parh to
con hant -
R.O.

called -
said RO
and sent letter
in few days

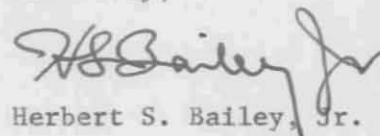
Dr. J. Robert Oppenheimer

page 2

I should be glad to know what you think about all this. I am sending a carbon copy of this letter to Val Bargmann, since of course he is very much concerned as well.

With very best wishes,

Sincerely,

A handwritten signature in dark ink, appearing to read "H.S. Bailey Jr.", written in a cursive style.

Herbert S. Bailey, Jr.

HSBJr:eb

P. S. I was delighted to see your Paris address printed in the NEW YORK REVIEW this week.

Enclosure

Copy

Professor Valentine Bargmann

Dr. Otto Nathan
Estate of Albert Einstein
55 East 10th Street
New York, New York 10003

Dear Dr. Nathan:

I was pleased to receive your letter of March 7, though I am sorry that there appears to be some confusion as to the relations of the four parties interested in publication of Professor Einstein's scientific papers, namely the Estate, the Institute for Advanced Study, Professor Valentine Bargmann, and Princeton University Press. I should like to elaborate on these relationships as I see them.

Professor Bargmann has, out of his own interest in the material and his respect for Professor Einstein, undertaken to collect, select, and edit Professor Einstein's scientific papers for publication. In doing this he has not changed the text except for obvious typographical errors which cause difficulties for readers. I know that he has been scrupulous about this, since he has discussed problems with me occasionally. It is a fact that many of Professor Einstein's papers do contain superficial typographical mistakes that should be rectified in a definitive edition. I remember that when we published the third (or possibly the fourth) edition of *THE MEANING OF RELATIVITY* we took the opportunity to correct many typographical errors in the main body of the work, and I recall at the time asking Professor Einstein how there happened to be so many mistakes. He laughed and remarked that, once he had written a work, he just didn't like to read proof. In effect, much of what Dr. Bargmann is doing constitutes very sophisticated proof reading, and occasionally he is adding footnotes or other explanatory material clearly identified as his own. In other words, his aim is to present a clear and accurate text of Professor Einstein's scientific papers.

The Institute's position is that it wants to see the papers properly published, for their own sake and for the sake of the memory of Professor Einstein, and it has been willing to help in this regard by acting as a kind of sponsor. In particular, the Institute has provided a qualified

assistant for Dr. Bargmann. Dr. Bargmann is of course not being paid for his work, but his assistant is on a stipend from the Institute.

The interest of Princeton University Press is to publish a clear, accurate and definitive edition of Professor Einstein's scientific papers. We are proud to have published his book THE MEANING OF RELATIVITY, and we would like to be the publishers of this edition, which we would regard as a project of major importance. We would expect to publish the papers at our own expense, and to pay appropriate royalties to the Estate.

I believe that all of us are willing to do whatever is necessary to cooperate with you to bring about publication of Professor Einstein's scientific papers. There is no problem of your seeing the manuscript when it is completed, and I am confident that you will not find that anything has been improperly changed. A formal contract would give everyone confidence in proceeding, and since we have already given you a complete list of the contents, I don't see why such a contract cannot be made. I would be glad to have your views as to the form of such a contract; I am confident that an agreement can be worked out if you are willing to do so. Perhaps, since four parties would be contributing to the project, the contract should be a 4-way agreement. The main thing is to get agreement on what is to be accomplished; then a contract expressing that agreement can be drawn.

In your letter you say that the Estate has never been consulted about any of the pertinent problems and decisions, but in fact we have kept you informed of our intentions as to the purpose of the publication, its inclusiveness, and our methods of proceeding. Or at least we have tried to do so, and we have hoped that you would concur with our purposes. We would be glad to have your suggestions, and we would be receptive, for example, to the idea of a statement from the Estate about the project, to be printed in the volumes. I hope that you can be persuaded to work with us to push this project to a successful completion. A formal agreement at this point would be helpful, and I don't see why such an agreement could not fully protect the interests of the Estate, by providing for review of the manuscript and the like.

Please let me know your further thoughts on this matter.

Sincerely,

Herbert S. Bailey, Jr.

ESTATE OF ALBERT EINSTEIN
55 EAST 10TH STREET
NEW YORK 3, NEW YORK

March 7, 1966

Mr. Herbert S. Bailey, Jr.
Princeton University Press
Princeton, New Jersey 08540

Dear Mr. Bailey:

Thank you for your letter of February 17, 1966. I noted that the manuscript of the proposed edition of Einstein's scientific works will be submitted to the Estate in due time. I do not feel that any final decisions can be made before we have had an opportunity of examining the manuscript. Dr. Oppenheimer's public statement in Paris leads me to assume that essential changes have been made in Einstein's papers.

I am not sure how to interpret the last paragraph of your letter and the suggestion that we draw up a formal agreement for publication. Since the Institute for Advanced Study assumed responsibility for the project, as indicated in Dr. Oppenheimer's letter to me of September 22, 1955, I had assumed that a publication agreement would be signed by the Institute and Princeton University Press. Although you stated in a letter of May 18, 1957, that Princeton University Press should be considered "the primary party" in the plan as far as "publication" is concerned, there has been no reason to assume that the Institute would not continue having the responsibility for the determination of the contents of the publication, the editing of the papers, the possible preparation of explanatory notes, etc. We were confirmed in that belief by Dr. Oppenheimer's letter to the Estate of September 4, 1956. The Estate, which has never been consulted about any of the pertinent problems and decisions in regard to the project, is in no position to sign a publication agreement.

You have asked me how we should proceed from now on. As far as we are concerned, we cannot take any further steps before the manuscript is submitted for examination. We shall then be able to ascertain whether any of the papers selected by the Institute for the project are in the public domain, and consider to issue publication permissions for those of Einstein's writings in which the Estate owns the literary property. It appears that royalty negotiations cannot be usefully conducted before the Press and the Estate have reliable information about the copyrighted material to be incorporated in the project. With kindest regards,

Sincerely yours,

Otto Nathan
Otto Nathan
Trustee

ON:jl

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February 17, 1966

Dr. Otto Nathan
Estate of Albert Einstein
55 East 10th Street
New York, New York 10003

Dear Dr. Nathan:

In response to your letter of January 18, I want to say that I see no reason at all why you should not see the entire manuscript of the proposed edition of Professor Einstein's scientific papers before it is published. I do not anticipate that there would be anything in the proposed edition to which you would object, but you are surely acting within your rights and responsibilities in requesting to see the manuscript. We would be glad to make such a provision in an agreement for publication.

Thus, unless there is some difficulty of which I am unaware, there seems to be no real barrier to reaching an agreement to publish. Since you affirm that the Estate now owns the literary property in all of Einstein's publications of which the copyright has not yet expired, including those works that were copyrighted in Europe, the problem of rights is simpler than I had realized. Apparently I did not fully comprehend your earlier statement.

How shall we proceed now? I wrote earlier about possible terms, and I should be glad to discuss these matters further with you. Would you not like now to draw up a formal agreement for publication of Professor Einstein's scientific papers? Then, as soon as Professor Bargmann is finished going through the papers and preparing them for publication, you could clear the manuscript, and we could proceed. I shall look forward to hearing from you.

With best wishes,

Sincerely,

Herbert S. Bailey, Jr.

HSBJr:eb

Copies: (Silent)

~~Dr.~~ J. Robert Oppenheimer, Professor Valentine Bargmann

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January 25, 1966

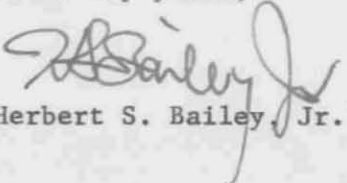
— Dr. J. Robert Oppenheimer
The Institute for Advanced Study

Professor Valentine Bargmann
Department of Physics
Princeton University

Gentlemen:

I'm enclosing a copy of a letter just received from
Dr. Nathan, and I would be glad to know your further
thoughts. I have not yet replied to Dr. Nathan's letter.

Sincerely yours,


Herbert S. Bailey, Jr.

HSBJr:eb

Enclosure
Cy Dr Nathan's ltr 1-18-66

ESTATE OF ALBERT EINSTEIN
55 EAST 10TH STREET
NEW YORK 3, NEW YORK

January 18, 1966

Mr. Herbert S. Bailey
Princeton University Press
Princeton, New Jersey

Dear Mr. Bailey:

I just received your letter of yesterday's date and wish to thank you for its detailed information.

I regret that the situation has changed since I wrote you on October 28, 1965. Dr. Oppenheimer meanwhile may have advised you of the letter which I felt compelled to address to him several days ago. You certainly know about the remarks Dr. Oppenheimer made in the address which he delivered at the U-N-E-S-C-O sessions in Paris which I attended myself. Under the circumstances, I have the duty to request that the entire manuscript of the forthcoming publication be submitted to the Estate before it can be cleared for reproduction. The unqualified statement which I made in 1955 that the pertinent material would be made available for Dr. Oppenheimer's project can no longer be maintained.

I have carefully noted the contents of your letter. I shall attend in due time to the examination of copyrights which you suggested. However, I should like even now to call your attention to a statement which I made in our previous correspondence years ago, to the effect that the Estate owns the literary property in all of Einstein's publications of which the copyright has not yet expired. This, of course, also refers to works of Einstein which were copyrighted in Europe and which are still protected by unexpired copyrights.

I very much appreciate the sentiments which you express in the penultimate paragraph of your letter. I am sure you realize that the Estate is in no way responsible for any delays that have occurred in the past and will do its best to avoid any delays in the future. With many regards,

Sincerely yours,

Otto Nathan.
Otto Nathan
Trustee

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GORDON HUBEL, *Executive Assistant* · IRVING M. UPDIKE, *Plant and Production Manager*

January 17, 1966

Dr. Otto Nathan
55 East Tenth Street
New York, New York 10003

Dear Dr. Nathan:

I am at long last able to reply to your letter of October 28 regarding our proposal to publish the collected scientific writings of Albert Einstein. In that letter you requested a full table of contents, and I am happy to enclose one herewith. It takes the form of a typewritten sheet giving Professor Einstein's later publications that we hope to include, plus a Xerox copy of the Bibliography of the Schilpp volume, in which I have checked in red pencil the items which we would like to include. I should add that we are not yet sure whether we want to include both the German and English versions of the autobiographical notes from the Schilpp volume, nor are we certain that we want to include all versions of the appendices in THE MEANING OF RELATIVITY. I should think that these matters could be settled later, since they are quite minor. Thus I hope we can soon settle the questions of copyright and royalties to which you refer.

In your letter you also ask about the permissions which Dr. Oppenheimer obtained some years ago. These permissions will be valuable to us only to the extent that rights in Professor Einstein's writings may be retained by foreign publishers and not transferred to the Estate. That is, because in many European countries copyright runs for fifty years beyond the author's lifetime, the publishing rights in some of Professor Einstein's earlier writings may still be in the hands of the original publishers. On the other hand, I know that as Executor you made an attempt to gather all the publishing rights to the Estate, and you will recall that at Princeton University Press we cooperated with you in that effort. Thus what we want

Dr. Otto Nathan

page 2

is, first, the enthusiastic cooperation of the Estate in carrying out a project which would surely have been welcomed by Professor Einstein himself and which would be a boon to the world of science, and second, to obtain on a reasonable and just basis permission from the Estate, wherever it controls the rights, to publish Professor Einstein's scientific writings.

I don't want to add to your burdens, since I know that you are extremely busy, but I hope that for the sake of making Professor Einstein's scientific writings widely available you will be able soon to make an agreement with us so that we can proceed. You will have to go through the proposed table of contents, checking each one to see whether you control the rights, or whether there are any restrictions on the rights. Since you can give us permission to publish only where you control the rights, we shall need to know where other permissions are needed or where there are any restrictions that must be cleared. We do not want to burden you with obtaining additional clearances, and we would be glad to do that ourselves once we have the necessary information. I would hope, of course, that there would be very few additional permissions needed.

Please let me know if I can do anything further. I shall look forward to hearing from you.

Sincerely,

Herbert S. Bailey, Jr.

HSBJr:eb

Enclosures

Silent copies

~~Dr.~~ J. Robert Oppenheimer
Professor Valentine Bargmann

X

ESTATE OF ALBERT EINSTEIN
55 EAST 10TH STREET
NEW YORK 3, NEW YORK

January 14, 1966

Dr. J. Robert Oppenheimer
The Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

I attended the sessions at Unesco in Paris several weeks ago and was seriously disturbed by some of the remarks you made about Albert Einstein.

I was surprised by your statement in regard to the publication of Einstein's works. When you informed me in 1955 that the Institute for Advanced Study had decided to prepare an edition of Einstein's scientific works for publication I advised you that the Estate would make the pertinent material available for your project. I did so since there was no indication in your communications that Einstein's writings would not be published in their original form. In view of your remarks in Paris I cannot maintain the unqualified permission for republication. The Estate will not be able to consider clearance for publication unless the manuscript is submitted for examination.

Sincerely yours,

Otto Nathan,

Otto Nathan

24 November 1965

Dear Dr. Bargmann:

The attached is a list of permissions we have received for publication in the Einstein Collecta. It is divided into three sections, periodical publication, listed under the periodicals; book publication, listed under the publisher; and newspaper publication. In some cases the same publisher is involved in both of the first two sections. May I ask you to look this over, and let me know if anything strikes you as wrong?

With thanks,

(Mrs. Wilder Hobson)
Secretary to the Director

Dr. V. Bargmann
109 Fine Hall
Princeton University
Princeton, New Jersey

ABHANDLUNGEN DER DEUTSCHEN BUNSENGESELLSCHAFT

Bunsengesellschaft für Physikalische Chemie, Karlsruhe, Englerstrasse 11, Germany

Zum gegenwärtigen Stande des Problems der spezifischen Wärme. 7: 330-64

AMERICAN MATHEMATICAL SOCIETY BULLETIN

American Mathematical Society, 80 Waterman Street, Providence, Rhode Island

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Elementary derivation of the equivalence of mass and energy. 41: 223-30

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H. Diels Lucretius, de rerum natura, lateinisch und deutsch: Geleitwort, vol. 2, p. vi, a-b

FRANKFURTER ZEITUNG, Frankfurt, Germany

Approval signed by: Raykowski, Frankfurter Societäts-Druckerei Gesellschaft mit beschränkte
Haftung Zentralabteilung

Über Kepler. 9 November 1930, p. 16, col. 3-4

THE MANCHESTER GUARDIAN, Manchester, England

Approval signed by: (illegible), Acting Editor

Isaac Newton. 19 March, 1927. (reproduced in Manchester Guardian Weekly, vol. 16, pp. 234-5)

THE TIMES, The Times Publishing Company, Limited, Printing House Square, London, E. C. 4

Approval signed by: Ian Hinton

My theory. 28 November 1919, p. 13

The new field theory. 4 February 1929

VOSSISCHE ZEITUNG, Verlag Ullstein, Berlin-Tempelhof, Mariendorfer Dann 1/3

Approval signed by: Heinz U. Schl(?)

Relativitätsprinzip. 26 April 1914, pp. 33-34

Friedrich Adler als Physiker. Morgenausgabe (no. 295) May 23, 1917, p. 2

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November 2, 1965

Dr. J. Robert Oppenheimer
The Institute for Advanced Study
Princeton, New Jersey

Professor Valentine Bargmann
Department of Physics
Princeton University

Gentlemen:

I am enclosing a copy of a letter just received from Dr. Nathan. You will see that he requires a full table of contents of the material to be included in the proposed publication of Professor Einstein's scientific papers, and he is not satisfied with the references in the Schilpp volume. When we have the full table of contents, Dr. Nathan apparently will discuss terms with us. It would seem to me worthwhile to put together such a table of contents, and I could have it done from the material available, but I think it would be better to have it done under Dr. Bargmann's supervision. I hope that this can be done.

Dr. Nathan refers also to the permissions obtained in reply to the letter sent out by Dr. Oppenheimer some years ago. It occurs to me that this may be a sticking point in Dr. Nathan's mind, since I suspect he resents the fact that that letter was sent. I do not see why those permissions, to the extent that they are valid, should be turned back to Dr. Nathan, since what we want is his permission in addition. There is a matter of strategy here which Dr. Oppenheimer and I might perhaps discuss.

Certainly we should tell Dr. Nathan what we plan to do, and for that purpose the table of contents will be needed. But I think our discussion with Dr. Nathan ought not to take up in detail the question of rights in individual papers, since these are undoubtedly very confused, being in the

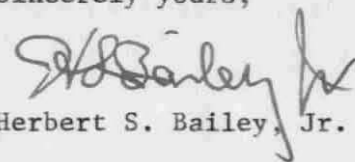
Dr. Oppenheimer
Professor Bargmann

page 2

public domain in some countries and not in others, etc. What we want from him is blanket permission to go ahead, to the extent that he is able to give such permission; where any other permission is needed, we should get it ourselves. Ordinarily I would prefer to have the executor take the full responsibility, but since Dr. Nathan seems rather uncooperative, and since he will surely not make an effort to get additional permissions on our behalf, I think we must do it ourselves.

How does this seem to you?

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'H. S. Bailey Jr.', with a stylized flourish at the end.

Herbert S. Bailey, Jr.

HSBJr:eb

Enclosure

Dr Nathan's ltr
of 10-28-65

ESTATE OF ALBERT EINSTEIN
55 EAST 10TH STREET
NEW YORK 3, NEW YORK

October 28, 1965

Mr. Herbert S. Bailey
Princeton University Press
Princeton, New Jersey

Dear Mr. Bailey:

I appreciate your kindness in calling your letter of May 12, 1965, to my attention. I suppose that I did not attend to it since I did not quite know what ~~reply~~ information you expected from me.

As I mentioned before, the issues to be solved between us are, as far as I can see, the questions of copyrights and royalties. No fruitful discussion seems to be possible about these problems before you have made a final decision as to the contents of the publication. I had hoped that, in time, you would be able to submit to me a Table of Contents indicating the titles and the original sources of publication including the publication year and the publisher. It is almost impossible for me to work on the basis of the list which was attached to your letter which gives merely the numbers in the Schilpp volume. It might also help if you would be able to let me have the permissions which were obtained in reply to Dr. Oppenheimer's request some years ago.

I am severely burdened with work and, being without any help or assistance, am obliged to ask that the questions in regard to copyrights on Einstein's works be submitted to me with as much detailed information as is at all available. With kindest regards,

Sincerely yours,

Otto Nathan.

Otto Nathan
Trustee

ON:jl

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October 21, 1965

Dr. Otto Nathan
55 East 10th Street
New York, New York 10003

Dear Dr. Nathan:

I had heard that you were ill and so I was not surprised when I didn't hear from you in response to my letter of May 12, 1965. Recently, however, I understand that Mr. Hubel has been in touch with you about translations of THE MEANING OF RELATIVITY, and I take this to indicate that you have recovered. I trust that you were not seriously ill and that you are well now.

To save your looking for it in the papers that must have accumulated while you were ill, I am enclosing a copy of my letter of May 12. Dr. Oppenheimer and I are both anxious to complete arrangements for publication of Professor Einstein's scientific papers, and we hope to have your views on this matter soon. We would of course be glad to meet with you, and I shall hope to hear from you before long.

Sincerely yours,

Herbert S. Bailey, Jr.

HSBJr:eb

Enclosure

Blind copy:

✓ Dr. J. Robert Oppenheimer

Einstein Collecta

15 October 1965

Dear Mr. Sharon:

This letter will constitute your appointment, for a period of one year, from October 1, 1965 to September 30, 1966, as assistant to Professor Bargmann to help him in the preparation of material to be published in the Einstein Collecta. Your salary will be \$6,500 a year, which I would propose to pay to you in ten monthly installments beginning October 15, 1965. Should you wish us to make other arrangements, please do not hesitate to let us know.

May I add that I am very glad that you are able to undertake this work, which promises to bring the publication of the Collecta to a much earlier realization.

With good wishes,

Robert Oppenheimer

Mr. Yitzhak Sharon
Palmer Laboratory
Princeton University
Princeton, New Jersey

cc Professor Bargmann

Mr. Morgan - charge Publications Fund.

PALMER PHYSICAL LABORATORY

PRINCETON UNIVERSITY

PRINCETON, NEW JERSEY

October 13, 1965

Dr. Robert J. Oppenheimer
Institute for Advanced Study
Princeton, New Jersey

Dear Robert:

As I told you, I have asked Mr. Yitzhak Sharon
(address: Palmer Laboratory) to assist me in the work on the
Einstein papers. He started work on October 1.

An arrangement similar to that with Prugovečki
would be greatly appreciated, i.e., a salary of \$6,000 for
the academic year. (Sharon expects to have his degree very
shortly. His thesis, written under Eugene Wigner's super-
vision, is completed.)

Like Prugovečki, Sharon is not an American citizen,
and it seems that the wording of the letter of appointment
is of some significance, because he is allowed to take only
certain kinds of jobs. Your letter to Prugovečki was highly
satisfactory. Would you be kind enough to write to Sharon in
the same form?

With many thanks and best regards,

Sincerely yours,

Valja

V. Bargmann

x called - he meant 6500.

13 October 1964

Dear Mr. Prugovecki:

This letter will constitute your appointment, for a period of one year, from October 15, 1964 to October 15, 1965, as assistant to Professor Bargmann to help him in the preparation of material to be published in the Einstein Collecta. Your salary will be \$6,500 a year, which I would propose to pay to you in ten monthly installments beginning October 15, 1964. Should you wish us to make other arrangements, please do not hesitate to let us know.

May I add that I am very glad that you are able to undertake this work, which promises to bring the publication of the Collecta to a much earlier realization.

With good wishes,

Robert Oppenheimer

Mr. Eduard Prugovecki
255 Harrison Street
Princeton, New Jersey

cc Professor Bargmann

Mr. Morgan - until further notice, charge Publications Fund.

Einstein - Collecta

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May 4, 1965

Dr. J. Robert Oppenheimer
The Institute For Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

Enclosed is a draft of a letter that might be sent to Dr. Nathan in reply to his letter of April 12. Please let me know if you think it is satisfactory or could be improved in any way. I am also enclosing for your convenience the tentative list of papers to be included. This is the same list we were using in 1957, but Bargmann says it is still all right. I propose to send a copy also to Dr. Nathan.

I shall be glad to have your comments on my proposed letter.

Sincerely,

H.S. Bailey Jr.
Herbert S. Bailey, Jr.

HSBJr:eb

Enclosures

Called 5/11/65

D R A F T

Dr. Otto Nathan
55 East 10th Street
New York 3, New York

Dear Dr. Nathan:

I have discussed with Dr. Oppenheimer your letter of April 12. After our correspondence in 1956-57 our project was temporarily laid aside because there seemed to be no way to undertake the tremendous task of going through Professor Einstein's published scientific writings carefully to look for misprints and the like; probably you are aware that there are many such errors of that kind in the printed works, and one would not want to perpetuate them in a collected volume. But this year the Institute made it possible for Professor Bargmann to have as an assistant a physicist who has been reading all the papers very carefully, consulting with Professor Bargmann on all difficult questions. Thus it now ~~again~~ appears possible to issue a collection of Professor Einstein's scientific papers in a carefully prepared accurate text.

As to the copyright, we agree entirely that the situation varies greatly with the different papers. Some are in the public domain; moreover there are geographic differences. I suppose that most of the early papers are still in copyright in Europe but not in the United States. These are matters that will have to be straightened out, but in any case we would want the cooperation of the Estate. We have hoped that you would join us, when the time came, in wishing to see a collected edition of Professor Einstein's scientific writings published. I see no reason why we cannot now proceed to make arrangements for publication. For such arrangements we will want to

Page 2 of drafted letter to Dr. Nathan

have permissions from you and also from those publishers who hold rights and who have not yet answered Dr. Oppenheimer's earlier request.

You suggest that a lump sum payment might be preferable to a royalty. I would have no objection to such an approach, and indeed it would have some advantages. How would you like to proceed from here? Perhaps you will want to suggest an appropriate sum, or would you like me to do so? The main thing is to agree on the basic plan; when that is done, I am sure we will be able to provide an appropriate royalty either as a lump sum or a percentage of list price. I am enclosing a tentative list of papers to be included, as nearly final as possible; you will see that we are using the bibliography prepared by Miss Shields of the Princeton Library (in the Schilpp volume) as a basis. What is the next step?

I shall look forward to hearing from you.

Sincerely,

Herbert S. Bailey, Jr.

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April 16, 1965

Dr. J. Robert Oppenheimer
The Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

I am enclosing a copy of a letter just received from Dr. Nathan regarding Professor Einstein's scientific papers. I am somewhat at a loss how to answer it, since the questions raised are rather vague. It does not appear that Dr. Nathan is going to be immediately amenable, but he seems to be open to proposals. The payment of a lump sum as royalty would not offer an insuperable obstacle in principle, though of course I don't know how large a payment Dr. Nathan has in mind.

I am going to be away from Princeton all next week, but I shall telephone you when I return and perhaps we can decide how to proceed. Meanwhile I thought it would be well for you to have this letter.

With best wishes,

Sincerely,

Herbert S. Bailey Jr.
Herbert S. Bailey, Jr.

HSBJr:eb

Enclosure

ESTATE OF ALBERT EINSTEIN

55 EAST 10TH STREET
NEW YORK 3, NEW YORK

April 12, 1965

Mr. Herbert S. Bailey, Jr.
Princeton University Press
Princeton, New Jersey

Dear Mr. Bailey:

I received your letter of March 30, 1965. Since I had not heard from you about the Einstein project for almost eight years, I had assumed that Princeton University Press had abandoned its plan to republish Einstein's published writings. I was interested to learn that this is not the case. I was also interested to learn about the work that is presently under way in preparation of the publication.

I have reviewed the previous correspondence in regard to the project between Dr. Oppenheimer, yourself and myself and believe that the Estate's position was stated with sufficient clarity in the various communications which I addressed to Dr. Oppenheimer and yourself years ago. The only change that has since occurred is the publication--under the Estate's auspices--of a microprint edition of all of Einstein's scientific and non-scientific published writings, together with all translations that were accessible to us.

The issues which were left undecided between the Press and the Estate in 1957 concerned copyrights, literary property and royalties. It does not appear to me that a discussion of these items could be fruitful before a relatively final manuscript is available, which you indicate is not yet the case. You seem to assume that the Estate owns the copyright on all of Einstein's works. This is not true as far as published writings are concerned. In those cases, the Estate possesses the literary property as long as the copyright in a specific publication has not expired--regardless of whether the copyright is owned by the Estate itself or by a publisher or magazine editor. However, the Estate has always considered it necessary that publication permission from the copyright owners be arranged for, even if the Estate, as the owner of the literary property, is prepared to grant republication privileges. Once the manuscript is completed, I suppose that Princeton University Press--as, in your language, the primary party in the publication project--will wish to examine these problems very carefully. I do not know, of course, whether the permissions requested by the Institute in 1956, to which our correspondence of September and November of that year referred, were sought from all the copyright owners involved, whether they were granted as requested by the Institute and whether they would satisfy all necessary requirements.

As far as royalties are concerned, the Estate may suggest that the mode of payment be given careful consideration. In view of its experiences with other publication projects over the last decade, the Estate feels that the payment of a lump sum before publication may be preferable to periodic payments during the publication's lifetime of royalties expressed in a given percentage of the retail sales price.

I shall look forward with interest to hearing from you again whenever you feel that the time has come for further discussions of some of the points mentioned above.

Sincerely yours,

ON Nathan.
Otto Nathan
Trustee

ON:jl

PU Press
4900

3/22/65 - 4:50 p.m.

Mr. Bailey called to ask if the time of the meeting with Miss D. (2:30 Wed.) could possibly be changed to ~~xxx~~ another day--; much to his embarrassment, he discovered that Wed. p.m. is the one time during the week when he is not free.

Wed. morning, Thursday until 4:00, and Friday are open.

I said I would call him tomorrow about this, after speaking with you.

Called - left message

Clg to 2:30 Thursday

29 March 1965

Dear Mr. Bailey:

Your draft letter to Dr. Nathan seems just about right to me. I have one suggestion: in the second paragraph from the bottom of the second page, I think we should not assume that the Estate could not make difficulties for our publication, but if it does indeed hold all copyrights, it will reduce the difficulties to one.

With warm good wishes,

Robert Oppenheimer

Mr. Herbert S. Bailey, Jr.
Princeton University Press
Princeton, New Jersey

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March 26, 1965

Dr. J. Robert Oppenheimer
The Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

I am enclosing a draft of a letter that might be sent to Dr. Nathan with respect to the publication of Professor Einstein's scientific papers. I should be glad if you would read it and let me know whether you have any suggestions for changes.

I do not mean to press the question of the letters now, but it seemed to me that perhaps an expression of interest in later publication of the letters would predispose Dr. Nathan toward publication of the scientific papers now. Also, of course, my interest in publication of the letters is genuine.

I hope you will find the letter satisfactory, and in any case I shall be glad to have your suggestions.

Sincerely,

Herbert S. Bailey, Jr.

HSBJr:eb

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March 22, 1965

Dr. J. Robert Oppenheimer
Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

I have now had a chance to look further into the question of publishing the Scientific Papers of Albert Einstein, and to make some rough estimates. Of course at this point, without actual copies of the papers to be included, it is difficult to provide anything more than approximations. Nevertheless a general outline can be provided.

I believe that Professor Einstein's Scientific Papers will make four volumes of approximately 500 pages each. Our publication cost would probably be in the neighborhood of \$75,000. We would, of course, assume this cost, plus whatever royalty is to be paid. We would plan to print 5000 sets, and we would put on an international prepublication campaign to sell them at a list price of \$40 per set. After publication the price would go to \$50 per set. This is on the assumption that a normal royalty of 10% would be paid. If a higher royalty is required, the figures would probably have to be adjusted, but it is difficult to say exactly because the cost figures are so rough. Nevertheless this should give you an idea of what we would be able to do, and when we can have a complete set of the papers for estimating purposes we shall be glad to make a firm agreement.

I would also like to keep in mind the possibility of issuing a single volume of THE CHIEF SCIENTIFIC PAPERS OF ALBERT EINSTEIN, probably somewhat after publication of the complete SCIENTIFIC PAPERS. The sale of the four-volume work is certain to be mainly to libraries, but a selective volume, possibly also in paperback, would make the most important work widely available to individuals and students. But the first thing, of course, is to publish the comprehensive set.

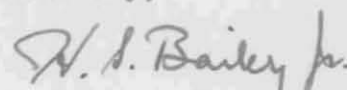
Dr. J. Robert Oppenheimer

page 2

I think it is hardly necessary to point out that Princeton University Press would be an appropriate publisher for Professor Einstein's Papers. Among other reasons, as a university press we keep our books in print much longer than commercial publishers, reprinting them even in small editions if necessary. It is difficult to say how long it would take us to sell 5000 sets of Professor Einstein's Papers, but you can be sure that we would expect to keep the volumes in print for a very long time.

I shall look forward to discussing this with you.

Sincerely,

A handwritten signature in dark ink, reading "H. S. Bailey Jr." in a cursive style.

Herbert S. Bailey, Jr.

HSBJr:eb

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February 8, 1965

Dr. J. Robert Oppenheimer
The Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

I understand from Professor Bargmann that he is making very good progress in the project of preparing Professor Einstein's papers for publication. This is a project that I discussed with Professor Bargmann and with Dr. Nathan some years ago, but at that time it did not seem possible to make any progress. Now I understand that under the sponsorship of the Institute for Advanced Study the work is going ahead, and I want to express to you the desire of Princeton University Press to give the Einstein papers the same kind of full publication that we are providing for the Jefferson papers and that we shall provide for the Wilson papers. The Trustees of the Press have specifically encouraged me to pursue this matter with you, and I assure you that if an arrangement can be made to publish Professor Einstein's papers, we shall do our very best to do them justice. Of course you know that we are publishers of Professor Einstein's book, *THE MEANING OF RELATIVITY*, and I think we are well equipped to do the work properly.

I am writing to let you know of our interest, and I shall telephone in the hope of making an appointment to discuss the matter with you in the near future.

Sincerely yours,

H. S. Bailey Jr.
Herbert S. Bailey, Jr.

HSBJr:eb

Re called Bailey 2/17

Bailey will be in touch with us.

THE INSTITUTE FOR ADVANCED STUDY

PRINCETON, NEW JERSEY 08540

SCHOOL OF MATHEMATICS

January 7, 1965

Dr. Robert Oppenheimer
Institute for Advanced Study

Dear Dr. Oppenheimer:

I feel that you should have a report of our handling of the Prugovečki manuscript.

When Professor Bargmann came to me after discussing the matter with you I knew that Mrs. Gorman was not busy, at the time, and told him that we would be glad to see what we could do for him. By the time Mr. Prugovečki brought the paper to us, Professor Yang had given some work to Mrs. Gorman which prevented her from starting the typing. She passed the Prugovečki work over to Mrs. Labman who typed six or seven pages before she, too, became involved with work for Institute members. No other Mathematics secretary was free at the time.

It was obvious, after a few days, that no one was going to be able to get back to this work before the holidays and I called Professor Bargmann, after discovering that Mr. Prugovečki was out of town. He wanted me to estimate the time it might take us to finish the job after the holidays. I could not give him any assurance as we were all involved in work that would continue after the start of the new year, and we never know in advance what work will come in from our own members. He and I agreed that the manuscript should be returned for other arrangements, and Jessie Slown delivered it to Fine Hall on December 22.

Very truly yours,



Secretary
School of Mathematics

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31st August, 1961.

Robert Oppenheimer Esq.,
The Institute of Advanced Study,
Princeton,
New Jersey,
U.S.A.

Dear Sirs,

On 11 September 1956 we granted
you permission to reproduce extracts from
the undermentioned books in a work which
you had in preparation. We cannot
trace that we have received the fee of
£ \$7.00. for which we asked and we
shall be glad to know whether you have
yet used this material. If payment has
been made through someone else would you
please let us know.

Yours faithfully,
for GEORGE ALLEN & UNWIN LTD.

K.A.M. *[Signature]*

WHERE IS SCIENCE GOING.

8 July 1958

Memorandum to Mr. Morgan:

This will authorize you to charge the Publications Fund and pay Dr. V. Bargmann the sum of \$2,222.22, as salary for the months of July and August, during which time he will be working on Professor Einstein's papers. Dr. Bargmann would like to have this money deposited to his account at the Princeton Bank and Trust Company.

Robert Oppenheimer



NEXT WEEK WE'VE GOT TO GET ORGANIZED

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Einstein's publication

10 June 1957

Memorandum to Mr. Morgan:

This will authorize you to charge the Publications Fund and pay to Dr. V. Bargmann the sum of \$66.60. This represents reimbursement to Dr. Bargmann for expenses in photostating material from Annalen der Physik, per attached statement.

Robert Oppenheimer

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R. MIRIAM BROKAW, *Managing Editor* · KENNETH F. COOK, *Accountant*

May 28th, 1957

Dr. Robert J. Oppenheimer
Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

With regard to the projected collection of Professor Einstein's Scientific Papers, I wrote to Dr. Nathan asking him to meet with Professor Bargmann and me at his convenience, either in Princeton or in New York, sometime before August 1, when Professor Bargmann will be going to Europe. I also told him that while the Institute of course is deeply interested, as publishers Princeton University Press would have the primary concern to make sure that all rights were clear, and the like. Hence, the second paragraph of his letter. I have replied saying that I hoped we could get together in the fall, when Professor Bargmann returns.

I am sending copies of this letter and Dr. Nathan's letter to Professor Bargmann for his information.

Sincerely yours,

Herbert S. Bailey, Jr.

HSB-B

ESTATE OF ALBERT EINSTEIN

55 East 10th Street
New York 5, N.Y.

May 24, 1957

Mr. Herbert S. Bailey, Jr.
Princeton University Press
Princeton, N.J.

Dear Mr. Bailey:

Thank you for your letter of March 18, 1957 and for your kindness in sending me a tentative list of the papers which you intend to include in the projected publication of scientific papers by Albert Einstein. I am very doubtful whether the discussion suggested by you will become possible before August 1, 1957. I should mention however, that Professor Bergmann was adequately informed about the Estate's ideas on the publication project of Einstein's collected works.

Professor J. Robert Oppenheimer advised me by letter of September 22, 1955 that the responsibility for the publication of Einstein's scientific works had been assumed by the Institute for Advanced Study. I have now learned from your recent letter that Princeton University Press and not the Institute for Advanced Study should be considered the primary party in the publication project, and I have duly noted the change that seems to have occurred.

Sincerely yours,

Otto Nathan
Executor

ON:kw

2 Aug. 1956

Mr. Bailey (Univ.Press) called regarding his letter which we received this morning. He thought you might like to discuss that matter before he leaves town on Saturday for a two-week vacation.

vm

*Re returned call in P.M.
re copyrights*

Exc Einstein Pub

ch. 10. 10

C O P Y

PRINCETON UNIVERSITY PRESS

May 15, 1957

Dr. Otto Nathan
Executor
The Estate of Albert Einstein
55 East Tenth Street
New York 3, New York

Dear Dr. Nathan:

I am writing to acknowledge your letter of April 27th, and to thank you for informing me of your decision with regard to any published papers by Albert Einstein which the Estate controls. I shall continue to keep you informed of anything definite which we may plan here concerning the papers of Professor Einstein. Meanwhile, thank you for writing.

Sincerely yours,

Herbert S. Bailey, Jr.

HSB-B

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May 13, 1957

Dr. Robert Oppenheimer
Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

Mr. Bailey has asked me to send you the enclosed thermofax copy of a letter just received from Dr. Nathan, executor of the Estate of Albert Einstein.

Cordially yours,

Joan E. Busch
Secretary

JEB

ESTATE OF ALBERT EINSTEIN

C O P Y

55 East 10th Street
New York 3, N.Y.

April 27, 1957

Mr. Herbert S. Bailey, Jr.
Director
Princeton University Press
Princeton, N.J.

Dear Mr. Bailey:

Your letter of December 6, 1956 was duly received at the time. As I have not heard from you since, I assume that your plans are still in the indefinite stage in which they were at the time of writing.

Before you make a final determination, you may like to know of a decision which the Estate felt now compelled to make. Until the Estate's own publication plans are settled, it will not make available for any project of Einstein's collected works the publication rights of such published papers by Albert Einstein which are not in the public domain and of which the Estate is the owner either of the literary property or also of the copyright.

With kindest regards,

Sincerely yours,

Otto Nathan
Executor

ON:kw

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R. MIRIAM BROKAW, *Managing Editor* · KENNETH F. COOK, *Accountant*

December 6, 1956

Dr. Robert Oppenheimer
Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

I am enclosing a copy of the latest letter I have received from Dr. Nathan, and a copy of my reply.

When we know exactly what we want to do, and what cost may be involved, I think it will be time to settle the matter with Dr. Nathan. Meanwhile I hope he can be brought to take a more favorable view of our project. Permission from the original publishers certainly strengthens our position, but it is virtually certain that there will be some material under Dr. Nathan's direct control, and I find that in many cases courts have found that a magazine or journal publisher is the trustee of the author, even though copyrighting the material, and that other publication rights remain with the author. This is different from book publication, but I am afraid it does give some force to Dr. Nathan's claim.

Essentially, however, I am sure it would be a mistake to approach the project in a legalistic way, and Dr. Nathan must be brought to realize his responsibility to act as Professor Einstein would have acted if he were still alive. Certainly we are not going to cheat the Estate out of any financial rewards, and if there is such a possibility, the Estate should have its proper share. But we both know that this is going to be an extraordinarily expensive project, and it is quite doubtful whether receipts will cover costs, particularly since we want to keep the price of the volumes down if possible.

Actually I believe that what is troubling Dr. Nathan is not the interest of the Estate, but a matter of personal pride. His correspondence with the Scientific American on I.B. Cohen's article, which you probably saw, indicates his wrathful possessiveness with regard to anything concerning Einstein. He is a small man standing in a great man's shoes, and he wants his position to be recognized. I think that

- 2 -

by humoring him a bit he can be persuaded to cooperate. After all, I don't think he is in a position really to oppose the project we have in mind, and perhaps he only needs to be given an easy way to come over to our side.

With best wishes,

Sincerely yours,

H. S. Bailey Jr.
Herbert S. Bailey, Jr.

HSB-B

C O P Y

PRINCETON UNIVERSITY PRESS

December 6, 1956

Dr. Otto Nathan
55 East 10th Street
New York 3, N. Y.

Dear Dr. Nathan:

I am writing to acknowledge and thank you for your letter of December 3rd, concerning the publication rights in Professor Einstein's published writings. Our plans are not yet definitely settled, and we shall be in touch with you again.

Sincerely yours,

Herbert S. Bailey, Jr.

HSB-B

ESTATE OF ALBERT EINSTEIN

55 E. 10th St.
New York 3, N.Y.
December 3, 1956

Mr. Herbert S. Bailey, Jr.
Princeton University Press
Princeton, N. J.

Dear Mr. Bailey:

I was much interested in your letter of November 27, 1956. As I told you in my previous communication, the Estate is in control of the publication rights on all of Einstein's published writings of which the copyright has not yet expired. Since I do not know which of the hundreds of publications your project intends to include, it would not be possible for me to prepare the list which you suggested. I still feel that the easier and more normal procedure would be if a request stating the titles, editions, etc. of the writings which have been selected for republication, were submitted.

I should like to add a word in response to the last paragraph of your letter. Surely, it would be a mistake to compare our request of July last for clearance on a few titles, destined for a complete edition of Einstein's works prepared under the auspices of his Estate, with the project in which Princeton University Press is interested. In cases in which the copyright is registered in the name of a publisher, we consider the publisher as the constructive trustee for the author. We have, therefore, approached all publishers with a request similar to the one addressed to you, regardless of the fact that the Estate controls the publication rights itself.

The situation seems very different in the case of your project. As I understand it, the publication will contain only writings by Einstein and will hence be, in a sense, a book by him, but not prepared in cooperation with his Estate. As the guardian appointed by Einstein for the protection of his interests, I would not be in a position to make publication rights available without being well acquainted with the particulars of the projected publication. Nor do I feel would I be able to do so without a prior arrangement in satisfaction of the financial interests of the Estate.

Sincerely yours,

Otto Nathan
Executor

ON:gs

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R. MIRIAM BROKAW, *Managing Editor* · KENNETH F. COOK, *Accountant*

November 27, 1956

Dr. J. Robert Oppenheimer
The Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

I am enclosing a copy of a letter I have just received from Dr. Nathan and a copy of my reply. I have been expecting Dr. Nathan to make such a claim, and you will see that in my letter I have tried to get him to pin down exactly what his claim is. I rather think that he will decline to list the papers which he claims to control, but will again make some very sweeping kind of general claim. You will note that in my letter I have not acknowledged the validity of his claim, but simply asked him to specify it. I hope you will approve the manner of my reply.

I shall let you know what I hear from Dr. Nathan. Perhaps then it would be well to get together to discuss the next step. I am confident that Dr. Nathan cannot really do anything to stand in the way of publication of Professor Einstein's Scientific Writings, but I hope a direct conflict can be avoided.

With best wishes.

Sincerely yours,

Herbert S. Bailey, Jr.

HSB:mg

Encs.

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November 27, 1956

Dr. Otto Nathan
The Estate of Albert Einstein
55 E. 10th Street
New York 3, New York

Dear Dr. Nathan:

I appreciate very much your writing to me concerning your position with regard to the publication of Professor Einstein's Scientific Writings in the collection which we have discussed. We naturally do not want to do anything of which Dr. Einstein himself would not approve, were he alive, and we would certainly hope that his Estate would favor our plans. At the same time, knowing that you were proceeding with a comprehensive collection of Professor Einstein's published and unpublished writings, we planned to go ahead with a less ambitious project, namely the published scientific writings. For this purpose we sought the permission of the original publishers, just as you did for your comprehensive collection. We did not believe it would be necessary to ask for the formal permission of the Estate, though we intended to inform you fully of our plans as soon as the final list of material to be included could be settled.

In your letter you say that the Estate holds publication rights in various of Professor Einstein's papers, and since we have already written to the publishers we feel it would be helpful to us to know exactly which of Professor Einstein's papers the Estate regards as literary property under its control. Presumably you have such information ready at hand, and the list could rather easily be made up by referring to the numbers in the bibliography of the Einstein volume of *The Library of Living Philosophers*, and listing the relatively small number of Papers published afterward. I should be most grateful if you would send me such a list.

As you know, as soon as the question of Professor Einstein's contribution to the Hadamard Volume was settled, we granted your request to include various Einstein papers issued by Princeton University Press in your comprehensive volumes. I trust that this matter can be settled similarly and without difficulty.

Sincerely yours,

HSB:mg

Herbert S. Bailey, Jr.

ESTATE OF ALBERT EINSTEIN

55 E. 10th St.
New York 3, N.Y.
November 21, 1956

Mr. Herbert S. Bailey, Jr.
Princeton University Press
Princeton, N. J.

Dear Mr. Bailey:

I wish to refer to our correspondence of over two months ago concerning the publication of Einstein's Scientific Writings which the Institute for Advanced Study is now preparing.

I have learned from several publishers that they received requests to grant the Institute permission for the republication of Einstein's works. We believe that clearance by the publishers is insufficient. It is our understanding that when Albert Einstein granted a publisher the right to produce one of his works in a given magazine or book, the literary property of that work remained in other respects with Einstein himself. This was true with most, if not with all, of his scientific writings. Consequently, in all instances in which the copyright has not expired, permission to reproduce these writings properly can be given only by the Estate of Albert Einstein.

A case in point is Einstein's contribution to the Russell volume of The Library of Living Philosophers who have only recently informed us that they have given the Institute permission for republication. According to our view, however, the Library do not have the right to grant such permissions. We have advised the Library to that effect and feel sure that, in fairness to your project, we should call the legal situation also to your attention.

As early as September 20, 1955, I advised Dr. Oppenheimer that any publication as to which the rights are owned by the Estate would be made available for the Institute's edition, "assuming that the interests of the Estate would be adequately protected by your project." Our position has in no way changed. Should Princeton University Press intend to include in the forthcoming edition of Einstein's Scientific Writings such works of which the Estate owns the publication rights, we shall gladly consider any request that you may wish to make. I am sure you will then acquaint me in detail with the proposed content and with such other aspects of the publication which you would consider important for us to know, including the royalty arrangements that you propose to offer the Estate.

With kindest regards.

Sincerely yours,

Otto Nathan
Executor

ON:gs

4 September 1956

Dear Dr. Nathan:

Mr. Bailey of the Princeton University Press has let me see copies of his recent correspondence with you. We do not yet have a completely final table of contents for the scientific works of Einstein that we propose to publish, and I have postponed writing to you until I can transmit that. We have, however, made three decisions that will not, I think, be reversed:

1. This publication will contain only previously published work.
2. It will contain only scientific work, and
3. The publication will be in the same language as the original publication.

I hope that it will be a contribution for scholars and scientists that will be truly helpful.

Very sincerely,

Robert Oppenheimer

Dr. Otto Nathan
Estate of Albert Einstein
55 East 10th Street
New York 3, New York

Copy to Mr. Bailey

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August 31, 1956

Dr. J. Robert Oppenheimer
Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

I am enclosing herewith a copy of a letter I have just received from Dr. Nathan, along with the carbon of my own reply. I still feel that without actually asking for Dr. Nathan's permission and approval, which of course we do not need, we can perhaps persuade him to look kindly on our own project, and thereby avoid a clash which would be unpleasant and unprofitable. Possibly you will want to write him saying that I have shown you his letter and my reply. In any case I shall keep you informed of anything further that I hear from him.

Sincerely yours,

Herbert S. Bailey, Jr.

HSB/11

August 30, 1956

Dr. Otto Nathan
Estate Of Albert Einstein
55 E. 10th Street
New York 3, New York

Dear Dr. Nathan:

Thank you for your letter of August 27th.

I am very glad to tell you the status of the project which Dr. Oppenheimer spoke to you about last year. Professor Bergmann, with the advice of the committee named in my recent letter, has been going through Professor Einstein's published materials and has virtually completed a selection intended to be published as a comprehensive collection of Professor Einstein's scientific writings. Only the published writings, of course, are included. Although all the formal arrangements have not yet been worked out, it is definitely expected that the project will be carried through and Princeton University Press will act as the publisher. This project, of course, is quite different from yours, and I do not see any reason why they could not be carried on independently, though as I said in my recent letter, it does seem to me that this would entail a certain amount of duplication. That is why I suggested that we might get together to discuss the matter. In any case I should be very glad to hear your further thoughts on the subject. I am sure that both Dr. Oppenheimer and I would hope that you would welcome the project both as a friend of Professor Einstein and in your capacity as executor. We plan to carry it through in a way that will be worthy of Professor Einstein and will make his published scientific writings much more easily accessible to scientists everywhere. With best wishes,

Sincerely,

Herbert S. Bailey

cc:
Dr. J. Robert Oppenheimer
Institute for Advanced Study
Princeton, N. J.

ESTATE OF ALBERT EINSTEIN

55 E. 10th St.
New York 3, N. Y.
August 27, 1956

Mr. Herbert S. Bailey, Jr.
Princeton University Press
Princeton, N. J.

Dear Mr. Bailey:

Many thanks for your letter of August 24, 1956, and for your kindness in extending permission to the Estate to include in an edition of Einstein's collected works all of his material for which Princeton University Press owns the copyright.

I was much interested in the further contents of your letter. Dr. Oppenheimer advised me almost a year ago that he and Professor Bargmann considered discussing with Princeton University Press an edition of Einstein's collected or scientific writings, which they contemplated at the time. As I have not received any further information since, I do not know whether their plans have matured and what the present status of the project is.

I hope you had a pleasant summer.

With kindest regards.

Cordially yours,

Otto Nathan
Executor

ON:gs

RO talked to Mr. Bailey. Bailey will
get waivers. RO to write Nathan
later when we have a table of contents.

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July 31, 1956

Dr. J. Robert Oppenheimer
Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

I am writing with regard to the copyright situation in connection with the Einstein papers. I have been going through the list which Professor Bargmann is seriously considering for inclusion in the collected scientific papers, and I am writing to put my conclusions on paper for future reference, though I also plan to discuss these with you directly.

Very, very few of the items on the list are under valid United States copyright, since nearly all of them were originally manufactured and published abroad. Nevertheless, although it is very hard to be sure, it is likely that nearly all of them are still protected under copyright in Europe. This is an important consideration, since the European market for the Einstein papers will be important from every point of view. In addition, the United States has had a copyright treaty with Germany since 1892, mutually recognizing copyrights, and a very large number of the items were originally published in Germany. Many of these copyrights were taken over by the Office of Alien Property in the Department of Justice during the war, but I believe that nearly all of them have been returned to the owners, when they could be located and identified. Most European countries, under the Berne Convention, do not require a formal notice of copyright in the publication itself, so it is virtually impossible to discover whether a particular work is copyrighted without digging into the records, and of course a great many of the records have been destroyed.

In addition, I am sure it would be a bad policy for Princeton University Press or for the Institute for Advanced Study to take literary property without permission from the publishers, even though the material may not be protected by international copyright treaties.

Dr. J. Robert Oppenheimer

-2-

July 31, 1956

Therefore I think the simplest and most effective procedure will be to begin by assuming that we shall have to get permission to publish the various Einstein papers, and letters will have to be written to the publishers unless permissions already secured by Dr. Nathan can be used.

It is extremely unlikely that Dr. Nathan has exclusive permission to use any of this material, since his form letter asks only for authorization to go ahead with the comprehensive collection. Therefore, except in so far as Dr. Nathan may have acquired full publishing rights, we are in a position to go ahead independently.

*Bailey and
Nathan*
I suspect, in spite of Dr. Nathan's letter to the effect he is "now arranging for the publication of Einstein's collected writings," that he has actually only begun to acquire permissions and that he has not made any arrangements with publishers at all. A duplication of effort would be wasteful and undesirable in many ways, so wouldn't it be well to inform Dr. Nathan that we are planning to prepare and publish an edition of Professor Einstein's scientific writings? Of course he already knows this, but wouldn't it be better to bring the matter to a head and saddle it than to proceed independently on parallel lines? I don't think Dr. Nathan is in a position to keep us from going ahead or to make any real trouble or even to carry out his own project without some assistance, particularly if it has already been announced that we are preparing a comprehensive edition of the scientific papers. *settle*

At any rate this letter states the permissions situation as I see it now, and as nearly as I can determine it without a tremendous amount of digging.

Sincerely yours,

H. S. Bailey Jr.

Herbert S. Bailey, Jr.

HSB:mg

Mike stopped in for authorization for Dr. Bargmann to have photostating done in connection with the Einstein publication.

It will be some 2000 documents, which at 30¢ each (special low rate from University) will be \$600.

Charge publications fund?

yes

told mem. 6/11/56

12 April 1956

Memorandum to Mr. Morgan:

This will authorize you to charge the Publications Fund and pay Dr. V. Bargmann the sums of \$888.89 on July 1st, 1956; and \$888.89 on August 1st, 1956. This is his salary for two months' work on Professor Einstein's papers.

Robert Oppenheimer

Copy to Dr. Bargmann

From a letter from Mr. Bailey of the Princeton University Press dated
October 21, 1955:

"I have spoken again with Professor Bargmann about the
Einstein Papers, and he is going to begin to go through the papers to
make a more definite selection. When this has been done, I shall be able
to go into the matter again in more detail, and I will let you know of any
developments."

Einstein pub
cc: ✓ Dr. Oppenheimer

JOURNAL D'ANALYSE MATHÉMATIQUE
Jerusalem,
11/B, Rue Abrabanel

October 13, 1955

Professor Marston Morse
The Institute for Advanced Study
Princeton, New Jersey, U.S.A.

Dear Professor Morse:

...

May I take this opportunity and ask you for the following favour. I heard that there is a plan to publish the "Collected Papers of Albert Einstein". The Israel Scientific Press, a Government sponsored institution, is interested to participate in such a project. They are technically and financially able to do it. I promised them my help for the technical editing and supervision. Would you know whom the Press has to contact for full information and eventually discuss such a participation? Thank you most sincerely in advance...

/s/ Amirà

B. A. Amirà

Professor Morse answered:

January 4, 1956

...

I am asking our secretary to find out if she can where the "Collected Papers of Albert Einstein" are to be published. I think Dr. Oppenheimer will take the responsibility.

Ro spoke with CDU on Tel. 1/5

THE INSTITUTE FOR ADVANCED STUDY
PRINCETON, NEW JERSEY

OFFICE OF THE DIRECTOR

29 July 1955

Dear Professor Weyl:

Your letter of July 24th
must have crossed mine saying that Dr.
Oppenheimer had wired yes to your question.
I am today sending him a copy of your
July 24th letter, and we shall let you
know as soon as we have any further word.

With best regards,

(Mrs. Wilder Hobson)
Secretary to the Director

Professor Hermann Weyl
Bergstrasse 27
Zürich
Switzerland

Copy to Dr. Oppenheimer

COPY

Bergstrasse 27
Zurich
July 24, 1955

Professor Robert Oppenheimer
Director, Institute for Advanced Study
Princeton, New Jersey
U. S. A.

Dear Robert ;

At the Relativity Conference in Bern (which, by the way, was unexpectedly lively and interesting) I once more spoke about the editing of Einstein's Collected Works with Valentin Bargmann, Dr. Nathan, Pauli, Born and von Laue. They were of the unanimous opinion that our Institute will have to tackle the task and that they should be published by the Princeton University Press, assuming the Press is prepared to do the job under reasonable conditions (I know that Mr. Bailey is only too anxious to be asked for it).

Scepticism prevailed concerning inclusion of Einstein's scientific correspondence. For instance, Born said that practically all the many letters he had from Einstein, even if they mostly were concerned with physics, contained also personal matters, often in very blunt language, and that he was not willing to let other people see them, to say nothing of having them published. However, the establishment of an Einstein archive at the Institute was considered desirable; I think, a beginning for that has already been made by Dr. Bargmann, Bruria Kaufmann and Miss Dukas.

Inclusion in the Collected Works of unpublished material was considered inopportune; exceptions could be made only after very careful investigation. The idea of adding an English translation to the papers written in German found no support. The Editorial Committee should be kept as small as possible, and since neither Laue nor Born wished to participate, the final proposal foresaw as its members: Bargmann, Pauli and myself.

What do you think of all this? Bargmann will undoubtedly have to do the main work. We all agreed that Bargmann and Dr. Nathan should get in touch with you as soon as possible and prepare estimates on which a contract with the Princeton Press could be based. (If a contract is drawn up to which you, Dr. Bargmann, and Dr. Nathan agree, Pauli and I need not be consulted.)

With most cordial greetings to you and Kitty from Ellen and

(yours as ever)

/s/ Hermann

/t/ Hermann Weyl

THE INSTITUTE FOR ADVANCED STUDY
PRINCETON, NEW JERSEY

cc Mr. Morgan
✓ Pac. file - Einstein

*CR Pub Fund
see Fac. Kantorowicz
for Bailey letter*

OFFICE OF THE DIRECTOR

20 October 1955

Dear Mr. Bailey:

Thank you for your good letter of October 14th, in which you discuss the questions of publication by the Princeton University Press of ~~THE KING'S TWO BODIES~~, and of the scientific papers of Einstein. I appreciate the care with which you are approaching both undertakings.

I shall communicate with you if anything should develop which would be relevant to the Press's willingness to undertake the Einstein publication.

Your proposals about the publication of Kantorowicz' ~~THE KING'S TWO BODIES~~ are completely satisfactory, and we gratefully and unreservedly accept them. We shall be prepared to make the grant of \$6,000 to the Press at such time as you desire.

Faithfully yours,

Robert Oppenheimer

Mr. Herbert S. Bailey, Jr., Director
Princeton University Press
Princeton, New Jersey

*Inst. Gen. Einstein Publications
(new folder)*

22 September 1955

Dear Dr. Nathan:

I have your letter of September 20th, and understand that the Estate is assuming no responsibility for the publication of a collection of Einstein's scientific works. The responsibility for this publication is being assumed by the Institute for Advanced Study, under the editorial supervision of Professor V. Bargmann. It will probably be published by the Princeton University Press. We have had the benefit of consultation with Hermann Weyl, Max von Laue, Max Born, and Wolfgang Pauli; and will continue to consult them on any matters of policy which may arise.

Should it appear desirable to include any of Einstein's unpublished scientific papers, or any material of which the title to copyright is vested in the Estate, we shall, of course, communicate with you. These items will in any case be very few, and there may be none; but on this matter it is too early for me to give definite assurances.

Sincerely,

Robert Oppenheimer

Dr. Otto Nathan
55 East 10th Street
New York 3, New York

ESTATE OF ALBERT EINSTEIN

55 East 10 Street
New York 3, New York
September 20, 1955

Dr. Robert J. Oppenheimer
Institute for Advanced Study
Princeton, New Jersey

Dear Dr. Oppenheimer:

I have given careful thought to the information which you conveyed to me over the telephone several days ago, and would like to make a few additional remarks lest there be any room for misunderstandings which I am sure you are as anxious to avoid as I am.

You advised me that you, Professor Bargmann, and several other friends of yours have reached definite conclusions about an edition of collected publications of Albert Einstein, and that you and Professor Bargmann intend to discuss the project with Princeton University Press sometime this week.

As you no doubt recall from our discussion in June, the Estate would be interested in sponsoring, or participating in, an all-inclusive edition of Einstein's works which would be considerably more comprehensive than the project described by you. Therefore, while the Estate would not wish in any way to argue about the merits of an edition which you and your fellow-scientists consider desirable in the interest of scientific research, it would have to be understood that such a project would be a private undertaking in which the Estate cannot assume any responsibility.

Should you wish to include in that edition any publications as to which the copyrights are owned by the Estate, these would, of course, be made available for your edition, assuming that the interests of the Estate would be adequately protected by your project.

With kindest regards.

Sincerely yours,

Otto Nathan
Otto Nathan
Executor

THE INSTITUTE FOR ADVANCED STUDY
PRINCETON, NEW JERSEY

SCHOOL OF MATHEMATICS

June 3, 1955

Dr. Robert Oppenheimer
Institute for Advanced Study
Princeton, New Jersey

Dear Robert:

This morning I had a talk with Valentine Bargmann and the Trustee of Einstein's estate, Dr. Nathan, about the publication of Einstein's collected works. We seem to agree that it is desirable to have them published under the auspices of the Institute.

I am for having the papers published in the original language only, Bargmann seemed to favor the view that English translations should be added for the papers in a foreign language.

Financing will probably cause no difficulties. As publishers we thought of either Princeton University Press or Birkhäuser, Basel. Birkhäuser seems preferable to me if the papers in German, which form the majority, are to be printed in German only.

An editing committee should be established. In the first place we thought of the following names: You, if you care, Valentine Bargmann, H. P. Robertson, and myself on this side of the Atlantic; Max Born, Max von Laue, and Wolfgang Pauli on the other side. Other names may be added. The committee would be responsible for careful editing, but it should also decide which material to include, in particular whether to include some of Einstein's scientific correspondence, and if so what.

Dr. Nathan and Dr. Bargmann will certainly approach you in the near future, but I promised them to tell you of this plan beforehand.

Sincerely yours,

Hermann Weyl

HWcdu

Informal group - Pauli, Weyl,
Opp, Bargmann to explore

29 July 1955

Dear Professor Weyl:

Your letter of July 24th must have crossed mine saying that Dr. Oppenheimer had wired yes to your question. I am today sending him a copy of your July 24th letter, and we shall let you know as soon as we have any further word.

With best regards,

(Mrs. Wilder Hobson)
Secretary to the Director

• Professor Hermann Weyl
Bergstrasse 27
Zürich
Switzerland

Copy to Dr. Oppenheimer

BERGSTRASSE 27

ZÜRICH

July 24, 1955.

Professor Robert Oppenheimer
Director, Institute for Advanced Study,
Princeton, New Jersey
U. S. A.

Dear Robert:

At the Relativity Conference in Bern (which, by the way, was unexpectedly lively and interesting) I once more spoke about the editing of Einstein's Collected Works with Valentin Bargmann, Dr. Nathan, Pauli, Born and von Laue. They were of the unanimous opinion that our Institute will have to tackle the task and that they should be published by the Princeton University Press, assuming the Press is prepared to do the job under reasonable conditions (I know that Mr. Bailey is only too anxious to be asked for it).

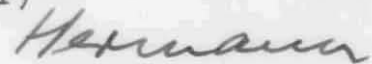
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What do you think of all this? Bargmann will undoubtedly have to do the main work. We all agreed that Bargmann and Dr. Nathan should get in touch with you as soon as possible and prepare estimates on which a contract with the Princeton Press could be based. (If a contract is drawn up to which you, Dr. Bargmann and Dr. Nathan agree, Pauli and I need not be consulted.)

With most cordial greetings to you and Kitty from Ellen and

(yours as ever)



Hermann Weyl

Copy sent to Dr. Oppenheimer

28 July 1955

Dear Professor Weyl:

As I wrote you on July 8th, I forwarded your letter to Dr. Oppenheimer in the West Indies. This note is to let you know that he has cabled that the answer to your question is yes.

Sincerely,

(Mrs. Wilder Hobson)
Secretary to the Director

Professor Hermann Weyl
Bergstrasse 27
Zurich, Switzerland

p.s. Best greetings to Mrs. Weyl

8 July 1955

Dear Professor Weyl:

This note is to let you know that we are sending your letter of July 3rd on to Dr. Oppenheimer. With luck he should have it within two weeks. We have heard from them from Granada and St. Vincent, and it sounds as though they are having a wonderful time.

Princeton is unbearably hot now and I envy you the Swiss summer. My best greetings to you and Mrs. Weyl, and also to Dr. and Mrs. Placzek. I do hope that he is feeling better.

Sincerely yours,

(Mrs. Wilder Hobson)
Secretary to the Director

Professor Hermann Weyl
Bergstrasse 27
Zurich, Switzerland

Copy to Dr. Oppenheimer

BERGSTRASSE 27

ZÜRICH

July 3rd, 1955

Professor Robert Oppenheimer
Director, Institute for Advanced Study,
Princeton, N. J.
U. S. A.

Dear Robert:

I don't know when and by which way this note will reach you. For I hope that Kitty and you are now enjoying your cruising in the Carribean.

I talked to Pauli about the publication, under the Institute's auspices, of Einstein's Collected Works. He thinks, it ought to be done¹. But like you, he is against inclusion of any material heretofore unpublished; for, if Einstein had not published it, he probably did not want to see it published. Exemptions should be made, if at all, only after very careful examination. He is also critical of the inclusion of scientific correspondence; selection, and only a selection of letters could be considered, would be both difficult and arbitrary. A systematic collection, on the other hand, had better be left to posterity; one must leave some work to the antiquarians! Pauli consented to the idea of a₂ Editorial Board consisting of him, Laue and Born, H.P. Robertson, Bargmann and me. In about a week the Relativity Conference in Berne will start, where I shall probably meet all of them; however, against prior announcements, Niels Bohr will not be there.

By reading and by discussion with people here I made a feeble attempt to find out what good representatives of modern history may be available in England, France or Germany. I shall write about it to EKa.

Els and George Placzek are here at present, George not in good condition; he suffers from insomnia.

Good sailing to you and Kitty! and best regards from Ellen and
your

Hermann W.

Hermann Weyl

copy sent to RO

THE INSTITUTE FOR ADVANCED STUDY
PRINCETON, NEW JERSEY

8 July 1955

OFFICE OF THE DIRECTOR

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Secretary to the Director

Professor Hermann Weyl
Bergstrasse 27
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✓ Copy to Dr. Oppenheimer

C O P Y

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Bergstrasse 27
Zurich

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Hermann Weyl