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 The Stutz Club, Inc.
 William J. Greer, Editor
 7400 Lantern Road
 Indianapolis, IN 46256

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TO:

Announcements

- As of May 15, 2005 19 Stutz are registered for the INDY Concours Grand Prix to be held June 18, 2005 on "The Circle" in downtown Indianapolis. This is great participation and we look forward to a similar turn-out for Grand Stutz 2005 at Mt. Washington, NH on July 8 - 10.
 - Also as of May 15, 2005 two members have reported that their copy of the Jan- March 05 issue of Stutz News No. 71 contained eight (8) blank pages. Please, if you received a defective copy notify the editor and he will mail a correct No. 71
 - The Grand Stutz 2006 European Tour proposed by President Norman Barrs has been planned to start on Thursday 22nd June 2006 in Munich and finish in Paris on Sunday 9th July 2006. En route by luxurious coach together with a multi-lingual full-time courier visits will be made to Salzburg, Garmisch-Partenkirchen, Verona, Venice, Lugano, Interlaken, Mulhouse, Beune, Bourges, Tours and Le Mans (more details on page 5.)
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Stutz (1911-1937)

HARRY CLAYTON STUTZ (1876-1930)



The Stutz Bearcat at the Formula One Grand Prix and other stories *by Hugh Guthrie*

The Formula one Grand Prix “circus” came to Australia in March, as the first of the 2005 Grand Prix series. Held in Melbourne, this event is televised world-wide and is quite an event in the sporting life of this great city.

Why am I telling you this? Because there was a Stutz Bearcat on display there during the event. I had been invited to place our Bearcat in the Historic Garage display, together with about 50 other cars, as a cavalcade of the important competition cars of the century.

There were two other “old “ cars on show, as well — a baby Isotta Fraschini and a Clement (with an American La-France engine, apparently assembled a few years ago, to copy the Clement Grand Prix cars of 1908). The rest of the display were more modern sports and racing cars from around the world, including an Eagle Grand Prix car raced by Dan Gurney, and two Ford GT40’s side-by-side with other marques renowned for their sporting prowess. All mouth-watering stuff.

The Grand Prix event takes place over four days, leading up to the race on the Sunday. I decided to attend the event in case anyone wanted to talk “Stutz”. And they did. I spent three days in the Historic Garage answering questions about the car (including the perennial questions about how much the car is worth and “What speed will she do, mate?”). There is no doubt that cars like the Stutz are a great attraction to the general motoring public and I enjoyed being able to pass on information on the vehicle to anyone who would listen. After all, it was my first car, purchased by me in 1952, which must be something of a record. Has any other Club member owned a Stutz for so long?

I have enclosed a photo of my Pit Crew. Stutz News unfortunately cannot reproduce the vermilion and black colours of the car, or the matching vermilion uniforms of the team, but you can be sure that there were plenty of other photos taken of the girls. . . oops sorry, car.

And that brings me to the scoop of the automotive year, and you, dear readers of Stutz News are the first to know the truth. We (that is the Bearcat, me and the Crew) were invited to run a few practice laps with the Grand Prix cars. Well, in the pits it seems that the pit crew uniforms were something of a distraction to the other teams. In consequence they variously managed to fit the wrong plugs or put water in the fuel tanks or something and most other cars were unable to complete a lap. And when one of the crew was holding out the lap board to me as we swept past the pits, several cars ran off the road when she dropped the lap board on the ground and picked it up. Anyway there was such confusion that the Stutz was awarded the prize. Then the sponsors and the organisers realised that all the advertisers would be furious. The result was annulled and the TV stations then set up a slot-car track in a studio and ran the race with slot cars, digitally enhanced to look like the real thing, and added some pit-stop footage for realism. Some commentators have said that the Melbourne race was a bit of a procession, which is the clue to the truth of my story. But we know the real story and I will be able to show you a photograph of the Stutz and the chequered flag when these nice men let me out of this tight white canvas jacket. But we know the truth don’t we, as I record this expose on April 1.

And now, back to the real world. One of our local papers had a news item that was brought to my attention. A real bearcat and a baby bearcat were photographed at our Melbourne Zoo. Wait a moment — I thought that the Splendid Stutz had suggested that there was no such animal and the name may have been derived from the “Bobcat”. It appears that there is an animal, called a “binturong”, that inhabits some areas in South East Asia, that is known to English-speakers as the “Asian Bearcat”. A quick check of the Internet shows that the Asian Bearcat is well known in zoological circles and there are even a few in

The Stutz Bearcat at the Formula One Grand Prix



The Guthrie Bearcat in good company - the best dressed pit crew at the Australian Grand Prix



captivity in America. I have a suspicion, however, that the Bearcat name-tag may post-date the first Stutz Bearcat, and have sprung from the Harry Stutz made-up name, as it is a catchy title and would aptly describe an animal with both bear-like and cat-like appearance — like the binturong. As I have been asked many times where the name comes from, as have probably all us Bearcat owners, I thought that I should pass on this snippet of information, to add to the mystery.

And to add to the myths and mystery of the Stutz, here is a true story, and I mean a real true story.

January 2004, we had entered our Bearcat in an extensive one-day rally around the magnificent countryside south-east of Melbourne. This wonderful annual rally is grandly called the “Great Australian Rally” and is organised by the Royal Automobile Club of Victoria. This was a very well-organised rally with almost 600 entries, ranging from Veterans (pre-1919 in this country), through Vintage, up to more modern machinery from the “Classic” era which is designated to include vehicles to around 1960. There was another Stutz entered also, a very splendid Moskovitch sedan. We had a great time with delightful weather and great company.

The event concluded in the car park and grounds of the Mornington Racecourse, and with all those cars parked in the same area, and quite a large spectator crowd, there was opportunity to meet many other owners, and to field the inevitable questions of “what will she do, mate” and “is this a German car, then”. In the midst of this turmoil, I met some people who had an interesting Stutz story, and who said that they knew where there was another Bearcat! Of course I took the bait, so to speak, and this nice group of people told me this fantastic story, which I will try to relate as it was told to me, and it goes without saying that I have no means of “verifying the facts”, but it is a great story. I can be forgiven, perhaps for slightly embellishing the detail in the interests of giving some context to the story for the non-Aussie readers.

Apparently, in the early 1920’ some of this

family’s forebears had coveted a Stutz that was owned by another party, and had contrived to steal this car. Now at this time — known as the Great Depression in this country - there were rather powerful gangs of criminals operating in and around Melbourne, and as there had been some problems in the police force of the time - there had even been a police strike - these gangs were relatively audacious. One of the most feared members of this underworld was a man called Squizzy Taylor who was suspected of carrying out several murders. My father — and I hasten to say that he was not one of these “gangsters” - had only recently returned from the First World War a year or two before and he often recounted the lawless goings on in this city.

Back to the story. Our car thief apparently made two mistakes. The least consequential of these was to choose such a spectacular car as a Stutz, which would be difficult to keep out of sight. The more frightening mistake was to steal what was alleged to be the pride and joy of one of the leaders of these gangs, and Squizzy’s name is mentioned. Whether the selection of this car was by design or accident is not clear, but the light-fingered person was now faced with a quandary, a rather desperate and possibly painful situation. Apparently, to avoid discovery and almost certain retribution, it was decided that the car had to disappear without trace. The family owned a property in suburban Melbourne that had a large hole in the back yard. How this situation arose and how the vehicle was placed in the hole is not clear, but it was soon buried out of sight. At some later time — when is not clear — a “chook-shed” (fowl pen to those not familiar with our patois) was constructed above the interment, and a garden established. This happened surreptitiously, so very few people in the family were aware. There was now no evidence of the involvement of anyone at that address in such a nefarious and risky undertaking.

However, the story did leak out from time to time and 11 was told that, over the years, several people had arrived at the front door with shovels in hand, and others had offered money to be



allowed to excavate. All these enquiries were turned away, and the legend of the car was generally forgotten.

The story now moves on to the present. There is a new house built on the site of the old garden and chook-shed. A substantial tree has grown over what may be the burial site. My informant, at the Rally, said that there had been an attempt at excavation some time ago to see if the car existed and what its condition might be. The family had been able to exhume some very corroded fittings with considerable difficulty, but were adamant that the ravages of time underground and the ministrations of a large tree and its roots had dashed any thought of recovery.

And I gathered from the unspoken reluctance to be forthcoming with real detail, that the episode is still a little sensitive. I did not ask for names or locations nor have I any means of contacting this family again. I told them that I wished to share this story with the Club-members and add to the Stutz legends, and here it is, believe it or not.

But wait..., there is more, which makes this story even more intriguing to me. Because I had heard this story before — and it was the same story, in essence. In about 1975, the Stutz Owners Register (refer to “The Splendid Stutz, page 360), of which I was a member arranged to set up a display stand at the Melbourne Motor Show. I agreed to place my Bearcat, in completely unrestored state (read “derelict!”) on the stand and several of us members stood about to answer questions from the passing crowd. One night when I was on the stand, a young man approached and told me he knew where a Stutz Bearcat was buried in suburb of Melbourne and that this car had belonged to a notorious criminal. As I remember, he also was not too forthcoming with details.

In both instances, the story-tellers have been adamant that the car is a Bearcat. This I do doubt, because it is my experience that people who do not know the marque well will automatically, it seems, add the word Bearcat after uttering the magic name Stutz, as also stated in Dale Well’s article in The Splendid Stutz on page 362. As the time would be early 1920, the car would probably be

one of the much more numerous tourers, as the necessary entourage of bodyguards and support would require more space than a Bearcat could provide, and yet still be able to outperform any police vehicle of that time. And whether the car did belong to Sqizzy is a matter of history I have no method of checking, but it does add degree of notoriety to the yarn.

Is it a true story? I think it is, and I am amazed at the coincidences that have caused me to cross paths with this ghost of another Splendid Stutz. May it rest in peace.

continued from page 1...

Plans for Grand Stutz 2006 European Tour by Norman Barrs

The inaugural dinner will be in Munich and the farewell dinner in Paris and the penultimate day, Saturday 8th July will be spent at the Le Mans Classic where hopefully two of the Stutz cars will be running in the 24 Hour Classic race.

The anticipated cost including the very expensive entry into LeMans will be some 3,000 euros per person assuming 34 participating members. The only thing I cannot allow for is the cost of the air fare for each of you to travel to Munich and return home from Paris or wherever you wish to depart. Some may wish to extend their stay. The tour as proposed would include all accommodation, transportation, breakfast and dinner and visits to planned places of interest.

Dale Wells, VP Programs, requests that members contact him before September 30, 2005 regarding their desire to participate in this extremely well thought out and planned European Tour.

Your cooperation is crucial to making this magnificent tour a reality!



Booth v. Stutz Motor Car Co. of America, Inc. et. al

The Contrarian View

by David W. Braun (Part II)

Enter Fredrick Ewan Moskovics

Naturally, one would have to ask why Stutz Motor Car did such a turn-around on the Booth proposition. At this point, many of the previous texts and articles on the matter bring Fred Moskovics on to the stage (and of this man, more in a moment). I believe in the short term, what transpired was Scripps-Booth's inability to document the patent claims (and for a very good reason as we shall see much later). The Company probably became very leery of the unsubstantiated claims, and most likely was taking the advice of an attorney in the matter. In addition, Booth seemed unable to clearly detail what he expected in the way of compensation, only that he had a big roll of drawings that would bring success to Stutz if they elected to use them.

Fred Moskovics, at that point in time, was one of those automotive individuals who literally needed no introduction of any kind. Born in Hungary, he arrived in the United States as a very young child. He became involved with motorcars from a very early age (his Father was associated with the automotive trades), participated in early-day racing, and then worked for a number of different companies, including Marmon and Franklin. By the 1920's, Moskovics was well known in automotive circles on both sides of the Atlantic, and was regarded as an urbane, cosmopolitan motorcar man.

Moskovics' last employer prior to Stutz was Franklin, of air-cooled fame. In the summer of 1924, there arose a dispute, the details of which we need not concern ourselves with here, and Moskovics wound up suing Franklin for breach of contract. Moskovics resigned his position in August 1924. As is now universal knowledge, he assumed the Stutz presidency on February 17, 1925

Thus, historians are presented with the interesting question of what Moskovics was doing with his time after August 1924, in order to assume the Stutz position in February 1925. From

the foregoing, we have seen some people in both Charles Schwab's office and the Stutz factory were spending time with James Scripps-Booth between September and November 1924. As for Fred Moskovics, well, he had some ideas he thought Stutz might like to hear, and so he made an approach. As to whom he approached, interestingly enough, all available evidence shows he by-passed both Schwab and the factory. And, as it turned out, none of the Indianapolis people wound up dealing simultaneously with both Booth and Moskovics.

Moskovics' Stutz contact was Eugene V.R. Thayer, Stutz Chairman of the Board and a former President of Chase National Bank. Thayer's name vis-à-vis Scripps-Booth appears only once, in connection with the final Booth New York meeting, January 1925. It can be assumed in the fall of 1924, Thayer was at least aware of the Booth proposition, but had decided for whatever reason, not to interject himself into the matter.

It is interesting to speculate what would have transpired had the initial Booth letter been addressed to Thayer, rather than Schwab. That, and what would have occurred when Moskovics subsequently turned up with his own proposal. However, it remains Booth had no contact with Thayer, while Moskovics apparently had the man's undivided attention for a time. Booth may indeed have misjudged the power structure of the Stutz Board of Directors, while Moskovics knew precisely to whom he should speak.

As we noted above, the reactions of different Board members to these propositions did indeed vary. Schwab, busy man that he was, simply passed off Booth's letter to someone else and assumed things would be taken care of. Thayer, in contrast, and perhaps because of his banking background, and being far more cautious, treated Moskovics' proposal in a very confidential manner. Then, only after all of his questions had been asked and answered, and the complete proposition laid out in detail, did he take the matter to the other Directors. The factory in Indianapolis had no participation in the Moskovics proposals at all;



whereas in the Booth matter, it was the factory hosting the conversations and the Board members who were seemingly excluded.

A concerted search of the available literature fails to show an initial contact date between Moskovics and Thayer, assuming it was after the former's August departure from Franklin. That date, if it were available, would be instrumental in establishing the point where the Scripps-Booth promotion to Stutz would have begun to face some competition. Thayer, careful man that he was, had made sure he had a complete proposal in hand, in contrast to the disorganized situation occurring over at Tenth and Capitol. And only then after a review, was Moskovics brought in for his presentation. The Board was obviously impressed by the famous Mr. Fred Moskovics and his ideas, judging by subsequent events.

The decision to go with Moskovics can almost certainly be assigned an early- to mid-November 1924 date, based on the 'book-end' letters to Booth of October 29 and November 25. That Moskovics was not immediately appointed was probably due to the fact he was still in court with Franklin and of course, the fact Stutz had to terminate the Scripps-Booth proposition. Since Moskovics was requesting the Presidency of Stutz, there was also the matter of what to do with William Thompson.

Fred Moskovics Makes His Sales Pitch

Just what was Fred Moskovics offering to Stutz Motor Car and how did this differ from the Scripps-Booth proposition? The most striking difference would have to be the two men themselves. Moskovics was offering himself as part of an overall proposition, while Scripps-Booth was offering a design package. To be sure, Booth also did offer to help if the package was purchased, but one senses the Stutz management was not very keen on that idea. In contrast, Fred Moskovics was offering his distinctive personality, salesmanship, design and engineering ideas and the fact he could and would 'talk' Stutz on both sides of the Atlantic and in several languages at that! The somewhat eccentric Scripps-Booth was simply not in that league.

As to the mechanical ideas, Moskovics sketched out a new motorcar using themes he had thought about over the years, including what is termed a "double-drop" frame and worm drive to lower the profile of the car. He talked of overhead camshaft engines, smart custom bodies, and even safety features (almost completely unknown and unrecognized at that time). And, there would be an air of European elegance and sophistication to it all, while of course, trading on the Stutz reputation from the old days as "America's Road Racing Champion."

Given the deteriorating Stutz financial situation because of lack of sales, Thayer and the others did have the responsibility of guarding the stockholder's interests, and of doing something to turn things around. The fact that one group was talking to Scripps-Booth about a fairly radical proposal, and Thayer was talking to Moskovics about a departure from the past emphasizes the fact that the entire Stutz organization, separately and together recognized no mere updating or 'freshening' of current models would be of help. What was needed was a wholesale *aggiornamento* to propel Stutz into the far future. And, it is almost eerie to reflect that just prior to these events, another Indiana automobile manufacturer had come to the same conclusions, and brought in an outsider to save the company and the car: Errett Lobban Cord would serve the Auburn Automobile Company very well.

Whether Thayer had drawn any conclusions from Auburn Automobile (and how could he not, as it was subject of a lot of talk among automotive people at the time), and whether or not he had taken some time to look at the details of the Scripps-Booth matter, it remains he had, right in front of him, *the* Fred Moskovics, the man known by everyone, the man on first-name terms with Ettore Bugatti, Howard C. Marmon, Charles Weymann, Warwick Wright, Charles Kettering, the list is endless. This was a man who could get Stutz moving again.

It was undeniably, a hard thing for Thayer to resist. But, it all came at a price: stock in the company, salary and a title—President of Stutz Motor Car Company would suit Fred Moskovics just fine.



James Scripps-Booth's Second Séance chez Stutz Motor Car

If this were a normal tale, Fred Moskovic becomes President of Stutz, and goes on to acclaim. James Scripps-Booth continues to try to sell his design package, perhaps does find a taker, and perhaps not, and then goes back to the contemplative life of being a painter in sunny Southern California. There would be no unpleasantness, no lawsuit, only perhaps a regret or two there wasn't much reward for Automotive Artists, that is, other than Ettore Bugatti.

However, the Automotive Gods decided this was not the way this particular tale should end. After all, it's all been about a roll of drawings, business correspondence, conversations, patents and other mundane matters. What was needed, the Gods decided, was to give Scripps-Booth a second chance with Stutz and perhaps create chaos for their edification. This time, the second chance would come from a totally unexpected source, and once again, things began to become hallucinatory.

As it turned out, the biggest booster within Stutz Motor Car for the Booth design was the Chief Engineer, Charles S. Crawford. Crawford's first employer was a railroad, the Cleveland, Chicago, Cincinnati and St. Louis, colloquially known as "The Big Four," and part of the New York Central System. From there he went on to the automotive industries and worked for Lozier, Cole and Premier. Joining Stutz in 1922, he designed a six-cylinder engine used in the 1924-25 programs. Those programs, while very-well thought out and with superb engineering and designs, were poorly received on the part of the public. Booth later "claimed" Crawford was discouraged by this turn of events and had run out of ideas (and as will be seen, that claim was made only after Booth's death, to make a surreal situation macabre in the extreme).

Here we have the usual historian's puzzle of sorting out exactly who was being truthful, but the fact remains, for some reason Crawford saw in the Booth designs a much better arrangement than anything he could offer at that point. As to why he did not draw on some of his prior experience, say for example with the Cole V-8 or the Premier push-button, electrically driven transmission, is unknown.

The court testimony was able to establish Crawford contacted Booth directly (via mail) on October 30 in connection with the Argyll motor. Apparently, Crawford wanted Booth to see if the Stutz engine could be fitted into the Da Vinci chassis, and he, Crawford, would furnish the necessary Stutz drawings. As to whether this action was being done with the knowledge of other Stutz people is unknown. However, it remains an extraordinary breach of company rules and ethics for an employee to directly approach a third-party in such a way. As we have seen, the Booth proposition was indeed winding down as far as the Company's Board of Directors was concerned, not proceeding to an agreement. While it cannot be proven, this and Crawford's next move strongly hint he was acting on his own behalf, hoping to somehow salvage the situation and then have the Stutz and Schwab people come around to his way of thinking.

Crawford bided his time through the end of December and with the knowledge the Booth deal was tabled for good by the Board members. As to precisely when it became knowledge among the employees that Moskovic would be coming on board as President has not been established, but certainly by January 1925, most should have sensed changes were about to occur. For one thing, a director's meeting was scheduled in Indianapolis the second week of February 1925, and all of the New York people would be attending. At this precise point in time, there had been no new models or programs announced or scheduled for the end of 1925 and beyond, and there was some expectation the meeting would be addressing those matters.

On February 3, 1925, Crawford wrote a letter to Scripps-Booth. That letter, the Court found, led Booth to believe the Company had revived their interest in the Da Vinci project. The Court could not find if such were *true*, only that Crawford was saying such. This placed the Company, once again, in a precarious legal position, and done by their own employee. Crawford next wired on February 9 asking Booth for some drawings.



Scripps-Booth had a well-known penchant for coloring his design drawings, and Crawford specifically asked for "colored cuts." Booth wired back that the "colored drawings" were mailed, whereupon Crawford wrote yet another letter dated February 10 (the reader should keep in mind Moskovics would take office in seven days hence, and thus Crawford was literally running out of time to try to turn things around)

'Dear Mr. Booth:

During the recent National Automobile Show which was held in New York City, [note: that would have been January, 1925] you had an interview with our Messrs. Schwab, Thayer and Thompson, relative to your new car design. At that time it seemed to be the concensus [sic] of opinion of our directors, that it would be unwise to continue further with you in any negotiations on this car.

Some day next week, [note the seeming vagueness as to the Company schedule] there will be an executive meeting held at this plant, for the purpose of discussing our future plans, and it is the desire of those active here at the factory, to again call to the attention of our directors, your unusual design.

You are aware of the fact that no one in our entire organization, with the exception of Mr. Thompson and the writer, have seen any of your drawings, and it therefore occurs to us, that our directors might consider further, and show more interest in your proposition, if we had in our possession the line drawings and wash drawings which you have previously shown us.

It is impossible for us to say today just what day next week we will be able to get together, but as it is the wish of Mr. Thompson and the writer to present your drawings, etc., to our directors when they arrive, we would appreciate it very much if you would express to us such drawings as you have.

We assure you that these drawings will be shown only to those controlling this business, and we will not make any copies of same of any nature.

Your design is so unique in many ways that it would be impossible to convey what you have in mind, to others, without the use of these

drawings, and we trust that you will cooperate with Mr. Thompson and the write in permitting us to have them in our possession for a very short period.

We have a great many things to discuss among ourselves, and after we have definitely outlined the policy of procedure we will return the drawings to you immediately, and advise you further.

Mr. Thompson and myself are of the opinion that we can take care of your interests properly and should Messrs. Thayer and Schmidlapp desire further information we will get in touch with you immediately.

Knowing that you appreciate our position in the matter and with many thanks for trusting us with your data, we are,

Reading and re-reading this letter, the mind reels as to the implications. We have no knowledge if indeed Thompson was part of this scheme or not. Thompson, of all people, knew his limitations in such a situation, and to bring up a matter that the Board of Directors had emphatically rejected not more than 60 days past would have been a foolish move on his part. We also now know Thompson was dismissed from the Company at about this same time (see trial testimony below), and may have been unaware Crawford was still using his name in correspondence. Using the name of Carl J. Schmidlapp is also puzzling. Schmidlapp, although a Stutz stockholder, was not on the Board of Directors, and was in fact, the President of Chase Bank, one of Schwab's associates and a conduit to financial houses. It was as if Crawford had little grasp of the corporate organizational structure.

In any event, it was now more than evident (except perhaps to Crawford) Moskovics was the Coming Man, and he had his own plans and schedules; after all, that was part of the package the Board had accepted. There was to be no Scripps-Booth car, leastways from Stutz, and Crawford seemed oblivious to that as late as February 10-12, 1925.

The Court record is silent as far as any kind of presentation by Crawford at the Director's meeting, and Thompson's testimony seems to skirt



the issue entirely. Besides, all of the correspondence and wires between Booth and Stutz in this period have Crawford's signature, not Thompson's.

Before Moskovics took over, there was one final letter from Booth to Crawford. Booth had been busy: he had thought things over and decided to make changes to the design. That last letter was a very lengthy re-capitulation of the changes, Booth at that point, having Crawford's early February letters and wires, leading him to believe the deal was back on with Stutz. Booth's zooid-like world was soon to be shattered.

Fred Moskovics Takes Over Stutz

The day Fred Moskovics assumed the Stutz Presidency, he was in the Indianapolis plant. Although the day must have been a hectic one, with everyone wanting to meet and discuss things, Moskovics found some time to sit down with Crawford. The reason for the meeting was to enable Moskovics to outline the new motorcar he had in mind. As he began to explain things over rough sketches he was making, Crawford interrupted, and in "evident surprise" [according to Moskovics' subsequent court testimony] said,

"My God, I have got Booth's designs up stairs."

"You've got the whole shooting match and the details of his car?" asked Moskovics.

"Yes," said Crawford.

"Go right up the stairs and pack up those drawings and get them out tonite [sic], and be prepared to say I've never seen a line of them, and write him a letter and tell him the company isn't interested."

Moskovics obviously immediately grasped the legal implications, even if no one else did.

Moskovics' later testified he had no knowledge of the Scripps-Booth design because he wouldn't allow Crawford give him any details, "I wouldn't let him."

Crawford's "evident surprise" could be construed as very elaborate kabuki theater in order to save his job. If that theme is correct, he was fully prepared to show and discuss the Scripps-Booth project to Moskovics, and thus had no prior knowledge Moskovics was coming on board with his own designs and wasn't about to consider someone else's

proposals. Crawford did keep his job, although ironically, as will be seen, that was an argument used against Stutz in the later lawsuit.

Thus it fell to Crawford to write the final letter to Scripps-Booth and tell him, once and for all, the matter was closed:

'February 19, 1925

'My Dear Mr. Booth:

'The colored car drawing and blueprints came to hand the middle of last week, and we have analysed [sic] them from every viewpoint. [Such a claim seems doubtful based on what we now know]

'It is necessary for me to advise you that the board of Directors of this Company has decided not to consider your proposition further, for the reason that they do not feel that it will fit in properly with other plans which they have in mind, and such plans they do not wish to sacrifice. [Considering Moskovics was holding a signed contract dating from November or December 1924, it is understandable why they would feel that way; but see below:]

'You are to be congratulated upon the many clever ideas embodied in your layouts, and we regret that we can give you no further consideration for manufacturing such a car here.

'We wish to thank you for the opportunity which you have afforded us, and sincerely trust that you may have the pleasure of placing the same elsewhere at an early date.

'The blueprints and colored drawings entrusted to us are being returned today by prepaid express.

'Yours sincerely,

'Stutz Motor Car Company of America, Inc.

'Chas. S. Crawford, Chief Engineer.'

This letter contains a lot of face-saving on Crawford's part. We have no evidence he did in fact make any presentation, and if Fred Moskovics was telling the truth, as soon as the Booth matter was brought up, Moskovics told him to get the papers out of the plant, no one



else having seen them, much less the Board of Directors.

One truly puzzling aspect of all of this are the drawings themselves: Crawford saw them the one day back in October, 1924, then had possession of them for approximately eight days in February, 1925. If the findings of the Court were correct, that some of these drawings were “used” subsequently, those would have had to be copies, and the only way of making copies of blueprints in 1925 would have been either by tracing or by photography. If copies were indeed made, one can imagine the mad scramble on the part of Crawford in taking drawings in and out of the plant to a photography studio. Perhaps none of this can be proven or disproven at this late date, but it still remains a very large puzzle as to exactly what transpired.

Booth's second Stutz encounter had lasted all of sixteen days. It was all over and done with. By all accounts, Booth took this bad news calmly enough and shrugged his shoulders. At that point in time, at least, no one sensed he might have resented the approximately six months of time he had invested with Stutz Motor Car and with nothing to show for it.

The Frontenac Connection

Now that he was back out on the street, so to speak, Scripps-Booth decided the drawings might not be that good a salesman by themselves, and what was really needed was a three dimensional representation of the Da Vinci car. And no model would suffice; a full-size, running prototype would have to be constructed.

A few weeks later, Booth found himself walking on West Tenth Street in Indianapolis. He was approximately two blocks west of the Stutz factory site, and he was looking for 410 West Tenth.

Seeing the street number, James Scripps-Booth walked up to the building, the sign overhead reading “Chevrolet Brothers Manufacturing Company, Inc.” Smaller signs talked about something called Frontenac. Inside, the proprietor of the place awaited his visitor.

Facing Scripps-Booth was one of the most

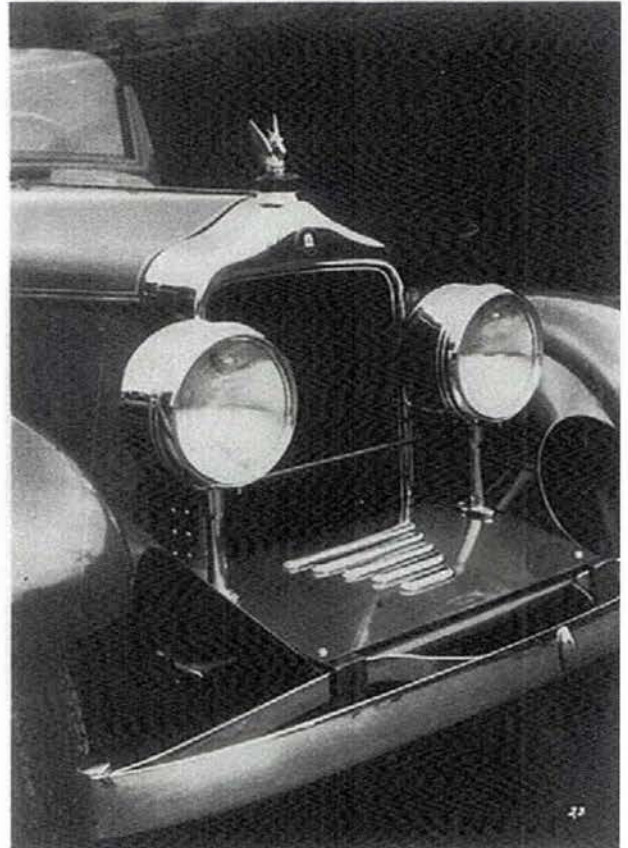
important automobile personalities of the first third of the Twentieth Century, Louis Joseph Chevrolet. Chevrolet was a physically large man, tall and somewhat bear-like, and with a normally jovial disposition. In contrast, Scripps-Booth was on the thin side, of serious mien tending to the dour, and with his eyeglasses could have easily passed for a college professor. The two men together must have made a striking contrast. Whether or not Booth truly grasped the “complete personage” that was Chevrolet, he knew enough about the man to know he could offer machining and fabrication work. What he might not have known was Louis Chevrolet had a grudge against Stutz Motor Car, and was eager to pay them back, if even indirectly. Chevrolet's personality had a violent side, and one did not cross him without consequences. Albert Champion, of spark plug fame, found that out one awful day when Chevrolet beat the man nearly to death.

As Chevrolet listened to Booth, he peered at the earnest and serious young man through a haze of cigarette smoke (Chevrolet was a life-long chain smoker—one reason he got thrown out of General Motors Corporation). Occasionally, he would look up and follow the smoke contrails as they worked their way to the office ceiling. He was sizing up the young man and his conclusion was simple: he didn't care a whit about the Da Vinci or Booth's wild claims or anything else for that matter. Booth was a job, and Booth was going to pay Chevrolet very well for that job.

Chevrolet had little use for Stutz Motor Car. During the Alan A. Ryan administration of Stutz, Chevrolet and Cornelius W. van Ranst constructed a passenger car prototype they called “Frontenac.” It absolutely bristled with innovation. Ryan had agreed to underwrite the entire project, thinking this might be the next Stutz design or program in the short term. In the wake of the subsequent Ryan financial debacle, Louis Chevrolet got taken down as well and wound up declaring bankruptcy, thanks to Ryan's shenanigans in setting up a Frontenac Corporation. The only thing that saved Chevrolet from total ruin was the “other” Frontenac project: the chain-driven, 16-valve, double overhead camshaft conversion head for the



James Scripps-Booth and the Da Vinci car at Fleetwood Metal Body Shop, Fleetwood, Pennsylvania. The Da Vinci enterprise was a Michigan corporation, and the Michigan license plate seen is evidence the car was registered and licensed in the State of Michigan, probably just after completion of the chassis by Louis Joseph Chevrolet at the Chevrolet brothers plant in Indianapolis. Collection of, and copyright by, Shawn Miller.



Close-up of the Da Vinci front end. This photograph was taken after the body was converted to a roadster and the front bumper changed out. Note interesting similarities to both the Stutz AA and the Minerva car in the area of the hood and radiator. Collection of, and copyright by, Shawn Miller.

Model T Ford. Those heads sold in large numbers and for years were the kings of the dirt tracks.

Thus, to Chevrolet's way of thinking, if Stutz would not touch the Da Vinci, he would and by God he would show them a thing or two. Knowing how Chevrolet's mind operated, it was probably Scripps-Booth who paid for the courtesy lunch that day.

Louis Chevrolet and his shop commenced work on the project starting sometime in the spring of 1925. Scripps-Booth later complained there were many delays (one senses Booth was meddling with the design and interfering with the work in progress, and probably infuriating Chevrolet as well). The chassis, with the Argyle engine was completed towards the end of 1925 and then shipped to Fleetwood Metal Body Company located in Fleetwood, Pennsylvania for a body (some sources say the chassis was shipped to Detroit. However, even though Fisher Body had owned Fleetwood since 1925, the Fleetwood operations continued at the original location until November 1930).

Parenthetically, it should be noted while working on the Da Vinci project, Louis Chevrolet

became interested in the Argyle engine itself, and inquired about rights and licensing. Apparently, Scripps-Booth's license agreement was near expiration, and the inventor had no qualms about reselling the matter to another North American, even though that same man was presently working for Booth and installing the Argyle design into a chassis! Typical of Chevrolet's bad run of business luck, he could not swing the deal, and Continental picked up the rights to the engine design.

The Da Vinci body design originated from Booth, although to be fair, the final product incorporated both Booth's and Fleetwood's ideas. The job was finished in mid-March, 1926 and Booth took delivery of the automobile at the Fleetwood plant. As seen in the photographs, the four-door sedan design was somewhat boxy, and curiously reminiscent of similar sedan bodies



applied to the Model A Duesenberg chassis in the mid-1920's.

The front-end arrangement of the car was a different matter, altogether. Some automotive historians have commented on the appearance of the Stutz AA front sheet metal that it mimicked the Belgian-built Minerva car, even down to the similarity of the radiator mascots. The Da Vinci also gave off some eerie echoes of the Minerva as well. No matter the origins of the arrangement, all three of these 1926 cars presented a very modern, very cosmopolitan 'look' when seen from the front or front three-quarter view.

Booth thus had his running prototype Da Vinci and began once again to pitch the package to potential clients. He later stated the entire matter cost him in excess of \$100,000, between what was paid Louis Chevrolet and Fleetwood.

Stutz Motor Car Rolls Up Its Sleeves

As far as Stutz Motor Car and Fred Moskovic were concerned, they were finished with Scripps-Booth, once and for all. Ahead lay a big job, and they needed no further distractions. As later explained by Moskovic, multiple things had to be addressed: the complete reorganization of company personnel and departments, a reaffirmation of the distributor and dealer network, a sell-off of completed automobiles, an inventory of the existing spares and service parts, and all of this together with the biggest job of all: producing the new Stutz car for 1926 and with the attendant redesign of the physical plant in order to produce that new automobile.

The inventory of the older service parts revealed the plant held an enormous number of items. It is to the credit of Stutz, rather than junk these parts or sell them off to some third party dealing in obsolete and orphan automobiles, they took the time to prepare a very elaborate parts catalog for the dealers and public. The catalog was issued May 1, 1926, and emblazoned on the front cover was the old slogan coined by Harry C. Stutz: **The Car That Made Good In A Day**. I believe this was the last time the Company used the slogan; it was bittersweet, but it was time to let go of the Past.

Design work for the new Stutz commenced in the Indianapolis plant, as we have seen, February 17, 1925, with some scraps of paper. The prototype cars were completed by December 14, 1925. Between those two dates of just under eleven months, the enormous job of taking a design from paper to three-dimensional reality was undertaken. The pressure on the staff must have been terrific. This writer has some Stutz design drawings from the summer of 1925, and the number of revisions and changes shown seems endless. Since Stutz had no foundry, forge or stamping equipment (similar to the situation at Pierce-Arrow), all parts produced by those processes had to be given to vendors. The body builders had to be lined up, other outfits like Delco and Zenith had to be consulted, and the process must have seemed to be without end.

However, they made it under the wire: the Stutz Dealer's Convention was scheduled for December 14-16, 1925 in Indianapolis. It was paramount that at least running prototypes be shown at the Convention, and indeed they were. At the Convention's opening, Charles Schwab, using a bit of showmanship, hid the debuting Stutz behind a curtain. As the curtain opened, he said,

"Boys, there is nothing more for me to say. The car speaks for itself better than anything I can say."

The dealers were impressed enough to order three million dollars' worth of the new model. That was a huge vote of confidence for the new management and the new product. The people of Indianapolis were shown the new models in a grand gala on January 4, 1926. Then, it was off to the big New York Show, January 9- 16, 1926.

And the story after that is well known, of course. Stutz Motor Car, after a few lean years, had a hit on their hands.

James Scripps-Booth Gets Mad: "See you in Court!"

Among the big crowds of people at the New York Show, was none other than Scripps-Booth. Upon his first glimpse of the New Stutz Model AA, he fumed that Stutz was a "pirate" (his precise



word). And, as all of the articles and texts on the subject have endlessly repeated, Walter P. Chrysler is alleged to have said when he saw the car, "Why, that's James Booth's car!" As to how Chrysler could relate some design drawings he saw over lunch back in 1923 to a Stutz car in 1926 has never been satisfactorily explained by anyone.

Nevertheless, Booth was finally angry with Stutz Motor Car. And, the element of psychodrama must be considered at this point. Booth, as we have noted had run a long course before finally being told "no" by various people. It could be speculated he viewed Stutz as to not only telling him "no" but then stealing his ideas just to show him they could do it and get away with it.

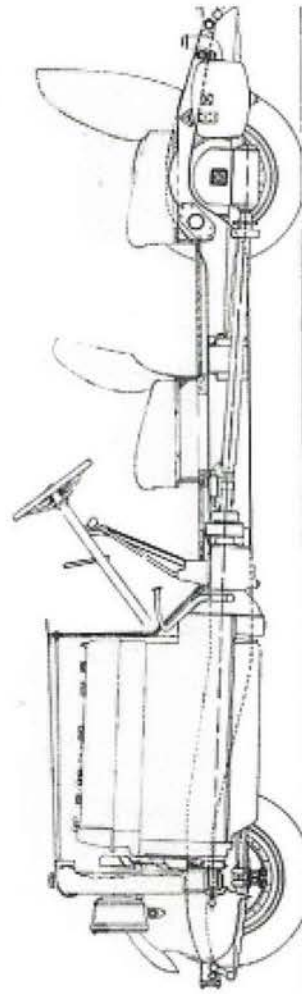
Well, he would see about that.

Almost none of the literature ever mentions the fact there was not just the one Booth lawsuit, but indeed two, and filed in chronological succession. Both suits addressed different matters entirely. With the first run-through, the original case was decided in the favor of Stutz. The second lawsuit was ruled for Booth. The loser of each suit entered into appeal. At some point in the appeals process, the two suits were joined and heard as one case. Much of the later literature assumes there was indeed only one lawsuit, and as such, some of the text materials make very little sense because the writers have garbled elements of two completely different cases. We will consider each suit individually, as well as the combined hearing and decrees, done much later on.

The First Booth Law Suit Against Stutz

As would be imagined, the initial suit, filed in the spring of 1926, was against the Motor Car Company and certain Stutz employees and officers. This suit centered on the Booth designs and patents being used by Stutz for their new car, and not being reimbursed for such.

Booth's attorney argued the double-drop frame, worm drive, and other elements of the chassis were all covered by patents. However, when called upon to produce those patents, there was an awkward silence. The "twenty patents and licenses" which Booth had been telling everyone for the better part of four years he had in his pocket, seemingly did not exist.



This view shows the comparative heights and center of gravity of the Safety Stutz and chassis of ordinary design. Note that the Safety Stutz is from 5 to 10 inches lower. (solid lines)

Just how many were there? Well, there were not twenty, nor fifteen, nor ten, nor five; there was only one. Only a lonely, single patent, and the Argyle license from David Brown (and as we have seen, even that had expired), could be produced. The single patent that Scripps-Booth could produce is shown here, probably seen in public for the first time since the late 1920's. Most certainly, these illustrations have never before appeared in any article or text having to do with the Scripps-Booth lawsuit(s). This patent was filed June 29, 1922 and the patent was granted July 21, 1925.

The drawings show the outline of a motor vehicle with an asymmetrical driveline and a frame of low profile. The angularity at the rear kick-up of the frame is what hot rodders were later to refer to as a "Zee-ed" frame. Note the



worm drive shown in the profile view, but the plan view shows a more conventional ring-and-pinion outline. The Figure number, 32, is referred to in the text as “differential gearing;” and in fact, nowhere in the document is the term “worm drive” used.

The patent makes four claims, to wit:

1: The chassis carries a body in a horizontal plane below that of the adjacent engine horizontal plane.

2 through 4: identify the various driveline parts aft of the engine crankshaft, terming them “Power transmitting instrumentalities.” Sub-claims are made for the chain and sprocket arrangement to get the driveline entirely inside the frame and below the body

Thus, in this arrangement, the body is still on top of the frame, as with conventional automobiles of that time, but much lower in profile. The floor area would be flat, with no “humps” as with conventional cars of the time.

The Stutz design, as evolved with the 1926 AA Stutz, is very similar. Their solution was to angle the engine downward at the bell housing, placing the crankshaft end at approximately the vertical middle of the frame rails, when viewed in profile. From there the transmission, propeller shaft and worm drive were all in more-or-less a straight line, and below the top of the frame rails. And, with the body was placed on top of the frame rails, same as Booth’s design, this made for a flat floor in the passenger area. Using the double-drop frame and the worm drive indeed lowered the profile of the Stutz car.

After Scripps-Booth had a chance to really examine the new Stutz, he filed for what is termed as a “reissue” of the original patent, which would be in the nature of changes or revisions. The reissue now has the term “worm” or “worm drive” in place. This revised patent was filed on June 28, 1926 and granted on March 29, 1927.

As can be imagined, the Stutz attorneys were outraged by this sleight of hand, and this point was one of the centerpieces of the defense argument. The Court agreed with the point, that it was the original patent to be considered, not the reissue, considering Booth obviously had time to

examine the Stutz design, then file for the reissue in June 1926.

Much of the discussion surrounded the double-drop frame arrangement. In response to Booth’s claims, the Stutz attorneys had prepared to what amounted as a very thick dossier concerning the history of the double-drop frame design. By combing publications from both sides of the Atlantic, they were able to show the “prior art” extended all the way back to at least 1907 in America and to at least 1911 in France. As for worm drive itself, once again, they were able to illustrate and cite prior examples from the United States, the United Kingdom, Italy, Germany and France.

One of Booth’s claims, by combining the idea of the double-drop frame and the worm drive, something new and patentable had been created, was roundly rejected by the Stutz lawyers, and ultimately by the Court, as well.

Since the suit also named individuals, those individuals had to respond as well. Moskovic testified as to having knowledge Scripps-Booth had made a proposition to the Company, but that he had not learned of specifics, and in the case of the drawings, had them sent out of the office, unseen by him. For good measure, Moskovic had none other than Howard C. Marmon brought in to testify when Moskovic worked for him, they had gone all through this business of double-drop frames and worm drives when looking at future Marmon designs. Other Indianapolis luminaries were asked to serve as character witnesses, among them Fred Duesenberg.

Thompson’s testimony was a rather shabby attempt to put himself in the clear: he claimed he discussed the Scripps-Booth design with Moskovic in quite some detail, and thus Moskovic had all of that information. It should be understood by the reader that Thompson had been released from Stutz with two month’s severance pay. Apparently no other position had been offered him within Stutz or in Schwab’s office, when Moskovic was appointed President over Thompson. From the point of view of Thompson, he had received very poor treatment at the hands of Stutz, and more so, he may have seen himself as the “stooge” (using the



parlance of the time) in this disaster, and was determined not to be blamed for it.

Crawford's testimony focused on the letter of February 19, 1925, which shifted blame over to the Stutz Board of Directors; he, Crawford, being merely the conduit and not the instigator. Such testimony was certainly not to the credit of these two men. In contrast, Moskovics spoke very directly and forcefully, giving a very strong impression in Court.

Thus the trial ended, and the Court found the patent claims were invalid (the specific wording was "*...the claims here in issue involve no patentable advance over prior art and disclosures, and are invalid...*"). The Da Vinci design was thus not at all comparable to the Stutz Model AA, and Stutz was in the clear on that point. And, finally, the individual Stutz employees were found not be not liable for damages and profits as might be owed Scripps-Booth. Booth immediately appealed the decision, which in retrospect was a bit strange, considering all of the evidence showed the new Stutz car was not a copy of the Da Vinci. It also is difficult to understand how Booth expected to have overturned the decision regarding the lone patent.

The Second Booth Lawsuit

While the appeals process was underway, Scripps-Booth and his attorneys decided to launch another suit, and from a completely different angle. This second suit today would be generally termed as having to do with intellectual property rights, a term unknown at that time. At least one source I consulted said this was the first such case of its kind in the United States. I have no direct knowledge of that, and will leave it for a legal historian to determine.

In the dry legalese of the day, Booth made two claims:

1) There was a breach of confidence made by appropriating an automobile design. Such to be accounted for with damages and profits;

2) One whose plans, communicated confidentially to an automobile manufacturer, entered into the design of a new car, to be accounted for with damages and profits to the

extent that the novel features of such plans contributed to the car's success and that the designer was harmed.

These charges would be much more difficult to defend against, inasmuch as there was the paper trail established by Crawford and others, plus the discovery phase brought to light an interesting Stutz internal document, the existence of which had been disclosed to Booth only in passing at the time.

That document was the internal report prepared by Charles Crawford after Booth's visit to Indianapolis. Dated October 21, 1924 (and briefly mentioned in Thompson's letter to Booth, October 27). It was fifteen pages long, and quite detailed. It proved Crawford either took copious notes during the Booth visit or had a phenomenal memory of what Booth showed him. Some of the discussion in the report used rather general descriptions such as "extreme low center of gravity," which could have meant anything if there were no more qualifiers. There is also a great deal of boosterism in the report which in one way could be viewed as an adjunct pitch to Booth's original letter to Schwab. However, there was also a great amount of detailed discussion concerning the Booth designs, proving Crawford, at least, had seen and spent time with the drawings and specifications.

Stutz Motor Car and Schwab's office would have been well advised to view this report as preliminary or advisory only and perhaps had others examine the matter. However, as we have seen, the alarm bells finally went off two days later with Schwab's people over the entire matter, resulting in the Thompson letter of October 29, 1924. Still, the Crawford document remained, and was used against Stutz.

The Courts found this to be proof of Crawford's intimate knowledge of the Scripps-Booth designs and details. Further, they made note Crawford was retained in the same capacity as Chief Engineer with the new Moskovics administration. They further decided Moskovics did not have the ability to design or assist in design of a motorcar, nor did he bring any plans or designs with him when joining the Company (a



completely absurd notion, which flies in the face of the facts).

However, that is what they established and that lead them to this conclusion: Crawford underwent “unconscious assimilation” (the Court’s words) of the Booth designs. Then, when Moskovics directed him to design a low profile car, those “assimilations” lead to their being used in the new Stutz arrangement, and thus represented “an appropriation of the Booth designs.”

One has to wonder how a Court could channel the thoughts of the Chief Engineer, and of course there was a storm of protest from the Stutz people, but to no avail.

The Court also turned into an automotive design critic citing the “eye appeal” mentioned in the Crawford report was perfectly replicated with the same “eye appeal” in the new Stutz, and apparently all magically done by the “assimilation” process. It was all motorcar design done by mind control, one must assume.

No matter how outrageous some of these things seem today, they were most certainly argued over at length and in all seriousness by both sides. Where Stutz had no real defense in these matters was the undeniable fact they were shown drawings in a confidential matter and then laid themselves wide open for a lawsuit in the way they went about viewing the materials (i.e., absent legal advice and using an employee who should have not been present). The Crawford actions of February 1925 were also further grounds for a suit, and with almost no way to defend against them, thanks to that employee. Had Stutz fired or dismissed Crawford at the end of February 1925, some of these arguments would have been rendered moot, of course, but it was too late for that now.

This case was decided in favor of Scripps-Booth, and Stutz entered into appeal. This second case wound up at the Circuit Court of Appeals, Seventh Circuit, in Chicago. In March 1928, this Court upheld the original decision, saying

“that the inventor has a property right in his invention that will be protected by the courts even though a patent of the invention has not been issued, where the disclosure of the invention has been made under circumstances that were not an

abandonment or publication by the inventor.”
[this is apparently the new case law as cited above.]

In closing, the Court also found “...the principal directors and stockholders are parties to the appropriation of the invention, and they are personally liable for the profits they made on their stockholdings.” James Scripps-Booth had “grounds for equitable relief.”

It is interesting to note individual liability worked its way into the second suit, whereas the first suit found no such liability. Such are the mysteries of Court rulings, but this finding would most certainly be challenged.

At this specific point, one could argue both parties had their day in court, had their individual say, lost one round, won one round, and they all probably should have entered into settlement negotiation and had done with it. There was also something else which could have come into play at this point, and that was a stockholder’s derivative lawsuit. This kind of litigation is notoriously difficult to both litigate and defend, which is probably why it wasn’t introduced. However, briefly, in a suit of this nature, a stockholder or bond holder can bring suit against a Company or Corporation, claiming harm or damages because of that Corporation’s actions with a third party, in this case Scripps-Booth and his two lawsuits. “Harm” in this case would be the continuing round of appeals, and their cost, instead of a negotiated settlement with the third-party. It would be interesting to learn of the viewpoints held by the individual Stutz stockholders in 1928 about some of these matters, but it is unlikely we shall ever know.

Be that as it may, both sides decided to dig in their heels and go on litigating the several suits. At some point past 1928, even the Courts were getting impatient with matters, and in an attempt to streamline the process, it was ordered both suits be consolidated and the two cases be heard together.

Back in the Seventh Circuit Court of Appeals

Most of the court hearings in this matter were of course held in Indiana (with the exception



of the Circuit Court matters which were held in Chicago, Illinois). The combined lawsuits wended their way along, and were last heard in the District Court of the United States for the Indianapolis Division of the Southern District of Indiana. Its rulings were yet again appealed and from there the case went back to the Seventh Circuit Court of Appeals in Chicago in 1932. As we have seen, this Court had already visited the intellectual property rights matter back in 1928, and no doubt they were a bit displeased to see the parties wanting to pursue matters, despite that Court's specific findings.

On March 16, 1932, the Circuit Court, consisting of three Judges, handed down its findings and ruled thusly:

1. **Patents and Patent Claims:** are indeed invalid, and there is no error in dismissing this bill.

2. **Breach of Confidence:** Booth's designs did substantially enter into the [design] of the Stutz car. *[this is the largest section of the document, and one can tell the Judges spent quite a bit of time in coming to this decision.]*

3. **Use of the Scripps-Booth plans by Stutz:** facilitated the production of the new Stutz car; contributed to the success of the new Stutz car; thusly harming Booth through inequitable appropriation. Booth to have recovery against Stutz.

4. **Personal Liability on the Part of Stutz Employees and Officials:** no individual was found to have incurred any liability to Booth. The Court found this to be true because they found the employees were acting on behalf of the Company, and not from "personal motive or advantage." *[This last finding was extraordinary, because the original suit found this to be true, and this same Circuit Court had found the opposite back in 1928, albeit on the narrower lines concerning directors and stockholders, not employees, and thus reversed themselves in 1932!]*

The Court ordered the case(s) be remanded for ascertainment of the amount of Booth's recovery against Stutz, or, once again in the dry language of such rulings,

"It is ordered that in cause No.1048 (District Court), involving the patent, the Decree of the

District Court be affirmed; and that in cause No. 004, (District Court), involving inequitable appropriation of Booth's designs, the decree of the District Court be reversed, and the cause be remanded to the District Court with direction for further proceedings in conforming with this opinion.

"The costs of this appeal shall be borne equally by appellant and appellee Stutz."

Thus Scripps-Booth was left holding an invalid patent, but won on the points of inequitable appropriation and breach of confidence. The Stutz employees were absolved of financial liability, no doubt to their collective relief.

As is now known, remaining court activity centered on the damages due Scripps-Booth. Sometime in 1935, an amount of \$40,000 was settled upon. Different sources say the money was paid, others say it was not. Booth himself never directly said if he got paid.

Aftermath

This has been a very long, very extraordinary story, involving many historical figures, interesting points of law, business arrangements and litigation. As we have seen, several Stutz individuals did not acquit themselves very well, nor did the Company during initial contact with Scripps-Booth. With Scripps-Booth himself, the Company found soon found out he had the deep pockets and determination to pursue the litigation; they thus profoundly misjudged him on that point, and should have settled in 1926.

James Scripps-Booth did one other automobile design, and returned to his cyclecar roots in doing so. He called this the "Da Vinci Pup," and it was evidently done more for his edification than thoughts of production. Following that, he returned to artwork and writing. In the middle of various projects, James Scripps-Booth died suddenly at age 66 in 1955.

Of the Stutz people mentioned in this piece, all were deceased by the 1950's, with the exception of Fred Moskovics, who lead a very long, very productive life, passing away in 1967. Louis Chevrolet was never to return to past glories and



fell upon hard times. At one point, he worked for General Motors in a plant building with his own name on the front, but with the grim satisfaction the man who threw him out of General Motors in the distant past, himself was reduced to running a bowling alley. Louis Chevrolet passed away June 6, 1941. Perhaps E.L. Cord had the right idea after all: get out while there was still time to go on to something else.

Of the Da Vinci automobile itself, nothing in this piece should be construed as being criticism of the car as constructed by Louis Chevrolet and Fleetwood. In fact, both Scripps-Booth and history itself were not very kind to the car, as things turned out.

Booth later had the sedan restyled into a convertible sedan with jazzy chrome disc wheels. Later, he refashioned the body into a crude roadster, with the aft section of the chassis exposed, so people could view the rear suspension layout. It totally differed from the patent drawing in that the plate frame pieces were instead, tubular in shape, and with a four-leaf spring arrangement to locate the worm drive and axle housings.

Following Booth's death, the car was donated to a university in Michigan, where it sat forlorn for many years. The University later sent the car to a restoration shop, who promptly dismantled the Argyle motor and then did nothing further. Over time, various parts began to disappear, from negligence or pilferage. Finally, a gentleman with the knowledge and resources to restore the Da Vinci rescued the car, and restoration work is being done as these words are written.

Conclusions (by the Writer)

Both Scripps-Booth and Stutz Motor Car absolutely bungled their negotiations. Scripps-Booth is charged with being less than candid about the patent situation and Schwab really needed to both go talk to the other Board members, and consult with a lawyer once receiving the letter of September 29, 1924.

The fact two different men approached Stutz Motor Car in the fall of 1924 with somewhat similar ideas was a coincidence, pure and simple. The fact the men contacted two different Board

members and with two different results is ample evidence of the seeming randomness of historical consequences.

Eugene V.R. Thayer emerges as the only businessman of the bunch. And, one wonders if he was fully informed of the high jinks going on over at 10th and Capitol.

I believe Fred Moskovics was telling the truth when he said he never saw the drawings and would not permit Crawford to give him any details. And he emerges as one of the few who fully and completely grasped the legal implications which had come into play.

I charge Charles Crawford with being a disloyal employee who was trying to free-lance a deal on the run.

The Circuit Court's finding that some salient features discussed in the Crawford Report were incorporated into the new Stutz car is correct (in terms of the general arrangement, not the specifics).

The several District court findings that the new Stutz car was not a direct copy of the Da Vinci is also correct.

Finally, Stutz Motor Car misled James Scripps-Booth, partly from sheer incompetence on the part of Stutz and partly from wishful thinking on the part of Charles Crawford. Scripps-Booth is due damages. However, both parties should have settled the matter and never let it proceed to litigation.

Last Word: The Fountainhead

At the outset of this piece, I mentioned many of the previous articles about the lawsuit(s) seemed to draw on the same source, the Fountainhead, as I have dubbed it. The same set of quotes are endlessly repeated, about the "dusty Stutz engineering rooms," and "Crawford sitting with folded hands," and similar. Where were these quotes coming from and who actually said them?

After a very long and concerted search, and working with the late Charles E. Jones, the noted Stutz collector and authority, we hit pay dirt. The Fountainhead turns out to be an article written by none other than James Scripps-Booth, and appearing in *Car Life* magazine for April 1961.



The complicating fact is that Booth passed away in 1955. What to do?

The magazine says this is a heretofore-unpublished text written in 1951 and puts a bit of distance between itself and Booth by saying "We cannot vouch for all of the statements and claims presented..." Further, they refer the reader back to our old friend, the Seventh Circuit Court of

Appeals, although the case number is one from 1930, not the pivotal cases of 1928 and 1932.

The late automotive historian Griffith Borgeson said it best: "... it is enlightening to see how such sources pollute otherwise serious literature."

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1932 ('33?) Stutz DV-32 Conv. Coupe Rollston Engine DV 33001 Chassis No. 128-2012

by Mark L. Desch (No. 602)

Enclosed are some pictures of a Stutz that was recently sold by RM Auction in Phoenix, Arizona. Unfortunately I did not get the name of the person that bought the car but he really must have wanted it. He paid \$781,000 for it. I don't know if you need this kind of info for the newsletter, but do what you want with it.



Mark Desch with the Stutz at RM Auction

Ed.'s Comments:

The answer is YES! Mark also sent your editor the RM Promo on Lot #091 which reviews the provenance of this stunning Stutz convertible coupe. By the late 1960s this Stutz was in the

hands of Art Burricher who commissioned a cost-no-object restoration by Gerald Kiefer and it received a 100 point score at the 1973 CCCA Michigan Grand Classic. It then passed to noted collector Dick Sahlin and then to Bob Bahre. Ed's



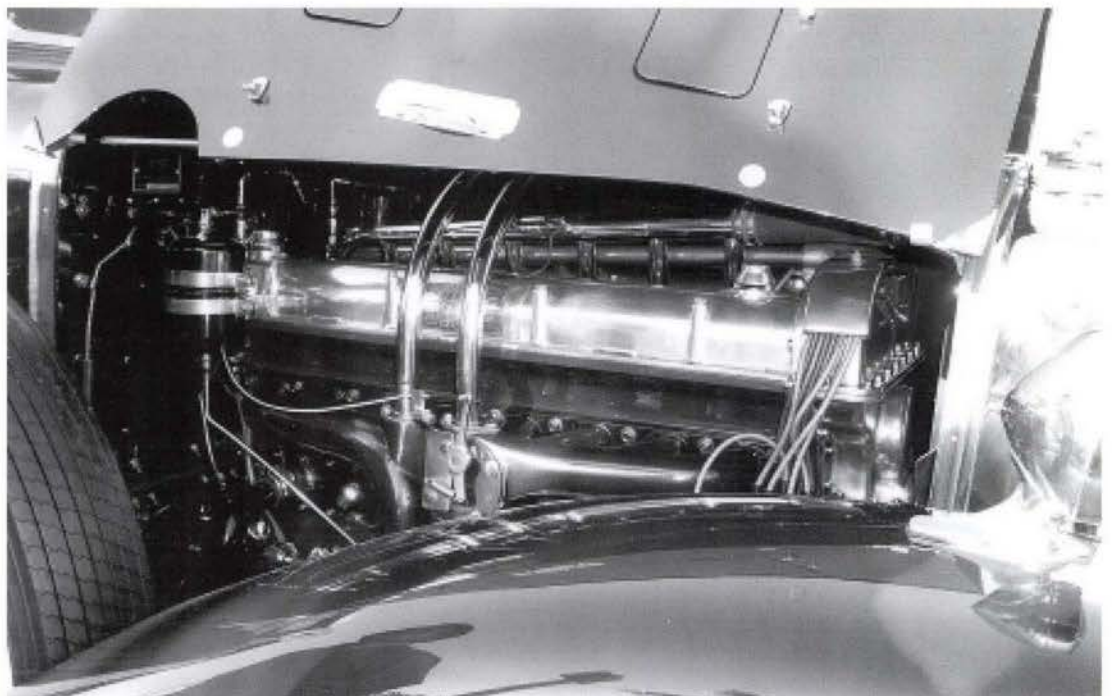
Member Max Triplett (No. 139L) wrote to Ed. on February 6, 1997 to introduce the new owner of this custom-bodied Stutz. Apparently the DV-32 has been in the hands of member John D. Groendyke (No. 498) until the RM Auction in January 2005.

Two other views of this fabulous Stutz by Mark Desch

Ed finds it interesting that OLD CARS Feb. 24, 2005, p. 32 list the Stutz as

file indicates it was listed by Sandra L. Bahre in the 1989/90 CCCA directory as a 1933 Stutz DV-32. On May 24, 1990 ex-member Noel Thompson (No. 285 deceased) wrote to Ed. and enclosed two photos of his new Stutz DV-32 (see rear cover.) Your editor had met Mr. Thompson in May 1989 at the dedication of the CCCA Museum's Noel Thompson Library. Noel commissioned member Rich Fass (No. 664) of Stone Barn to undertake a comprehensive freshening of the Stutz. In 1993 RM Classic Cars purchased the bulk of the Thompson auto collection and later traded the DV-32 to Carmine Zeccardi, a prominent New Jersey collector.

a 1931 selling by RM Biltmore Resort Auction in Phoenix, AZ on 1-28-05 at a price of \$71,000 instead of \$710,000 before commission. The auction report in Car Collector lists the Stutz as a 1932 and points out that the sale price is breathtaking. Who owns it now? Ed's file continues to grow!





HCS Motor Car Company Founded November 1, 1919

By your editor

The HCS factory designed by architects Robush and Hunter was erected in Indianapolis at 1402 N. Capitol Ave. across the street from the Stutz Fire Engine plant located at 1401 and occupied by Herff Jones prior to demolition. The building was constructed of reinforced concrete faced with the same buff glazed brick used on all of Harry's buildings. The structure is three (3) large bays wide by eleven (11) bays long and is four (4) stories high.

The HCS facility has recently been acquired by Shiel Sexton Real Estate LLC, 902 N. Capitol Ave., Indianapolis, IN 46204. The previous owner, S. Cohn & Sons who dealt in heavy equipment parts, had occupied the facility since Continental Optical Corp. (2nd owner) left around 40 years ago. Jack Leicht, president of Shiel Sexton, kindly provided your editor with the article by Andrea Muirragal Davis, Indianapolis Business Journal.

Ed's Note: Shiel Sexton plans to list the former HCS building on the National Historic Register. Also, they wish to acquire HCS car parts and memorabilia for interior decoration. (see classified)

We believe this photo of the HCS factory, dated September 1920, was taken by Mr. HCS as it came from the family photo album. (See page 325 of The Splendid Stutz for a bigger view.)



Partners bet on Capitol block

*Shiel Sexton teams up with
Gregory & Appel to
redevelop old factory*

By **Andrea Muirragui Davis**
adavis@ibj.com

An Indianapolis contracting company is deepening its near-north-side roots—and exploring another avenue of the real estate business—with a multimillion-dollar plan to renovate and rent out an 85-year-old building just blocks from its Capitol Avenue headquarters.

Shiel Sexton Co. Inc. has agreed to spend more than \$5 million on the 60,000-square-foot brick building at 1402 N. Capitol Ave., restoring the property to its former glory and transforming it from industrial to office use.

The company also is seeking tenants for a 12,000-square-foot retail unit it plans to construct on the site and is set to take over a city-owned lot across the street, initially for parking but with long-term "pie-in-the-sky" plans for more office space.

"This is an exciting thing for the neighborhood," said Jack Leicht, president of Shiel Sexton's real estate division since retiring from Eli Lilly and Co. in 2003. "This property will look dramatically different when we're finished. It's tired. ... We're going to give it a higher and

See **SHIEL** page 50



Photo: Robbin Aerszad

This historic building at 1402 N. Capitol Ave. will be rehabbed and turned into life-science office space for Gregory & Appel Insurance and other tenants

SHIEL

Continued from page 3

better use."

Indeed, the first tenant has already signed on. And then some.

Gregory & Appel Insurance's owners formed a partnership with Shiel Sexton's principals last fall to buy the property from heavy-equipment supplier S. Cohn & Son Inc., which is relocating to the northwest side. Terms of the deal were not disclosed.

Work is scheduled to begin in May and wrap up the following March. Gregory & Appel should be able to move into the top half of the four-story building by the time its current lease expires April 30, 2006, said agency President Daniel Appel.

"Our desire was to buy a building," he said, "ideally one that was about 30,000 square feet, something we could renovate, in a neighborhood we could enhance."

The firm has outgrown the 17,600-square-foot facility at 520 Indiana Ave. it has occupied since 1994, Appel said, and the Capitol Avenue building is a nearly perfect alternative.

"It has every element we want," he said, "except it's twice the size."

So a partnership was a natural next step. The insurance agency was looking for a new home and Shiel Sexton was looking for an opportunity to try its hand at development.

"It was almost serendipity," Appel said. Neither he nor Leicht would disclose details of the arrangement, other than to say the firms' principals all own a stake in 1402 Associates LLC, the entity created

in October to buy the property.

The owners are looking for another tenant to occupy the rest of the building.

Officials haven't decided whether Shiel Sexton's real estate arm will manage the property once construction is complete. Leicht said, but one thing is clear: The contracting company will continue to concentrate on its core business, not real estate development.

"We hope to do a project or two a year," he said. "It's not going to be a major thrust at all."

But the company doesn't appear content to simply idle, either.

The engine was primed several years ago, when Shiel Sexton refurbished the former Indiana Casket Co. facility at 902 N. Capitol before moving its headquarters there in 2000. Now the company is taking its first run at developing something it will own but not occupy.

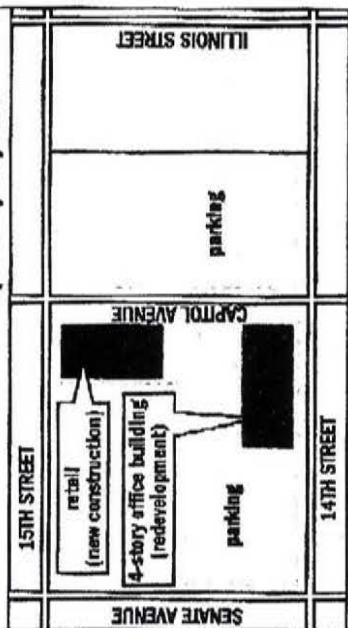
Leicht said the 1402 property's history—and potential—made it ideal.

"There's a great old heritage around that building," he said, citing its origins as the home of Harry Stutz's HCS Motor Car Co. "We plan to restore that."

The project has been in the works for nearly a year.

Last spring, the former owner successfully petitioned for a zoning change that would allow for office use without the

Plans for 1402 N. Capitol project



(Graphic by Payton & Andrew Hurlbutt Davis)

prescribed number of parking spaces nearby. The parking issue all but disappeared in October, when the new owners struck a deal to acquire a vacant lot across the street.

The city's Department of Metropolitan Development agreed to transfer ownership of a former brownfield property at 1401 N. Capitol to not-for-profit Near North Development Corp., which, in turn, will hand it over to the 1402 group.

"We want to get the property into the hands of a developer to do what needs to be done to benefit the community," said DMD spokesman Justin Ohlertmiller. "This will do that."

All the parties have signed a formal project agreement, which calls for Shiel Sexton to spend \$5.2 million on renovations. Work must begin no later than Aug. 1 and be complete by July 31, 2006.

The not-for-profit community development agency has been working for some time to find a new use for the property, now vacant after the demolition of a for-

mer Herff Jones Inc. manufacturing plant. The city borrowed about \$50,000 to clean up some minor contamination on the site, and that debt will be repaid as a condition of the transfer, Ohlertmiller said.

Next up is a public hearing Jan. 27 on a request to rezone a portion of the land for retail use. Leicht envisions leasing space to a handful of businesses in a 12,000-square-foot building on the northeast corner of the property, serving office workers and employees of nearby Methodist Hospital.

Near North will remain involved as the project continues, said President Amy Kotzbauer, given its stake in the neighborhood. Other revitalization efforts are in the works, she said, and may well gain momentum once the renovation gets started.

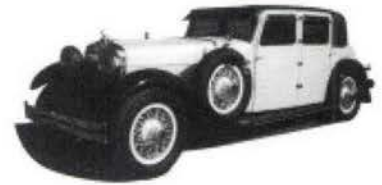
"Hopefully this project moving forward will enable the others to move forward as well," Kotzbauer said. "It is a huge boost for the area to have this type of improvement."

In fact, the 16th Street corridor just north of the site is one of several areas getting special attention from a public-private partnership trying to foster revitalization of older neighborhoods.

Such efforts are an indication of their growing appeal, Leicht said. And that's what the new ownership group is banking on.

"This project is going to attract someone who is not interested in going into a brand-new, steel-and-glass office building," he said. "We want to deliver a unique property that has free parking and is not too far from downtown. If we do that, we'll have a successful development."





President's Message

by Norman C. Barrs

We don't seem to have put together any report regarding the two Stutz cars racing around Europe in 2004. I have set out some notes as follows.

The first of the four race series was at Nurburgring in Germany on 26 June 2004. It is a quite fantastic formula circuit, the weather, whilst we were there was very kind, George Holman decided not to enter the DV32 but he came along to lend support.

The field of some 22 cars included my 1929 Le Mans supercharged Black Hawk Stutz driven by John Guyatt and Cohn Warrington. We decided not to push the car too hard in each of the 45 minute races as the 24 hour Le Mans Classic for which we entered was in some two weeks time.

The car performed very well but the second race was stopped after a serious accident involving a BMW driver. All in all a most enjoyable weekend and yes we beat the Bentleys.

The following month, July 2004, was the 24 hour Le Mans Classic, it really was an incredible site to witness two Stutz cars, being the 1928 Black Hawk DV32 entered by George and the 1929 supercharged Black Hawk entered by myself.

There were some 60 pre 1939 cars that started the first grid of the race, George with the DV32 had fantastic family support but we both like so many other competitors had our share of misfortune. In practice George suffered a major external oil leak in the DV32 engine, but with his usual determination he fabricated parts and at the race start at 4pm Saturday both Stutz cars started and indeed survived all three rounds of the event or nearly did. Neither car, or drivers, really disgraced themselves both finishing the index

amongst the top 20 cars but on the final lap the gearbox of the DV32 failed and the supercharged car had a series of significant backfires on the final lap and this resulted in damage to the inlet manifold and relief valve. All in all a most successful and enjoyable weekend and yes again we beat the Bentleys.

August 2004, we journeyed to Assen in Holland. A which none of us had previously visited. Whilst George and Bill drove DV32, my 1929 supercharged was hors-de-combat following the Le Mans event. The supercharger had to be rebuilt, the engine was stripped and examined and it was decided to rebuild the head. We had obviously over-revved it in the final stages of Le Mans and had some 10 slightly bent valves (this was caused by rather weak valve springs).

The race organisers at Assen kindly allowed us to enter the brand new and untried Pikes Peak sprint car. Assen really was it's first race event. This car has the 4.9 litre SOHC engine with four carburettors. The DV32 with George and Bill driving ran very well and completed both races, both John and Cohn were very well aware the Pikes Peak car was yet untried and rpm was kept to some 3,500 rpm and we survived both practice and the two races. I am glad to say the new car exceeded our wildest expectations and yes again we beat the Bentleys.

The final event was held at Spa in Belgium, surely one of the most demanding of all the formula one circuits. George again entered and drove the DV32 and John and Cohn drove the Pikes Peak Stutz for the second time as the supercharged Le Mans car was not complete.

The only race at Spa was of one hour duration which presented both of us with a fuel problem. We took very careful note of our practice consumption and decided to take a chance and try



to run the 60 minutes without re-fuelling. George decided, however, that the DVYZ would have to put in some extra fuel when changing drivers.

The two Stutz cars were very evenly matched. The DV was certainly faster down the long straights but the Pikes Peak car more nimble round the bends real nip and tuck stuff. We were extremely lucky, it cost George at least 30 seconds to refuel (fire marshals and all the regulations) and we were just a few seconds ahead at the finishing flag. On checking we had about four pints of petrol left in the tank. Yes we were very lucky and yes once again we beat the Bentleys.

To sum it up it was a fabulous year racing the two, now of course three Stutz sports car. George

Holman's effort to make this European adventure work was truly magnificent and in the best traditions of Stutz motivation. I just wonder what 2005 has in store. I really do look forward to this year, now that George has decided and agreed to promote and race the new Pikes Peak car around America. In the meantime, the supercharged Le Mans Blackhawk is up and running, John and Cohn will be kept busy in Europe, it is already entered for substantial races at Donnington, Dijon, Assen and Spa. Finally my grateful thanks to our team of Mike Treutlein, Peter Neville and John Last for without them none of this would happen.

Membership Report

Please join me in welcoming the following new members, Mike Barry, Membership VP

701 Don Connolly
9705 Monroe Ave
Aptos CA 95003 USA
Bus: 831-588-4488
Fax: 831-685-1967
EMAIL: donconnolly60@hotmail.com
1929 Model M

702 John H Schiabe
21 Longview
S Paris ME 04281 USA
Home: 207-743-2883
Bus: 207-7437747
Fax: 207-743-7288
EMAIL: jschiavi@megalink.net
1932 DV-32 Convertible Victoria Rollston Body
Vin: DNPC 1452

703 Thor Ongstad
10626 NE 125th Pl
Kirkland WA 98034 USA
Home: 425-823-8359
EMAIL: Thorongstad@juno.com
1929

704 Thym S Smith
PO Box 3557
Wilmington DE 19807 USA
Home: 320-655-5888
Bus: 302-573-5287
Fax: 302-573-5289
EMAIL: +smith3557@aol.com

705 H Bentley Hawley
150 Heidi Circle
Carson City NV 89701-6531 USA
Home/Bus: 775-883-1928

706 Jim Schneck
5454 Pierce Dr
Manitowoc WI 54220 USA
Home: 920-684-0260
Fax: 920-684-1663
EMAIL: Jimschneck@aol.com
1933 DV-32 Convertible Victoria
Waterhouse body
Eng: DV33276 Vin: DVDC1568

continued on page 30...



Editorial Comments

In case you missed it, here (at right) is an excerpt from Gerald Perschbacher's "Club Clips," OLD CARS, page 8, March 3, 2005 issue.

Member Larry Nicklin (No. 28L) sent Ed. Page 48 from the March 05 Arctic Cat brochure which surprisingly advertises a BEARCAT® wide track snow mobile. How did they get "Bearcat" trademarked? ed.



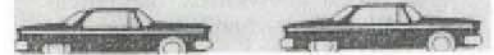
Check the library

Skip Marketti, formerly of the A-C-D Museum in Auburn, Indiana, appears in a recent issue of *Stutz News*, by The Stutz Club, 7400 Lantern Road, Indianapolis, IN 46256 (William J. Greer, editor). For some years, Marketti has been handling reference and library duties at The Nethercutt Collection in Southern California.

Dale Wells, of the Stutz Club, reports on their second West Coast meet that included a visit to the collection. The museum has been in the news lately, due to the passing of J.B. Nethercutt, who took precautions for his car museum to continue after his death.

In the library, all sorts of reference pieces are maintained, and Marketti enjoyed the atmosphere as Stutz collectors discovered new facts and visuals about their niche.

Other clubs may wish to place the museum on their itinerary.



We are pleased to reprint this interesting photo received from member Larry Fickeisen (No. 318) featuring his 1928 Stutz BB -2C 2-p speedster. The body is heavenly blue with white trim and red wheels. Very patriotic I'd say!

On May 1, 2005 your editor has the pleasure of driving "Harry" the 1923 HCS Series IV, Model 6 touring to the Crown Hill Cemetery (a 30-mile round trip) for their first Classic Car Show.



A highlight of the day was "The Indianapolis Auto Greats Tour" by bus which made 31 stops to see the final resting places of some 41 noted automotive folk such as "Cannon Ball" Baker, Duesenberg, Carl Fisher, Marmons, "Pop" Meyers, Stutz, Howdy Wilcox, etc. etc. Wish we had room to publish the listings.

See you soon at Mt. Washington, NH! Ed.



Letters to the Editor

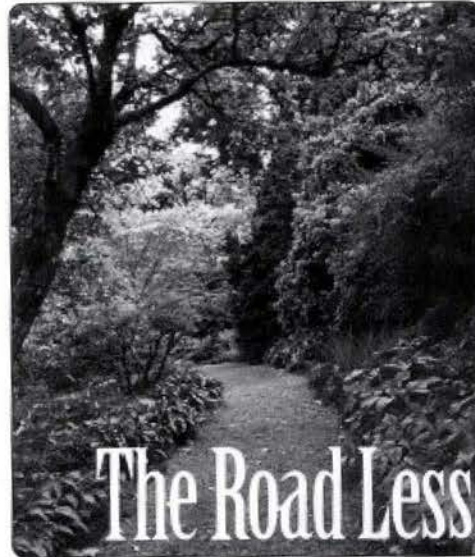
Date: March 2, 2005

From: Dave Cornell (No. 700) to Mike Barry

I thought you might get a kick out of my marketing materials. The car is owned by Stutz Club member John Boyle and is a George Barris built replica of a 1914 Stutz Bearcat.

Please pass along a copy to Bill Greer. I was privileged to meet him and his wife about a year and a half ago at their home. John and I were on our way back to Texas after showing his car at the Air Force museum.

Also, I would greatly appreciate any information on Stutz enthusiasts that live here in Texas. I have meant to join the Stutz Club for years and have finally decided to do so. I have enjoyed the web-site for a long time.



Dave Cornell
REALTOR®
771-8763

The Road Less Traveled...

Date: March 17, 2005

From: Laura L. Butler (No. 550)

I'm sorry to say my letter today bears bad news. My grandma, Myrtle McFarland, Harry Stutz's niece, passed away yesterday March 16, 2005 at the age of 95. She just celebrated her 95th birthday on January 25. She went into the hospital a few weeks ago with a touch of pneumonia and while it seemed she was recovering ultimately it was more than her body could conquer apparently.

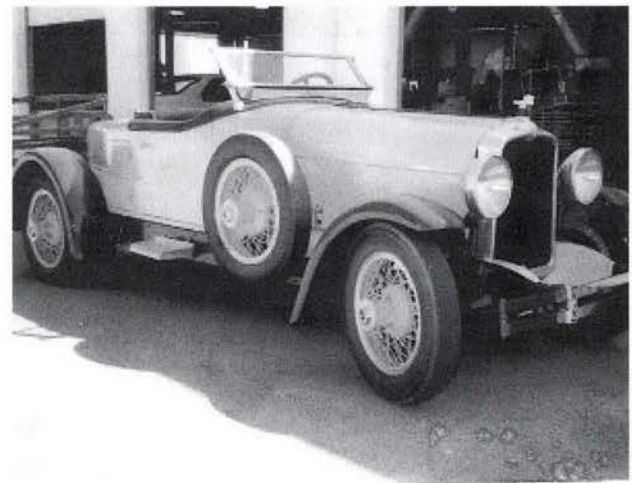
Being that she was one of so few remaining relatives of Harry C Stutz I thought you and the Club would like to know. She will be laid to rest Saturday, March 19, in Springfield where she lived most of her life.

Date: April 20, 2005

From: John P. Polychron (No. 693)

I appreciate your taking the time to write your long letter to me.

Now, about my Stutz. It is listed in Stutz News as a 1927 Black Hawk. It is a boattail speedster, photos enclosed.



The former owner, Mr. Pfaff, is in failing health and turned the car over to his son to sell. The son, David, replaced the oil pan gasket and took the car for a spin. Unfortunately he did not know that the oil pump needed to be primed first. You know the result.

The engine is being professionally rebuilt and I will take possession of the car after verifying that the engine performs properly, probably the end of this month.

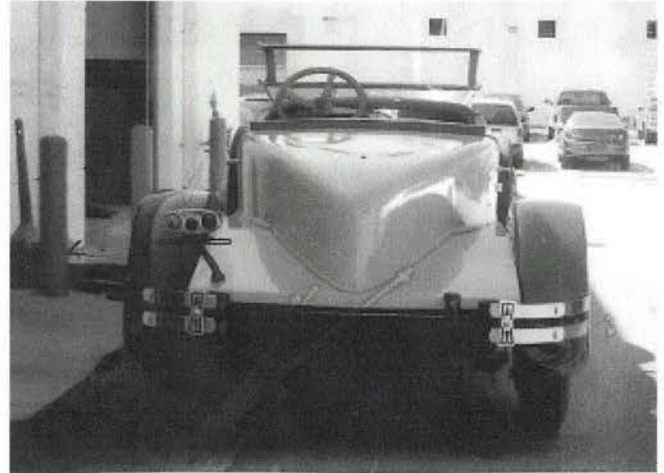
Regarding the VIN number, I was not sure if I saw a "C" or a "G" on the data plate. After



learning more about Stutz cars in the "Splendid Stutz" book I believe that the letter is most likely a "C" indicating that it is a Challenger engine. Is my assumption correct?

Enclosed is a data sheet on the engine which I just received. It appears that the cylinders were honed out to a bore of 3.332 inches from 3.25 inches.

As you can see from the photo the car is in excellent condition. I plan to repaint it, reface the gauges, and install correct upholstery if what I have is not correct. On this point can you or someone advise me on the correct material and



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 Developed By Motion Software, Inc., Brea, California

 FILE NAME: TEST TEST DATE: 04-03-2005

CALCULATED POWER FIGURES

RPM	HORSEPOWER	TORQUE
2000	100	263
2500	119	249
3000	135	236
3500	136	204
4000	122	161
4500	94	110
5000	56	59
5500	11	10
6000	0	0
6500	0	0
7000	0	0
7500	0	0
8000	0	0

ENGINE SPECIFICATIONS

SHORT BLOCK	Type: STUTZ		
	Bore: 3.332	Stroke: 4.500	
	Cylinders: 8	CID: 313.9	
CYLINDER HEADS	Low Performance/Stock Ports And Valves		
VALVE SIZE	Intake Diameter: 1.575	Exhaust Diameter: 1.520	
COMPRESSION	Ratio: 6.00:1	Cyl(cc): 643.0	Comb/Space: 128.5
INDUCTION	Flow: 500 CPM	Desc: 4/8-BBL Carb Or Fuel Inj	
INTAKE MANIFOLD	Dual-Plane Manifold		
EXHAUST SYSTEM	Stock Manifolds And Mufflers		
CAMSHAFT	STOCK	Lifters: Solid	
Timing Measured At:	Seat To Seat	Lobe Center Angle: 109.0	
IVO (BTDC):	0.0	IVC (ABDC): 40.0	Intake Duration: 220.0
EVO (BBDC):	46.0	EVC (ATDC): 10.0	Exhaust Duration: 236.0
Int Lift (# Valve):	0.365	Intake Centerline Angle: 110.0	
Exh Lift (# Valve):	0.365	Advance(-)/Retard(-):	0

 Motion-PC Dyno Shop Registered To: frederick seydel Release 2

pattern for the upholstery? I also need side mount mirrors and wind wings. Any advice on these?

The car was brought back to the US from France in the early '70s and was completely restored at that time. I believe the car was used as a practice car by M. Brisson in preparation for the 1928 Le Mans race.

Bill, do you know how many of these 1927 boattail speedsters exist? Naturally I would like to know.

Members, please help answer John's questions (see classifieds.) Also, note power figures on enclosed test.



Date: April 25, 2005

From: Laura L. Butler (No. 550)

Hello again! It seems that I'm only a bearer of bad news anymore but I just heard and wanted to let you know in case news hadn't reached you. Edison Brubaker, son of Arthur, Almeda's oldest son- has passed away in Phoenix. It is my understanding that he'd been battling cancer for some time. I don't know any other details as of right now but I'll fill you in should I get more information.

Ed's Note: Almeda was Harry Stutz's sister so Edison was Harry's grand nephew.

Date: April 29, 2005

From: Keith Marvin (No. 79H)

I'm lax in writing but perhaps the old adage "Better late than never" has some thing going for it. I thought the January-March number of THE STUTZ NEWS was an especially interesting one, particularly because of the Titlow and Braun coverage of the da Vinci car which always interested me.

Of course there were any number of one-off cars built by various companies for various reasons during the 1920s but few of them ever reached the public eye while others were experiments designed to go no further toward the marketplace.

But the Da Vinci was different and it got exposure to the public I suppose at the time became a viable topic of conversation and then swiftly was forgotten. And let's face it. Who would ever have thought of a Booth/Fleetwood essay?

James Scripps Booth had made lots and lots of cars when GM took over the make and over the years there was some variety in the make but by the time GM got it in the late teens it was as dull in design as it could be and was dropped in the early '20s which was a bad time for automobile builders. THE STUTZ NEWS follows James Scripps Booth into the '20s, his new design and resulting experimental car and his had luck in interesting virtually anyone he tried to interest in it and then giving up his promotion, It is a wonder that the prototype has survived!

But you are aware of my interest in the general appearance of cars built during that period and I'm wondering what Stutz might have done with it if As you can see, Stutz never really gave the car any attention whatsoever which to me is scandalous.

Apparently "an ill wind blew no good" and no one else was interested either. In my own opinion Stutz **might** have done something with the Da Vinci design if indeed it really was interested enough in introducing a new series. But there are obvious changes which would have had to be made beginning with the lowering of the body several inches as a starter!

As it was, the Stutz AA series, introduced about the same time, did pretty well as the Stutz Company managed to sell about 5,000 of these cars. [some reason a mere 3,000 found buyers in 1927]. But the 5,000 units was a tremendous gain over the 1925 figures

As a boy, the high point in the 1926 design was the "lowness" of the body itself, making a pleasing silhouette compared to nearly every other make of car on the highway. And there was an abundance of makes in daily use back then for a number of reasons, not the least of which the Depression took top billing.

This bit of youthful observation pretty much stuck together with only a few exceptions here and there by my peers and me. We seemed to like most of the bits and pieces so to speak which gave a car its originality....objects which looked great on one make which had the opposite effect on another!

And Stutz was not my favorite car aesthetically. It was the Auburn for 1931, the model- sometimes termed the phaeton- in its sidemounts form. It wasn't quite as low [at least low appearing] as the Stutz may have been] but it had the necessary charm and breeding to honor any highway.

It appears we weren't alone. Auburn was reasonably priced, it was beautiful and it was ahead of its time. In 1931 after the Depression had gained a stranglehold on the country and its citizens there wasn't a great deal of buying new cars and many cars which should have been



consigned to the torch were taped together, put into used car lots for what they could bring and eventually sold.

Nearly all automobile companies were affected. At least ten makes would fail in 1931 with two more the following year. Production at the factories were reduced and employment severely cut. For the most part production of nearly every car would reduce its production noticeable. But, of all things not Auburn.

The company had marketed a total of 14,360 cars in 1930. In 1931 it would sell 36,148! Why? There may have been many reasons,

For one thing, the Auburns were reasonably priced; for another, they were well- built.

Their appearance must have been an unusually strong selling point.

Their company, under the direction of E. L. Cord, was highly regarded.

But after 1933, their appearance slid, sales did likewise, they were considered by many to be overpriced for what they basically were- assembled cars.,, and the lower priced Chrysler, GM and Ford cars were stiffly competitive as were the surviving inde pendants.

I often wonder about Stutz. It would have faced stiff competition in an already glutted market. It offered a great deal to the owner. But, noted the competition, so did the products they represented.

The dog-eat-dog years had reached us. What we couldn't know in those days that the stronger dog [would seem] was Japanese!

"History," Harry Truman said, "are the things you didn't know. Which makes sense."

He was right. And he helped make it.

"History in bunk" said Henry Ford which makes no sense at all.

I wonder if he realized how much history he made? Perhaps he didn't.



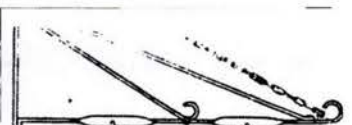
Your editor, like most club members, has not had the pleasure of meeting Honorary member Keith Marvin (#79H) personally. This photo taken Thanksgiving 2002 shows Keith (top right) with son Bill, bottom left is son Dwight Marvin II and daughter India. Keith, a young 80 years is still writing strong.

Membership Report continued from page 25...

707 Torsten Berglund
 Ingelsgatan 26
 Borglange S-78435 Sweden
 Home: +46-243-81416
 Bus: +46-70-3555964
 EMAIL: torstenberglund@tele2.se
 1927 AA 2 P Cabriolet Coupe
 Eng: 86640
 Vin: AA-CL-85903

708 Barry R Bowyer
 2509 Valencia Ave
 Santa Ana CA 92706-1732 USA
 Home: 714-972-1911
 Bus: 714-745-7444
 EMAIL: brbowyer@pacbell.net

709 Dick C Hamilton
 5832 Oak Fall Road
 Fort Wayne IN 46845-1808 USA
 Home: 260-482-7182



Classifieds

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Carl King (No. 645)
18461 Ballinger Way NE
Lake Forest Park, WA 98155
Tel: 206-365-5123

SOLD

FOR SALE:

Stutz: 1928 Model BB - 3C 5 pass. coupe, SV16, dual ignition, Buffalo wheels, aluminum body by Phillips. Mostly original with elegant interior woodwork. \$19,700 obo.

LITERATURE FOR SALE

Original Stutz Literature! Good selection of Stutz sales brochures, factory manuals, etc. for all models. Send stamped envelope with year(s) for free list. Please specify Stutz as I have lists for all cars/trucks/motorcycles, worldwide.

Walter Miller (No. 405)
6710 Brooklawn Parkway, Syracuse, NY 13211
Tel: 315-432-8282 Fax: 315-432-8256
www.autolit.com

Shiel Sexton Real Estate LLC
902 N. Capitol Ave.
Indianapolis, IN 46204
jleicht@shielsexton.com
Tel: 317-423-6161

Layden Butler (No. 40)
925-820-4742
laydenandjean@comcast.net

WANTED:

HCS memorabilia and car parts for interior decorations of the HCS building

FOR SALE:

Pair of 20" Buffalo Wire Wheels

John P. Polychron (No. 693)
1065 East Kent Road
Winston- Salem, NC 27104
Tel: 336-723-2333

WANTED

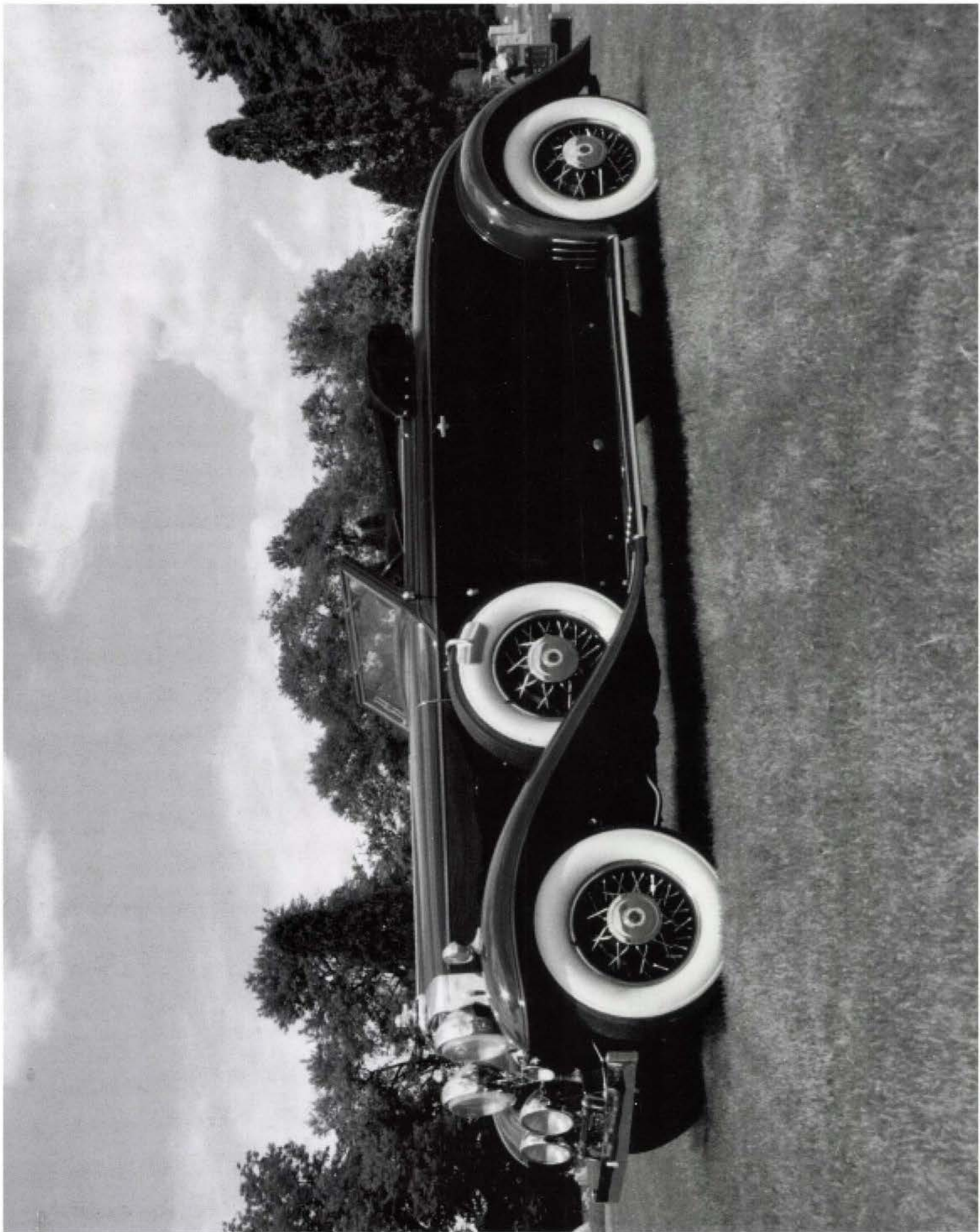
For 1928 Stutz "BB" Black Hawk 2-pass BT Speedster
Correct material and pattern for the upholstery
Side mount mirrors
Wind wings

CLASSIC TIRES
Lester, Firestone, Denman, Lucas.
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1932/33 DV-32 Convertible Coupe, Rollston. Who owns it now? See story on page 20.